

1 Laura Stevens moved, with a second by Tammy Duehr, that the Board go into closed
2 session for the purposes of discussing whether to initiate licensee disciplinary
3 proceedings and discussing the decision to be rendered in a contested case, pursuant
4 to Iowa Code sections 21.5(1)(d) and 21.5(1)(f). **MOTION CARRIED UNANIMOUSLY.**

5
6 Julio Almanza moved, with a second by Laura Stevens, that in **case number 10-43**,
7 the Board find probable cause to establish a violation of the following provisions of the
8 Code of Professional Conduct and Ethics, 282 IAC 25.3(1)e (3) and (4) and order this
9 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

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11 Laura Stevens moved, with a second by Tammy Duehr, that in **case number 10-49**,
12 the Board find probable cause to establish a violation of the following provisions of the
13 Code of Professional Conduct and Ethics, 282 IAC 25.3(6) o and order this case set for
14 hearing. Roll call vote: Almanza – yes; Duehr – yes; Glass – yes; Johnson – yes;
15 Ortiz – yes Robinson – no; Smith – yes; Stevens – yes; Trueg – no; Wortmann - yes.

16 **MOTION CARRIED.**

17
18 Oscar Ortiz moved, with a second by Richard Wortmann, that in **case number 10-53**,
19 the Board find probable cause to establish a violation of the following provisions of the
20 Code of Professional Conduct and Ethics, 282 IAC 25.3(1) e (1), 25.3(6) c, 1, 25.3(8) a
21 and b and order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

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23 Tammy Duehr moved, with a second by Laura Stevens, that in **case number 10-62**,
24 the Board find probable cause to establish a violation of the following provisions of the
25 Code of Professional Conduct and Ethics, 282 IAC 25.3(6) m, o, p, 25.3(3)a and order
26 this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

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28 Oscar Ortiz moved, with a second by Tammy Duehr, that in **case number 10-63**, the
29 Board find that, although one or more of the allegations in the complaint may be
30 substantiated by the witnesses interviewed in the course of the investigation [and/or]
31 the documents gathered in the course of the investigation, and the allegations may
32 constitute a technical violation of the board’s statute or administrative rules; the

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

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6 Julio Almanza moved, with a second by Laura Stevens, that in **case number 10-64**,
7 the Board find probable cause to establish a violation of the following provisions of the
8 Code of Professional Conduct and Ethics, 282 IAC 25.3(1)b(1) and order this case set
9 for hearing. **MOTION CARRIED UNANIMOUSLY.**

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11 Laura Stevens moved, with a second by Richard Wortmann, that in **case number 10-**
12 **65**, the Board find probable cause to establish a violation of the following provisions of
13 the Code of Professional Conduct and Ethics, 282 IAC 25.3(1) e (3) & (4) and order this
14 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

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16 Richard Wortmann moved, with a second by Tammy Duehr, that in **case number 10-**
17 **69**, 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 Laura Stevens moved, with a second by Julio Almanza, that in **case number 11-01**,
23 the Board find probable cause to establish a violation of the following provisions of the
24 Code of Professional Conduct and Ethics, 282 IAC 25.3(1)e (4) and order this case set
25 for hearing. **MOTION CARRIED UNANIMOUSLY.**

26
27 Tammy Duehr moved, with a second by Laura Stevens, that in **case number 11-03**,
28 the Board find probable cause to establish a violation of the following provisions of the
29 Code of Professional Conduct and Ethics, 282 IAC 25.3(6) b, c & d and order this case
30 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

1 Oscar Ortiz moved, with a second by Richard Wortmann, that in **case number 11-04**,
2 the Board find probable cause to establish a violation of the following provisions of the
3 Code of Professional Conduct and Ethics, 282 IAC 25.3(3)e and 25.3(8)a and order this
4 case set for hearing. Roll call vote: Almanza – recused; Duehr – yes; Glass – yes;
5 Johnson – yes; Ortiz – yes Robinson – yes; Smith – yes; Stevens – yes; Trueg – yes;
6 Wortmann - yes. **MOTION CARRIED.**

7

8 Oscar Ortiz moved, with a second by Richard Wortmann, that in **case number 11-05**,
9 the Board find that, although one or more of the allegations in the complaint may be
10 substantiated by the witnesses interviewed in the course of the investigation [and/or]
11 the documents gathered in the course of the investigation, and the allegations may
12 constitute a technical violation of the board’s statute or administrative rules; the
13 evidence before the board indicates that (1) the alleged violation was an isolated
14 incident and; (2) adequate steps have been taken to remedy the violation and to
15 ensure that incidents of a similar nature do not occur in the future. The Board will not
16 pursue formal disciplinary action in this matter. Roll call vote: Almanza – yes;
17 Duehr – yes; Glass – yes; Johnson – yes; Ortiz – yes Robinson – yes; Smith – yes;
18 Stevens – yes; Trueg – no; Wortmann - yes. **MOTION CARRIED.**

19

20 Tammy Duehr moved, with a second by Oscar Ortiz, that in **case number 11-06**, the
21 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. **MOTION CARRIED UNANIMOUSLY.**

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26 Tammy Duehr moved, with a second by Laura Stevens, that in **case number 11-07**,
27 the Board find probable cause to establish a violation of the following provisions of the
28 Code of Professional Conduct and Ethics, 282 IAC 25.3(6) b, c & d and order this case
29 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

30

1 Laura Stevens moved, with a second by Tammy Duehr, that in **case number 11-08**,
2 the Board finds that the evidence gathered in the investigation, including witness
3 statements and the documentary evidence, does not substantiate the allegations in the
4 complaint, and that the Board therefore lacks probable cause to proceed with this
5 matter. **MOTION CARRIED UNANIMOUSLY.**

6 Julio Almanza moved, with a second by Richard Wortmann, that in **case number 11-**
7 **09**, the Board find probable cause to establish a violation of the following provisions of
8 the Code of Professional Conduct and Ethics, 282 IAC 25.3(5)a(5), 25.3(6) m, o, and q,
9 and order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

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11 Laura Stevens moved, with a second by Oscar Ortiz, that in **case number 11-10**, 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 25.3(5)a(5), 25.3(6) m, o, and q,
14 and order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

15

16 Tammy Duehr moved, with a second by Julio Almanza, that in **case number 10-21**,
17 the Board accept the Respondent's waiver of hearing and agreement to accept a lesser
18 sanction, and issue an order imposing the agreed upon sanction. **MOTION CARRIED**
19 **UNANIMOUSLY.**

20

21 Laura Stevens moved, with a second by Richard Wortmann, that in **case number 10-**
22 **28**, the Board accept the Respondent's waiver of hearing and agreement to accept a
23 lesser sanction, and issue an order imposing the agreed upon sanction. **MOTION**
24 **CARRIED UNANIMOUSLY.**

25

26 Tammy Duehr moved, with a second by Julio Almanza, that in **case number 10-48**,
27 the Board accept the Respondent's waiver of hearing and voluntary surrender and that
28 the Board issue an order permanently revoking the Respondent's license with no
29 possibility of reinstatement. **MOTION CARRIED UNANIMOUSLY.**

30

31 Laura Stevens moved, with a second by Tammy Duehr, to extend the 180-day deadline
32 for issuance of the final decision in **case numbers 10-52 and 10-53**, based upon the

1 extraordinary amount of time needed to schedule the hearing, allow review of the
2 proposed decision, and issue a final decision. **MOTION CARRIED UNANIMOUSLY.**

3
4 Laura Stevens moved, with a second by Tammy Duehr, to extend the 180-day deadline
5 for issuance of the final decision in **case number 10-55**, based upon the extraordinary
6 amount of time needed to schedule the hearing, allow review of the proposed decision,
7 and issue a final decision. Roll call vote: Almanza – recused; Duehr – yes; Glass –
8 yes; Johnson – yes; Ortiz – yes; Robinson – yes; Smith – yes; Stevens – yes; Trueg – yes;
9 Wortmann - yes. **MOTION CARRIED.**

10
11 Laura Stevens moved, with a second by Tammy Duehr, to extend the 180-day deadline
12 for issuance of the final decision in **case number 10-56**, based upon the extraordinary
13 amount of time needed to schedule the hearing, allow review of the proposed decision,
14 and issue a final decision. Almanza – yes; Duehr – yes; Glass – yes; Johnson – yes;
15 Ortiz – yes; Robinson – yes; Smith – yes; Stevens – yes; Trueg – recused; Wortmann -
16 yes. **MOTION CARRIED.**

17
18 Board Reports:

19 Carol Trueg, and all board members, thanked Dr. Robinson for his years of service on
20 the Board. Dr. Robinson’s term ends on April 30, 2011.

21
22 Jason Glass stated that he is thrilled to be part of the Board.

23
24 Public Comment:

25 The following addressed the board regarding their concerns and suggestions regarding
26 Chapter 13.18(4) Professional Core (ethics):

27
28 Joen Rottler Larson, Dean of the College of Education, Ashford University in Clinton,
29 IA. She attended to represent IACTE and is Vice President/President-Elect of this
30 professional association.

31 Suzi Kalsow, Dean of School of Education, Buena Vista University, Storm Lake, IA.
32 Del Shepard, Kaplan University.

1 Jackie Crawford, Chair, Simpson College Teacher Education Program.
2 Note: Chapter 13.18(4) Professional core was removed from the agenda for further
3 discussion/research.

4

5 Executive Director's Report:

6 Dr. Maurer commented regarding the distribution of the board packet. If someone
7 wants to be put on the distribution list to receive the board packet or agenda, they
8 should contact our office. The board packet is sent to those on the list the Monday or
9 Tuesday prior to the board meeting.

10

11 Mike Cavin gave a short demonstration on the use of the iPad which will be given to
12 the Board for the May meeting to view the board packet as opposed to receiving a hard
13 copy. We are still working with DAS regarding the security issue due to the
14 confidential professional practice materials.

15

16 Dr. Maurer reported that the consultants began attending the AEA/Superintendents'
17 meetings.

18

19 The rule regarding the School Business Official Authorization was expected to move
20 forward. The School Business Officials-Report to the State Board of Education and
21 the Board of Educational Examiners was distributed electronically to the Board.

22

23 Beth Myers distributed information regarding a legislative update to the Board as far
24 as the bills moving forward that will impact the Board.

25

26 Rules:

27 The proposed change to Chapter 13.18(4) Professional education core was removed
28 from the agenda.

29

30 Merle Johnson moved, with a second by Carol Trueg, to file under Notice of Intended
31 Action, the proposed change to Chapter 11.39 Denial of application during a pending
32 professional practices case. **MOTION CARRIED UNANIMOUSLY.**

33

1 Items for Discussion:

2 The proposed changes to Chapter 13.27 All Science I. 5-8, Chapter 12 Fees, Chapter
3 13.17 Specific requirements for exchange licenses, Chapter 22.4 Language and
4 Culture Authorization, and Chapter 22.5 Career professional Pre-Intern License
5 Authorization were discussed and will move forward to notice at a future meeting.

6
7 Petitions for Waiver:

8 Merle Johnson moved, with a second by Oscar Ortiz, that in **PFW 11-02**, Brian J.
9 Nelson, the Board deny the Petition for Waiver. Almanza – no; Duehr – no; Glass –
10 no; Johnson – yes; Ortiz – yes Robinson – no; Smith – no; Stevens – no; Trueg – no;
11 Wortmann - yes. **MOTION DENIED.** Bev Smith moved, with a second by Carol Trueg,
12 the Board grant the Petition for Waiver. Almanza – yes; Duehr – yes; Glass – yes;
13 Johnson – no; Ortiz – no; Robinson – yes; Smith – yes; Stevens – yes; Trueg – yes;
14 Wortmann - no. **MOTION CARRIED.**

15
16 Reports/Approvals:

17 The Board was given a draft of an electronic survey we would use to gather data from
18 the field (teachers, principals, superintendents, AEAs). The information gathered
19 would assist us to generate goals for fiscal year 2012. The Board decided to hold on
20 the survey until after the summit and then bring the survey back to the Board in
21 August for further discussion.

22
23 The Board was given an updated Board Meeting Calendar for FY 2011 reflecting the
24 change of the August meeting/retreat from August 12 to August 4-5.

25
26 A draft of the Board Meeting Calendar for FY 2012 was given to the Board. It will be
27 brought back for approval at the May or June meeting.

28
29 An Endorsement Schedule was given to the Board. In the past, endorsements were
30 reviewed/revised on an as-needed basis. From this point forward, endorsements will
31 be reviewed/revised annually and then brought to the Board.

1 Dr. Robinson addressed the Board regarding his departure from the Board. This was
2 his last meeting since Dr. Robinson's term ends April 30, 2011, and there will not be
3 an April meeting.

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5 The meeting was adjourned at 1:10 p.m.

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