

1 Larry Hill moved, with a second by Dan Dutcher, that in **case number 15-82**, the
2 Board find that the evidence gathered in the investigation, including witness
3 statements and the documentary evidence, does not substantiate the allegations in the
4 complaint, and that the Board therefore lacks probable cause to proceed with this
5 matter. Roll call vote: Arnold – yes; Behrens – yes; Carroll – abstain; Dutcher – yes;
6 Garcia – yes; Hill – yes; Overholtzer – yes; Sullivan – recused; Wortmann – yes.

7 **MOTION CARRIED.**

8

9 Larry Hill moved, with a second by Sara Arnold that in **case number 15-80**, the Board
10 find probable cause to establish a violation of the following provisions of the Code of
11 Professional Conduct and Ethics, 282 IAC – Chapter 25.3(1)(e)(1) and 25.3(6)(c), and
12 order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

13

14 Dan Dutcher moved, with a second by Larry Hill that in **case number 15-87**, the
15 Board find that, although one or more of the allegations in the complaint may be
16 substantiated by the witnesses interviewed in the course of the investigation [and/or]
17 the documents gathered in the course of the investigation, and the allegations may
18 constitute a technical violation of the board’s statute or administrative rules; the
19 evidence before the board indicates that adequate steps have been taken to remedy
20 the violation and to ensure that incidents of a similar nature do not occur in the
21 future. The Board will not pursue formal disciplinary action in this matter. **MOTION**

22 **CARRIED UNANIMOUSLY.**

23

24 Larry Hill moved, with a second by Sara Arnold, that in **case number 15-95**, the
25 Board find probable cause to establish a violation of the following provisions of the
26 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(7)(d), and order this
27 case set for hearing. Roll call vote: Arnold – yes; Behrens – yes; Carroll – abstain;
28 Dutcher – yes; Garcia – yes; Hill – yes; Overholtzer – yes; Sullivan – recused;
29 Wortmann – yes. **MOTION CARRIED.** (Duane Magee left the room during the
30 discussion of this case in closed session.)

31 Sara Arnold moved, with a second by Dan Dutcher that in **case number 15-97**, the
32 Board find probable cause to establish a violation of the following provisions of the

1 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(4)(a) and (b), and
2 order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

3
4 Larry Hill moved, with a second by Dan Dutcher that in **case number 15-109**, the
5 Board find probable cause to establish a violation of the following provisions of the
6 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(3)(b) and (e), and
7 order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

8
9 Larry Hill moved, with a second by Dan Dutcher, that in **case number 15-23**, the
10 Board find probable cause to establish a violation of the following provisions of the
11 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(1)(b)(2) and
12 25.3(6)(c) and (m), and order this case set for hearing. **MOTION CARRIED**
13 **UNANIMOUSLY.**

14
15 Sara Arnold moved, with a second by Dan Dutcher, that in **case number 15-61**, the
16 Board find that, although one or more of the allegations in the complaint may be
17 substantiated by the witnesses interviewed in the course of the investigation [and/or]
18 the documents gathered in the course of the investigation, and the allegations may
19 constitute a technical violation of the board’s statute or administrative rules; the
20 evidence before the board indicates that adequate steps have been taken to remedy
21 the violation and to ensure that incidents of a similar nature do not occur in the
22 future. The Board will not pursue formal disciplinary action in this matter. **MOTION**
23 **CARRIED UNANIMOUSLY.**

24
25 Larry Hill moved, with a second by Sara Arnold, that in **case number 15-64**, the
26 Board find that, although one or more of the allegations in the complaint may be
27 substantiated by the witnesses interviewed in the course of the investigation [and/or]
28 the documents gathered in the course of the investigation, and the allegations may
29 constitute a technical violation of the board’s statute or administrative rules; the
30 evidence before the board indicates that adequate steps have been taken to remedy
31 the violation and to ensure that incidents of a similar nature do not occur in the
32 future. The Board will not pursue formal disciplinary action in this matter. **MOTION**
33 **CARRIED UNANIMOUSLY.**

1 Larry Hill moved, with a second by Sara Arnold, that in **case number 15-65**, the
2 Board find that, although one or more of the allegations in the complaint may be
3 substantiated by the witnesses interviewed in the course of the investigation [and/or]
4 the documents gathered in the course of the investigation, and the allegations may
5 constitute a technical violation of the board's statute or administrative rules; the
6 evidence before the board indicates that adequate steps have been taken to remedy
7 the violation and to ensure that incidents of a similar nature do not occur in the
8 future. The Board will not pursue formal disciplinary action in this matter. **MOTION**
9 **CARRIED UNANIMOUSLY.**

11 Sara Arnold moved, with a second by Larry Hill, that in **case number 15-66**, the
12 Board find that, although one or more of the allegations in the complaint may be
13 substantiated by the witnesses interviewed in the course of the investigation [and/or]
14 the documents gathered in the course of the investigation, and the allegations may
15 constitute a technical violation of the board's statute or administrative rules; the
16 evidence before the board indicates that adequate steps have been taken to remedy
17 the violation and to ensure that incidents of a similar nature do not occur in the
18 future. The Board will not pursue formal disciplinary action in this matter. **MOTION**
19 **CARRIED UNANIMOUSLY.**

21 Sara Arnold moved, with a second by Dan Dutcher, that in **case number 15-68**, the
22 Board find that the evidence gathered in the investigation, including witness
23 statements and the documentary evidence, does not substantiate the allegations in the
24 complaint, and that the Board therefore lacks probable cause to proceed with this
25 matter. **MOTION CARRIED UNANIMOUSLY.** (Darcy Lane left the room during the
26 discussion of this case in closed session.)

28 Larry Hill moved, with a second by Sara Arnold, that in **case number 15-83**, the
29 Board find that the evidence gathered in the investigation, including witness
30 statements and the documentary evidence, does not substantiate the allegations in the
31 complaint, and that the Board therefore lacks probable cause to proceed with this
32 matter. **MOTION CARRIED UNANIMOUSLY.**

1 Larry Hill moved, with a second by Dan Dutcher, that in **case number 15-84**, the
2 Board find that the evidence gathered in the investigation, including witness
3 statements and the documentary evidence, does not substantiate the allegations in the
4 complaint, and that the Board therefore lacks probable cause to proceed with this
5 matter. **MOTION CARRIED UNANIMOUSLY.**

6
7 Sara Arnold moved, with a second by Larry Hill, that in **case number 15-85**, the
8 Board find that the evidence gathered in the investigation, including witness
9 statements and the documentary evidence, does not substantiate the allegations in the
10 complaint, and that the Board therefore lacks probable cause to proceed with this
11 matter. **MOTION CARRIED UNANIMOUSLY.**

12
13 Dan Dutcher moved, with a second by Sara Arnold, that in **case number 15-93**, the
14 Board find that, although one or more of the allegations in the complaint may be
15 substantiated by the witnesses interviewed in the course of the investigation [and/or]
16 the documents gathered in the course of the investigation, and the allegations may
17 constitute a technical violation of the board's statute or administrative rules; the
18 evidence before the board indicates that adequate steps have been taken to remedy
19 the violation and to ensure that incidents of a similar nature do not occur in the
20 future. The Board will not pursue formal disciplinary action in this matter. **MOTION**
21 **CARRIED UNANIMOUSLY.**

22
23 Sara Arnold moved, with a second by Dan Dutcher, that in **case number 15-94**, the
24 Board find probable cause to establish a violation of the following provisions of the
25 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(4)(b), and order this
26 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

27
28 Dan Dutcher moved, with a second by Larry Hill, that in **case number 15-96**, the
29 Board find probable cause to establish a violation of the following provisions of the
30 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(4)(b), and order this
31 case set for hearing. Roll call vote: Arnold – recused; Behrens – yes; Carroll – abstain;
32 Dutcher – yes; Garcia – yes; Hill – yes; Overholtzer – yes; Sullivan – yes; Wortmann –
33 yes. **MOTION CARRIED.**

1 Dan Dutcher moved, with a second by Larry Hill, that in **case number 15-99**, the
2 Board find that, although one or more of the allegations in the complaint may be
3 substantiated by the witnesses interviewed in the course of the investigation [and/or]
4 the documents gathered in the course of the investigation, and the allegations may
5 constitute a technical violation of the board’s statute or administrative rules; the
6 evidence before the board indicates that adequate steps have been taken to remedy
7 the violation and to ensure that incidents of a similar nature do not occur in the
8 future. The Board will not pursue formal disciplinary action in this matter. **MOTION**
9 **CARRIED UNANIMOUSLY.**

10
11 Dan Dutcher moved, with a second by Sara Arnold, that in **case number 15-102**, the
12 Board find that, although one or more of the allegations in the complaint may be
13 substantiated by the witnesses interviewed in the course of the investigation [and/or]
14 the documents gathered in the course of the investigation, and the allegations may
15 constitute a technical violation of the board’s statute or administrative rules; the
16 evidence before the board indicates that adequate steps have been taken to remedy
17 the violation and to ensure that incidents of a similar nature do not occur in the
18 future. The Board will not pursue formal disciplinary action in this matter. Roll call
19 vote: Arnold – yes; Behrens – yes; Carroll – abstain; Dutcher – yes; Garcia – yes; Hill –
20 recused; Overholtzer – yes; Sullivan – yes; Wortmann – yes. **MOTION CARRIED.**

21
22 Sara Arnold moved, with a second by Larry Hill, that in **case number 15-105**, the
23 Board find that, although one or more of the allegations in the complaint may be
24 substantiated by the witnesses interviewed in the course of the investigation [and/or]
25 the documents gathered in the course of the investigation, and the allegations may
26 constitute a technical violation of the board’s statute or administrative rules; the
27 evidence before the board indicates that adequate steps have been taken to remedy
28 the violation and to ensure that incidents of a similar nature do not occur in the
29 future. The Board will not pursue formal disciplinary action in this matter. **MOTION**
30 **CARRIED UNANIMOUSLY.**

31 Larry Hill moved, with a second by Dan Dutcher, that in **case number 14-95**, the
32 Board accept the Respondent’s waiver of hearing and voluntary surrender and that the

1 Board issue an order permanently revoking the Respondent’s license with no
2 possibility of reinstatement. **MOTION CARRIED UNANIMOUSLY.**

3
4 Dan Dutcher moved, with a second by Sara Arnold, that in **case number 14-87**, the
5 Board accept the Respondent’s waiver of hearing and voluntary surrender and that the
6 Board issue an order permanently revoking the Respondent’s license with no
7 possibility of reinstatement. **MOTION CARRIED UNANIMOUSLY.**

8
9 Larry Hill moved, with a second by Sara Arnold, that in **case number 14-150**, the
10 Board accept the agreement submitted by the parties, and issue an Order
11 incorporating the agreement of the parties and imposing the agreed upon sanction.
12 **MOTION CARRIED UNANIMOUSLY.**

13
14 Sara Arnold moved, with a second by Larry Hill, that in **case number 14-54**, the
15 Board accept the agreement submitted by the parties, and issue an Order
16 incorporating the agreement of the parties and imposing the agreed upon sanction.
17 **MOTION CARRIED UNANIMOUSLY.**

18
19 Dan Dutcher moved, with a second by Larry Hill, that in **case number 15-36**, the
20 Board accept the agreement submitted by the parties, and issue an Order
21 incorporating the agreement of the parties and imposing the agreed upon sanction.
22 Roll call vote: Arnold – yes; Behrens – yes; Carroll – abstain; Dutcher – yes; Garcia –
23 yes; Hill – yes; Overholtzer – yes; Sullivan – recused; Wortmann – yes. **MOTION**
24 **CARRIED.**

25
26 Sara Arnold moved, with a second by Dan Dutcher, that in **case number 14-159**, the
27 Board accept the agreement submitted by the parties, and issue an Order
28 incorporating the agreement of the parties and imposing the agreed upon sanction.
29 **MOTION CARRIED UNANIMOUSLY.**

30
31 Larry Hill moved, with a second by Dan Dutcher, that in **case number 15-15**, the
32 Board accept the agreement submitted by the parties, and issue an Order
33 incorporating the agreement of the parties and imposing the agreed upon sanction.

1 Roll call vote: Arnold – yes; Behrens – yes; Carroll – abstain; Dutcher – yes; Garcia –
2 yes; Hill – yes; Overholtzer – yes; Sullivan – recused; Wortmann – yes. **MOTION**
3 **CARRIED.**

4

5 Sara Arnold moved, with a second by Dan Dutcher, that the Board not initiate review
6 of the proposed decision in **case number 15-24, In the Matter of Nancy Smith**, and
7 allow the proposed decision to become the final decision of the Board unless an appeal
8 is taken by one of the parties within the time allowed by rule. **MOTION CARRIED**
9 **UNANIMOUSLY.**

10

11 Larry Hill moved, with a second by Brenda Garcia, that in **case number 14-79**, the
12 Board direct conflicts counsel to draft an opinion revising the proposed decision to
13 include a one-year deferred suspension pending completion of the ethics for educators
14 training through ISEA and the board-approved anger management course and uphold
15 the one-year suspension imposed by the proposed decision. Roll call vote: Arnold –
16 yes; Behrens – yes; Carroll – abstain; Dutcher – yes; Garcia – yes; Hill – yes;
17 Overholtzer – no; Sullivan – recused; Wortmann – yes. **MOTION CARRIED.** (Gretchen
18 Kraemer, Conflicts Counsel, was present via phone, during the discussion of this case
19 in closed session. Darcy Lane and Renner Walker left the room during the discussion
20 of this case in closed session.)

21

22 Dan Dutcher moved, with a second by Sara Arnold, that in **case number 14-04**, the
23 Board adopt the revised decision presented by the conflicts counsel. **MOTION**
24 **CARRIED UNANIMOUSLY.** (Diane Stahle, Conflicts Counsel, as well as her legal
25 intern, were present via phone, during the discussion of this case in closed session.
26 Darcy Lane and Renner Walker left the room during the discussion of this case in
27 closed session.)

28

29 Larry Hill moved, with a second by Dan Dutcher, to extend the 180-day deadline for
30 issuance of the final decision in **case number 15-23**, based upon the need to schedule
31 and conduct the hearing and the need to review the proposed decision. **MOTION**
32 **CARRIED UNANIMOUSLY.**

33

1 Sara Arnold moved, with a second by Larry Hill, to extend the 180-day deadline for
2 issuance of the final decision in case number 15-29, based upon the need to schedule
3 and conduct the hearing and the need to review the proposed decision. **MOTION**
4 **CARRIED UNANIMOUSLY.**

5
6 Larry Hill moved, with a second by Dan Dutcher, to extend the 180-day deadline for
7 issuance of the final decision in case number 15-31, based upon the amount of time
8 needed to complete the investigation due to pending criminal charges. **MOTION**
9 **CARRIED UNANIMOUSLY.**

10
11 Sara Arnold moved, with a second by Larry Hill, to extend the 180-day deadline for
12 issuance of the final decision in case number 15-35, based upon the need to schedule
13 and conduct the hearing and the need to review the proposed decision. **MOTION**
14 **CARRIED UNANIMOUSLY.**

15
16 Larry Hill moved, with a second by Dan Dutcher, to extend the 180-day deadline for
17 issuance of the final decision in case number 15-62, based upon the amount of time
18 needed to complete the investigation due to pending criminal charges. **MOTION**
19 **CARRIED UNANIMOUSLY.**

20
21 The following cases were discussed in open session:

22 Background/Discussion: The board reviewed the proposed decision in this case
23 today. They elected to not initiate review unless an appeal is taken by one of the
24 parties within the time allowed by rule. Larry Hill moved, with a second by Sara
25 Arnold, to extend the 180-day deadline for issuance of the final decision in case
26 number 15-24, based upon the need to allow the respondent to initiate review within
27 the time allowed by rule if desired. **MOTION CARRIED UNANIMOUSLY.**

28
29 Background/Discussion: The hearing in this case is set for September 29, 2015.
30 Sara Arnold moved, with a second by Larry Hill, to extend the 180-day deadline for
31 issuance of the final decision in case number 15-30, based upon the need to conduct
32 the hearing and the need to review the proposed decision. **MOTION CARRIED**
33 **UNANIMOUSLY.**

1 Background/Discussion: The hearing in this case is set for August 25, 2015.
2 Larry Hill moved, with a second by Dan Dutcher, to extend the 180-day deadline for
3 issuance of the final decision in **case number 15-46**, based upon the need to conduct
4 the hearing and the need to review the proposed decision. **MOTION CARRIED**
5 **UNANIMOUSLY.**

6
7 Larry Hill moved, with a second by Sara Arnold, that the Board approve the closed
8 session minutes from June 19, 2015. **MOTION CARRIED UNANIMOUSLY.**

9
10 Board Member Reports

11 Mary K. Overholtzer complimented Joanne Tubbs, BoEE Lead Consultant, regarding
12 her ethics presentation to the Professional Educators of Iowa (PEI).

13
14 The BoEE was a presenter at the recent School Administrators of Iowa (SAI)
15 conference. There were two sessions held and both were well-attended.

16
17 Legislative Update

18 Phil Wise provided a legislative update.

19
20 Executive Director's Report

21 Executive Director Magee reviewed the financial report.

22
23 The board reviewed the BoEE Accomplishments from July 1, 2014 through June 30,
24 2015 - It was a very productive year. Executive Director Magee appreciated the
25 support of the board and staff as he served as the NASDTEC president.

26
27 The board reviewed the DiSC profiles of the two newest board members – Kathy
28 Behrens and Linda Carroll.

29
30 The Model Code of Ethics for Educators (MCEE) was shared with the board. The
31 MCEE provides additional framework as we continue our discussion regarding ethics.
32 The Ethics Taskforce/Work Group will be meeting on August 11th. Board Member

1 Larry Hill, representatives from various stakeholder groups, as well as national
2 experts, will be in attendance at the ethics meeting.

3
4 Executive Director Magee distributed a report to the board from Bree Elscott, the
5 BoEE's summer intern. Bree was unable to attend the meeting due to her work
6 schedule. She provided the board a brief synopsis of the various projects she
7 completed during her internship.

8
9 Communication from the Public

10 Jim and Jean Hussey addressed the board regarding Ms. Hussey's petition for waiver
11 (PFW 15-11) which is on today's agenda. They also provided the board with a written
12 copy of their statements.

13
14 Stakeholder Presentation – Iowa Learning Online (ILO)

15 Presenters were Gwen Nagel, Director of ILO, and Gayle Wortmann, Lead Teacher and
16 consultant on the administrative team for K-12 for ILO. ILO is a state-run system that
17 has provided high-quality online courses to school districts since 2004. It is an
18 initiative of the Iowa Department of Education. The courses meet state standards and
19 are taught by Iowa-licensed teachers.

20
21 Rules

22 Adopt:

23 Larry Hill moved, with a second by Sara Arnold, to adopt the proposed changes to IAC
24 282 Chapter 20.5(2)f and 20.6(2)f – Specific renewal requirements for the standard
25 license and master educator license. **MOTION CARRIED UNANIMOUSLY.**

26
27 Brenda Garcia moved, with a second by Anne Sullivan, to adopt the proposed changes
28 to IAC 282 Chapter 22.11(1) – Authorization extension. **MOTION CARRIED**
29 **UNANIMOUSLY.**

1 ARRC Review Pending

2 IAC 282 Chapter 14 – Special Education Endorsement Requirements (1884C) –
3 (Currently under a session delay until the adjournment of the 2016 General
4 Assembly.)

5
6 Notice:

7 Larry Hill moved, with a second by Sara Arnold, to file under notice of intended action,
8 the proposed changes to 282 Chapter 12 – Fees increase. This change includes a
9 \$4.00 increase. Roll call vote: Arnold – yes; Behrens – yes; Carroll – abstain; Dutcher
10 – absent; Garcia – yes; Hill – yes; Overholtzer – no; Sullivan – yes; Wortmann – yes.

11 **MOTION CARRIED.**

12
13 Larry Hill moved, with a second by Mary K. Overholtzer, to file under notice of
14 intended action, the proposed changes to 282 Chapters 13, 15, 16, 18, 20, 22, 23, 24,
15 and 27 – Background check procedures. **MOTION CARRIED UNANIMOUSLY.**

16
17 Items for Discussion

18 IAC 282 Chapters 13 and 27 – Counseling internships and practicums. These are
19 proposed changes to the number of practicum and internship hours for adding the K-
20 8 and 5-12 Professional School Counselor endorsement to both an Iowa teaching
21 license and an Iowa Professional Service License. Currently Iowa requires 500 hours
22 at the K-8 level and 500 hours at the 5-12 level. This equates to approximately 12.5
23 weeks for each endorsement or 25 weeks for both. This significantly exceeds the
24 required 100 hour practicum and 600 hour internship required by the Council for
25 Accreditation of Counseling and Related Educational Programs (CACREP) who sets the
26 national standards for counseling. These changes would bring Iowa into alignment
27 with national standards and cease imposing an undue hardship on individuals
28 seeking both endorsements. This will move forward to notice at an upcoming meeting.

29
30 Petitions for Waiver

31 Mary K. Overholtzer moved, with a second by Sara Arnold, that in **PFW 15-10 Jeffrey**
32 **Maskevich**, the Board grant the waiver. Reasons for granting: Jeffrey Maskevich
33 requested a waiver of the rule for the substitute authorization (282 IAC 22.2(272)). Mr.

1 Maskevich attended Iowa State University but did not receive a degree from that
2 institution. He later attended Sangre de Cristo Seminary in Westcliffe, CO, where he
3 completed 105 semester credit hours and obtained a degree in Biblical Studies.
4 Sangre de Cristo Seminary is not a regionally-accredited institution for purposes of the
5 substitute authorization degree requirement. It is accredited by the Association of
6 Reformed and Theological Seminaries. Based on the limited authority granted by the
7 substitute authorization, as well as Mr. Maskevich's experience working with students
8 and training professionals in various contexts, the Board finds it would be an undue
9 hardship to deny Mr. Maskevich's request to waive the requirement of a bachelor's
10 degree from a regionally accredited institution. The Board has granted waivers in
11 similar cases. In light of this precedent, the Board found granting the waiver would
12 not cause prejudice to the substantial legal rights of any person. The substitute
13 authorization carries limited authority, as the holder cannot serve for extended periods
14 of time in one assignment. The Board finds that Mr. Maskevich has presented clear
15 and convincing evidence that waiving the rule in question to grant him this
16 authorization would not compromise public health, safety, or welfare. **MOTION**
17 **CARRIED UNANIMOUSLY.**

18
19 Brenda Garcia moved, with a second by Anne Sullivan, that in **PFW 15-11 Jean Lin**
20 **Hussey**, the Board grant the waiver. Reasons for granting: Jean Lin Hussey
21 requested a waiver of the rule for the preliminary native language teaching
22 authorization (282 IAC 22.5(272)). Ms. Hussey immigrated to the United States from
23 Taiwan in 1986. In 2010, she received a bachelor's degree in elementary education
24 from William Penn University, but has not obtained teacher licensure to date because
25 she has not passed the assessments required to complete a teacher preparation
26 program. In order to obtain the preliminary native language teaching authorization,
27 an applicant must achieve the set cut score on the applicable assessment approved by
28 the Iowa Department of Education. The applicable assessment for teaching Chinese is
29 the ETS Praxis II exam in Chinese (Mandarin): World Language. Ms. Hussey
30 attempted this exam once and did not achieve the cut score set by the Department of
31 Education. Ms. Hussey filed a previous petition for waiver (PFW 14-05) that was
32 denied by the Board. This current petition contains additional information, including
33 documentation of an independent evaluation of Ms. Hussey's Chinese language skills

1 conducted by Scott Cook, the Chair of Chinese Studies at Grinnell College. Based on
2 the additional information provided since Ms. Hussey's submission of PFW 14-05,
3 particularly the independent evaluation conducted by Mr. Cook, the Board finds that
4 enforcement of the assessment requirement would impose an undue hardship under
5 the extremely unique circumstances presented. The preliminary native language
6 teaching authorization is relatively new. Aside from Ms. Hussey's previous petition,
7 the Board has considered no other petitions for waiver of the requirement at issue
8 here. In light of the unique circumstances presented in the current petition for waiver,
9 the Board finds that granting the waiver would not cause prejudice to the substantial
10 legal rights of others. The Board does not anticipate that these circumstances will be
11 replicated in the future, and does not intend the ruling on this petition to serve as
12 precedent in cases that are only somewhat similar. In light of the additional evidence
13 presented in the current petition, the Board finds that equal protection of public
14 health, safety, and welfare will be afforded by a means other than that prescribed in
15 the particular rule for which the waiver is sought. This conclusion is based primarily
16 on the following facts: Ms. Hussey is a native speaker of Chinese. Though she did not
17 complete a teacher preparation program, she earned a degree in education at William
18 Penn University. Ms. Hussey's difficulty in passing the required assessment is based
19 at least in part on the fact that she is not familiar with the Romanization system
20 utilized by the assessment. Finally, Ms. Hussey was independently evaluated by a
21 professor of Chinese Studies, and this professor provided a letter to the Board
22 attesting to her skills in this area. (Jean Lin Hussey and her husband, Jim Hussey,
23 were present. Both of them addressed the board during the "Communication from
24 the Public" portion of the meeting.) Roll call vote: Arnold – no; Behrens – yes; Carroll –
25 abstain; Dutcher – absent; Garcia – yes; Hill – no; Overholtzer – yes; Sullivan – yes;
26 Wortmann – abstain. **MOTION CARRIED.**

27
28 Larry Hill moved, with a second by Richard Wortmann, that in **PFW 15-12 Eric Boge**,
29 the Board deny the waiver. Reasons for denying: Eric Boge requested a waiver of Iowa
30 Code sections 272.9 and 272.31. Mr. Boge holds a master educator license with
31 endorsements in World History, Psychology, Sociology, and Instructional Strategist I:
32 Mild/Moderate. Mr. Boge states in his petition that he would like the Board to "waive
33 all the (15) credits for Strategist II." Presumably, this refers to the requirements for

1 the Strategist II endorsement set forth in 282 Iowa Administrative Code r. 14.2. This
2 rule does not require a particular number of credits; the number of credits for the
3 endorsement desired is dependent on the teacher preparation program attended and
4 any prior coursework completed by the applicant. The Board finds that Mr. Boge has
5 not provided clear and convincing evidence that the application of the rule would pose
6 an undue hardship. The information he provided on the petition in reference to this
7 factor is vague and perfunctory. Mr. Boge does not cite any other similar petitions for
8 waiver in his petition. In reference to this factor in his petition, he states that the
9 ramifications of a waiver would be “[a] stress free teacher!” He has not met his burden
10 to establish this factor by clear and convincing evidence. In lieu of providing evidence
11 related to this factor, Mr. Boge’s petition calls the associated question “ridiculous” and
12 provides no information. He has not met his burden to provide clear and convincing
13 evidence on this factor. **MOTION CARRIED UNANIMOUSLY.**

14
15 Sara Arnold moved, with a second by Anne Sullivan, that in **PFW 15-13 John**
16 **Klaessy**, the Board grant the waiver. Reasons for granting: John Klaessy requested a
17 waiver of the rule regarding extension of a teacher intern license. Mr. Klaessy holds a
18 coaching authorization, substitute authorization, and teacher intern license. His
19 teacher intern license expired on July 31, 2015. Mr. Klaessy had lined up a co-
20 teaching opportunity to meet the internship requirement of the teacher intern program
21 during the 2014-2015 school year, but the cooperating teacher then backed out due to
22 a change in circumstances. Mr. Klaessy now has another offer to co-teach and meet
23 the program requirement during the upcoming school year. However, the rules do not
24 allow for an extension of the teacher intern license under the circumstances. If the
25 waiver is not granted, Mr. Klaessy notes that he will have no option to complete the
26 teacher intern program and he will have to return to a traditional teacher preparation
27 program. The board has not reviewed any similar petitions for waiver. Mr. Klaessy
28 stated that his situation is unique and would not prejudice the substantial legal rights
29 of any other person. Also, The Iowa intern program coordinators are working
30 collaboratively with the Iowa Department of Education to revise the administrative
31 rules regarding such programs, and the proposed changes, in their current form,
32 would alleviate this particular problem for future candidates. Mr. Klaessy notes that
33 he has been working successfully in the district where he hopes to complete his co-

1 teaching requirement as a coach and substitute teacher. **MOTION CARRIED**
2 **UNANIMOUSLY.**

3
4 Reports/Approvals

5 Board Goals for 2015-16

6 Goal 1: The Board will develop rules for practitioner licensure that maintain high
7 standards, are research based, and provide flexibility in attainment in all credential
8 types, especially in shortage areas.

9 Goal 2: The Board will develop a plan to require ongoing ethics training for all
10 licensees.

11 Goal 3: The Board will develop a communication plan for the dissemination of
12 information to its constituent groups.

13
14 Anne Sullivan moved, with a second by Sara Arnold, to approve the 2015-16 board
15 goals. **MOTION CARRIED UNANIMOUSLY.**

16
17 CTE Authorizations

18 The BoEE staff recommended that the board formally approve the list of Career and
19 Technical Education authorization areas as identified by the National Association of
20 State Directors of Career Technical Education Consortium (NASDTEC). The
21 description, can be found on NASDCTEc's web site: [http://www.careertech.org/who-](http://www.careertech.org/who-we-are)
22 [we-are](http://www.careertech.org/who-we-are)

23
24 Anne Sullivan moved, with a second by Sara Arnold, to approve the CTE
25 authorizations. **MOTION CARRIED UNANIMOUSLY.**

26
27 Board Member Technology Upgrade

28 The board reviewed a price quote for laptops (HP tablet PC) for each board member. A
29 sample of the laptop was shared with the board. The iPads that board members
30 currently use are near the end of their life cycle and need to be replaced. We hope to
31 have the laptops by the October meeting.

1 Richard Wortmann moved, with a second by Sara Arnold, to approve the technology
2 upgrade. Roll call vote: Arnold – yes; Behrens – yes; Carroll – abstain; Dutcher –
3 absent; Garcia – yes; Hill – yes; Overholtzer – no; Sullivan – yes; Wortmann – yes.

4 **MOTION CARRIED.**

5
6 Semi-Annual Waiver Report was reviewed by the board. The report lists the petitions
7 for waiver from January 31, 2015 through July 30, 2015. The report states the rule
8 and statute rules it is intended to implement; number of times a waiver was
9 granted/denied; and, summary of reasons for granting/denying the waiver, comments
10 on effect of waivers on general applicability of the rule. The report was prepared by
11 Darcy Lane.

12
13 BoEE Consultant Presentations for 2014-05 was reviewed by the board. The
14 presentations are given regarding licensure and ethics. The report was compiled by
15 Joanne Tubbs.

16
17 Teacher Candidates by Endorsements was reviewed by the board. The report
18 represented the number of endorsements issued. The Iowa Department of Education,
19 Bureau of Educator Quality prepared the report.

20
21 People Recommended from an Iowa Institute from July 1, 2014 through June 30,
22 2015. This report was reviewed by the board. Jeff DeBruin, BoEE IT Specialist,
23 compiled this data from the BoEE database.

24
25 Program Completers (Initial Licensure) from Iowa Educator Preparation Programs
26 The latest data available was from 2013-14. The numbers represented people
27 licensed, not the number of endorsements. This report was prepared by The Iowa
28 Department of Education, Bureau of Educator Quality.

29
30 Legislative, Administrative Code, and Other Priorities

31 Chair Richard Wortmann distributed a list of priorities to the board that were
32 determined at the June board retreat. Each board member was asked to check each
33 of the priorities they believe the board should pursue during the next fiscal year.

1 Board Operating Guidelines

2 The Board Operating Guidelines was updated to include the two newest board
3 members, Kathy Behrens and Linda Carroll; adding the title of Chair to Richard
4 Wortmann and Vice Chair to Brenda Garcia; update page 13, adding letter “D” to
5 section VI; and, on page 14, adding letter “G” to section VIII.

6

7 Anne Sullivan moved, with a second by Sara Arnold, to approve the updated Board
8 Operating Guidelines. **MOTION CARRIED UNANIMOUSLY.**

9

10 Committee Appointment

11 Chair Richard Wortmann assigned Linda Carroll to the Executive Committee.

12

13 There being no further business, Sara Arnold moved, with a second by Anne Sullivan
14 to adjourn the meeting. Meeting adjourned at 2:20 p.m. **MOTION CARRIED**
15 **UNANIMOUSLY.**

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