

1 position is at step 40 which is the current range. The resolution that the Board
2 passed at the October meeting has not been implemented.

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

8
9 Julio Almanza moved, with a second by Tammy Duehr, that in **case number 11-63**,
10 the Board finds that, although one or more of the allegations in the complaint may be
11 substantiated by the witnesses interviewed in the course of the investigation [and/or]
12 the documents gathered in the course of the investigation, and the allegations may
13 constitute a technical violation of the Board's statute or administrative rules; the
14 evidence before the board indicates that adequate steps have been taken to remedy
15 the violation and to ensure that incidents of a similar nature do not occur in the
16 future. The Board will not pursue formal disciplinary action in this matter. **MOTION**
17 **CARRIED UNANIMOUSLY.**

18
19 Tammy Duehr moved, with a second by Julio Almanza, that in **case number 11-70**,
20 the Board finds that the allegations primarily involve employment or personnel issues,
21 which are generally better resolved through direct interaction between the licensee and
22 the employer or through personnel or grievance procedures. The investigation in this
23 matter did not establish violations which appear to rise to the level of unethical,
24 discriminatory or harassing conduct necessary to support disciplinary action by the
25 Board. The Board will not pursue formal disciplinary action in this matter. **MOTION**
26 **CARRIED UNANIMOUSLY.**

27
28 Julio Almanza moved, with a second by Tammy Duehr, that in **case number 11-73**,
29 the Board finds that the evidence gathered in the investigation, including witness
30 statements and the documentary evidence, does not substantiate the allegations in the

1 complaint, and that the Board therefore lacks probable cause to proceed with this
2 matter. **MOTION CARRIED UNANIMOUSLY.**

3

4 Julio Almanza moved, with a second by Tammy Duehr, that in **case number 11-74**,
5 the Board finds that the evidence gathered in the investigation, including witness
6 statements and the documentary evidence, does not substantiate the allegations in the
7 complaint, and that the Board therefore lacks probable cause to proceed with this
8 matter. **MOTION CARRIED UNANIMOUSLY.**

9

10 Julio Almanza moved, with a second by Tammy Duehr, that in **case number 11-75**,
11 the Board finds that the evidence gathered in the investigation, including witness
12 statements and the documentary evidence, does not substantiate the allegations in the
13 complaint, and that the Board therefore lacks probable cause to proceed with this
14 matter. **MOTION CARRIED UNANIMOUSLY.**

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16 Tammy Duehr moved, with a second by Julio Almanza, that in **case number 11-77**,
17 the Board finds that, although one or more of the allegations in the complaint may be
18 substantiated by the witnesses interviewed in the course of the investigation [and/or]
19 the documents gathered in the course of the investigation, and the allegations may
20 constitute a technical violation of the board's statute or administrative rules; the
21 evidence before the board indicates that the violation does not rise to the level
22 necessary for a hearing. **MOTION CARRIED UNANIMOUSLY.**

23

24 Julio Almanza moved, with a second by Tammy Duehr, that in **case number 11-78**,
25 the Board finds that the evidence gathered in the investigation, including witness
26 statements and the documentary evidence, does not substantiate the allegations in the
27 complaint, and that the Board therefore lacks probable cause to proceed with this
28 matter. **MOTION CARRIED UNANIMOUSLY.**

29

30 Tammy Duehr moved, with a second by Laura Stevens, that in **case number 11-79**,
31 the Board finds probable cause to establish a violation of the following provisions of
32 the Code of Professional Conduct and Ethics, 282 IAC 25.3(1) e (4), and order this

1 case set for hearing. Roll call vote: Almanza – recused; Duehr – yes; Johnson – yes;
2 Mickelson – yes; Ortiz – yes; Smith – yes; Stevens – yes; Trueg – yes. **MOTION**
3 **CARRIED.**

4 Julio Almanza moved, with a second by Tammy Duehr, that in **case number 11-84**,
5 the Board finds that, although one or more of the allegations in the complaint may be
6 substantiated by the witnesses interviewed in the course of the investigation [and/or]
7 the documents gathered in the course of the investigation, and the allegations may
8 constitute a technical violation of the board’s statute or administrative rules; the
9 evidence before the board indicates that adequate steps have been taken to remedy
10 the violation and to ensure that incidents of a similar nature do not occur in the
11 future. The Board will not pursue formal disciplinary action in this matter. Roll call
12 vote: Almanza – yes; Duehr – yes; Johnson – recused; Mickelson – yes; Ortiz – yes;
13 Smith – yes; Stevens – yes; Trueg – yes. **MOTION CARRIED.**

14
15 Tammy Duehr moved, with a second by Julio Almanza, that the Board not initiate
16 review of the proposed decision in **case number 10-43, In the Matter of Suzette**
17 **Reed**, and allow the proposed decision to become the final decision of the Board
18 unless an appeal is taken by one of the parties within the time allowed by rule.
19 **MOTION CARRIED UNANIMOUSLY.** (Julie Bussanmas, Assistant Attorney General,
20 and Jim McNellis, Investigator, left the room and were not present during the
21 discussion of this case.)

22
23 Julio Almanza moved, with a second by Tammy Duehr, that in **case number 10-19**,
24 the Board accept the stipulation and settlement submitted by the parties, and issue
25 an Order incorporating the agreement of the parties and imposing the agreed upon
26 sanction. **MOTION CARRIED UNANIMOUSLY.**

27
28 Tammy Duehr moved, with a second by Julio Almanza, that in **case number 10-32**,
29 the Board accept 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.**

32

1 Julio Almanza moved, with a second by Tammy Duehr, that in **case number 11-09**,
2 the Board accept the stipulation and settlement submitted by the parties, and issue
3 an Order incorporating the agreement of the parties and imposing the agreed upon
4 sanction. **MOTION CARRIED UNANIMOUSLY.**

5 Tammy Duehr moved, with a second by Julio Almanza, that in **case number 11-10**,
6 the Board accept the stipulation and settlement submitted by the parties, and issue
7 an Order incorporating the agreement of the parties and imposing the agreed upon
8 sanction. **MOTION CARRIED UNANIMOUSLY.**

9
10 Julio Almanza moved, with a second by Tammy Duehr, to extend the 180-day deadline
11 for issuance of the final decision in **case numbers 11-45, 11-48, 11-49, 11-51 and**
12 **11-58**, based upon the extraordinary amount of time needed to schedule the hearing,
13 allow review of the proposed decision, and issue a final decision. **MOTION CARRIED**
14 **UNANIMOUSLY.**

15
16 Tammy Duehr moved, with a second by Julio Almanza, to approve the closed session
17 minutes of October 7 and November 8. **MOTION CARRIED UNANIMOUSLY.**

18
19 **Board Reports:**

20 Tammy Duehr and Larry Hill took the ethics course which was offered in Dubuque.
21 Tammy Duehr felt it was a great class and encouraged others to take it. It was
22 interesting and full of great discussions. It contained a lot of information on how to
23 make those little decisions.

24
25 **Public Comment:**

26 Kris Kilibarda, Department Chair of the Education Department at Central College,
27 representing IACTE, addressed the Board regarding the pre file legislation (program
28 approval) regarding teacher preparation programs. IACTE is anxious to hear more
29 information about the proposal and what the proposal means to IACTE. IACTE would
30 like to be involved in the process as much as possible. Ms. Kilibarda also agrees and
31 supports the claims of Dr. Hutchings regarding his ethics presentation/ethical

1 decisions made by teachers. IACTE would also like to be involved in the design of the
2 ethics component that would be involved with teacher preparation.

3
4 **Executive Director's Report:**

5 Dr. Maurer reviewed the financial report.

6
7 **Rules:**

8 Carol Trueg moved, with a second by Merle Johnson, to adopt the proposed changes to
9 Chapter 13.9 Teacher Intern License. **MOTION CARRIED UNANIMOUSLY.**

10
11 Laura Stevens moved, with a second by Marianne Mickelson, to file under Notice of
12 Intended Action, the proposed changes to Chapter 11.35 Application Denial and
13 Appeal and Chapter 25 Human Trafficking. **MOTION CARRIED UNANIMOUSLY.**

14
15 Marianne Mickelson moved, with a second by Merle Johnson, to file under Notice of
16 Intended Action, the proposed changes to various chapters (clean up). **MOTION**
17 **CARRIED UNANIMOUSLY.**

18
19 **Items for Discussion:**

20 There were no discussion items.

21
22 **Petitions for Waiver:**

23 Merle Johnson moved, with a second by Marianne Mickelson, that in **PFW 11-21**,
24 Martha Veronica Limon, the Board deny the Petition for Waiver. Reasons for denial:
25 Ms. Limon has not passed the test required for the college official from William Penn
26 University to recommend Ms. Limon for Iowa licensure as a teacher. The Board does
27 not have the authority to allow a person to obtain a substitute teaching license if the
28 person has not passed the Praxis test which is a Highly Qualified Teacher federal
29 requirement. Individuals who hold the substitute authorization may substitute in
30 grade 5 if the 5th grade is designated as a middle school setting. The Board indicated
31 that the designation of the school is set by the school and not by the Board. Thus if
32 the 5th grade is in an elementary school, the substitute authorization is not valid for
33 substituting there. Ms. Limon did not provide documentation on how the 5th grade

1 classroom setting would be the equivalent of a middle school classroom so the Board
2 did not have any evidence to support the request for the waiver to be granted in this
3 setting. It would be prejudicial to other holders of the substitute authorization to
4 allow Ms. Limon to substitute in the 5th grade elementary classroom when others have
5 been informed that they may not substitute on the elementary level. The Board
6 discussed that if Ms. Limon is allowed to substitute in this classroom, she would be
7 substituting for a substitute. To protect the welfare of the students, it would be
8 beneficial to hire a properly licensed teacher who can demonstrate proficiency in all
9 four core content areas. Roll call vote: Almanza – no; Duehr – yes; Johnson – yes;
10 Mickelson – yes; Ortiz – no; Smith – yes; Stevens – yes; Trueg – yes. **MOTION**
11 **CARRIED.**

12

13 Tammy Duehr moved, with a second by Carol Trueg, that in **PFW 11-22**, Margie
14 Hansen, the Board grant the Petition for Waiver. Reasons for granting: The Board
15 noted that Ms. Hansen was not timely with completing the deficiencies for the Spanish
16 endorsement. She had the two years of the Class B conditional license to complete the
17 course work but she is working on course work for the ESL endorsement instead.
18 However, they did review the letter from Ms. Hansen’s principal with his evaluation of
19 her teaching. They also reviewed her course work in linguistics, English as a Second
20 Language and her observations in other Spanish classrooms. The Board has accepted
21 waivers of methods classes for other individuals who have filed petitions for waiver
22 and substantiated their competencies in methodology. The Board agreed that the
23 public health, safety, and welfare will not be substantially compromised or placed at
24 risk as a result of the Board’s granting of a waiver in this case. Ms. Hansen has
25 served successfully as a secondary Spanish teacher under the term of the Class B
26 license. **MOTION CARRIED UNANIMOUSLY.**

27

28 Carol Trueg moved, with a second by Julio Almanza, that in **PFW 11-23**, Ashley
29 Hansen, the Board grant the Petition for Waiver. Reasons for granting: The Board
30 indicated that since business is not a shortage areas that it would be difficult to find
31 an internship possibility in this endorsement area. The Board has filed for notice
32 rules that will allow the option of substitute teaching and co-teaching for individuals

1 who are not able to find an internship through the teacher intern program. The
2 hearing was held and the Board voted for adoption of the rules in November.
3 Approving the waiver will provide the same option that will be in effect once the rules
4 are adopted. This waiver will include the option for forty days of paid substitute
5 teaching and forty consecutive days of co-teaching with a master teacher in lieu of the
6 internship. The Board agreed that the public health, safety, and welfare will not be
7 substantially compromised or placed at risk as a result of the Board's granting of a
8 waiver in this case. Ms. Hansen has held a substitute authorization and coaching
9 authorization so she has completed the background check information and has
10 worked with students in this capacity. The college supervisor and co-teacher will also
11 provide for the public health, safety and welfare of the students. **MOTION CARRIED**
12 **UNANIMOUSLY.**

13

14 Carol Trueg moved, with a second by Marianne Mickelson, that in **PFW 11-24**, Brenda
15 Hillman, the Board grant the Petition for Waiver. Reasons for granting: The Board
16 reviewed the teaching experience that Ms. Hillman had completed on the K-12 level
17 and the post secondary level. The Board has denied several petitions for a waiver for
18 individuals who did not have the three years of teaching experience necessary for the
19 principal endorsement. The Board had approved one waiver for an individual who had
20 experience teaching religion in schools which did not require licensure. The Board's
21 discussion included a review of the teaching experience Ms. Hillman had completed on
22 the post secondary level which included teaching student teachers and working with
23 the student teachers in the K-12 classrooms. The Board determined that this
24 experience was unique and influential to the granting of the waiver. The Board agreed
25 that the public health, safety, and welfare will not be substantially compromised or
26 placed at risk as a result of the Board's granting of a waiver in this case. They also
27 noted that granting of the waiver is only granting a waiver of the requirements for
28 three years of K-12 teaching experience necessary for the principal endorsement. Ms.
29 Hillman will still need to complete the other requirements in order to obtain full
30 administrative licensure in Iowa before she is authorized to serve as an administrator
31 in an Iowa school. Roll call vote: Almanza – no; Duehr – yes; Johnson – no; Mickelson
32 – yes; Ortiz – yes; Smith – no; Stevens – yes; Trueg – yes. **MOTION CARRIED.**

1 Julio Almanza moved, with a second by Carol Trueg, that in **PFW 11-25**, Patrick
2 Beyer, the Board grant the Petition for Waiver. Reasons for granting: The Board
3 indicated that since social studies is not a shortage area that it would be difficult to
4 find an internship possibility in this endorsement area. The Board has filed for notice
5 rules that will allow the option of substitute teaching and co-teaching for individuals
6 who are not able to find an internship through the teacher intern program. The
7 hearing was held and the Board moved for adoption of the rules in November.
8 Approving the waiver will provide the same option that will be in effect once the rules
9 are adopted. This waiver will include the option for forty days of paid substitute
10 teaching and forty consecutive days of co-teaching with a master teacher in lieu of the
11 internship. The Board agreed that the public health, safety, and welfare will not be
12 substantially compromised or placed at risk as a result of the Board's granting of a
13 waiver in this case. Mr. Beyer has held a substitute authorization so he has
14 completed the background check information and has worked with students in this
15 capacity. The college supervisor and co-teacher will also provide for the public health,
16 safety and welfare of the students. **MOTION CARRIED UNANIMOUSLY.**

17
18 **Reports/Approvals**

19 Legislative Report: Dr. Maurer reviewed the legislative report of the pre-filed bills.

20
21 Annual Administrative Rules Review Report: Dr. Maurer reviewed the Annual
22 Administrative Rules Review Report. By statute, the report will be submitted to the
23 chairpersons and ranking members of the senate and house standing committees on
24 education and the joint appropriations subcommittee on education by January 15,
25 2012.

26
27 Fees Report: The Fees Report was also reviewed and, by statute, will be submitted to
28 the chairpersons and ranking members of the joint appropriations subcommittee on
29 education and the legislative services agency by January 1, 2012.

30
31 Legislative Reception: Dr. Maurer updated the Board on the legislative reception
32 which is scheduled for Thursday, January 19, 2012, 7:30-9 a.m., at the Capitol 1st
33 floor rotunda (east wing) with the board meeting to follow at 9:30 a.m. in the State

1 Board Room of the Grimes Building. The Board will have a dinner meeting at 6:30
2 p.m. on Wednesday, January 18, to review the agenda/talking points for the legislative
3 reception. The Professional Practices Committee will meet at 5 p.m. on Wednesday
4 prior to the dinner meeting.

5
6 NASDTEC Report: Beth Myers reported on the NASDTEC Professional Practices
7 Institute which she and board member, Marianne Mickelson, attended on
8 October 19-21, 2011, in Little Rock, Arkansas.

9
10 Technology Update: Dr. Maurer would like to purchase iPads for the consultants for
11 them to take to the various meetings, presentations they attend. We are working with
12 DAS on this since there is an issue regarding security.

13
14 We would like to get the recommendations from the colleges online for endorsements
15 as well as the recommendations for coaches, paraprofessionals, etc. We would like to
16 do more online applications. Do we do this with our current program or purchase a
17 new program? We would like to have the ability for credit card transactions for use in
18 our office as well as when we do fingerprinting at the various colleges. Dr. Maurer
19 stated that he would like us to be a paperless environment similar to licensing boards
20 in other states.

21
22 Dr. Maurer updated the Board regarding the redesign of our website. It should be
23 completed within a month or two.

24
25 ISEA Presentation: Wayne Bauman and Bob Brown, ISEA UniServ Directors, were
26 present to discuss the “Ethics for Educators” course offered by ISEA. They are both
27 instructors within the ethics program class that has been developed. They provided
28 the Board a summary of information regarding the class.

29
30 Reflection-Dr. Hutchings Presentation: Dr. Maurer reviewed the staff
31 recommendations for developing a framework as a guide to developing a continuum for
32 ethics and license programs for pre-service to in-service for teachers and
33 administrators.

1 There being no further business, Bev Smith asked for a motion to adjourn the
2 meeting. Merle Johnson moved, with a second by Marianne Mickelson to adjourn the
3 meeting. **MOTION CARRIED UNANIMOUSLY.** The meeting was adjourned at 2:07
4 p.m.

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