

1 Mary K. Overholtzer moved, with a second by Dan Dutcher, to approve the consent
2 agenda. **MOTION CARRIED UNANIMOUSLY.**

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4 Richard Wortmann moved, with a second by Tammy Duehr, that the Board go into
5 closed session for the purposes of discussing whether to initiate licensee disciplinary
6 proceedings and the decision to be rendered in a contested case, pursuant to Iowa
7 Code sections 21.5 (d) and (f). Roll call vote: Duehr – yes; Dutcher – yes; Garcia-Van
8 Auken – yes; Glass – yes; Hill – yes; Lebo – yes; Overholtzer – yes; Pattee – yes;
9 Prescott – yes; Stevens – yes; Sullivan – yes; Wortmann – yes. **MOTION CARRIED.**

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11 Brenda Garcia-Van Auken moved, with a second by Tammy Duehr, that in **case**
12 **number 12-63**, the Board find probable cause to establish a violation of the following
13 provisions of the Code of Professional Conduct and Ethics, 282 IAC – Chapter
14 25.3(1)(b)(1), and order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

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16 Larry Hill moved, with a second by Richard Wortmann, that in **case number 13-07**,
17 the Board find that, the Board find probable cause to establish a violation of the
18 following provisions of the Code of Professional Conduct and Ethics, 282 IAC –
19 Chapter 25.3(1)(e)(3) and (4) and 25.3(6)(c), and order this case set for hearing.
20 **MOTION CARRIED UNANIMOUSLY.**

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22 Tammy Duehr moved, with a second by Brenda Garcia-Van Auken, that in **case**
23 **number 13-08**, the Board find that the evidence gathered in the investigation,
24 including witness statements and the documentary evidence, does not substantiate
25 the allegations in the complaint, and that the Board therefore lacks probable cause to
26 proceed with this matter. **MOTION CARRIED UNANIMOUSLY.**

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28 Brenda Garcia-Van Auken moved, with a second by Richard Wortmann, that in **case**
29 **number 13-12**, the Board find probable cause to establish a violation of the following
30 provisions of the Code of Professional Conduct and Ethics, 282 IAC – Chapter
31 25.3(2)(b) and 25.3(6)c, and order this case set for hearing. **MOTION CARRIED**
32 **UNANIMOUSLY.** (Duane Magee left the room during the discussion of this case in
33 closed session.)

1 Larry Hill moved, with a second by Tammy Duehr, that in **case number 13-04** the
2 Board accept the stipulation and settlement submitted by the parties, and issue an
3 Order incorporating the agreement of the parties and imposing the agreed upon
4 sanction. **MOTION CARRIED UNANIMOUSLY.**

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6 Richard Wortmann moved, with a second by Brenda Garcia-Van Auken, that in **case**
7 **number 12-89**, the Board accept the stipulation and settlement submitted by the
8 parties, and issue an Order incorporating the agreement of the parties and imposing
9 the agreed upon sanction. **MOTION CARRIED UNANIMOUSLY.**

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11 Larry Hill moved, with a second by Tammy Duehr, that the Board not initiate review of
12 the proposed decision in **case numbers 12-45 and 12-46**, and allow the proposed
13 decision to become the final decision of the Board unless an appeal is taken by one of
14 the parties within the time allowed by rule. **MOTION CARRIED UNANIMOUSLY.**
15 (Julie Bussanmas left the room during the discussion of this case in closed session.)

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17 Tammy Duehr moved, with a second by Richard Wortmann, that in **case number 12-**
18 **98**, the Board accept the Respondent's waiver of hearing and voluntary surrender and
19 that the Board issue an order permanently revoking the Respondent's license with no
20 possibility of reinstatement. **MOTION CARRIED UNANIMOUSLY.**

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22 Tammy Duehr moved, with a second by Larry Hill, to extend the 180-day deadline for
23 issuance of the final decision in **case number 12-131**, based upon the amount of time
24 needed to complete the investigation due to pending criminal charges. **MOTION**
25 **CARRIED UNANIMOUSLY.**

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27 Richard Wortmann moved, with a second by Brenda Garcia-Van Auken, to extend the
28 180-day deadline for issuance of the final decision in **case number 12-136**, based
29 upon the need to schedule a hearing and delay necessary to allow review of the
30 proposed decision. **MOTION CARRIED UNANIMOUSLY.**

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1 Richard Wortmann moved, with a second by Brenda Garcia-Van Auken, to extend the
2 180-day deadline for issuance of the final decision in **case number 12-137** based
3 upon the need to schedule a hearing and delay necessary to allow review of the
4 proposed decision. **MOTION CARRIED UNANIMOUSLY.**

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6 Tammy Duehr moved, with a second by Larry Hill, that the Board return to open
7 session. **MOTION CARRIED UNANIMOUSLY.**

8
9 (Case No. 12-124 was discussed in open session. Julie Bussanmas did not
10 participate in the discussion.)

11
12 Richard Wortmann moved, with a second by Tammy Duehr, to extend the 180-day
13 deadline for issuance of the final decision in **case number 12-124**, based upon the
14 need to conduct the hearing and the delay necessary to allow review of the proposed
15 decision. Procedural history: The Board found probable cause to proceed to hearing
16 at its meeting on January 17, 2013. Hearing is set for May 22, 2013. **MOTION**
17 **CARRIED UNANIMOUSLY.**

18
19 Tammy Duehr moved, with a second by Brenda Garcia-Van Auken, to approve the
20 closed session minutes of April 5, 2013 and the special telephonic minutes of April 17,
21 2013. **MOTION CARRIED UNANIMOUSLY.**

22
23 Board Reports:

24 Jason Glass reported that in the coming week the State Board of Education will review
25 three proposals for changes to practitioner preparation accreditation in Iowa.

26
27 Regarding education reform and the discussion of alternative licensure - Director
28 Glass and the governor are opposed to removing the authority of the BOEE to make
29 any decisions regarding alternative licensure and putting it in the control of the
30 legislature. Discussions will continue.

1 Executive Director's Report:

2 Praxis: The rules written are broad-based as it relates to what the requirements are
3 for out-of-state and out-of-country applicants in Iowa so that the BOEE is aligned with
4 the Department of Education (DE).

5
6 Mr. Magee reviewed the financial report with the Board.

7
8 Digitizing professional practices packets: Board members were asked to continue to
9 update us on any issues they are having with the electronic professional practices
10 documents. We will continue to work with DAS ITE and migrate to better set up
11 where we will have more functionality to modify, make notes, etc. on PDF documents.

12
13 New software RFP: Aspex Solutions is the vendor that has been selected. The
14 contract will be finalized soon. The software will include: job posting, applicant
15 tracking and licensing system.

16
17 Superintendent compensation: Mr. Magee drafted language regarding superintendent
18 compensation and shared it with the Board. The DE, School Administrators of Iowa
19 (SAI) and Iowa Association of School Boards (IASB) also provided their input. The
20 letter will be distributed to superintendent contacts through the DE, SAI and IASB.

21
22 Staff update: The BOEE is short one staff member – an administrative consultant.
23 Mr. Magee has conducted interviews and a decision will be made soon.

24
25 Mr. Magee shared a document he received at Iowa Association of Colleges for Teacher
26 Education (IACTE) regarding a statement from the American Association of College
27 and Teacher Ed. and American Federation of Teachers as it relates to student teaching
28 issues and teacher preparation recommendations.

29
30 Public Comment:

31 None.

1 Rules:

2 Adopt:

3 None.

4

5 Notice:

6 Larry Hill moved, with a second by Richard Wortmann, to adopt the proposed changes
7 to Chapter 13.28(8) Health. **MOTION CARRIED UNANIMOUSLY.**

8

9 Richard Wortmann moved, with a second by Brenda Garcia-Van Auken, to adopt the
10 proposed changes to Chapter 13.28(14) Physical Education. **MOTION CARRIED**
11 **UNANIMOUSLY.**

12

13 Larry Hill moved, with a second by Dan Dutcher, to adopt the proposed changes to
14 Chapter 13.28(13) Music. **MOTION CARRIED UNANIMOUSLY.**

15

16 Items for Discussion:

17 The proposed changes to Chapter 18.10 Superintendent/AEA Administrator were
18 discussed and will be brought back for further discussion.

19

20 The proposed changes to Chapter 22.2 Substitute Authorization were discussed and
21 will be brought back at a future meeting to file under notice of intended action.

22

23 The discussion regarding Chapter 25.3(6)(f) on solicitation will continue. A
24 collaborative letter with IASB, ISEA and SAI will be developed.

25

26 The discussion regarding Chapter 22.6 School Administrator Managers (SAMs) was
27 discussed and will be brought back at a future meeting to file under notice of intended
28 action. (These rules are to accompany rule 281 – 82.1(272) Standards of School
29 Administration Manager Programs, adopted by the department of education.)

30

31 The proposed changes to Chapters 13.3, 13.3(3) and 13.17(1) Applicants from non-
32 Iowa institutions were discussed and will be brought at a future meeting to file under
33 notice of intended action.

1 Development of STEM endorsements for 5-8 STEM, K-8 STEM, K-12 STEM specialist
2 and engineering were discussed and will be brought back at a future meeting to file
3 under notice of intended action.

4
5 Petitions for Waiver:

6 Larry Hill moved, with a second by Mary K. Overholtzer, that in **PFW 13-05 Kristina**
7 **Smith**, the Board grant the Petition for Waiver. Reasons for granting: Ms. Smith has
8 been offered a position for which the school business official authorization is required.
9 She states it would be an undue hardship for her to have to decline this position.
10 Loss of a job opportunity because one does not meet licensure requirements would
11 not, standing alone, be an undue hardship. However, in this case the Board found it
12 would be an undue hardship for Ms. Smith to have to decline this job because she has
13 relevant work experience, has completed a substantial amount of the required
14 coursework, and would be able to meet the rule's requirements within the first two
15 years of her employment. The Board found that granting the requested waiver in this
16 case would not prejudice the substantial legal rights of any other individuals. Ms.
17 Smith submitted letters of recommendation from Chris Hoover (superintendent, South
18 Winneshiek Community Schools) and Amy Boothe (current school business official,
19 South Winneshiek Community Schools). Both believe Ms. Smith is well-qualified for
20 the school business official position. Additionally, the district will require Ms. Smith
21 to complete her Associate's Degree in accounting within the first two years of her
22 employment, become a member of IASBO and work with a mentor, attend and
23 graduate from the school business official academy, and complete four months of
24 training with Ms. Boothe, the current school business official. Based on these facts,
25 the Board indicated the public health, safety, and welfare will not be substantially
26 compromised or placed at risk as a result of the Board's granting of a waiver in this
27 case. **MOTION CARRIED UNANIMOUSLY.**

28
29 Mary K. Overholtzer moved, with a second by Dan Dutcher, that in **PFW 13-06 Kristi**
30 **Clark**, the Board grant the Petition for Waiver. Reasons for granting:
31 If Ms. Clark is unable to obtain the career and technical endorsement it is likely her
32 current position would be reduced. Loss of a job opportunity because one does not
33 meet licensure requirements would not, standing alone, be an undue hardship.

1 However, the Board felt the hardship if the waiver were denied in this case would be
2 undue, based on Ms. Clark's experience in the health occupations field (albeit outside
3 the past five years as stated in the rule) and the actions she has taken to remain
4 connected to that field since beginning her teaching career. Granting Ms. Clark's
5 petition for waiver would not prejudice the substantial legal rights of any other
6 individuals. Within her Petition for Waiver, Ms. Clark detailed her past experiences in
7 the health occupations field, and her efforts to remain informed of developments in
8 that field while teaching. She also included letters of recommendation from an
9 administrator and a former student. Both letters indicated Ms. Clark is
10 knowledgeable in the area of health occupations and is an effective teacher. The Board
11 indicated the public health, safety, and welfare will not be substantially compromised
12 or placed at risk as a result of the Board's granting of a waiver in this case. **MOTION**
13 **CARRIED UNANIMOUSLY.**

14
15 Reports/Approvals

16 Legislative Update: Phil Wise updated the Board regarding current legislation – Senate
17 File 337, the suicide prevention training. Phil Wise and Duane Magee also updated the
18 Board regarding the language on the 180-day complaints.

19
20 Board Orientation/Retreat – June 20-21: This will be held in Dubuque. During the
21 retreat there will be a presentation from Dubuque Community Schools and Clarke
22 University regarding Yearlong Clinical Student Teaching Experience.

23
24 Board Operating Guidelines: Richard Wortmann moved, with a second by Dan
25 Dutcher, to approve the Board Operating Guidelines. **MOTION CARRIED**
26 **UNANIMOUSLY.**

27
28 Board Meeting Dates for FY 14: Brenda Garcia-Van Auken moved, with a second by
29 Mary K. Overholtzer, to approve the Board Meeting Dates for FY 14. **MOTION**
30 **CARRIED UNANIMOUSLY.**

1 Committee Assignments:

2 Forms were distributed to board members to list their committee of choice – Executive
3 Committee, Professional Practices Committee or Operating Guidelines Committee.
4 Laura Stevens will review and email the board members with their assignment.

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6 There being no further business, Laura Stevens asked for a motion to adjourn the
7 meeting. Brenda Garcia-Van Auken moved, with a second by Richard Wortmann. The
8 meeting was adjourned at 1:50 p.m.

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1 unless an appeal is taken by one of the parties within the time allowed by rule.

2 **MOTION CARRIED UNANIMOUSLY.**

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4 Andy Pattee moved, with a second by Jay Prescott, that in **case number 12-121**, the
5 Board accept the stipulation and settlement submitted by the parties, and issue an
6 Order incorporating the agreement of the parties and imposing the agreed upon
7 sanction. Roll call vote: Duehr – yes; Hill – no; Lebo – yes; Overholtzer – no; Pattee –
8 yes; Prescott – yes; Stevens – yes; Sullivan – yes. **MOTION CARRIED.** (Larry Hill
9 indicated that he was not comfortable with the one-year suspension and believes it
10 should be more severe. Mary K. Overholtzer concurred.)

11

12 Duane Magee gave a short legislative update regarding ed. reform.

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14 There being no further business, Laura Stevens asked for a motion to adjourn the
15 meeting. Anne Sullivan moved, with a second by Larry Hill. The meeting was
16 adjourned at 4:20 p.m.

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