

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

LARRY G. BOER, SUPERINTENDENT,)	
KEOTA COMMUNITY)	
SCHOOL DISTRICT,)	
	)	Case No. 02-13
Complainant,	)	License No. 322065
and)	
)	
BUDDY BOULTON,	)	ORDER ACKNOWLEDGING
	)	SETTLEMENT AND
Respondent.	)	IMPOSING SANCTION

This matter came before the Board of Educational Examiners upon submission of the parties' agreement to mutual resolution of the pending complaint. Under the terms of the agreement, the Respondent, Buddy Boulton, indicates that although he disputes some of the allegations raised by the Complainant, he may have engaged in conduct that could be viewed as inappropriate. Respondent "agrees to a voluntary suspension of his teaching license for two years," with reinstatement to be "at the discretion of the Board of Educational Examiners, upon such terms and conditions as set by the Board"

Pursuant to Iowa Code section 272.2(15) (2003) and 282 IAC 11.4(5), the parties to a complaint before the Board may mutually agree to resolution of the complaint. "The agreement is not subject to approval by the board, but shall be acknowledged and may be incorporated into an order of the board." Although, given the severity of the allegations against the Respondent, the Board is disappointed in the leniency of the local settlement in this case, current law does not allow the Board to modify the agreement of the parties.

ORDER

THEREFORE, the parties' agreement to resolution of Board of Educational Examiners Complaint No. 02-13 is acknowledged by the Board and incorporated by attachment into this Order. In accordance with the agreement of the parties, the Board issues the following agreed-upon sanction:

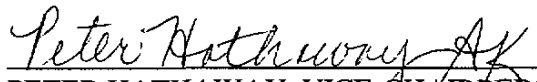
1) Respondent's teaching license is hereby **SUSPENDED for a period of not less than two years** from the date of this Order.

2) The Respondent may apply for reinstatement of his license after the two-year period of suspension, subject to the following terms and conditions for reinstatement:

- a) Respondent shall undergo, at his own expense, a comprehensive evaluation regarding boundary issues, by a licensed mental health professional who has been pre-approved by the Executive Director of the Board, based upon a demonstrated expertise in addressing professional boundary issues;
- b) Respondent shall provide the Board with a written report containing recommendations for treatment or education, shall comply with all recommendations made as a result of the evaluation, and shall sign a release which will enable the Board to communicate with all individuals involved in Respondent's evaluation and treatment.

Reinstatement of the Respondent's license shall be initiated by Respondent in the form of an application for reinstatement, pursuant to Board rule 282 IAC 11.34, stating facts which, if established, shall be sufficient to prove: (1) that the Respondent has complied with the terms of reinstatement and (2) that it would be in the public interest for the Respondent's license to be reinstated. The burden of proof shall be on the Respondent, and the Board shall have complete discretion in ruling on the application.

Dated this 26th day of March, 2003.



PETER HATHAWAY, VICE-CHAIRPERSON
Board of Educational Examiners

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EXECUTIVE DIRECTOR
BOARD OF EDUCATION EXAMINERS

IOWA BOARD OF EDUCATIONAL EXAMINERS JAN 27 2003

Larry G. Boer, Superintendent	)	DIA NO 02BEE020
Keota Community School District,	)	CASE No. 02-13
Complainant,)	
	)	License No. 322065
vs.)	
	)	STATEMENT OF MUTUAL
Buddy Boulton,	)	RESOLUTION
Respondent.)	

COME NOW the parties to the above-captioned case, and pursuant to Iowa Code Section 272.2(15) hereby mutually agree to a resolution of the complaint filed with the Board. The terms of the resolution are attached hereto and marked as Exhibit "A". The parties request that the hearing scheduled on this matter for January 29, 2003 be cancelled as moot and that the Board enter an Order in conformity to the mutual resolution reached by the parties.

Copy to:

Margaret LaMarche
Administrative Law Judge
Division of Administrative Hearings
Department of Inspection and Appeals
Lucas State Office Building-Third Floor
Des Moines, IA 50319
Ph: 515/274-3867
FAX: 515/281-4477

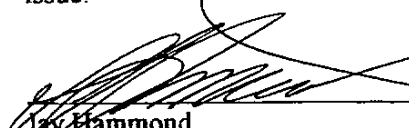
FAXED TO Margaret LaMarche on 1/27/03

JAN 27 2003

**AGREEMENT REGARDING VOLUNTARY
RESIGNATION OF TEACHING LICENSE**

The Keota Community School District and Buddy Boulton hereby agree to the following terms and conditions in resolution of the Complaint that has been filed against Mr. Boulton with the Board of Educational Examiners:

1. Mr. Boulton has resigned his employment as a guidance counselor with the Keota Community School District.
2. Although Mr. Boulton disputes some of the allegations raised by the District, he acknowledges that he may have engaged in conduct that could be viewed as inappropriate for the teacher/student relationship.
3. Mr. Boulton agrees to a voluntarily suspension of his teaching license for two years. License reinstatement will be at the discretion of the Board of Educational Examiners, upon such terms and conditions as set by that Board, following whatever investigation and/or hearings that the Board deems appropriate.
4. The Keota Community School District requests that it receive notice from the Board of Educational Examiners of the terms and conditions of reinstatement and that it further receive notice of any hearing set on the issue.


Jay Hammond,
Attorney for Respondent


Ann L. Tompkins,
Attorney for Complainant

Date: 1/27/03

Date: Jan. 27, 2003

EXHIBIT

"A"