

1 the Code of Professional Conduct and Ethics, 282 IAC 25.3(1)b(2), 25.3(1)c, and
2 25.3(1)e and order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

3
4 Laura Stevens moved, with a second by Merle Johnson, that in **case number 09-**
5 **41**, while the Board is concerned about the allegations, it finds that the evidence
6 gathered in the investigation, including witness statements and the documentary
7 evidence does not rise to the level necessary to take action against the licensee.
8 The Board therefore lacks probable cause to proceed with this matter. **MOTION**
9 **CARRIED UNANIMOUSLY.**

10
11 Laura Stevens moved, with a second by Merle Johnson, that in **case number 09-**
12 **42**, while the Board is concerned about the allegations, it finds that the evidence
13 gathered in the investigation, including witness statements and the documentary
14 evidence does not rise to the level necessary to take action against the licensee and
15 steps have been taken at the local level to ensure that the health and safety of
16 students is protected. The Board therefore lacks probable cause to proceed with
17 this matter. **MOTION CARRIED UNANIMOUSLY.**

18
19 Laura Stevens moved, with a second by Merle Johnson, that in **case number 09-**
20 **43**, while the Board is concerned about the allegations, it finds that the evidence
21 gathered in the investigation, including witness statements and the documentary
22 evidence does not rise to the level necessary to take action against the licensee.
23 The Board therefore lacks probable cause to proceed with this matter.
24 **MOTION CARRIED UNANIMOUSLY.**

25
26 Carol Trueg moved, with a second by Laura Stevens, that in **case number**
27 **09-64**, the Board find probable cause to establish a violation of the following
28 provisions of the Code of Professional Conduct and Ethics, 282 IAC
29 25.3(1)e,3, 4, 25.3(6)c, and d, and order this case set for hearing. Roll call
30 vote: Almanza-yes, Dirks-yes, Duehr-yes, Jeffrey-yes, Johnson-yes, Ortiz-
31 yes, Robinson-yes, Sheka-recused, Smith-yes, Stevens-yes, Trueg-yes,
32 Wortmann-yes. **MOTION CARRIED.**

33

1 Oscar Ortiz moved, with a second by Merle Johnson, that in **case number**
2 **09-65**, the Board find probable cause to establish a violation of the following
3 provisions of the Code of Professional Conduct and Ethics, 282 IAC 25.3(5)
4 a, 4, and order this case set for hearing. **MOTION CARRIED NANIMOUSLY.**

5
6 Oscar Ortiz moved, with a second by Merle Johnson, that in **case number**
7 **09-66**, the Board find probable cause to establish a violation of the following
8 provisions of the Code of Professional Conduct and Ethics, 282 IAC 25.3(5)
9 a, 5, and order this case set for hearing. **MOTION CARRIED**

10 **UNANIMOUSLY.**

11
12 Laura Stevens moved, with a second by Merle Johnson, that in **case number**
13 **08-109 and 08-111**, In the Matter of Terry Christiansen, the Board accept
14 the proposed decision with the following modification, strike paragraph 16 of
15 the proposed decision. **MOTION CARRIED UNANIMOUSLY.**

16
17 Carol Trueg moved, with a second by Oscar Ortiz, that in **case number 08-**
18 **103**, In the Matter of Patrick Wagner, the Board accept the proposed
19 decision with the following modifications, for not less than one year. Roll call
20 vote: Almanza-yes, Dirks-yes, Duehr-yes, Jeffrey-yes, Johnson-yes, Ortiz-
21 yes, Robinson-yes, Sheka-yes, Smith-recused, Stevens-yes, Trueg-yes,
22 Wortmann-yes. **MOTION CARRIED.**

23
24 Merle Johnson moved, with a second by Laura Stevens, that in **case number**
25 **07-14 and 07-16**, the Board table this issue for further review until the next
26 meeting because we just received the information this morning. **MOTION**
27 **CARRIED UNANIMOUSLY.**

28
29 Merle Johnson moved, with a second by Laura Stevens, that in **case number**
30 **09-08**, the Board accept the Respondent's waiver of hearing and agreement
31 to accept a lesser sanction, and issue an order imposing the agreed upon
32 sanction. **MOTION CARRIED UNANIMOUSLY.**

1 Oscar Ortiz moved, with a second by Laura Stevens, that in **case number**
2 **09-31**, the Board accept the Respondent’s waiver of hearing and agreement
3 to accept a lesser sanction, and issue an order imposing the agreed upon
4 sanction. Roll call vote: Almanza-yes, Dirks-yes, Duehr-yes, Jeffrey-yes,
5 Johnson-yes, Ortiz-yes, Robinson-yes, Sheka-recused, Smith-yes, Stevens-
6 yes, Trueg-yes, Wortmann-yes. **MOTION CARRIED.**

7

8 Merle Johnson moved, with a second by Carol Trueg, that in **case number**
9 **09-62**, the Board deny the motion to dismiss and return the case to the
10 parties for further proceedings consistent with this decision. **MOTION**
11 **CARRIED UNANIMOUSLY.**

12

13 Carol Trueg moved, with a second by Laura Stevens, that in **case number**
14 **09-38**, the Board extend the 180-day deadline for issuance of the final
15 decision in case number 09-38, based upon the extraordinary amount of
16 time needed to schedule the hearing, allow review of the proposed decision,
17 and issue a final decision. **MOTION CARRIED UNANIMOUSLY.**

18

19 Board Reports:

20 There were no board reports.

21

22 Public Comment:

23 There were no public comments.

24

25 Executive Director’s Report:

26 Dr. Maurer informed the Board that in December we will receive our final report for
27 FY09 finances and that it will be available at the December meeting.

28

29 Each board member received the book, “The Global Achievement Gap” which was
30 purchased through the TQE grant. This may be reviewed at the board retreat.

31

1 Dr. Maurer addressed the issue brought up at last month's meeting regarding
2 renewal of a Class A license. We do not have the capacity in our database system
3 to sort through those individuals that have requested a Class A license due to not
4 having sufficient hours to renew their license so we'd have to add additional
5 descriptors in order to do that. Dr. Robinson asked if staff could discuss the Class
6 A renewal procedure and about the possibility of those types of extensions to
7 require an administrator sign-off and see what the complexities are. This will be
8 discussed again at the December meeting.

9
10 To clarify the Aquarium Science discussion that took place at last month's meeting-
11 - this was an endorsement that we approved and the program approval is with the
12 Department of Education. We made the assumption that the Des Moines Public
13 School District had taken the appropriate steps. We were just approving the
14 person to teach that course not the program itself.

15
16 In January 2009, we did a reorganization of rules. The next phase is to start
17 reviewing the rules.

18
19 Dr. Maurer informed the Board of the budget plan which was approved by the
20 Governor's Office. We reduced our staff by two clerks. Both individuals have
21 already obtained other positions.

22
23 The document provided by DAS regarding the Governor's Mandated Seven-Day
24 Furlough for Non-Contract, Executive Branch Employees was shared with the
25 Board. Dr. Maurer will continue to update the Board as more information becomes
26 available regarding furloughs.

27
28 We will continue to send the board packet electronically prior to board members
29 receiving the hard copy via mail.

1 Rules:

2 Bev Smith moved, with a second by Merle Johnson, to adopt the proposed changes
3 to Chapter 24.6 Speech-Language Pathology Asst. (SPLA). **MOTION CARRIED**
4 **UNANIMOUSLY.**

5

6 Greg Robinson moved, with a second by Bev Smith, to adopt the proposed changes
7 to Chapter 11.4 Complaint. **MOTION CARRIED UNANIMOUSLY.**

8

9 Bev Smith moved, with a second by Brad Dirks, to file under Notice of Intended
10 Action, the proposed changes to Chapter 13.26(4) Teacher-elementary classroom.
11 **MOTION CARRIED UNANIMOUSLY.**

12

13 Merle Johnson moved, with a second by Richard Wortmann, to file under Notice of
14 Intended Action, the proposed changes to Chapter 23.1 Behind-the-wheel driving
15 instructor authorization. **MOTION CARRIED UNANIMOUSLY.**

16

17 Richard Wortmann moved, with a second by Carol Trueg, to file under Notice of
18 Intended Action, the proposed changes to Chapter 27.4 Professional Service
19 License. **MOTION CARRIED UNANIMOUSLY.**

20

21 Items for Discussion:

22 The proposed changes to Chapter 13.9(8) Extension of an intern license were
23 discussed and will be brought back to the December meeting for noticing.

24

25 Petitions for Waiver:

26 Merle Johnson moved, with a second by Greg Robinson, that in **PFW 09-18**, Cheryl
27 Runestad, the Board deny the Petition for Waiver. **MOTION CARRIED**
28 **UNANIMOUSLY.**

29

30 Merle Johnson moved, with a second by Richard Wortmann, that in **PFW 09-19**,
31 Christine Cowan, the Board deny the Petition for Waiver. **MOTION CARRIED**
32 **UNANIMOUSLY.**

33

1 Reports/Approvals:

2 Board Retreat: Dr. Maurer asked the Board how they would like to approach the
3 Board Retreat scheduled for June 17-18, 2010. Greg Robinson would like feedback
4 regarding the possibility of district waivers for innovation and for those districts in
5 need of assistance. Dr. Maurer will begin putting questions together to take to
6 constituent groups. Bev Smith also suggested another item for discussion would
7 be to involve/engage district administrators in the licensure process.

8

9 Legislative Reception: In previous years, the Board would meet on the evening
10 prior to the Legislative Reception to discuss the talking points for the reception. The
11 legislative reception is currently scheduled for February 4, 2010 from 7:30-9:00
12 a.m. at the Capitol and the board meeting is scheduled to follow at 9:30 a.m. Dr.
13 Maurer will bring this back again for discussion at the December meeting to see if
14 the Board wants to move forward with having the Legislative Reception as
15 scheduled.

16

17 Beth Myers reported on the National Association of State Directors of Teacher
18 Education Certification (NASDTEC) Professional Practices Conference that she and
19 Dr. Maurer attended in October.

20

21 Dr. Maurer suggested that we not reduce the number of board meetings at this
22 time and that the current board meeting calendar for FY10 remain as scheduled.

23

24 Pomeroy-Palmer Community School District requested they join the Northwest Iowa
25 School Improvement Consortium. Pomeroy-Palmer CSD has been working with
26 Pocahontas Area Community School District on the development of a whole-grade
27 sharing agreement. Kay Forsythe, Chief Administrator at Prairie Lakes AEA,
28 addressed the Board and stated that she is opposed of any expansion of the
29 consortium.

30

31 Laura Stevens moved, with a second by Brad Dirks, the Board allow Pomeroy-
32 Palmer CSD staff to seek renewal credits through staff development provided

1 through the Northwest Iowa School Improvement Consortium until the end of FY10
2 which ends June 30, 2010. **MOTION CARRIED UNANIMOUSLY.**

3
4 Further discussion regarding the future of the Northwest Iowa School Improvement
5 Consortium will be discussed at the board retreat in June.

6
7 Carol Trueg moved, with a second by Merle Johnson, that the Board rescind the
8 previous motion In the Matter of Patrick Wagner. Roll call vote: Almanza-yes,
9 Dirks-yes, Duehr-yes, Jeffrey-yes, Johnson-yes, Ortiz-yes, Robinson-yes, Sheka-
10 yes, Smith-recused, Stevens-yes, Trueg-yes, Wortmann-yes. **MOTION CARRIED.**

11
12 Merle Johnson moved, with a second by Carol Trueg , that the Board go into closed
13 session for the purposes of discussing whether to initiate licensee disciplinary
14 proceedings and discussing the decision to be rendered in a contested case,
15 pursuant to Iowa Code sections 21.5(1)(d) and 21.5(1)(f). **MOTION CARRIED**
16 **UNANIMOUSLY.**

17
18 Carol Trueg moved, with a second by Oscar Ortiz, that in **case number 08-103**, In
19 the Matter of Patrick Wagner, the Board initiate review of the proposed decision, to
20 examine whether the proposed sanction is appropriate in light of the findings. Roll
21 call vote: Almanza-yes, Dirks-yes, Duehr-yes, Jeffrey-yes, Johnson-yes, Ortiz-yes,
22 Robinson-yes, Sheka-yes, Smith-recused, Stevens-yes, Trueg-yes, Wortmann-yes.
23 **MOTION CARRIED.**

24
25 There being no further business, Judy Jeffrey adjourned the meeting at 1:57 p.m.