



1 Jay Prescott moved, with a second by Larry Hill, that in **case number 15-155**, the  
2 Board find probable cause to establish a violation of the following provisions of the  
3 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(3)(e), and order this  
4 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

5  
6 Sara Arnold moved, with a second by Dan Dutcher, that in **case number 15-16**, the  
7 Board find probable cause to establish a violation of the following provisions of the  
8 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(1)(b)(1) and  
9 25.3(1)(d), and order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

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11 Larry Hill moved, with a second by Dan Dutcher, that in **case number 15-154**, the  
12 Board find probable cause to establish a violation of the following provisions of the  
13 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(6)(c), and order this  
14 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

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16 Jay Prescott moved, with a second by Sara Arnold, that in **case number 15-161**, the  
17 Board find probable cause to establish a violation of the following provisions of the  
18 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(1)(e)(1), and order  
19 this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

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21 Jay Prescott moved, with a second by Dan Dutcher, that in **case number 15-164**, the  
22 Board find probable cause to establish a violation of the following provisions of the  
23 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(1)(e)(4), 25.3(6)(c)  
24 and order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.** (Renner  
25 Walker left the room during the discussion of this case in closed session.)

26  
27 Sara Arnold moved, with a second by Larry Hill, that in **case number 15-175**, the  
28 Board find probable cause to establish a violation of the following provisions of the  
29 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(1)(e)(4) and order  
30 this case set for hearing. Roll call vote: Arnold – yes; Behrens – yes; Carroll – yes;  
31 Dutcher – yes; Garcia – yes; Hill – yes; Overholtzer – yes; Prescott – recused;  
32 Schoening – yes; Sullivan – yes; Wortmann – yes. **MOTION CARRIED.** (Darcy  
33 Hathaway left the room during the discussion of this case in closed session.)

1 Jay Prescott moved, with a second by Dan Dutcher, that in **case number 15-169**, the  
2 Board find probable cause to establish a violation of the following provisions of the  
3 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(5)(a)(3), and order  
4 this case set for hearing. Roll call vote: Arnold – yes; Behrens – yes; Carroll – yes;  
5 Dutcher – yes; Garcia – yes; Hill – yes; Overholtzer – yes; Prescott – yes; Schoening –  
6 yes; Sullivan – recused; Wortmann – yes. **MOTION CARRIED.**

7  
8 Larry Hill moved, with a second by Sara Arnold, that in **case number 15-153**, the  
9 Board find probable cause to establish a violation of the following provisions of the  
10 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(3)(e) and 25.3(6)m,  
11 and order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

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13 Sara Arnold moved, with a second by Dan Dutcher, that in **case number 15-160**, the  
14 Board find probable cause to establish a violation of the following provisions of the  
15 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(1)(e)(1) and  
16 25.3(6)(c), and order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

17  
18 Larry Hill moved, with second by Jay Prescott, that in **case number 15-14**, the Board  
19 accept the agreement submitted by the parties, and issue an Order incorporating the  
20 agreement of the parties and imposing the agreed upon sanction. **MOTION CARRIED**  
21 **UNANIMOUSLY.**

22  
23 Jay Prescott moved, with second by Dan Dutcher, that in **case number 15-30**, the  
24 Board accept the agreement submitted by the parties, and issue an Order  
25 incorporating the agreement of the parties and imposing the agreed upon sanction.  
26 Roll call vote: Arnold – yes; Behrens – yes; Carroll – yes; Dutcher – yes; Garcia – yes;  
27 Hill – yes; Overholtzer – yes; Prescott – yes; Schoening – recused; Sullivan – yes;  
28 Wortmann – yes. **MOTION CARRIED.**

29  
30 Larry Hill moved, with second by Sara Arnold, that in **case number 15-115**, the Board  
31 accept the agreement submitted by the parties, and issue an Order incorporating the  
32 agreement of the parties and imposing the agreed upon sanction. **MOTION CARRIED**  
33 **UNANIMOUSLY.**

1 Larry Hill moved, with second by Dan Dutcher, that in **case number 15-05**, the Board  
2 accept the agreement submitted by the parties, and issue an Order incorporating the  
3 agreement of the parties and imposing the agreed upon sanction. **MOTION CARRIED**  
4 **UNANIMOUSLY.**

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6 Jay Prescott moved, with second by Sara Arnold, that in **case number 15-130**, the  
7 Board accept the agreement submitted by the parties, and issue an Order  
8 incorporating the agreement of the parties and imposing the agreed upon sanction.  
9 **MOTION CARRIED UNANIMOUSLY.**

10  
11 Dan Dutcher moved, with second by Jay Prescott, that in **case number 15-117**, the  
12 Board accept the agreement submitted by the parties, and issue an Order  
13 incorporating the agreement of the parties and imposing the agreed upon sanction.  
14 **MOTION CARRIED UNANIMOUSLY.**

15  
16 Sara Arnold moved, with a second by Dan Dutcher, that in **case number 15-31**, the  
17 Board accept the Respondent's waiver of hearing and voluntary surrender and that the  
18 Board issue an order permanently revoking the Respondent's license with no  
19 possibility of reinstatement. Roll call vote: Arnold – yes; Behrens – yes; Carroll – yes;  
20 Dutcher – yes; Garcia – yes; Hill – yes; Overholtzer – yes; Prescott – yes; Schoening –  
21 recused; Sullivan – yes; Wortmann – yes. **MOTION CARRIED.**

22  
23 Larry Hill moved, with a second by Dan Dutcher, that in **case number 15-104**, the  
24 Board accept the Respondent's waiver of hearing and voluntary surrender and that the  
25 Board issue an order permanently revoking the Respondent's license with no  
26 possibility of reinstatement. Roll call vote: Arnold – yes; Behrens – yes; Carroll – yes;  
27 Dutcher – yes; Garcia – recused; Hill – yes; Overholtzer – yes; Prescott – yes;  
28 Schoening – yes; Sullivan – yes; Wortmann – yes. **MOTION CARRIED.**

29 Dan Dutcher moved, with a second by Sara Arnold, that in **case number APP 15-01**,  
30 the Board accept the proposed decision. Roll call vote: Arnold – yes; Behrens – yes;  
31 Carroll – yes; Dutcher – yes; Garcia – yes; Hill – yes; Overholtzer – no; Prescott – yes;  
32 Schoening – yes; Sullivan – yes; Wortmann – yes. **MOTION CARRIED.** (Duane Magee  
33 and Renner Walker left the room during the discussion of this case in closed session.)

1 Sara Arnold moved, with a second by Larry Hill, that in **case numbers 14-22 and 14-**  
2 **23**, the Board direct counsel to prepare an addendum to the proposed decision that  
3 imposes a reprimand for both respondents for the Board’s review at its next meeting.  
4 **MOTION CARRIED UNANIMOUSLY.** (Duane Magee and Renner Walker left the room  
5 during the discussion of this case in closed session.)

6  
7 Larry Hill moved, with a second by Sara Arnold, to extend the 180-day deadline for  
8 issuance of the final decision in **case number 15-120**, based upon the need to  
9 schedule the hearing and the need to review the proposed decision. **MOTION**  
10 **CARRIED UNANIMOUSLY.** (Renner Walker left the room during the discussion of this  
11 case in closed session.)

12  
13 The following case was discussed in open session:

14 Background/Discussion: The board found probable cause in this case on October 9,  
15 2015. The hearing is scheduled for February 5, 2016. Larry Hill moved, with a  
16 second by Sara Arnold, to extend the 180-day deadline for issuance of the final  
17 decision in **case number 15-123**, based upon the delay in the hearing due to a  
18 request for continuance by the respondent and the need to review the proposed  
19 decision. **MOTION CARRIED UNANIMOUSLY.**

20  
21 Larry Hill moved, with a second by Dan Dutcher, that the Board approve the closed  
22 session minutes from November 6, 2015 and December 9, 2015. **MOTION CARRIED**  
23 **UNANIMOUSLY.**

24  
25 Board Member Reports

26 The Board discussed the legislative reception which took place prior to the board  
27 meeting today in the Capitol rotunda. Board members shared conversations they had  
28 with various legislators regarding the board’s legislative priorities for 2016.

29  
30 Legislative Update

31 Phil Wise provided the Board with information regarding the start of the 2016 session  
32 and what bills will be moving through this session.

1 Executive Director’s Report

2 Executive Director Magee reviewed the financial report.

3  
4 Licensing System Update: Launched coaching authorization applications to the online  
5 system. Beginning on February 1, 2016, we will stop credentialing coaching  
6 authorization licenses. When we launch a new application we only put only the  
7 electronic application on the website. Licensees will be able to print a PDF copy, if  
8 needed. We continue to have weekly meetings with our vendor – good things are  
9 happening.

10  
11 Board Retreat: Executive Director recommended that this year’s board retreat and  
12 meeting take place at the Waukee City Hall on June 16-17, 2016. Waukee is home to  
13 current board member Dan Dutcher. Board members were asked to begin thinking  
14 about agenda items/topics and legislative priorities for 2017, for the upcoming retreat.

15  
16 Board Operating Guidelines: The Board Operating Guidelines will be reviewed by  
17 committee members Kathy Behrens, Mary K. Overholtzer, Andy Pattee and Erin  
18 Schoening. The committee will determine if any updates will be needed via a virtual  
19 meeting. A copy of the guidelines will be emailed to the committee.

20  
21 Communication from the Public

22 Katie Greving, President of Decoding Dyslexia Iowa, addressed the board. Decoding  
23 Dyslexia Iowa is a grassroots movement driven by parents and professionals  
24 concerned with the limited access to educational interventions for dyslexia within our  
25 public schools. She distributed information to the board regarding common dyslexic  
26 characteristics.

27  
28 Rules

29 Adopt:

30 Larry Hill moved, with a second by Dan Dutcher, to adopt the proposed changes to  
31 IAC 282 Chapters 13 and 27 – Counseling internships and practicums (ARC 2237C).

32 **MOTION CARRIED UNANIMOUSLY.**

1 ARRC Review Pending

2 IAC 282 Chapter 12 – Fee increase, ARC 2229C – Session Delay

3 IAC 282 Chapter 14 K-12 Special education endorsement; specializations, ARC 1884C  
4 – Session Delay

5

6 Notice:

7 Anne Sullivan moved, with a second by Mary K. Overholtzer, to file under notice of  
8 intended action, the proposed changes to IAC 282 Chapter 13.26 – Early childhood.

9 **MOTION CARRIED UNANIMOUSLY.**

10

11 Anne Sullivan moved, with a second by Mary K. Overholtzer, to file under notice of  
12 intended action, the proposed changes to IAC 282 Chapter 22 – Paraeducator

13 substitute authorization. **MOTION CARRIED UNANIMOUSLY.**

14

15 Larry Hill moved, with a second by Erin Schoening, to file under notice of intended  
16 action, the proposed changes to IAC 282 Chapter 24 – Paraeducator area of

17 concentration. **MOTION CARRIED UNANIMOUSLY.**

18

19 Items for Discussion

20 IAC 282 Chapters 13, 22, and 27 – Ethics training as a requirement for standard  
21 license. One of the paramount goals of the Board is to create clear guidelines and  
22 expectations for code of conduct and ethics education for educators. This series of  
23 revised changes will allow educators to complete current and relevant training as a  
24 condition of transitioning from an initial to a standard license or authorization.

25 Authorizations not listed below already include ethics training as a requirement.

26 Chapter 272.2 also states that the board shall provide this training to any person who  
27 holds a license, certificate, authorization, or statement of professional recognition.

28 Discussion on this item will continue at the February meeting.

29

30 IAC 282 Chapter 18 – Administrator temporary permits and administrator experience.

31 The revisions represent clean-up language (temporary permits), an adjustment of the  
32 experience requirement to reflect the same language as used for superintendents, and

1 striking language that included different endorsements and requirements for out-of-  
2 state applicants. This will move forward to Notice at an upcoming meeting.

3  
4 IAC 282 Chapter 13 – Out-of-state teaching assessment requirements, elementary  
5 education endorsement field experiences, minimum grade requirements for adding  
6 endorsements. The first set of proposed changes will allow applicants from another  
7 state who have met the assessment requirements in their state and successfully  
8 taught for at least three years in their state to be exempt from the Iowa assessment  
9 requirements. There is also language added to reflect a minimum grade standard for  
10 coursework related to licensure eligibility. The second set of proposed changes will  
11 provide clarity regarding the student teaching requirement for the elementary  
12 education endorsement, clarity regarding field placements and practicum experiences  
13 for adding endorsements, and the minimum grade standard for coursework related to  
14 adding an endorsement. This will move forward to Notice at an upcoming meeting.

15  
16 IAC 282 Chapter 20 – Administrator and teacher renewal units. The changes reflect  
17 the requirement for the board to adopt rules for licensure renewal credit based on the  
18 completion of administrator individualized professional development plans; these  
19 changes reflect language for teachers as well. Language has also been added to allow  
20 national board certification renewal as approved credit for licensure renewal. This will  
21 move forward to Notice at an upcoming meeting.

22  
23 IAC 282 Chapter 13 – Reading endorsements. Endorsements requirements are  
24 periodically reviewed to ensure alignment with research-based competencies, national  
25 standards, and the Iowa Core. The proposed changes to the reading endorsements  
26 reflect recommendations by a reading endorsement review committee which met in  
27 October and continued to communicate electronically throughout the past few  
28 months, and was comprised of current reading teachers, reading specialists,  
29 department of education and reading research center consultants, and higher  
30 education faculty from a variety of Iowa institutions. This will move forward to Notice  
31 at an upcoming meeting.

1 IAC 282 Chapter 22 – Coaching authorization minimum education attainment  
2 requirement. Language has been added to clarify that those seeking a coaching  
3 authorization should hold a minimum of a high school diploma or equivalent. This  
4 will move forward to Notice at an upcoming meeting.

5  
6 Petitions for Waiver

7 Larry Hill moved, with a second by Mary K. Overholtzer, that in **PFW 15-17 Zach**  
8 **Paustian**, the Board deny the waiver. Reasons for denying: Mr. Paustian holds a  
9 bachelor’s degree in Education Studies from Concordia University in Michigan.  
10 Concordia University is unable to recommend Mr. Paustian for licensure and a specific  
11 endorsement, or to certify that he has completed a teacher preparation program,  
12 because he has not successfully completed the Michigan Test of Teacher Competence  
13 (MTTC), which is required for program completion in Michigan. While the denial of the  
14 waiver request certainly creates a hardship, the board finds that the hardship is not  
15 undue. Completion of a teacher preparation program is a very significant licensure  
16 requirement, and the state of Michigan has chosen to make the particular assessment  
17 in question a part of that program completion. The petition argues there would be no  
18 prejudice to the rights of others as a result of granting a waiver in this case. However,  
19 the board has previously denied similar waiver requests. In light of this precedent, the  
20 board finds that granting a waiver in this case would cause prejudice to the  
21 substantial legal rights of other individuals who have been unable to obtain Iowa  
22 teacher licensure due to assessment obstacles. The board concludes that the  
23 Petitioner, Zach Paustian, has not met the criteria for granting of a waiver from the  
24 rules regarding the Iowa teaching license. **MOTION CARRIED UNANIMOUSLY.**  
25 (Zach Paustian and his father, Terry Paustian, were present at the meeting.)

26  
27 Anne Sullivan moved, with a second by Jay Prescott, that in **PFW 15-18 Chelsea**  
28 **Hartman**, the Board grant the waiver. Reasons for granting: Ms. Hartman holds an  
29 associate’s degree from Longview Community College and a bachelor’s degree from  
30 Clayton College of Natural Health, which is not a regionally accredited institution.  
31 Ms. Hartman has completed the substitute authorization course, and has experience  
32 as a certified substitute teacher in Missouri. Based on the limited authority granted  
33 by the substitute authorization, as well as Ms. Hartman’s experience working with

1 students, the board finds it would create an undue hardship if it were to deny Ms.  
2 Hartman's request to waive the requirement of a bachelor's degree from a regionally  
3 accredited institution. The Board has granted waivers in similar cases. In light of this  
4 precedent, the Board found granting the waiver would not cause prejudice to the  
5 substantial legal rights of any person. The substitute authorization carries limited  
6 authority, as the holder cannot serve for extended periods of time in one assignment.  
7 The Board finds that Ms. Hartman has presented clear and convincing evidence that  
8 waiving the rule in question to grant her this authorization would not compromise  
9 public health, safety, or welfare. The Board concludes that the Petitioner, Chelsea  
10 Hartman, has met the criteria for granting of a waiver from the rules regarding the  
11 substitute authorization. Roll call vote: Arnold – yes; Behrens – yes; Carroll – yes;  
12 Dutcher – yes; Garcia – yes; Hill – no; Overholtzer – yes; Prescott – yes; Schoening –  
13 yes; Sullivan – yes; Wortmann – yes. **MOTION CARRIED.**

14  
15 Reports/Approvals

16 The Board reviewed the following statutory reports: 2016 Home Base Iowa Annual  
17 Report; 2016 BoEE Annual Rules Report and FY 15 Annual Fees Report.

18  
19 Expenditure Reductions: The Board must consider revising budget expenditures due  
20 to an anticipated decline in cash reserves and the uncertainty surrounding any  
21 potential fee increase. Failure by the BoEE to implement expenditure reductions now  
22 will lead to more severe expenditure reductions in the future. Executive Director  
23 Magee is recommending, based on conversations with BoEE staff members, that the  
24 board implement three expenditure reductions. The Board will review the expenditure  
25 reductions and will discuss and take action at the February meeting.

26  
27 BoEE Communication Plan: At the annual board retreat meeting on June 18 and 19,  
28 2015, the board set the following goal: "The Board will develop a communication plan  
29 for the dissemination of information to its constituent groups." The BoEE staff has  
30 created a communication plan to implement the board's goal in order to enhance the  
31 communication efforts already in place at the BoEE. The plan is focused on the  
32 board's mission statement, belief statements, and goals. The Board will review the  
33 BoEE Communication Plan and will discuss and take action at the February meeting.

1 Board Priority – Addressing Frivolous Complaints: The board has identified the  
2 following as an administrative code priority for 2015-2016: “Change jurisdictional  
3 rules to address frivolous complaints by allowing the executive director to review  
4 investigative reports before the board makes a probable cause determination.” In light  
5 of the board’s concern about frivolous complaints, the board staff recommends a focus  
6 on more stringent application of the current jurisdictional requirements, rather than a  
7 rule change at this time. Complaints dismissed on jurisdictional grounds will be  
8 returned to the complainant(s), with specific guidance on the deficiencies identified by  
9 the executive director and board attorney. Complainants will at this point have the  
10 opportunity to augment their description of the alleged ethical violation, include  
11 supporting documentation, etc.

12

13 There being no further business, Mary K. Overholtzer moved, with a second by Anne  
14 Sullivan to adjourn the meeting. Meeting adjourned at 2:25 p.m. **MOTION CARRIED**  
15 **UNANIMOUSLY.**

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