



1 Anne Sullivan moved, with a second by Brenda Garcia-Van Auken, that in **case**  
2 **number 13-76**, the Board find probable cause to establish a violation of the following  
3 provisions of the Code of Professional Conduct and Ethics, 282 IAC – Chapter  
4 25.3(3)(c) and (e) and 25.3(6)(d), and order this case set for hearing. **MOTION**  
5 **CARRIED UNANIMOUSLY.**

6  
7 Brenda Garcia-Van Auken moved, with a second by Tammy Duehr, that in **case**  
8 **number 13-87**, the Board find probable cause to establish a violation of the following  
9 provisions of the Code of Professional Conduct and Ethics, 282 IAC –Chapter  
10 25.3(3)(b) and (e), and order this case set for hearing. **MOTION CARRIED**  
11 **UNANIMOUSLY.**

12  
13 Tammy Duehr moved, with a second by Brenda Garcia-Van Auken, that in **case**  
14 **number 13-89**, the Board find that, although one or more of the allegations in the  
15 complaint may be substantiated by the witnesses interviewed in the course of the  
16 investigation [and/or] the documents gathered in the course of the investigation, and  
17 the allegations may constitute a technical violation of the Board’s statute or  
18 administrative rules; the evidence before the Board indicates that adequate steps have  
19 been taken to remedy the violation and to ensure that incidents of a similar nature do  
20 not occur in the future. The Board will not pursue formal disciplinary action in this  
21 matter. **MOTION CARRIED UNANIMOUSLY.**

22  
23 Brenda Garcia-Van Auken moved, with a second by Anne Sullivan, that in **case**  
24 **number 13-81**, the Board find probable cause to establish a violation of the following  
25 provisions of the Code of Professional Conduct and Ethics, 282 IAC – Chapter  
26 25.3(3)(e), and order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

27  
28 Anne Sullivan moved, with a second by Tammy Duehr, that in **case number 13-85**,  
29 the Board find probable cause to establish a violation of the following provisions of the  
30 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(1)(e)(4), and order  
31 this case set for hearing. Roll call vote: Buck – yes; Duehr – yes; Dutcher – yes;  
32 Garcia-Van Auken – recused; Hill – yes; Lebo – yes; Overholtzer – yes; Pattee – yes;  
33 Prescott – yes; Stevens – yes; Sullivan – yes; Wortmann - yes. **MOTION CARRIED.**

1 (Duane Magee, Executive Director, left the room during the discussion of this case in  
2 closed session.)

3  
4 Ann Lebo moved, with a second by Brenda Garcia-Van Auken, that in **case number**  
5 **13-86**, the Board find probable cause to establish a violation of the following  
6 provisions of the Code of Professional Conduct and Ethics, 282 IAC – Chapter  
7 25.3(1)(e)(4) and 25.3(6)(c), and order this case set for hearing. **MOTION CARRIED**  
8 **UNANIMOUSLY.**

9  
10 Tammy Duehr moved, with a second by Ann Lebo, that in **case number 13-96**, the  
11 Board find probable cause to establish a violation of the following provisions of the  
12 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(1)(e)(4), and order  
13 this case set for hearing. Roll call vote: Buck – yes; Duehr – yes; Dutcher – yes;  
14 Garcia-Van Auken – yes; Hill – yes; Lebo – yes; Overholtzer – yes; Pattee – recused;  
15 Prescott – yes; Stevens – yes; Sullivan – yes; Wortmann - yes. **MOTION CARRIED.**

16  
17 Anne Sullivan moved, with a second by Ann Lebo, that in **case number 13-92**, the  
18 Board find probable cause to establish a violation of the following provisions of the  
19 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(4)(b) and (e), and  
20 25.3(6)(c) and (d), and order this case set for hearing. **MOTION CARRIED**  
21 **UNANIMOUSLY.**

22  
23 Brenda Garcia Van-Auken moved, with a second by Ann Lebo, that the Board not  
24 initiate review of the proposed decision in **case number APP 13-01, In the Matter of**  
25 **David Morris Huey**, and allow the proposed decision to become the final decision of  
26 the Board unless an appeal is taken by one of the parties within the time allowed by  
27 rule. **MOTION CARRIED UNANIMOUSLY.** (September Lau, Assistant Attorney  
28 General, left the room during the discussion of this case in closed session.)

29  
30 Anne Sullivan moved, with a second by Tammy Duehr, that in **case number 13-58**,  
31 the Board accept the stipulation and settlement submitted by the parties, and issue

1 an Order incorporating the agreement of the parties and imposing the agreed upon  
2 sanction. **MOTION CARRIED UNANIMOUSLY.**

3  
4 Tammy Duehr moved, with a second by Anne Sullivan, that in **case number 12-131**,  
5 the Board accept the Respondent's waiver of hearing and voluntary surrender and that  
6 the Board issue an order permanently revoking the Respondent's license with no  
7 possibility of reinstatement. **MOTION CARRIED UNANIMOUSLY.**

8  
9 Ann Lebo moved, with a second by Brenda Garcia Van-Auken, that in **case number**  
10 **13-101**, the Board accept the Respondent's waiver of hearing and voluntary surrender  
11 and that the Board issue an order permanently revoking the Respondent's license with  
12 no possibility of reinstatement. Roll call vote: Buck – yes; Duehr – yes; Dutcher – yes;  
13 Garcia-Van Auken – yes; Hill – yes; Lebo – yes; Overholtzer – yes; Pattee – yes; Prescott  
14 – yes; Stevens – yes; Sullivan – recused; Wortmann - yes. **MOTION CARRIED.**

15  
16 Tammy Duehr moved, with a second by Ann Lebo, that in **case number 12-63**, the  
17 Board accept the Respondent's waiver of hearing and voluntary surrender and that the  
18 Board issue an order permanently revoking the Respondent's license with no  
19 possibility of reinstatement. **MOTION CARRIED UNANIMOUSLY.**

20  
21 Anne Sullivan moved, with a second by Tammy Duehr, to extend the 180-day deadline  
22 for issuance of the final decision in **case number 13-41**, based upon the amount of  
23 time needed to complete the investigation due to pending criminal charges. **MOTION**  
24 **CARRIED UNANIMOUSLY.**

25  
26 Brenda Garcia-Van Auken moved, with a second by Ann Lebo, to extend the 180-day  
27 deadline for issuance of the final decision in **case number 13-42**, based upon the  
28 amount of time needed to complete the investigation due to pending criminal charges.  
29 **MOTION CARRIED UNANIMOUSLY.**

30  
31 Case Nos. 13-59 and 13-62 were discussed in open session.  
32

1 Tammy Duehr moved, with a second by Ann Lebo, to extend the 180-day deadline for  
2 issuance of the final decision in **case number 13-59**, based upon delay necessary to  
3 allow review of the proposed decision. Background/Discussion: This case was  
4 received on April 29, 2013. The respondent had a relationship with a high school  
5 student that included taking the student to prom. The hearing has taken place, but  
6 Board staff has not yet received a proposed decision. **MOTION CARRIED**  
7 **UNANIMOUSLY.**

8  
9 Tammy Duehr moved, with a second by Brenda Garcia-Van Auken, to extend the 180-  
10 day deadline for issuance of the final decision in **case number 13-62**, based upon the  
11 need to schedule the hearing. Background/Discussion: This case was received on  
12 May 6, 2013. The respondent had been substitute teaching on a license that had been  
13 suspended due to a complaint by the Iowa Department of Revenue. The Board found  
14 probable cause on August 9, 2013. The hearing has not yet been sent. **MOTION**  
15 **CARRIED UNANIMOUSLY.**

16  
17 Brenda Garcia-Van Auken moved, with a second by Anne Sullivan, to approve the  
18 closed session minutes of August 9, 2013 and of the September 13, 2013, special  
19 telephonic meeting. **MOTION CARRIED UNANIMOUSLY.**

20  
21 Board Reports:

22 Richard Wortmann expressed appreciation to the Board regarding reimbursement to  
23 the districts of those board members who require a substitute teacher so that they  
24 may attend the board meeting.

25  
26 Andy Pattee, superintendent of Cedar Falls Community Schools, expressed thanks to  
27 Director Magee regarding a personal note his district received thanking him for his  
28 involvement with Teach Iowa - this was a nice personal touch. Director Magee is  
29 sending out personal thank-you notes to those districts for their involvement with  
30 Teach Iowa.

31  
32 Executive Director's Report:

33 Director Magee reviewed the financial report.

1 Digitizing professional practices – Board members were reminded to contact our office  
2 regarding any problems/issues they have regarding the professional practices  
3 materials being delivered to them electronically.

4  
5 TeachIowa.gov continues to grow and is being more of an integrated system so if  
6 districts want to stay with their current systems, ASPEX Solutions will allow them to  
7 do this. Director Magee has demonstrated the system to various legislators to help  
8 them become better informed. There has been some misinformation as to what the  
9 system is and what districts are allowed to do.

10  
11 Director Magee spoke at the Iowa Student Learning Institute (ISLI) at Waukee recently.  
12 The conference was developed by students for students. The purpose of the  
13 conference was to enable Iowa students to discuss education, learning, and  
14 preparation for future jobs in a setting with some of Iowa’s best education  
15 professionals. ISLI aims to change Iowa’s approach to education by giving a stage to  
16 the powerful voice of students with the support of their educators. Some highlights of  
17 the conference included Project Based Learning, Standards Based Grading, 1:1  
18 Computing Initiatives, and virtual field trips.

19  
20 Director Magee also recognized Larry Hill. Dr. Hill, Joanne Tubbs, BOEE Consultant,  
21 and Director Magee met to discuss the upcoming ethics committee meeting. The  
22 ethics committee will discuss ethics training for pre-service teachers and in-service  
23 practitioners.

24  
25 Director Magee informed the Board that a civil rights complaint has been filed against  
26 the Board. As more information becomes available within the next month, the Board  
27 will go into closed session to discuss this matter. A parent filed multiple complaints  
28 against a school district and did not agree with the Board’s response and has filed a  
29 civil rights complaint.

1 Public Comment:

2 None.

3

4 Dr. Sharon Ingebrand, Director of Curriculum, Assessment and Professional Learning,  
5 and Dr. Jill Urich, Assistant Superintendent of Curriculum and Instruction, from  
6 Ankeny Community Schools, gave a presentation regarding Instructional Coaching.  
7 Instructional coaching is designed to support classroom instruction that prepares  
8 students for the challenges they will encounter in the 21<sup>st</sup> century.

9

10 Rules:

11 Adopt:

12 Larry Hill moved, with a second by Andy Pattee, to adopt the proposed changes to  
13 chapter 13.3, 13.3(3) & 13.17(1) — Applicants from non-Iowa Institutions. **MOTION**  
14 **CARRIED UNANIMOUSLY.**

15

16 Andy Pattee moved, with a second by Mary K. Overholtzer, to adopt the proposed  
17 changes to chapter 18.10 (1) & (3) — Superintendent/AEA Administrator. Roll call  
18 vote: Buck – yes; Duehr – no; Dutcher – yes; Garcia-Van Auken – yes; Hill – no; Lebo –  
19 yes; Overholtzer – yes; Pattee – yes; Prescott – absent; Stevens – yes; Sullivan – yes;  
20 Wortmann - yes. **MOTION CARRIED.**

21

22 Larry Hill moved, with a second by Richard Wortmann, to adopt the proposed changes  
23 to chapter 13.8 — Specific Requirements for a Master Educator’s License. **MOTION**  
24 **CARRIED UNANIMOUSLY.**

25

26 Andy Pattee moved, with a second by Brenda Garcia-Van Auken, to adopt the  
27 proposed changes to chapter 25.3(1)e - Student Abuse. **MOTION CARRIED**  
28 **UNANIMOUSLY.**

29

30 Brenda Garcia-Van Auken moved, with a second by Anne Sullivan, to adopt the  
31 proposed changes (and to strike the word “coach” from 13.28(32)c) to chapter  
32 13.28(31) — STEM Endorsements; 13.28(30) —Engineering; 17.1(3) — Career and  
33 Technical License. **MOTION CARRIED UNANIMOUSLY.**

1 Notice:

2 Andy Pattee moved, with a second by Tammy Duehr, to file under notice of intended  
3 action, the proposed changes to chapter 22.6 — iJAG Authorization. **MOTION**  
4 **CARRIED UNANIMOUSLY.**

5

6 Andy Pattee moved, with a second by Larry Hill, to file under notice of intended action,  
7 the proposed changes to chapter 13.9(3) — Teacher Intern License Requirements.  
8 **MOTION CARRIED UNANIMOUSLY.**

9

10 Larry Hill moved, with a second by Andy Pattee, to file under notice of intended action,  
11 the proposed changes to chapter 13.16(1) — Requirements for a Substitute Teacher  
12 License. **MOTION CARRIED UNANIMOUSLY.**

13

14 Anne Sullivan moved, with a second by Dan Dutcher, to file under notice of intended  
15 action, the proposed changes to chapter 13.17(3) — International Exchange License.  
16 **MOTION CARRIED UNANIMOUSLY.**

17

18 Items for Discussion:

19 The proposed changes to chapter 13.28 (26 & 27) and 27.3 (1 & 2) — Elementary and  
20 Secondary Counselor were discussed and will be brought back for notice at a future  
21 meeting.

22

23 The proposed changes to chapter 13.28(9) — FCS endorsement requirements were  
24 discussed and will be brought back for notice at a future meeting.

25

26 The proposed changes to chapter 18.4 (272) — General requirements for an  
27 administrator license were discussed and will be brought back for notice at a future  
28 meeting.

29

30 The proposed changes to chapter 24.3 and 24.4 — Paraeducator Requirements were  
31 discussed and will be brought back for notice at a future meeting.

32

1 Mr. Magee discussed a proposal for a School Employee Authorization. There will be  
2 further discussion regarding this proposal.

3  
4 Petitions for Waiver:

5 Larry Hill moved, with a second by Anne Sullivan, that in **PFW 13-11 Dr. Jessica K.**  
6 **Sherwood**, the Board deny the Petition for Waiver. Reasons for denying: Dr. Jessica  
7 Sherwood requested that the Board waive the requirement for 18 hours of coursework  
8 in ESL. The petition cites financial and familial hardships if Dr. Sherwood were  
9 required to take the 18 credit hours necessary for the ESL endorsement. She believes  
10 these hardships are undue based on her previous work experience. Time and expense  
11 required to complete necessary coursework have generally not been considered undue  
12 hardships. The Board noted that Dr. Sherwood could obtain a Class B license in ESL  
13 and could then complete the coursework on an extended timeline. The Board found  
14 that, although it has previously granted waivers of one or two classes based on  
15 experience, it has not previously granted a waiver of all of the credits required for a  
16 particular endorsement. Granting Dr. Sherwood's petition for waiver could cause  
17 prejudice to the rights of others who are required to complete coursework to obtain the  
18 corresponding endorsements. The Board found there was not clear and convincing  
19 evidence that experience in lieu of the full 18 hours required for the endorsement  
20 would provide equal protection of public health, safety, and welfare. Roll call vote:  
21 Buck – yes; Duehr – yes; Dutcher – yes; Garcia-Van Auken – yes; Hill – yes; Lebo – yes;  
22 Overholtzer – no; Pattee – yes; Prescott – absent; Stevens – yes; Sullivan – yes;  
23 Wortmann - yes. **MOTION CARRIED.**

24  
25 Andy Pattee moved, with a second by Mary K. Overholtzer, that in **PFW 13-12 Alan V.**  
26 **Dicks**, the Board grant the Petition for Waiver. Reasons for granting: Alan Dicks  
27 requested a waiver of the rule for the substitute authorization. Based on the limited  
28 authority granted by the substitute authorization, as well as Mr. Dicks' experience  
29 working with students, the Board found it would be an undue hardship to deny Mr.  
30 Dicks' request to waive the requirement of a bachelor's degree from a regionally  
31 accredited institution. The Board found granting the waiver would not cause prejudice  
32 to the substantial legal rights of any person. The substitute authorization carries  
33 limited authority: the holder cannot substitute teach at the elementary level, and

1 cannot serve for extended periods of time in one assignment. Granting the waiver as  
2 requested would not compromise public health, safety, and welfare because Mr. Dicks  
3 holds a degree and has experience in secondary education. Roll call vote: Buck – yes;  
4 Duehr – yes; Dutcher – yes; Garcia-Van Auken – yes; Hill – no; Lebo – yes; Overholtzer  
5 – yes; Pattee – yes; Prescott – absent; Stevens – yes; Sullivan – yes; Wortmann - yes.

6 **MOTION CARRIED.**

7

8 Reports/Approvals

9 Plan for legislative reception: Scheduled for Thursday, January 16, 2014, in the  
10 Capitol Rotunda. The Board will have a planning session the evening before.

11

12 Phil Wise provided the Board with a legislative update. The Board has articulated  
13 three proposals for the 2014 legislative session:

- 14 1) Amendment of timeline for resolution of ethics complaints;
- 15 2) Transitional coaching authorization; and
- 16 3) School employee authorization.

17

18 There being no further business, Anne Sullivan moved, with a second by Richard  
19 Wortmann to adjourn the meeting. Meeting adjourned at 2:05 p.m.

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