



1 work, communication is key to maintaining an effective and coordinated system that  
2 produces quality educators and school leaders. Department Director Jason Glass  
3 talked about the purpose and goal of the work session. State Board members and  
4 BOEE members introduced themselves.

5  
6 Glass and BOEE Executive Director Duane Magee shared information about their  
7 respective boards and agencies. State Board President Rosie Hussey and BOEE  
8 President Bev Smith talked about their boards' goals and priorities.

9  
10 There was a dialogue session where comments and conversation centered around how  
11 often the BOEE looks at licensure requirements and what the process is to change the  
12 requirements, if teacher preparation programs are properly preparing teachers, ethics  
13 support, how both boards' priorities are interwoven, teacher shortage areas, if tension  
14 exists with alternative licensure, if there is a way to help new teachers entering the  
15 profession to understand the challenges of teaching, renewal requirements and  
16 professional development, teacher retention, reciprocity with other states, if Iowa's  
17 licensure requirements make it difficult for potential excellent teachers from other  
18 states to get Iowa licensure, administrator licensure, and the School Administration  
19 Manager Project (SAMs).

20  
21 After a short recess the BOEE resumed its meeting. Since the State Board was having  
22 its meeting also, Dr. Glass was not present for the remainder of the BOEE meeting.

23  
24 Richard Wortmann moved, with a second by Julio Almanza, that the Board go into  
25 closed session for the purposes of discussing whether to initiate licensee disciplinary  
26 proceedings and discussing the decision to be rendered in a contested case, pursuant  
27 to Iowa Code sections 21.5(1)(d) and 21.5(1)(f). Roll call vote: Almanza – yes; Garcia-  
28 Van Auken – yes; Hill – yes; Overholtzer – yes; Smith – yes; Stevens – yes; Trueg – yes;  
29 Wortmann – yes. **MOTION CARRIED.**

30  
31 Julio Almanza moved, with a second by Mary K. Overholtzer, that in **case number 11-**  
32 **95**, the Board find probable cause to establish a violation of the following provisions of  
33 the Code of Professional Conduct and Ethics, 282 IAC –Chapter 25.3(1)(b)(1),

1 25.3(1)(b)(2), and 25.3(1)(e)(3), and order this case set for hearing. **MOTION CARRIED**  
2 **UNANIMOUSLY.**

3  
4 Richard Wortmann moved, with a second by Mary K. Overholtzer, that in case  
5 number 12-64, the Board finds that, although one or more of the allegations in the  
6 complaint may be substantiated by the witnesses interviewed in the course of the  
7 investigation [and/or] the documents gathered in the course of the investigation, and  
8 the allegations may constitute a technical violation of the board's statute or  
9 administrative rules; the evidence before the board indicates that the alleged violation  
10 was an isolated incident. The Board will not pursue formal disciplinary action in this  
11 matter. Roll call vote: Almanza – yes; Garcia-Van Auken – yes; Hill – yes; Overholtzer –  
12 yes; Smith – yes; Stevens – yes; Trueg – recused; Wortmann – yes. **MOTION**  
13 **CARRIED.**

14  
15 Julio Almanza moved, with a second by Mary K. Overholtzer, that in case number 12-  
16 65, the Board find probable cause to establish a violation of the following provisions of  
17 the Code of Professional Conduct and Ethics, 282 IAC 25.3(2)(b) and order this case  
18 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

19  
20 Julio Almanza moved, with a second by Richard Wortmann, that in case number 12-  
21 70, the Board find 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.**

25  
26 Mary K. Overholtzer moved, with a second by Richard Wortmann, that in case  
27 number 12-81, the Board find probable cause to establish a violation of the following  
28 provisions of the Code of Professional Conduct and Ethics, 282 IAC 25.3(1)(c), (e)(3)  
29 and (4), 282 IAC 25.3(6)(c) and order this case set for hearing. Roll call vote: Almanza –  
30 yes; Garcia-Van Auken – yes; Hill – yes; Overholtzer – yes; Smith – yes; Stevens – yes;  
31 Trueg – yes; Wortmann – no. **MOTION CARRIED.**

1 Richard Wortmann moved, with a second by Julio Almanza, that in **case number 12-**  
2 **86**, 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. Roll call vote: Almanza – yes; Garcia-Van Auken – yes; Hill – yes; Overholtzer –  
6 yes; Smith – yes; Stevens – yes; Trueg – recused; Wortmann – yes. **MOTION**  
7 **CARRIED.**

8  
9 Richard Wortmann moved, with a second by Mary K. Overholtzer, that in **case**  
10 **number 12-87**, the Board find probable cause to establish a violation of the following  
11 provisions of the Code of Professional Conduct and Ethics, 282 IAC 25.3(1)(e)(4), and  
12 order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

13  
14 Richard Wortmann moved, with a second by Julio Almanza, that in **case number 12-**  
15 **96**, the Board finds that the evidence gathered in the investigation, including witness  
16 statements and the documentary evidence, does not substantiate the allegations in the  
17 complaint, and that the Board therefore lacks probable cause to proceed with this  
18 matter. Roll call vote: Almanza – yes; Garcia-Van Auken – yes; Hill – yes; Overholtzer –  
19 recused; Smith – yes; Stevens – yes; Trueg – yes; Wortmann – yes. **MOTION**  
20 **CARRIED.**

21  
22 Julio Almanza moved, with a second by Richard Wortmann, that in **case number 12-**  
23 **99**, the Board find probable cause to establish a violation of the following provisions of  
24 the Code of Professional Conduct and Ethics, 282 IAC 25.3(1)(b)(2), and order this  
25 case set for hearing. Roll call vote: Almanza – yes; Garcia-Van Auken – recused; Hill –  
26 yes; Overholtzer – recused; Smith – yes; Stevens – yes; Trueg – yes; Wortmann – yes.  
27 **MOTION CARRIED.**

28  
29 Julio Almanza moved, with a second by Mary K. Overholtzer, that in **case number 12-**  
30 **40**, the Board accept the stipulation and settlement submitted by the parties, and  
31 issue an Order incorporating the agreement of the parties and imposing the agreed  
32 upon sanction. **MOTION CARRIED UNANIMOUSLY.**

33

1 Julio Almanza moved, with a second by Mary K. Overholtzer, that in **case number 12-**  
2 **41**, 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 Mary K. Overholtzer, that in **case number**  
7 **12-31**, the Board accept the proposed settlement agreement, and issue an order  
8 imposing the agreed upon sanction. **MOTION CARRIED UNANIMOUSLY.**

9  
10 Julio Almanza moved, with a second by Richard Wortmann, that the Board not initiate  
11 review of the proposed decision in **case number 12-42, In the Matter of Jason Heinz,**  
12 and allow the proposed decision to become the final decision of the Board unless an  
13 appeal is taken by one of the parties within the time allowed by rule. **MOTION**  
14 **CARRIED UNANIMOUSLY.** (Julie Bussanmas and Jim McNellis left the room during  
15 the discussion of this case in closed session.)

16  
17 Richard Wortmann moved, with a second by Mary K. Overholtzer, to extend the 180-  
18 day deadline for issuance of the final decision in **case number 12-65**, based upon the  
19 extraordinary amount of time needed to complete the investigation and schedule the  
20 hearing. **MOTION CARRIED UNANIMOUSLY.**

21  
22 Richard Wortmann moved, with a second by Julio Almanza, to extend the 180-day  
23 deadline for issuance of the final decision in **case number 12-66**, based upon delay  
24 in the investigation due to a request for continuance by the Respondent. **MOTION**  
25 **CARRIED UNANIMOUSLY.**

26  
27 Richard Wortmann moved, with a second by Mary K. Overholtzer, to extend the 180-  
28 day deadline for issuance of the final decision in **case number 12-71**, based upon  
29 the extraordinary amount of time needed to complete the investigation. **MOTION**  
30 **CARRIED UNANIMOUSLY.**

31  
32 Richard Wortmann moved, with a second by Mary K. Overholtzer, to extend the 180-  
33 day deadline for issuance of the final decision in **case number 12-73**, based upon the

1 extraordinary amount of time needed to complete the investigation. **MOTION**  
2 **CARRIED UNANIMOUSLY.**

3

4 Richard Wortmann moved, with a second by Mary K. Overholtzer, to extend the 180-  
5 day deadline for issuance of the final decision in **case number 12-74**, based upon  
6 the extraordinary amount of time needed to complete the investigation. **MOTION**  
7 **CARRIED UNANIMOUSLY.**

8

9 Richard Wortmann moved, with a second by Mary K. Overholtzer, to extend the 180-  
10 day deadline for issuance of the final decision in **case number 12-75**, based upon  
11 the extraordinary amount of time needed to complete the investigation. **MOTION**  
12 **CARRIED UNANIMOUSLY.**

13

14 Mary K. Overholtzer moved, with a second by Julio Almanza, to extend the 180-day  
15 deadline for issuance of the final decision in **case number 12-78**, based upon the  
16 extraordinary amount of time needed to complete the investigation. **MOTION**  
17 **CARRIED UNANIMOUSLY.**

18

19 Mary K. Overholtzer moved, with a second by Julio Almanza, to extend the 180-day  
20 deadline for issuance of the final decision in **case number 12-79**, based upon the  
21 extraordinary amount of time needed to complete the investigation. **MOTION**  
22 **CARRIED UNANIMOUSLY.**

23

24 Julio Almanza moved, with a second by Richard Wortmann, to extend the 180-day  
25 deadline for issuance of the final decision in **case number 12-68**, based upon the  
26 need to conduct the hearing and review the proposed decision. **MOTION CARRIED**  
27 **UNANIMOUSLY.** (Julie Bussanmas and Jim McNellis left the room during the  
28 discussion of this case in closed session.)

29

30 Julio Almanza moved, with a second by Richard Wortmann, to extend the 180-day  
31 deadline for issuance of the final decision in **case number 12-72**, based upon the  
32 need to conduct the hearing and review the proposed decision. **MOTION CARRIED**

1 **UNANIMOUSLY.** (Duane Magee, Julie Bussanmas and Jim McNellis left the room  
2 during the discussion of this case in closed session.)

3  
4 Julio Almanza moved, with a second by Richard Wortmann, to extend the 180-day  
5 deadline for issuance of the final decision in **case number 12-80**, based upon the  
6 need to conduct the hearing and review the proposed decision. **MOTION CARRIED**

7 **UNANIMOUSLY.** (Duane Magee, Julie Bussanmas and Jim McNellis left the room  
8 during the discussion of this case in closed session.)

9  
10 Richard Wortmann moved, with a second by Mary K. Overholtzer, that in **case**  
11 **number 10-34**, the Board grant the Respondent's request for reinstatement and issue  
12 an order stating he has discharged all requirements of his prior suspension. **MOTION**  
13 **CARRIED UNANIMOUSLY.**

14  
15 Laura Stevens moved, with a second by Larry Hill, to approve the closed session  
16 minutes of October 15, 2012. **MOTION CARRIED UNANIMOUSLY.**

17  
18 (Note: Cases 12-68, 12-72, 12-80 and 10-34 were discussed in open session.)

19  
20 Communication from the Public:

21 None.

22  
23 Board Reports:

24 None.

25  
26 NASDTEC Conference Report:

27 Darcy Lane, Jim McNellis and Julie Bussanmas attended the NASDTEC professional  
28 practices conference in Cincinnati on October 17-19, 2012. The conference is  
29 attended by investigators, prosecutors and attorneys from various states. It is  
30 beneficial to talk with counterparts in other states to see what issues they are facing.

1 Executive Director's Report:

2 Duane Magee and Bev Smith presented at the October 24, 2012, Board of Regents  
3 meeting. They shared information regarding our history and goals; our concerns  
4 regarding disconnect with licensure and contact time; requirements to become  
5 licensed in the state; and, our desire for the BOEE to align with the Department of  
6 Education and with the Board of Regents.

7  
8 Mr. Magee reviewed the financial report with the Board.

9 Mr. Magee updated the Board regarding digitizing the professional practices packet.  
10 He will continue to meet with ITE and DAS regarding security that needs to be in  
11 place. This is ongoing but we are making progress. We are also visiting with other  
12 agencies regarding their process.

13  
14 The Board was reminded that photos would be taken of them during the January 17<sup>th</sup>  
15 meeting.

16  
17 A dinner/meeting will be scheduled for January 16<sup>th</sup> to discuss the agenda and talking  
18 points for the legislative reception on January 17<sup>th</sup>.

19  
20 Mr. Magee read and shared a thank you note he received from Charletta Sudduth  
21 regarding the Board granting her waiver at the October board meeting.

22  
23 Due to the recent resignations of Marianne Mickelson and Merle Johnson, we will need  
24 to review committee assignments for the Professional Practices Committee and the  
25 Executive Committee. Any board members who are interested in being on either of  
26 these committees should contact Mr. Magee.

27  
28 Mr. Magee changed the format of the agenda to include those rules that are pending  
29 ARC review. This is just to let board members know where we are in the process.

1 Rules:

2 Carol Trueg moved, with a second by Larry Hill, to file under Notice of Intended Action,  
3 the proposed changes to Chapter 13.16(1) Substitute Teacher. **MOTION CARRIED**  
4 **UNANIMOUSLY.**

5  
6 Carol Trueg moved, with a second by Laura Stevens, to file under Notice of Intended  
7 Action, the proposed changes to Chapter 11.7(1) Delivery (Notice of Hearing). **MOTION**  
8 **CARRIED UNANIMOUSLY.**

9  
10 Julio Almanza moved, with a second by Laura Stevens, to file under Notice of Intended  
11 Action, the proposed changes to Chapter 18.5(3) Specific Requirements for a  
12 Professional Administrator License. **MOTION CARRIED UNANIMOUSLY.**

13  
14 Julio Almanza moved, with a second by Carol Trueg, to file under Notice of Intended  
15 Action, the proposed changes to Chapter 19.6 Evaluator and Endorsement  
16 Requirements for Out-of-State Applicants. **MOTION CARRIED UNANIMOUSLY.**

17  
18 Mary K. Overholtzer moved, with a second by Carol Trueg, to file under Notice of  
19 Intended Action, the proposed changes to Chapter 17.4 Requirements for a Class D  
20 Career and Technical License. **MOTION CARRIED UNANIMOUSLY.**

21  
22 Items for Discussion:

23 The proposed changes to Chapter 13.9 Teacher Intern License were discussed.  
24 Discussion will continue and will be brought back at a future meeting.

25  
26 Mike Cavin reviewed a Special Education Endorsement Review Proposal that is being  
27 developed by a committee consisting of preparation program representatives, teachers,  
28 administrators and Department of Education staff. He reviewed three options for a  
29 new structure of special education licensure. Mr. Cavin will take the  
30 recommendations from the Board to the committee and this will be brought back to  
31 the Board for further discussion.

1 Petitions for Waiver:

2 Carol Trueg moved, with a second by Julio Almanza, that in **PFW 12-16, Tracy**  
3 **Sandbothe**, the Board approve the Petition for Waiver. Reasons for approval:

4 The Board indicated that Ms. Sandbothe has experience in corporate training, sales  
5 and personal banking, so it would be a hardship to complete a class when she has met  
6 the same competencies through course work and experiences. The Board reviewed the  
7 work experience that Ms. Sandbothe verified in the area of corporate training, sales  
8 and banking. These experiences in addition to her speech class and other business  
9 classes would meet the competencies of a business communications class so there  
10 would be no prejudice to the rights of others. The Board has reviewed similar waivers  
11 that have been granted on the basis of experience in lieu of course work. Ms.  
12 Sandbothe does not see any threat of public health, safety or welfare if her waiver is  
13 granted. The Board agreed that public health, safety, and welfare will not be  
14 substantially compromised or placed at risk as a result of the Board's granting of a  
15 waiver in this case. Ms. Sandbothe has been a teacher for years so the safety and  
16 welfare of the students would not be at risk. She has completed corporate training so  
17 she is aware of appropriate business communications and can share those  
18 experiences with her students. Tracy Sandbothe, has provided sufficient  
19 documentation to meet the criteria for granting of a waiver from the existing standard  
20 to add the all business endorsement, contained in 282 IAC ch. 13. **MOTION**  
21 **CARRIED UNANIMOUSLY.**

22  
23 Legislative Agenda and Legislative Reception:

24 Scheduled for Thursday, January 17, 2013, 7:30 a.m. -9:00 a.m., Capitol Rotunda.

25 Topics of discussion:

- 26 • administrators from out of state  
27 • scooping the BOEE budget  
28 • 180-day rule – Pursuant to Iowa code section 272.2(15), complaints before the  
29 Board must be resolved within 180 days, unless good cause can be shown for an  
30 extension of this limitation. Mr. Magee and Darcy Lane are working on revisions to  
31 this limitation – we are the only board in the state that has this limitation.  
32 • 30-day rule – This involves the issue of grooming that leads to an inappropriate  
33 relationship between a practitioner and a student. Jim McNellis researched what

1 other states have and most have no timeline. Other states are interested in what  
2 we do. We will begin to draft language regarding this for the Board to review.

3  
4 Reports/Approvals:

5 Carol Trueg moved, with a second by Laura Stevens, to approve the Annual  
6 Administrative Rules Review Report (Code of Iowa 272.29). **MOTION CARRIED**  
7 **UNANIMOUSLY.**

8  
9 Julio Almanza moved, with a second by Richard Wortmann, to approve the Fees  
10 Report (Code of Iowa 272.10). **MOTION CARRIED UNANIMOUSLY.**

11 The Board reviewed the Report on Teacher Candidates by Endorsement which was  
12 prepared by Dr. Larry Bice. This report outlines the number of candidates who are  
13 emerging from the colleges of education with certain endorsements and helps to frame  
14 what areas there are shortages.

15  
16 Larry Hill moved, with a second by Mary K. Overholtzer, to amend the board meeting  
17 calendar to change the December telephonic meeting from December 12, 2012 to  
18 December 19, 2012 at 4:00 p.m. **MOTION CARRIED UNANIMOUSLY.**

19  
20 There being no further business, Bev Smith asked for a motion to adjourn the  
21 meeting. Carol Trueg moved, with a second by Richard Wortmann. **MOTION**  
22 **CARRIED UNANIMOUSLY.** The meeting was adjourned at 1:45 p.m.