

1 provisions of the Code of Professional Conduct and Ethics, 282 IAC 25.3(1)c, d,
2 e(4) and order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

3

4 Jean Seeland moved, with a second by Ying Ying Chen, that in **case number 08-**
5 **99**, the Board find that, although one or more of the allegations in the complaint
6 may be substantiated by the witnesses interviewed in the course of the
7 investigation [and/or] the documents gathered in the course of the investigation,
8 and the allegations may constitute a technical violation of the board's statute or
9 administrative rules; the evidence before the board indicates that : *adequate steps*
10 *have been taken to remedy the violation and to ensure that incidents of a similar*
11 *nature do not occur in the future.* Taking into account these circumstances, and the
12 Board's mission to act upon those complaints which involve a threat to the health
13 and safety of students and the public, the Board will not pursue formal disciplinary
14 action in this matter. **MOTION CARRIED UNANIMOUSLY.**

15

16 Laura Stevens moved, with a second by Jean Seeland, that in **case number 08-**
17 **100**, while the Board is concerned about the allegations, it finds that the evidence
18 gathered in the investigation, including witness statements and the documentary
19 evidence does not rise to the level necessary to take action against the licensee.
20 The Board therefore lacks probable cause to proceed with this matter. Roll call
21 vote: Aboud-no, Chen-yes, Dirks-yes, Henderson-no, Jeffrey-yes, Johnson-yes,
22 Paulsen-yes, Robinson-no, Seeland-yes, Smith-no, Stevens-yes. **MOTION**
23 **CARRIED.**

24

25 Ying Ying Chen moved, with a second by Laura Stevens, that in **case number 08-**
26 **101**, while the Board is concerned about the allegations, it finds that the evidence
27 gathered in the investigation, including witness statements and the documentary
28 evidence does not rise to the level necessary to take action against the licensee.
29 The Board therefore lacks probable cause to proceed with this matter. **MOTION**
30 **CARRIED UNANIMOUSLY.**

31

32 Jean Seeland moved, with a second by Ying Ying Chen, that in **case number 08-**
33 **102**, the Board find that, although one or more of the allegations in the complaint

1 may be substantiated by the witnesses interviewed in the course of the
2 investigation [and/or] the documents gathered in the course of the investigation,
3 and the allegations may constitute a technical violation of the board's statute or
4 administrative rules; the evidence before the board indicates that : *the alleged*
5 *violation was an isolated incident.* Taking into account these circumstances, and
6 the Board's mission to act upon those complaints which involve a threat to the
7 health and safety of students and the public, the Board will not pursue formal
8 disciplinary action in this matter. **MOTION CARRIED UNANIMOUSLY.**

9

10 Laura Stevens moved, with a second by Ying Ying Chen, that in **case number 08-**
11 **103**, the Board return the complaint and investigative report to the investigator to
12 gather further information regarding classroom conduct and return the case to the
13 Board for further consideration. Roll call vote: Aboud-no, Chen-yes, Dirks-yes,
14 Henderson-yes, Jeffrey-yes, Johnson-yes, Paulsen-yes, Robinson-yes, Seeland-
15 recused, Smith-recused, Stevens-yes. **MOTION CARRIED.**

16

17 Ying Ying Chen moved, with a second by Jean Seeland, that in **case number 08-**
18 **104**, the Board return the complaint and investigative report to the investigator to
19 gather further information regarding the county attorney's investigation and return
20 the case to the Board for further consideration. **MOTION CARRIED**
21 **UNANIMOUSLY.**

22

23 Jean Seeland moved, with a second by Ying Ying Chen, that in **case number 08-**
24 **105**, the Board find probable cause to establish a violation of the following
25 provisions of the Code of Professional Conduct and Ethics, 282 IAC 25.3(4)a-e, and
26 order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

27

28 Laura Stevens moved, with a second by Jean Seeland, that in **case number**
29 **08-109**, the Board find probable cause to establish a violation of the
30 following provisions of the Code of Professional Conduct and Ethics, 282 IAC
31 25.3(1)e, and order this case set for hearing. **MOTION CARRIED**
32 **UNANIMOUSLY.**

33

1 Ying Ying Chen moved, with a second by Laura Stevens, that in **case**
2 **number 08-110**, the Board find probable cause to establish a violation of
3 the following provisions of the Code of Professional Conduct and Ethics, 282
4 IAC 25.3(5)a(3), and order this case set for hearing. **MOTION CARRIED**
5 **UNANIMOUSLY.**

6
7 Jean Seeland moved, with a second by Laura Stevens that in **case number**
8 **07-30**, Hadzic, the Board accepts the proposed decision with the following
9 modifications strike the second and third paragraphs under Part II. Analysis
10 C. Applicability of 281 IAC 36.15(2)(h) to Coaches and a sanction be imposed
11 based. A letter of reprimand shall be imposed. Roll call vote: Aboud-yes,
12 Chen-yes, Dirks-yes, Henderson-recused, Jeffrey-no, Johnson-yes, Paulsen-
13 yes, Robinson-yes, Seeland-yes, Smith-yes, Stevens-yes. **MOTION**
14 **CARRIED.**

15
16 Ying Ying Chen moved, with a second by Laura Stevens, that in **case**
17 **number 08-11**, Guerrero, the Board not initiate review of the proposed
18 decision and allow the proposed decision to become the final decision of the
19 Board unless an appeal is taken by one of the parties within the time allowed
20 by rule. Roll call vote: Aboud-yes, Chen-yes, Dirks-yes, Henderson-recused,
21 Jeffrey-yes, Johnson-yes, Paulsen-yes, Robinson-yes, Seeland-yes, Smith-
22 yes, Stevens-yes. **MOTION CARRIED.**

23
24 Laura Stevens moved, with a second by Ying Ying Chen, that in **case number 06-**
25 **27**, the Board accept the stipulation and settlement submitted by the parties, and
26 issue an Order incorporating the agreement of the parties and imposing the agreed
27 upon sanction. Roll call vote: Aboud-yes, Chen-yes, Dirks-yes, Henderson-yes,
28 Jeffrey-yes, Johnson-yes, Paulsen-yes, Robinson-yes, Seeland-recused, Smith-
29 recused, Stevens-yes. **MOTION CARRIED.**

30
31 Jean Seeland moved, with a second by Laura Stevens, that in **case number**
32 **08-08**, the Board accept the stipulation and settlement submitted by the

1 parties, and issue an Order incorporating the agreement of the parties and
2 imposing the agreed upon sanction. **MOTION CARRIED UNANIMOUSLY.**

3

4 Ying Ying Chen moved, with a second by Laura Stevens, that in **case number 08-**
5 **93**, the Board accept the stipulation and settlement submitted by the parties, and
6 issue an Order incorporating the agreement of the parties and imposing the agreed
7 upon sanction. **MOTION CARRIED UNANIMOUSLY.**

8

9 Jean Seeland moved, with a second by Ying Ying Chen, that in **case numbers 07-38,**
10 **the Board accept** the Respondent's waiver of hearing and voluntary surrender and
11 that the Board issue an order permanently revoking the Respondent's license with no
12 possibility of reinstatement. Roll call vote: Aboud-yes, Chen-yes, Dirks-yes,
13 Henderson-recused, Jeffrey-yes, Johnson-yes, Paulsen-yes, Robinson-yes, Seeland-
14 yes, Smith-yes, Stevens-yes. **MOTION CARRIED.**

15

16 Board Reports:

17 Brad Dirks reported that he was in Cambodia for two weeks and shared
18 information regarding what he learned about their education system.

19

20 Greg Robinson thanked staff for all their hard work to set up/organize for
21 the Legislative Reception (at the Capitol) which took place prior to the board
22 meeting.

23

24 Public Comment:

25 There were no public comments.

26

27 Executive Director's Report:

28 Dr. Maurer presented the "tentative agenda" for the June Retreat which will take
29 place at the Grand River Center & Grand Harbor Resort in Dubuque. The retreat is
30 scheduled for June 11-12.

31

32 Dr. Maurer stated that this will be the 20th year of the Board's existence. He asked
33 the Board if there is anything we should do as far a special reception; prepare a

1 PR/historical piece, etc. Dr. Maurer suggested taking one hour from an upcoming
2 board meeting, either before or after, and invite people (including former board
3 members) to a reception. He will put together something and present it to the
4 Board at an upcoming meeting.

5

6 The Legislation Reception took place prior to the board meeting. Dr. Maurer asked
7 the Board for their thoughts regarding future receptions. Suggestions: Begin the
8 reception later in the morning--7:30-8:00 am; have board members send a note to
9 their representatives to strengthen connections; share with legislators our financial
10 information from the past and look at the trend as to why we have funds now and
11 won't anticipate having them in the future due to changes in statute.

12

13 Legislative Update – Permanent Substitute License has been presented by Rep.
14 Kaufmann. Dr. Maurer expressed concern that the registries would not be checked
15 if renewals would cease. Based on research of our data, the minimum impact
16 would be \$32,000/yr for teachers who apply for a substitute license and would not
17 have to renew it in the future.

18

19 Dr. Maurer presented his financial report.

20

21 We will be partnering with ISEA regarding an ethics program that we would offer in
22 the future meeting the Board's guidelines.

23

24 Dr. Maurer updated the board on the portfolio process. Interviews will begin in the
25 coming weeks to hire two consultants who will research/evaluate out-of-state
26 applicants to determine if they meet the same high standards of an in-state
27 applicant.

28

29 A letter was received from the Iowa Athletic Trainers' Society requesting a
30 Statement of Professional Recognition (SPR) for licensed athletic trainers working in
31 secondary schools to be added to the list of health care professionals in 282-
32 16.1(272). Dr. Maurer asked the Board if this is something they want to consider,

1 and if so, he would add it to next month's agenda. The Board has requested more
2 information and asked that this be discussed at an upcoming meeting.

3
4 Notebooks were distributed to board members which included the latest statutes
5 and rules.

6

7 Items for Discussion:

8 The proposed changes to Chapter 25.2 Definitions were discussed and will be
9 brought back to the March meeting for noticing.

10

11 The proposed changes to Chapter 20 Renewals were discussed and will be brought
12 back to the March meeting for noticing.

13

14 The proposed changes to Chapter 13.27(272) Requirements for Middle School
15 Endorsement were discussed. The board requested further discussion on this item.

16

17 The proposed changes to Chapter 13.11 Specific Requirement for a Class B License
18 were discussed and will be brought back to the March meeting for noticing with
19 changes.

20

21 Petitions for Waiver:

22 John Aboud moved, with a second by Jean Seeland, that in **PFW 08-39, PFW 08-**
23 **40, PFW 08-41, PFW 08-42, PFW 08-43, PFW 08-44, PFW 08-45**, Tina Johnson,

24 Chuck Collins, Janice Carter, Joan Zastrox, Kathy Kinzenbaw, Kim Wolfe, Mary
25 Decker, the Board grant the Petition for Waiver. **MOTION CARRIED**

26 **UNANIMOUSLY.**

27 John Aboud moved, with a second by Bev Smith, that in **PFW 09-01**, Rusty
28 Eklund, the Board grant the Petition for Waiver. **MOTION CARRIED**

29 **UNANIMOUSLY.**

30

31 Jeff Henderson moved, with a second by John Aboud, that in **PFW 09-02**, Marci
32 Cordaro, the Board deny the Petition for Waiver. **MOTION CARRIED**

33 **UNANIMOUSLY.**

1 Reports:

2 Dr. Maurer reviewed topics discussed during the December 5, 2008 Board Meeting
3 Workshop. Topics included the process for non-renewal or out-of-content for an
4 Iowa licensed teacher and process for an individual who does not have an Iowa
5 License or SPR.

6

7 There being no further business, Judy Jeffrey adjourned the meeting.

8