

**NOTE:**

The allegations and decision in this case fall under old rules. It has been classified under the most relevant of the current code sections and subsections.

**IOWA BOARD OF EDUCATIONAL EXAMINERS**


DONALD MUELLER, ADMINISTRATOR	:	CASE NO. 93-20
KEYSTONE AREA EDUCATION	:	
AGENCY #1	:	
Complainants	:	LICENSE NO. 232686
AND	:	
JAN HAYES CLUTE	:	ORDER
Respondent.	:	

This matter comes before the Board of Educational Examiners on the Respondent's Stipulation and Agreement and Waiver of Formal Hearing. The Board has now had the opportunity to review fully the document which it deems in compliance with the voluntary surrender provisions which govern this Board's proceedings, those being 282-11.2(2).

After reviewing the Respondent's Stipulation, the Board approves same and herein Orders that Respondent's license to teach in the State of Iowa be permanently revoked with no possibility of reissuance or reinstatement. A copy of the Stipulation and Agreement and Waiver of Formal Hearing is attached herein as Exhibit "A".

IT IS, THEREFORE, ORDERED ADJUDGED AND DECREED that the Stipulation and Agreement and Waiver of Formal Hearing is accepted and Respondent's Iowa Teaching License is hereby permanently revoked with no possibility of reissuance or reinstatement.

Dated this 14 day of Jan., 1994.

  
 CALVIN HALLIBURTON VICE-CHAIRPERSON

Original filed on January 14, 1994 at the office of the Board of Educational Examiners.

State of Iowa  
BOARD OF EDUCATIONAL EXAMINERS  
Grimes State Office Building  
Des Moines, Iowa 50319

WAIVER OF FORMAL HEARING  
BEFORE THE  
IOWA BOARD OF EDUCATIONAL EXAMINERS

I, Jan H. Clute, swear or affirm under oath:

that I am the Respondent in a case currently before the Iowa Board of Educational Examiners;

that I currently hold a valid Iowa teacher's license or an expired Iowa teacher's license;

that I have been informed of and have received a copy of the allegations against me; to wit, that the following criteria of professional practices have been violated: conviction for a public offense as defined by the Criminal Code of Iowa.

that I have been informed of and understand the nature of the proceedings before the Board and have received a copy of the applicable rules (Iowa Administrative Code, Chapter 282);

that I am aware of the Board's legal authority to exonerate, warn, or reprimand me as a licensed individual, following a Board investigation into allegations of conduct violative of Board criteria, and of the Board's authority to suspend or revoke my license for conduct violative of Board criteria;

that I understand that I have an opportunity to be heard and to contest the allegations against me in formal hearing before the Board; and that by waiving the formal hearing, I admit as true the material facts of the allegations against me as indicated below, and as consequence, my privilege to teach in Iowa will be permanently revoked;

that I understand that by waiving formal hearing, I do not waive my right to notice of the Board's proposed decision, nor my right to appeal therefrom or to seek rehearing under the provisions of Iowa Administrative Code 282--11.11 and 11.12.

My actions which constituted violation(s) of the Board's criteria were as follows: Conviction for a public offense as defined by the Criminal Code of Iowa with a probationary condition that I not be alone with a minor which would interfere with my duties, making conducting Speech Pathology in the schools impossible.

HAVING ACKNOWLEDGED MY RIGHTS AS OUTLINED ABOVE, I hereby formally waive my right to a hearing before the Board and request that my license to teach in Iowa be revoked. I affirm that my decision is made voluntarily and knowingly.

December 8, 1993  
DATE

December 8, 1993  
DATE

Jan H. Clute  
RESPONDENT  
[Signature]  
NOTARY PUBLIC  
(seal applied)