

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

In The Matter of)	
)	Case No. 04-21 <i>D</i>
Kevin Benford)	
Folder No. 179584)	ORDER
)	
Respondent.)	

This matter came before the Board of Educational Examiners on August 10, 2006 upon the Respondent's submission of evidence of compliance with the conditions imposed within the Board's May 10, 2006 order.

By Order issued May 10, 2006, the Board sanctioned the Respondent and imposed a suspension of the Respondent's license until completion of requirements stipulated. In order to obtain reinstatement the Respondent was required to complete 10 hours of counseling or 30 contact hours of training or education in teaching ethics.

The Respondent has complied with the conditions imposed by the Board. On August 10, 2006, counsel for the Board received a report indicating that he Respondent had completed the course, "Ethics in Education" offered by University of Phoenix.

ORDER

THEREFORE, as of the date of this Order, the Board lifts the suspension imposed by the May 10, 2006, Order of the Board.

Dated this 30th day of October, 2006.



 George J. Maurer, Ed.D., Executive Director
 On behalf of the Board

ORIGINAL

RECEIVED
EXECUTIVE DIRECTOR
BOARD OF EDUCATION EXAMINERS

BEFORE THE BOARD OF EDUCATIONAL EXAMINERS
OF THE STATE OF IOWA

MAY 10 2006

In the matter of:)
Kevin Benford,) Case No. 04-21
Folder No. 079584)
Respondent.) STIPULATION AND ORDER

In accordance with the provisions of Iowa Code sections 17A.12(5) and 272.2(4) (2005) and 282 IAC 11.4(6), and with full knowledge of his right to demand a hearing prior to the imposition of sanction upon his license, Respondent expressly waives the right to a disciplinary hearing and notifies the Board of his desire to resolve the controversy now present before this Board by means of informal disposition.

The Respondent concedes to the jurisdiction of the Board for all issues relevant hereto, and voluntarily consents to State's counsel presenting this agreement to the Board with the terms provided.

Board approval of this settlement shall constitute resolution of this matter and will be entered as a FINAL ORDER of the Board.

STIPULATIONS

1. The Respondent holds a Class 01, Type 8 License with music, 7-12 teacher and K-12 music endorsements. The first issue of a license to Respondent was on December 9, 1980.

2. The allegations made in the Complaint are as follows: that during the 2003-2004 school year, Respondent engaged in an inappropriate relationship and

inappropriate contact with a student by engaging in personal conversation via instant messaging, entertaining the student in the evening without parental consent, and inappropriately touching the student.

3. Respondent, by counsel, denied the allegations in the Complaint in his Answered filed on February 13, 2006.

4. Upon review of an investigation, the Board found probable cause of a violation of Board rules 282 Iowa Administrative Code 25.3(1)(e)(4); 25.3(6)(c); and 25.3(6)(d) and set the matter for hearing on March 13, 2006.

5. Respondent admits he made an error in judgment in becoming overly friendly with a student and resigned his position. Without further admitting the truth of the allegations of the Complaint, agrees to accept sanctions for the allegations.

6. Respondent's teaching license shall be suspended until he has completed 10 hours of counseling or 30 contact hours of training or education in teaching ethics. The counseling, training or education must be approved by the Board prior to Respondent's commencing the same. All expenses related to the counseling, training or education shall be born solely by the Respondent. The hours required for such counseling, training or education shall be obtained on Respondent's own time and shall be in addition to any other continuing education required to renew his teaching credentials. The suspension of Respondent's teaching license shall be lifted upon completion of this requirement.

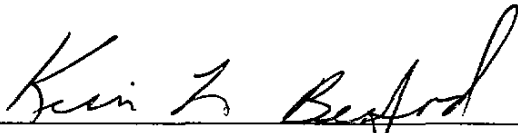
LICENSEE DECLARATION

I understand that this settlement agreement is subject to the approval of the Board and will have no force or effect if it is not accepted by the Board.

I agree to comply with the requirements set forth in the stipulations and understand that my failure to do so will subject me to further Board discipline.

I understand that upon approval this Stipulation and Order will be a public record.

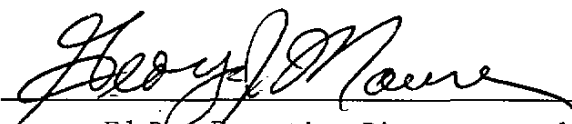
5/1/06
Date


Kevin Benford, Respondent

ORDER

IT IS THE FINAL ORDER OF THE IOWA BOARD OF EDUCATIONAL EXAMINERS THAT the teacher's license of Kevin Benford, folder no. 079584, shall be subject to the sanctions of the stipulations listed in paragraphs 5 - 7 above. This Stipulation and Order of the Board and the letter of Reprimand will be filed as a permanent part of the Respondent's licensure file.

Dated this 10th day of May, 2006.


George J. Maurer, Ed.D., Executive Director, on behalf of the Iowa Board of Educational Examiners

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