

1 Bev Smith asked that Beth Myers update the Board on pending legislation regarding
2 the executive director position. The Senate felt that the Governor's ed. reform package
3 was different from what they thought the ed. reform package should be – they wrote
4 their own. In writing their own, they indicated that the executive director's position be
5 appointed by the Governor and not hired by the Board. Beth will continue to update
6 the Board (the end of the session is April 17).

7
8 Because of the undercurrent of uncertainty of the position due to pending legislation,
9 Ray and Associates is working with candidates to keep them in the pool. Therefore,
10 due to the number of candidates and the uncertainty of the position, it was decided to
11 move the interviews from March 19-20, 2012 to March 27, 2012.

12
13 Richard Wortmann moved, with a second by Tammy Duehr, that the Board go into
14 closed session for the purposes of discussing whether to initiate licensee disciplinary
15 proceedings and discussing the decision to be rendered in a contested case, pursuant
16 to Iowa Code sections 21.5(1)(d) and 21.5(1)(f). Roll call vote: Almanza – yes; Duehr –
17 yes; Hill – yes; Johnson – yes; Smith – yes; Stevens – yes; Trueg – yes; Wortmann -
18 yes. **MOTION CARRIED.**

19
20 Richard Wortmann moved, with a second by Tammy Duehr, that in **case number 11-**
21 **93**, the Board finds that the evidence gathered in the investigation, including witness
22 statements and the documentary evidence, does not substantiate the allegations in the
23 complaint, and that the Board therefore lacks probable cause to proceed with this
24 matter. Roll call vote: Almanza – yes; Duehr – yes; Hill – yes; Johnson – yes; Smith –
25 yes; Stevens – recused; Trueg – yes; Wortmann - yes. **MOTION CARRIED.**

26
27 Tammy Duehr moved, with a second by Richard Wortmann, that in **case number 11-**
28 **96**, the Board finds that, although one or more of the allegations in the complaint may
29 be substantiated by the witnesses interviewed in the course of the investigation
30 [and/or] the documents gathered in the course of the investigation, and the allegations
31 may constitute a technical violation of the board's statute or administrative rules; the
32 evidence before the board indicates that the alleged violation was an isolated incident

1 and adequate steps have been taken to remedy the violation to ensure that incidents
2 of a similar nature do not occur in the future. The Board will not pursue formal
3 disciplinary action in this matter. **MOTION CARRIED UNANIMOUSLY.**

4
5 Julio Almanza moved, with a second by Tammy Duehr, that in **case number 11-97**,
6 the Board finds that the evidence gathered in the investigation, including witness
7 statements and the documentary evidence, does not fully substantiate the allegations
8 in the complaint, and that the Board therefore lacks probable cause to proceed with
9 this matter. **MOTION CARRIED UNANIMOUSLY.**

10
11 Tammy Duehr moved, with a second by Julio Almanza, that in **case number 11-99**,
12 the Board finds probable cause to establish a violation of the following provisions of
13 the Code of Professional Conduct and Ethics, 282 IAC 25.3(2) b and order this case set
14 for hearing. **MOTION CARRIED UNANIMOUSLY.**

15
16 Richard Wortmann moved, with a second by Tammy Duehr, that in **case number 12-**
17 **09**, the Board finds that the evidence gathered in the investigation, including witness
18 statements and the documentary evidence, does not substantiate the allegations in the
19 complaint, and that the Board therefore lacks probable cause to proceed with this
20 matter. **MOTION CARRIED UNANIMOUSLY.**

21
22 Julio Almanza moved, with a second by Tammy Duehr, that in **case number 12-18**,
23 the Board finds probable cause to establish a violation of the following provisions of
24 the Code of Professional Conduct and Ethics, 282 IAC 25.3(1) e (4), and order this case
25 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

26
27 Julio Almanza moved, with a second by Richard Wortmann, that in **case number 11-**
28 **49**, the Board accepts the Respondent's waiver of hearing and voluntary surrender
29 and that the Board issue an order permanently revoking the Respondent's license with
30 no possibility of reinstatement. **MOTION CARRIED UNANIMOUSLY.**

1 Tammy Duehr moved, with a second by Richard Wortmann, that in **case number 11-**
2 **79**, the Board accepts the Respondent’s waiver of hearing and voluntary surrender
3 and that the Board issue an order permanently revoking the Respondent’s license with
4 no possibility of reinstatement. **MOTION CARRIED UNANIMOUSLY.**

5
6 Julio Almanza moved, with a second by Tammy Duehr, that in **case number 11-91**,
7 the Board accepts the Respondent’s waiver of hearing and voluntary surrender and
8 that the Board issue an order permanently revoking the Respondent’s license with no
9 possibility of reinstatement. **MOTION CARRIED UNANIMOUSLY.**

10
11 Tammy Duehr moved, with a second by Richard Wortmann, that in **case number 11-**
12 **29**, the Board accepts the motion to dismiss the case because the State does not believe
13 there is a preponderance of evidence to support the Statement of Charges pending
14 against the Respondent. **MOTION CARRIED UNANIMOUSLY.** (Julie Bussanmas,
15 Assistant Attorney General and Jim McNellis, Investigator, left the room during the
16 discussion of this case.)

17
18 Richard Wortmann moved, with a second by Julio Almanza, that in **case number 11-**
19 **71**, the Board accepts the stipulation and settlement submitted by the parties, and
20 issue an Order incorporating the agreement of the parties and imposing the agreed
21 upon sanction. **MOTION CARRIED UNANIMOUSLY.**

22
23 Tammy Duehr moved, with a second by Richard Wortmann, that in **case number 11-**
24 **76**, the Board accepts the stipulation and settlement submitted by the parties, and
25 issue an Order incorporating the agreement of the parties and imposing the agreed
26 upon sanction. **MOTION CARRIED UNANIMOUSLY.**

27
28 Julio Almanza moved, with a second by Tammy Duehr, that in **case number 11-65**,
29 the Board accepts the stipulation and settlement submitted by the parties, and issue
30 an Order incorporating the agreement of the parties and imposing the agreed upon
31 sanction. **MOTION CARRIED UNANIMOUSLY.**

1 Richard Wortmann moved, with a second by Tammy Duehr, that in **case number 11-**
2 **31**, the Board accept the stipulation and settlement submitted by the parties, and
3 issue an Order incorporating the agreement of the parties and imposing the agreed
4 upon sanction. **MOTION CARRIED UNANIMOUSLY.**

5
6 Richard Wortmann moved, with a second by Julio Almanza, that the Board initiate
7 review of the proposed decision in **case number 11-51, In the Matter of Susan**
8 **Steinbeck**, to examine whether the proposed sanction is appropriate in light of the
9 findings. **MOTION CARRIED UNANIMOUSLY.**

10
11 Merle Johnson moved, with a second by Laura Stevens, to approve the closed session
12 minutes of January 19, 2012. **MOTION CARRIED UNANIMOUSLY.**

13
14 **Board Reports:**

15 Richard Wortmann made a comment regarding parking on the capitol complex. He
16 received a ticket after attending the January meeting. Board members are considered
17 “employees” and should display a parking decal on their vehicle. Therefore, the board
18 members will be sent a link to apply for a parking decal to avoid receiving a ticket in
19 the future.

20
21 **Public Comment:**

22 There was no public comment.

23
24 **Executive Director’s Report:**

25 Dr. Maurer informed the Board that Liz Sheka submitted a letter of resignation
26 resigning from the Board due to personal and professional commitments. Dr. Maurer
27 will forward the resignation to the Governor’s Office to seek a replacement.

28
29 Dr. Maurer reviewed the financial report.

30
31 The consultants received feedback while attending the superintendents’ meetings
32 regarding the issue of math and science endorsements – particularly, students

1 receiving math and science credit at the 8th grade level. Dr. Maurer recommended
2 there be further discussion of this issue at the May meeting.

3
4 The legislature has removed the terminology “mental retardation” from their statutes.
5 In our rules, we have not used that terminology but we use “mental disability” which
6 has also been changed to “intellectual disability.” Dr. Maurer recommends a change
7 in the rules that would use the word “mental disability.” The Department of
8 Education has already gone that direction. This will be brought back at the May
9 meeting.

10
11 The board meeting calendar indicates that there be a meeting on April 6, if needed. At
12 this time, since there are no time-sensitive professional practices cases, Dr. Maurer
13 recommends that the April meeting is not necessary. Should a professional practices
14 case arise, a telephonic meeting will be arranged.

15
16 **Rules:**

17 None.

18
19 **Items for Discussion:**

20 None.

21
22 **Petitions for Waiver:**

23 Merle Johnson moved, with a second by Julio Almanza, that in **PFW 12-02**, Mark
24 Allen Young, the Board deny the Petition for Waiver. Reasons for denial: The Board
25 indicated that Mr. Young may be interested in pursuing other possibilities such as
26 part time teaching or serving as a dean of students which would also meet the
27 additional one year of teaching experience required. The Board reviewed past waivers
28 which show a preponderance of board orders denying the waiver of petitioners who
29 had not completed three years of teaching experience. Thus they believe it would be
30 prejudicial to approve the waiver in light of those decisions. The Board has not
31 previously accepted college teaching experience. When the Board adopted rules that
32 changed the requirement of five years of teaching experience to three years of teaching
33 experience in order to serve as a principal, they were adamant to draw a hard line at

1 the three years of teaching experience. The Board stated there would be no impact on
2 the health and safety of others if the rule was waived or not. The Board also indicated
3 that the legislature has not passed any laws regarding an alternative pathway for
4 administration so there is no way of knowing if the alternative pathway would also
5 include a different requirement for experience. **MOTION CARRIED UNANIMOUSLY.**

6
7 Richard Wortmann moved, with a second by Tammy Duehr, that in **PFW 12-04**, Floyd
8 Mashek, the Board grant the Petition for Waiver. Reasons for granting: The Board
9 reviewed the deficiency letter that was sent to Mr. Mashek verifying that he needed to
10 complete the course work for college credit and the emails that indicated the content
11 of the course work was approved to be completed through the community college. The
12 Board agreed that it would be a hardship to complete the same computer class for
13 undergraduate credit. The Board also found that Mr. Mashek will be completing
14 computer classes in order to meet the business all endorsement. The Board reviewed
15 the misunderstanding that occurred with the responses to Mr. Mashek. They also
16 asked what corrective measures would be taken to ensure this miscommunication
17 does not occur in the future. The Board was informed that the staff has changed the
18 deficiency letters to indicate the course work must be completed for undergraduate or
19 graduate credit. The staff is also including information in email responses to indicate
20 the course work must be completed for undergraduate or graduate credit. The Board
21 reviewed past waivers but no other petitioners submitted a waiver on the basis of
22 completing required course work for c.e.u. credit when the class had been previously
23 approved. Thus there is no prejudice to the rights of others. The board stated that Mr.
24 Mashek has completed the requirements that were approved by a staff member. The
25 students are not at risk because Mr. Mashek completed a workshop in computer
26 technology. The benefits for the school district will be to allow Mr. Mashek time to
27 complete the business endorsement requirements which also include computer
28 technology classes. The integrity of the licensure standards are upheld because Mr.
29 Mashek did complete the course work that was approved. Roll call vote: Almanza –
30 yes; Duehr – yes; Hill – no; Johnson – yes; Smith – yes; Stevens – yes; Trueg – yes;
31 Wortmann - yes. **MOTION CARRIED.**

1 Merle Johnson moved, with a second by Larry Hill, that in **PFW 12-05**, Kevin Koffron,
2 the Board deny the Petition for Waiver. Reasons for denial: The Board reviewed the
3 waiver materials and found no verification of a job offer to serve as an assistant
4 principal. The Board stated there would be other opportunities in the future after Mr.
5 Koffron has completed one additional year of teaching experience for him to apply for
6 administrative positions. Mr. Koffron is listed on the Basic Educational Data System
7 as a coach and non-instructional paraprofessional. The Board indicated that Mr.
8 Koffron may be interested in pursuing other possibilities such as part time teaching
9 for one school year if a full time teaching position is not available. The Board reviewed
10 past waivers which show a preponderance of board orders denying the waiver of
11 petitioners who had not completed three years of teaching experience. Thus they
12 believe it would be prejudicial to approve the waiver in light of those decisions. The
13 Board would be willing to have the staff review Mr. Koffron's experience as an
14 administrative assistant if Mr. Koffron believes his assignment is similar to an
15 academic dean position or a dean of students' position that may be acceptable to meet
16 the experience requirement. The Board stated there would be a positive impact for the
17 welfare of students if their teachers have recent teaching experience and have at least
18 three years of teaching experience. The Board indicated there would no effect on the
19 public health and safety of the students since Mr. Koffron has worked with after
20 school programs already. **MOTION CARRIED UNANIMOUSLY.**

21

22 **Reports/Approvals**

23 Legislative Update: Beth Myers provided the Board with an update. Beth will send
24 periodic emails to the Board updating them on legislative issues.

25

26 Ethics Task Force Review: Beth Myers updated the Board on the Ethics Task Force
27 Committee which met on February 17th. Representatives from educator preparation
28 programs, ISEA, IASB, teachers, administrators, AEA consultants and the DE made
29 up the committee. There was consensus that there should be some form of an ethics
30 component in every stage of an educator's career, preparation, initial licensure or
31 mentoring and induction and in renewal. The Board directed staff to look into other
32 professional licensing boards to see how they deliver the ethics component. Another

1 meeting of the Ethics Task Force Committee will be scheduled and Dr. Maurer and
2 staff will continue to update the Board.

3
4 Renewal Program Request: Geri McMahon addressed the Board regarding the
5 approval of the Iowa Association of School Business Officials Renewal Program.

6
7 Data for Professional Practice: The Board reviewed the professional practice case data
8 for cases from 2005-2011. The Board would like even more detailed raw data
9 regarding endorsement area, license type, number of years in the profession,
10 demographic info, high school, middle school or elementary practitioner. Once the
11 additional criteria are included, the board will receive the updated data.

12
13 Alternative Teacher Certification: Mike Cavin updated the Board on alternative
14 licensure certification. Dr. Maurer indicated that the staff will have further discussion
15 and do further research regarding the need for alternative programs.

16
17 There being no further business, Bev Smith asked for a motion to adjourn the
18 meeting. Carol Trueg moved, with a second by Julio Almanza to adjourn the meeting.

19 **MOTION CARRIED UNANIMOUSLY.** The meeting was adjourned at 1:28 p.m.