

1 Auken – yes; Hill – yes; Lebo – yes; Overholtzer – yes; Pattee – yes; Prescott – yes;
2 Stevens – yes; Sullivan – yes; Wortmann - yes. **MOTION CARRIED.**

3

4 Tammy Duehr moved, with a second by Brenda Garcia-Van Auken, that in **case**
5 **number 13-128**, the Board find that the evidence gathered in the investigation,
6 including witness statements and the documentary evidence, does not create a
7 reasonable ground for belief in the existence of facts warranting a hearing, and that
8 the Board therefore lacks probable cause to proceed with this matter. **MOTION**
9 **CARRIED UNANIMOUSLY.**

10

11 Anne Sullivan moved, with a second by Brenda Garcia-Van Auken, that in **case**
12 **number 13-135**, the Board find that the evidence gathered in the investigation,
13 including witness statements and the documentary evidence, does not create a
14 reasonable ground for belief in the existence of facts warranting a hearing, and that
15 the Board therefore lacks probable cause to proceed with this matter. Roll call vote:
16 Buck – yes; Duehr – recused; Garcia-Van Auken – yes; Hill – yes; Lebo – yes;
17 Overholtzer – yes; Pattee – yes; Prescott – yes; Stevens – yes; Sullivan – yes; Wortmann
18 - yes. **MOTION CARRIED.**

19

20 Brenda Garcia-Van Auken moved, with a second by Anne Sullivan, that in **case**
21 **number 13-136**, the Board find that the evidence gathered in the investigation,
22 including witness statements and the documentary evidence, does not create a
23 reasonable ground for belief in the existence of facts warranting a hearing, and that
24 the Board therefore lacks probable cause to proceed with this matter. Roll call vote:
25 Buck – yes; Duehr – yes; Garcia-Van Auken – yes; Hill – yes; Lebo – yes; Overholtzer –
26 yes; Pattee – yes; Prescott – yes; Stevens – yes; Sullivan – yes; Wortmann - recused.
27 **MOTION CARRIED.**

28

29 Tammy Duehr moved, with a second by Brenda Garcia-Van Auken, that in **case**
30 **number 13-137**, the Board find that the evidence gathered in the investigation,
31 including witness statements and the documentary evidence, does not create a
32 reasonable ground for belief in the existence of facts warranting a hearing, and that
33 the Board therefore lacks probable cause to proceed with this matter. Roll call vote:

1 Buck – yes; Duehr – yes; Garcia-Van Auken – yes; Hill – yes; Lebo – yes; Overholtzer –
2 yes; Pattee – yes; Prescott – yes; Stevens – yes; Sullivan – yes; Wortmann - recused.

3 **MOTION CARRIED.**

4

5 Tammy Duehr moved, with a second by Anne Sullivan, that in **case number 13-138**,
6 the Board find probable cause to establish a violation of the following provisions of the
7 Code of Professional Conduct and Ethics, 282 IAC –Chapter 25.3(6)(c) and (d), and
8 order this case set for hearing. Roll call vote: Buck – absent; Duehr – yes; Garcia-Van
9 Auken – yes; Hill – yes; Lebo – yes; Overholtzer – yes; Pattee – yes; Prescott – yes;
10 Stevens – yes; Sullivan – yes; Wortmann - yes. **MOTION CARRIED.**

11

12 Anne Sullivan moved, with a second by Brenda Garcia-Van Auken, that in **case**
13 **number 13-143**, the Board find probable cause to establish a violation of the
14 following provisions of the Code of Professional Conduct and Ethics, 282 IAC –
15 Chapter 25.3(1)(c) and 25.3(1)(e)(4), and order this case set for hearing. Roll
16 call vote: Buck – absent; Duehr – yes; Garcia-Van Auken – yes; Hill – yes; Lebo
17 – yes; Overholtzer – yes; Pattee – yes; Prescott – yes; Stevens – yes; Sullivan –
18 yes; Wortmann - yes. **MOTION CARRIED.**

19

20 Tammy Duehr moved, with a second by Brenda Garcia-Van Auken, that in **case**
21 **number 13-144**, the Board find that the evidence gathered in the investigation,
22 including witness statements and the documentary evidence, does not create a
23 reasonable ground for belief in the existence of facts warranting a hearing, and
24 that the Board therefore lacks probable cause to proceed with this matter. Roll
25 call vote: Buck – absent; Duehr – yes; Garcia-Van Auken – yes; Hill – no; Lebo –
26 yes; Overholtzer – no; Pattee – yes; Prescott – yes; Stevens – yes; Sullivan – yes;
27 Wortmann - yes. **MOTION CARRIED.**

28

29 Anne Sullivan moved, with a second by Brenda Garcia-Van Auken, that in **case**
30 **number 13-41**, the Board find probable cause to establish a violation of the
31 following provisions of the Code of Professional Conduct and Ethics, 282 IAC –
32 Chapter 25.3(1)(e)(3) and (4), and order this case set for hearing. Roll call vote:
33 Buck – absent; Duehr – yes; Garcia-Van Auken – yes; Hill – yes; Lebo – yes;

1 Overholtzer – yes; Pattee – yes; Prescott – yes; Stevens – yes; Sullivan – yes;
2 Wortmann - yes. **MOTION CARRIED.**

3

4 Anne Sullivan moved, with a second by Tammy Duehr, that in **case number**
5 **13-110**, the Board find that the evidence gathered in the investigation,
6 including witness statements and the documentary evidence, does not create a
7 reasonable ground for belief in the existence of facts warranting a hearing, and
8 that the Board therefore lacks probable cause to proceed with this matter. Roll
9 call vote: Buck – absent; Duehr – yes; Garcia-Van Auken – yes; Hill – yes; Lebo
10 – yes; Overholtzer – yes; Pattee – yes; Prescott – yes; Stevens – yes; Sullivan –
11 yes; Wortmann - yes. **MOTION CARRIED.**

12

13 Tammy Duehr moved, with a second by Anne Sullivan, that in **case number**
14 **13-132**, the Board find that the evidence gathered in the investigation,
15 including witness statements and the documentary evidence, does not create a
16 reasonable ground for belief in the existence of facts warranting a hearing, and
17 that the Board therefore lacks probable cause to proceed with this matter. Roll
18 call vote: Buck – absent; Duehr – yes; Garcia-Van Auken – yes; Hill – yes; Lebo
19 – yes; Overholtzer – yes; Pattee – yes; Prescott – yes; Stevens – yes; Sullivan –
20 yes; Wortmann - yes. **MOTION CARRIED.** (Duane Magee, left the room during
21 the discussion of this case in closed session.)

22

23 Anne Sullivan moved, with a second by Tammy Duehr, that in **case number 13-134**,
24 the Board find that the evidence gathered in the investigation, including witness
25 statements and the documentary evidence, does not create a reasonable ground for
26 belief in the existence of facts warranting a hearing, and that the Board therefore lacks
27 probable cause to proceed with this matter. Roll call vote: Buck – absent; Duehr – yes;
28 Garcia-Van Auken – yes; Hill – yes; Lebo – yes; Overholtzer – yes; Pattee – yes; Prescott
29 – yes; Stevens – recused; Sullivan – yes; Wortmann - yes. **MOTION CARRIED.**
30 (Duane Magee, left the room during the discussion of this case in closed session.)

31

32 Tammy Duehr moved, with a second by Anne Sullivan, that in **case number 14-01**,
33 the 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(1)(a), 25.3(1)(b)(2),
2 and 25.3(6)(c), and order this case set for hearing. **MOTION CARRIED**
3 **UNANIMOUSLY.**

4
5 Brenda Garcia-Van Auken moved, with a second by Anne Sullivan, that in **case**
6 **number 13-108**, the Board accept the stipulation and settlement submitted by the
7 parties, and issue an Order incorporating the agreement of the parties and imposing
8 the agreed upon sanction. **MOTION CARRIED UNANIMOUSLY.** (Duane Magee left the
9 room during the discussion of this case in closed session.)

10
11 Case Nos. 13-96 and 13-104 were discussed in open session.

12 Anne Lebo moved, with a second by Tammy Duehr, to extend the 180-day deadline for
13 issuance of the final decision in **case number 13-96**, based upon the need to review
14 the proposed decision. Roll call vote: Buck – yes; Duehr – yes; Garcia-Van Auken –
15 yes; Hill – yes; Lebo – yes; Overholtzer – yes; Pattee – recused; Prescott – yes; Stevens –
16 yes; Sullivan – yes; Wortmann - yes. **MOTION CARRIED.**

17
18 Anne Lebo moved, with a second by Brenda Garcia-Van Auken, to extend the 180-day
19 deadline for issuance of the final decision in **case number 13-104**, based upon the
20 need to review the proposed decision. **MOTION CARRIED UNANIMOUSLY.**

21
22 Brenda Garcia-Van Auken moved, with a second by Ann Lebo, to accept the closed
23 session minutes for January 16, 2014. Roll call vote: Buck – yes; Duehr – yes; Garcia-
24 Van Auken – yes; Hill – abstain; Lebo – yes; Overholtzer – yes; Pattee – yes; Prescott –
25 yes; Stevens – yes; Sullivan – yes; Wortmann - yes. **MOTION CARRIED.**

26
27 Communication from the Public:

28 None.

1 Rules:

2 Adopt:

3 Larry Hill moved, with a second by Richard Wortmann, to adopt the proposed change
4 to chapter 13.9(3) — Teacher intern license requirements. **MOTION CARRIED**
5 **UNANIMOUSLY.**

6

7 Notice:

8 Larry Hill moved, with a second by Mary K. Overholtzer, to file under notice of
9 intended action, the proposed change to chapter 22.6 — School administration
10 manager authorization. Roll call vote: Buck – yes; Duehr – yes; Garcia-Van Auken –
11 yes; Hill – yes; Lebo – yes; Overholtzer – yes; Pattee – yes; Prescott – absent; Stevens –
12 yes; Sullivan – yes; Wortmann - yes. **MOTION CARRIED.**

13

14 Anne Sullivan moved, with a second by Ann Lebo, to file under notice of intended
15 action, the proposed change to chapter 11.6 — Ruling on the initial inquiry (regarding
16 probable cause). Roll call vote: Buck – yes; Duehr – yes; Garcia-Van Auken – yes; Hill –
17 yes; Lebo – yes; Overholtzer – yes; Pattee – yes; Prescott – absent; Stevens – yes;
18 Sullivan – yes; Wortmann - yes. **MOTION CARRIED.**

19

20 Items for Discussion:

21 The proposed change to chapter 22.2 Substitute authorization was discussed and will
22 be brought back for further discussion.

23

24 The proposed changes to chapter 14 — Special education endorsement requirements
25 were discussed and will be brought back for further discussion.

26

27 Stakeholder Presentation:

28 There was a presentation by Tammy Wawro, President, and Cindy Swanson, Teaching
29 and Learning Specialist, of the Iowa State Education Association (ISEA). They updated
30 the Board on current projects and efforts of ISEA.

31

32

33

1 Board Member Reports:

2 Larry Hill announced that he has a new grandson since the January meeting. The
3 Board congratulated Dr. Hill on the newest member of his family.

4
5 Laura Stevens was absent from the January meeting due to a medical issue regarding
6 her eyes. The Board welcomed her back and was glad that she is doing well.

7
8 Executive Director's Report

9 Executive Director Magee reviewed the financial report.

10
11 Executive Director Magee updated the Board regarding TeachIowa.gov. We are
12 continuing to expand the system. Executive Director Magee and Marietta Rives, a
13 Department of Education (DE) consultant, provided training in several Area Education
14 Agencies (AEAs). They conducted trainings to "train the trainer." Executive Director
15 Magee also announced to the Board that there will be a major ad push in newspapers
16 around the state; a large color poster will be sent to colleges, universities and AEAs;
17 Teach Iowa brochures will continue to be distributed when attending various meetings
18 around the state. Teach Iowa is going very well and continues to grow.

19
20 Board Operating Guidelines: The Board Operating Guidelines were emailed out to the
21 committee - Larry Hill, Jay Prescott and Mark K. Overholtzer. They will review and
22 provide their recommendations for modifications and return to Executive Director
23 Magee. The recommendations will be brought before the Board at the March meeting.

24
25 Executive Director Magee is working with the governor's office regarding board
26 appointees for our two upcoming vacancies.

27
28 Petitions for Waiver:

29 Larry Hill moved, with a second by Ann Lebo, that in **PFW 14-02 Olabisi Titilope**
30 **Gwamna**, the Board grant the Petition for Waiver. Reasons for granting:

31 Ms. Gwamna attended college in Nigeria approximately 35 years ago. She provided
32 documentation showing that she is unable to obtain verification of a bachelor's degree
33 from her institution in Nigeria, and that the record may have been inadvertently

1 destroyed. Ms. Gwamna earned a doctorate in philosophy from Ohio University. She
2 provided a transcript for this degree with her petition for waiver. The Board finds that
3 enforcement of the rule would create an undue hardship under these circumstances
4 because Ms. Gwamna is unable to obtain verification of her bachelor's degree obtained
5 in Nigeria. She has provided verification of a doctorate from Ohio University.
6 The Board has previously granted waivers of the requirement for a bachelor's degree
7 from a regionally accredited institution in the previous cases regarding a substitute
8 authorization. The Board finds that Ms. Gwamna has provided clear and convincing
9 evidence that granting the waiver would not prejudice the substantial legal rights of
10 any other individuals. The rule from which Ms. Gwamna seeks a waiver is not
11 specifically mandated by statute or any other provision of law, and, accordingly, may
12 be waived by the Board. The Board finds Ms. Gwamna has provided clear and
13 convincing evidence that granting the waiver would not compromise public health,
14 safety, and welfare. Roll call vote: Buck – yes; Duehr – yes; Garcia-Van Auken – yes;
15 Hill – yes; Lebo – yes; Overholtzer – yes; Pattee – yes; Prescott – absent; Stevens – yes;
16 Sullivan – absent; Wortmann - yes. **MOTION CARRIED.**

17
18 Andy Pattee moved, with a second by Larry Hill, that in **PFW 14-03 Thomas Ridder**,
19 the Board deny the Petition for Waiver. Reasons for denying: Mr. Ridder currently
20 holds an Administrator Exchange License with endorsements for PK-12 Principal/PK-
21 12 Special Education Supervisor and PK-12 Superintendent and AEA Administrator.
22 It will expire on December 31, 2014. Mr. Ridder is currently serving as the
23 superintendent of the Logan-Magnolia Community School District. He is working on
24 coursework to address deficiencies identified by Board staff and convert his
25 Administrator Exchange License. The petition states that enforcement of the graded
26 practicum requirement would cause undue hardship in both the expense and the time
27 away from Mr. Ridder's work and family. The Board finds that, under these
28 circumstances, the expense and any additional time required do not create an undue
29 hardship. The past waiver requests Mr. Ridder cites in his petition do not directly
30 address the practicum requirement. The rule from which Mr. Ridder seeks a waiver is
31 not specifically mandated by statute or any other provision of law, and, accordingly,
32 may be waived by the Board. The Board finds the graded practicum, which Mr. Ridder
33 could likely complete in conjunction with his current role as a superintendent,

1 provides a valuable opportunity to reflect on administrative experience, and therefore
2 waiving this licensure requirement could potentially impact public welfare. Roll call
3 vote: Buck – yes; Duehr – yes; Garcia-Van Auken – yes; Hill – yes; Lebo – yes;
4 Overholtzer – yes; Pattee – yes; Prescott – absent; Stevens – yes; Sullivan – absent;
5 Wortmann - yes. **MOTION CARRIED.**

6

7 Reports/Approvals

8 Phil Wise and Darcy Lane provided the Board with a legislative update.

9

10 There being no further business, Brenda Garcia-Van Auken moved, with a second by
11 Andy Pattee, to adjourn the meeting. Meeting adjourned at 1:45 p.m.

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