

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

4
5 Anne Sullivan moved, with a second by Brenda Garcia-Van Auken, that in **case**
6 **number 13-119**, the Board find that the evidence gathered in the investigation,
7 including witness statements and the documentary evidence, does not create a
8 reasonable ground for belief in the existence of facts warranting a hearing, and that
9 the Board therefore lacks probable cause to proceed with this matter. **MOTION**
10 **CARRIED UNANIMOUSLY.**

11
12 Brenda Garcia-Van Auken moved, with a second by Anne Sullivan, that in **case**
13 **number 13-102**, the Board find that the evidence gathered in the investigation,
14 including witness statements and the documentary evidence, does not create a
15 reasonable ground for belief in the existence of facts warranting a hearing, and that
16 the Board therefore lacks probable cause to proceed with this matter. Roll call vote:
17 Dutcher – yes; Garcia-Van Auken – yes; Lebo – yes; Overholtzer – no; Pattee – no;
18 Prescott – yes; Sullivan – yes; Wortmann - yes. **MOTION CARRIED.**

19
20 Ann Lebo moved, with a second by Brenda Garcia-Van Auken, that in **case number**
21 **13-109**, the Board find that the evidence gathered in the investigation, including
22 witness statements and the documentary evidence, does not create a reasonable
23 ground for belief in the existence of facts warranting a hearing, and that the Board
24 therefore lacks probable cause to proceed with this matter. **MOTION CARRIED**
25 **UNANIMOUSLY.**

26
27 Ann Lebo moved, with a second by Anne Sullivan, that in **case number 13-112**, the
28 Board find that the evidence gathered in the investigation, including witness
29 statements and the documentary evidence, does not create a reasonable ground for
30 belief in the existence of facts warranting a hearing, and that the Board therefore lacks
31 probable cause to proceed with this matter. Roll call vote: Dutcher – yes; Garcia-Van
32 Auken – yes; Lebo – yes; Overholtzer – yes; Pattee – yes; Prescott – recused; Sullivan –

1 yes; Wortmann - yes. **MOTION CARRIED.** (Darcy Lane left the room during the
2 discussion of this case in closed session.)

3

4 Ann Lebo moved, with a second by Anne Sullivan, that in **case number 13-113**, the
5 Board find that the evidence gathered in the investigation, including witness
6 statements and the documentary evidence, does not create a reasonable ground for
7 belief in the existence of facts warranting a hearing, and that the Board therefore lacks
8 probable cause to proceed with this matter. Roll call vote: Dutcher – yes; Garcia-Van
9 Auken – yes; Lebo – yes; Overholtzer – yes; Pattee – recused; Prescott – recused;
10 Sullivan – yes; Wortmann - yes. **MOTION CARRIED.**

11

12 Ann Lebo moved, with a second by Anne Sullivan, that in **case number 13-114**, the
13 Board find that the evidence gathered in the investigation, including witness
14 statements and the documentary evidence, does not create a reasonable ground for
15 belief in the existence of facts warranting a hearing, and that the Board therefore lacks
16 probable cause to proceed with this matter. Roll call vote: Dutcher – yes; Garcia-Van
17 Auken – yes; Lebo – yes; Overholtzer – yes; Pattee – recused; Prescott – recused;
18 Sullivan – yes; Wortmann - yes. **MOTION CARRIED.**

19

20 Brenda Garcia-Van Auken moved, with a second by Anne Sullivan, that in **case**
21 **number 13-118**, 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. **MOTION**
25 **CARRIED UNANIMOUSLY.**

26

27 Brenda Garcia-Van Auken moved, with a second by Anne Sullivan, that in **case**
28 **number 13-120**, the Board find that the evidence gathered in the investigation,
29 including witness statements and the documentary evidence, does not create a
30 reasonable ground for belief in the existence of facts warranting a hearing, and that
31 the Board therefore lacks probable cause to proceed with this matter. **MOTION**
32 **CARRIED UNANIMOUSLY.**

33

1 Brenda Garcia-Van Auken moved, with a second by Anne Sullivan, that in **case**
2 **number 13-121**, the Board find that the evidence gathered in the investigation,
3 including witness statements and the documentary evidence, does not create a
4 reasonable ground for belief in the existence of facts warranting a hearing, and that
5 the Board therefore lacks probable cause to proceed with this matter. **MOTION**
6 **CARRIED UNANIMOUSLY.**

7
8 Brenda Garcia-Van Auken moved, with a second by Ann Lebo, that in **case number**
9 **13-122**, the Board find probable cause to establish a violation of the following
10 provisions of the Code of Professional Conduct and Ethics, 282 IAC –Chapter
11 25.3(5)(a)(3), and order this case set for hearing. Roll call vote: Dutcher – yes; Garcia-
12 Van Auken – yes; Lebo – yes; Overholtzer – yes; Pattee – yes; Prescott – yes; Sullivan –
13 recused; Wortmann - yes. **MOTION CARRIED.** (Duane Magee left the room during
14 the discussion of this case in closed session.)

15
16 Brenda Garcia-Van Auken moved, with a second by Ann Lebo, that in **case number**
17 **13-123**, the Board find probable cause to establish a violation of the following
18 provisions of the Code of Professional Conduct and Ethics, 282 IAC –Chapter
19 25.3(5)(a)(3), and order this case set for hearing. Roll call vote: Dutcher – yes; Garcia-
20 Van Auken – yes; Lebo – yes; Overholtzer – yes; Pattee – yes; Prescott – yes; Sullivan –
21 recused; Wortmann - yes. **MOTION CARRIED.** (Duane Magee left the room during
22 the discussion of this case in closed session.)

23
24 Brenda Garcia-Van Auken moved, with a second by Ann Lebo, that in **case number**
25 **13-124**, the Board find probable cause to establish a violation of the following
26 provisions of the Code of Professional Conduct and Ethics, 282 IAC –Chapter
27 25.3(5)(a)(3), and order this case set for hearing. Roll call vote: Dutcher – yes; Garcia-
28 Van Auken – yes; Lebo – yes; Overholtzer – yes; Pattee – yes; Prescott – yes; Sullivan –
29 recused; Wortmann - yes. **MOTION CARRIED.**

30
31 Anne Sullivan moved, with a second by Brenda Garcia-Van Auken, that in **case**
32 **number 13-06**, the Board accept the stipulation and settlement submitted by the

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

3
4 Anne Sullivan moved, with a second by Ann Lebo, that the Board not initiate review of
5 the proposed decision in **case number APP 13-03, In the Matter of Derick**
6 **Schroeder**, and allow the proposed decision to become the final decision of the Board
7 unless an appeal is taken by one of the parties within the time allowed by rule.
8 **MOTION CARRIED UNANIMOUSLY.** (September Lau left the room during the
9 discussion of this case in closed session.)

10
11 Brenda Garcia-Van Auken moved, with a second by Anne Sullivan, that the Board not
12 initiate review of the proposed decision in **case number 12-66, In the Matter of Troy**
13 **Elliott**, and allow the proposed decision to become the final decision of the Board
14 unless an appeal is taken by one of the parties within the time allowed by rule. Roll
15 call vote: Dutcher – yes; Garcia-Van Auken – yes; Lebo – recused; Overholtzer – yes;
16 Pattee – yes; Prescott – yes; Sullivan – yes; Wortmann - yes. **MOTION CARRIED.**
17 (September Lau left the room during the discussion of this case in closed session.)

18
19 Ann Lebo moved, with a second by Brenda Garcia-Van Auken, that in **case number**
20 **12-100**, the Board find that the evidence gathered in the investigation, including
21 witness statements and the documentary evidence, does not create a reasonable
22 ground for belief in the existence of facts warranting a hearing, and that the Board
23 therefore lacks probable cause to proceed with this matter. **MOTION CARRIED**
24 **UNANIMOUSLY.**

25
26 Case No. 13-92 was discussed in open session.

27 Brenda Garcia-Van Auken moved, with a second by Ann Lebo, to extend the 180-day
28 deadline for issuance of the final decision in **case number 13-92**, based upon the
29 need to conduct the hearing and the need to review the proposed decision. **MOTION**
30 **CARRIED UNANIMOUSLY.**

1 Brenda Garcia-Van Auken moved, with a second by Anne Sullivan to accept the
2 amended closed session minutes for November 8, 2013 and December 13, 2013. (The
3 November 8, 2013 closed session minutes were amended to reflect that Dan Dutcher
4 was absent from the meeting.) **MOTION CARRIED UNANIMOUSLY.**

5 Communication from the Public:

6 None.

7

8 Rules:

9 Adopt:

10 Andy Pattee moved, with a second by Dan Dutcher, to adopt the proposed changes to
11 chapter 22.6 — iJAG authorization. **MOTION CARRIED UNANIMOUSLY.**

12

13 Andy Pattee moved, with a second by Anne Sullivan, to adopt the proposed change to
14 chapter 13.17(3) — International exchange license. **MOTION CARRIED**
15 **UNANIMOUSLY.**

16

17 Jay Prescott moved, with a second by Mary K. Overholtzer, to adopt the proposed
18 change to chapter 13.16(1) — Requirements for a substitute teacher license. **MOTION**
19 **CARRIED UNANIMOUSLY.**

20

21 Brenda Garcia-Van Auken moved, with a second by Andy Pattee, to adopt the
22 proposed changes to chapter 24.3 and 24.4 — Paraeducator requirements, with one
23 amendment to address a public comment regarding licensed healthcare providers.
24 **MOTION CARRIED UNANIMOUSLY.**

25

26 Jay Prescott moved, with a second by Ann Lebo, to adopt the proposed change to
27 chapter 18.4 — General requirements for an administrator license. **MOTION CARRIED**
28 **UNANIMOUSLY.**

29

30 Jay Prescott moved, with a second by Dan Dutcher, to adopt the proposed changes to
31 chapter 13.28(9) — FCS endorsement requirements, with one amendment to remove
32 proposed changes to Chapter 17 of the Board's rules (the Board will complete a more

1 comprehensive review of Chapter 17 in the future). **MOTION CARRIED**
2 **UNANIMOUSLY.**

3
4 Dan Dutcher moved, with a second by Andy Pattee, to adopt the proposed changes to
5 chapter 13.28 (26 and 27) and 27.3 (1 and 2) — Elementary and Secondary Counselor.
6 **MOTION CARRIED UNANIMOUSLY.**

7
8 Notice:

9 Ann Lebo moved, with a second by Dan Dutcher, to file under notice of intended
10 action, the proposed change to chapter 11.4 — Complaint-Who may initiate. **MOTION**
11 **CARRIED UNANIMOUSLY.**

12
13 Dan Dutcher moved, with a second by Andy Pattee, to file under notice of intended
14 action, the proposed changes to chapter 13.17(1) and 13.3(6) — Out-of-state applicant
15 licensure requirements. **MOTION CARRIED UNANIMOUSLY.**

16
17 Items for Discussion:

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

20
21 The proposed change to chapter 22.6 — School administration manager authorization
22 was discussed and will be brought for notice at a future meeting.

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 The proposed changes to chapter 11.6 — Ruling on the initial inquiry (regarding
28 probable cause) was discussed and will be brought back for notice at a future meeting.

29
30 Stakeholder Presentation:

31 There was a presentation regarding Social Professional Learning. This included
32 Alternatives for Professional Development: Recognizing, Assessing & Crediting Social
33 Professional Learning. Presenters included:

- 1 • Nancy Movall, K12 Online Learning Specialist, AEAPD Online
- 2 • Marcia Powell, Science Teacher, West Delaware CSD
- 3 • Kathy Perret, Instructional Coach and Consultant, NWAEA
- 4 • Jimmy Casas, Principal, Bettendorf High School
- 5 • Kevin Range, Principal, Spirit Lake High School
- 6 • Heath Hesse, Business Teacher, Tipton CSD- he pre-recorded the video

7

8 Board Member Reports:

9 The Board discussed the legislative reception that took place prior the board meeting
10 today (7:30-9:00 a.m.) at the Capitol.

11

12 Executive Director's Report

13 Executive Director Magee reviewed the financial report.

14

15 Executive Director Magee updated the Board regarding TeachIowa.gov. We are
16 continuing to expand the system.

17

18 Board Operating Guidelines: Executive Director Magee will email the Board Operating
19 Guidelines to the committee: Larry Hill, Jay Prescott and Mark K. Overholtzer to
20 review. They will then provide their recommendations for modifications. The
21 committee will then bring their recommendations before the Board at the March
22 meeting.

23

24 Petitions for Waiver:

25 Andy Pattee moved, with a second by Jay Prescott, that in **PFW 13-16 Rita R.**

26 **Schechinger**, the Board deny the Petition for Waiver. Reasons for denial:

27 The petitioner, Rita Schechinger, holds a valid substitute authorization but asked that
28 she be permitted to substitute teach at the elementary level. The substitute
29 authorization is only valid in a junior high, middle school, or high school setting.

30 Ms. Schechinger has experience working with elementary students in her role as a
31 speech-language pathologist. Ms. Schechinger states in her petition that she most
32 enjoys working with elementary students and feels she has greater expertise at that
33 level, given her previous experience in elementary classrooms as a speech-language

1 pathologist. The Board found the petition did not provide clear and convincing
2 evidence of an undue hardship. Ms. Schechinger believes there would be no prejudice
3 to the rights of others if the Board was to grant the waiver, and similar waivers
4 granted to others would benefit rural school districts in search of substitute teachers.
5 The Board expressed willingness to gather input from school districts across the state
6 and consider revisions to the nature of the substitute authorization in the future, but
7 felt that granting the waiver in this case would cause prejudice to the rights of other
8 holders of the substitute authorization who may prefer working with elementary
9 students and have some experience doing so. Ms. Schechinger provided letters
10 indicating that she has experience with elementary students and those who had
11 supervised or worked with her in these contexts felt she would be an effective
12 substitute teacher. Roll call vote: Dutcher – yes; Garcia-Van Auken – yes; Lebo – yes;
13 Overholtzer – yes; Pattee – yes; Prescott – yes; Sullivan – absent; Wortmann - yes.

14 **MOTION CARRIED.**

15

16 Andy Pattee moved, with a second by Dan Dutcher, that in **PFW 14-01 Hannah**
17 **Smith**, the Board grant the Petition for Waiver. Reasons for granting:
18 The petitioner, Hannah Smith, currently holds a regional exchange license that will
19 expire on February 28, 2014. Ms. Smith took coursework through Green Hills AEA to
20 satisfy the requirement of recency to convert her regional exchange license. After
21 doing so, Ms. Smith learned from Board staff that she needed college credit (rather
22 than renewal credit) to fulfill this requirement. Ms. Smith contacted the AEA and
23 found that she could have received college credit for the same coursework if she had
24 elected that option prior to the start of the course. Ms. Smith's regional exchange
25 license expires in February of 2014. She would not be able to take six hours of college
26 credit prior to that date in order to obtain her initial license. The Board found this
27 would create an undue hardship, in light of the fact that Ms. Smith had completed
28 coursework for which she could have received the required college credit if she had
29 simply selected that option before starting the course. Ms. Smith believes there would
30 be no prejudice to the rights of others if the Board were to grant her waiver request.
31 In Petition for Waiver 12-04, the Board granted a waiver to an individual who took a
32 technology course for licensure credit, rather than the college credit required to meet
33 this element of the professional education core. The Board found, in light of the

1 unique circumstances presented here, that granting the waiver would not cause
2 prejudice to the rights of others. The Board found granting the waiver would not
3 compromise public health, safety, and welfare, because Ms. Smith had received the
4 same content through her renewal credit course that she would have received if she
5 had taken the course for college credit. Roll call vote: Dutcher – yes; Garcia-Van
6 Auken – yes; Lebo – yes; Overholtzer – yes; Pattee – yes; Prescott – yes; Sullivan –
7 absent; Wortmann - yes. **MOTION CARRIED.**

8

9 Reports/Approvals

10 Executive Director Magee provided the Board with a legislative update.

11

12 The Board reviewed the Annual Administrative Rules Review Report and the Fees
13 Report which we are required to prepare and submit per Iowa Code.

14

15 There being no further business, Ann Lebo moved, with a second by Mary K.
16 Overholtzer to adjourn the meeting. Meeting adjourned at 1:50 p.m.

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