

**IOWA BOARD OF EDUCATIONAL EXAMINERS**

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<b>IN THE MATTER OF:</b>	)	<b>Case No. 14-27</b>
	)	
<b>Molly K. Tullis,</b>	)	<b>License No. 1004616</b>
	)	
<b>Respondent.</b>	)	<b>FINAL ORDER</b>
	)	

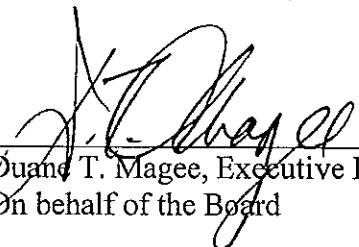
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1. Respondent holds an Initial License (Folder # 1004616) with endorsements in K-8 Music & 5-12 Music. Respondent's license is current and will next expire on July 31, 2015.
2. Respondent was hired by Charter Oak Ute Community School District on August 19, 2013, to teach K-12 vocal music and to serve as the 9-12 extracurricular vocal music sponsor. Respondent resigned from that position on March 6, 2014.
3. On March 7, 2014, a Complaint was filed with the Board alleging that Respondent violated the code of professional conduct and ethics.
4. On June 20, 2014, the Board found probable cause to proceed to hearing based upon the facts set forth herein and delineated in further detail within the complaint and investigation file compiled by the Board.
5. The Board charged Respondent with sexual involvement or indecent contact with a student, in violation of 282 IAC 25.3(1)(c) and with student abuse by committing or soliciting any sexual or otherwise indecent act with a student or any minor, and by soliciting, encouraging, or consummating a romantic or otherwise inappropriate relationship with a student, in violation of 282 IAC 25.3(1)(e)(3) & (4).
6. Pursuant to Board rule, a practitioner may voluntarily surrender the practitioner's license if the practitioner waives the right to hearing before the Board and notifies the Board of the intent to accept a permanent revocation of the practitioner's license. Upon receipt of a voluntary surrender, "[t]he Board may issue an order permanently revoking the practitioner license . . ." 282 I.A.C. 11.4(6).
7. On September 8, 2014, the Respondent filed a Surrender of Practitioner License and Waiver of Formal Hearing form. The voluntary surrender was presented to and accepted by the Board at a meeting held on October 10, 2014.

**ORDER**

**THEREFORE**, the Board acknowledges the Respondent's voluntary surrender of her practitioner license and incorporates her action into this Order by attaching a copy of the surrender to this Order. In accordance with this filing, all licenses issued by the Board to the Respondent and her privilege to teach in Iowa are **PERMANENTLY REVOKED** with no possibility of reinstatement.

Dated this 10<sup>th</sup> day of October, 2014.

  
\_\_\_\_\_  
Duane T. Magee, Executive Director  
On behalf of the Board

Copies to:

Molly K. Tullis (first-class and restricted-certified mail)  
RESPONDENT

Christy A. A. Hickman (electronic mail)  
ATTORNEY FOR RESPONDENT

Rollie Wiebers, Superintendent (electronic mail)  
Charter Oak-Ute Community School District  
COMPLAINANT

Julie Bussanmas (electronic mail)  
Assistant Attorney General  
ATTORNEY FOR STATE

RECEIVED  
EXECUTIVE DIRECTOR  
BOARD OF EDUCATIONAL EXAMINERS  
SEP 08 2014

STATE of IOWA  
BOARD OF EDUCATIONAL EXAMINERS  
Grimes State Office Building  
Des Moines, IA 50319-0147

SURRENDER OF PRACTITIONER LICENSE  
AND  
WAIVER OF FORMAL HEARING  
Before the  
IOWA BOARD OF EDUCATIONAL EXAMINERS

I, Molly Tullis, swear and affirm under oath:

that I currently hold a valid or expired Iowa practitioner's license issued by the Iowa Board of Educational Examiners;

that I have been informed of and understand the nature of proceedings before the Board and have received a copy of the rules governing Board proceedings (282 Iowa Administrative Code chapters 11, and 25);

that I am aware that the Board has legal authority to sanction me as a licensed individual only following a formal allegation of conduct violating Board rules, an investigation into the allegation of misconduct, and a hearing at which I have a right to be heard, present evidence, and to contest all allegations against me;

that I understand that by waiving my right to formal accusation and hearing, I give up my right to challenge the allegations against me, and that as a consequence of surrendering my license my privilege to teach, administer, and/or coach in Iowa will be permanently revoked with no possibility of reinstatement;

that I understand that if the Board accepts my license surrender an Order permanently revoking my license will be issued and the Board will notify NASDTEC ("The National Association of State Directors of Teacher Education and Certification") National Clearinghouse that my license has been revoked and that other state teacher licensing boards will have access to this information.

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

Molly Tullis  
Practitioner signature

8-28-14  
Date

Bindiya Patel  
Notary Public in and for the State of Iowa

08/28/2014  
Date

(Notary seal applied) County of Polk  
Commission EXP 13th May 2016

IOWA BOARD OF EDUCATIONAL EXAMINERS

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In the matter of:	)	BoEE Case No. 14-27
	)	
MOLLY K. TULLIS,	)	<b>NOTICE OF HEARING</b>
(Folder # 1004616)	)	<b>AND STATEMENT OF CHARGES</b>
	)	
Respondent.	)	

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**YOU ARE HEREBY NOTIFIED** that the Iowa Board of Educational Examiners, exercising the jurisdiction conferred by Iowa Code chapters 17A and 272, has found probable cause of a violation of Board rules and ordered this matter scheduled for hearing.

**A. TIME, PLACE AND NATURE OF HEARING**

1. Hearing will be held on Tuesday, September 16, 2014, before Administrative Law Judge John Priester, acting on behalf of the Iowa Board of Educational Examiners. The hearing shall begin at 9:00 a.m. in Department of Inspections and Appeals, Wallace State Office Bldg, Third Floor, 502 E. 9<sup>th</sup> Street (East 9th and Grand Avenue), Des Moines, Iowa. You should report to the third floor Iowa Department of Inspections and Appeals' (DIA) receptionist prior to 9:00 a.m. to obtain the room assignment.

2. Answer. Within twenty (20) days of the date of service of this Notice of Hearing, you are required to file an Answer specifically admitting, denying, or otherwise responding to the allegations included within the Factual Circumstances. In that Answer, you should also state whether you will require an adjustment of the date and time of the hearing. A copy of the Answer shall be provided by the Respondent to the Assistant Attorney General identified below.

3. Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 282 Iowa Administrative Code [IAC] Chapter 11. At hearing, you may appear personally or be represented by an attorney, at your own expense. You will be allowed the opportunity to respond to the charges against you. Each party will be allowed to testify, examine and cross-examine witnesses, and present documentary evidence. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence. If you need to request an alternative time or date for hearing, you must comply with the requirements of 282 IAC 11.19.

If either party wishes to present telephonic testimony or to participate in the hearing by telephone, arrangements must be made at least ten (10) days in advance of the hearing date by filing a written request with the presiding Administrative Law Judge, Department of Inspections and Appeals, Wallace State Office Building, Des Moines, Iowa 50319, or by faxing a written request to (515) 281-4477. A copy of the request for telephonic testimony must be served on the Board and all parties. Any resistance to the request for telephone testimony must be filed within five (5) days of service of the notice.

4. Pre-hearing conference. Either party may request a pre-hearing conference to discuss evidentiary issues related to the hearing. The Board rules regarding pre-hearing conferences are found in 282 IAC 11.18.

5. Prosecution. The office of the Attorney General is responsible for prosecuting and representing the public interest (the State) in this proceeding. Pleadings shall be filed with the Board and copies should be provided to counsel for the State at the following address:

Julie Bussanmas  
Attorney General's Office  
Hoover State Office Building, 2<sup>nd</sup> Floor  
Des Moines, Iowa 50319  
Telephone (515) 281-5637.

6. Communications. You may not contact Board members by phone, letter, facsimile, e-mail, or in person about this Notice of Hearing or the pending charges. Board members may only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve on all parties in the case. You should direct any questions about this proceeding to Duane T. Magee, the Board's Executive Director at (515)281-5849 or to Assistant Attorney General Bussanmas at (515)281-5637.

## **B. SECTIONS OF STATUTES AND RULES INVOLVED**

### **Count I**

7. Respondent is charged with sexual involvement or indecent contact with a student, in violation of 282 IAC 25.3(1)(c).

8. Respondent is charged with student abuse by committing or soliciting any sexual or otherwise indecent act with a student or any minor, and by soliciting, encouraging, or consummating a romantic or otherwise inappropriate relationship with a student, in violation of 282 IAC 25.3(1)(e)(3) & (4).

## **C. JURISDICTION AND LEGAL AUTHORITY**

9. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 17A and 272. If any of the allegations against you are proven at hearing, the Board has authority to take disciplinary action against you under Iowa Code chapters 17A and 272, and 282 Iowa Admin. Code chapter 11.

## **D. FACTUAL CIRCUMSTANCES**

10. Respondent holds an INITIAL LICENSE (FOLDER # 1004616) with endorsements in K-8 Music & 5-12 Music. Respondent's license is current and will next expire on July 31, 2015.

11. Respondent was hired by Charter Oak Ute Community School District on August 19, 2013, to teach K-12 vocal music and to serve as the 9-12 extracurricular vocal music sponsor. Respondent resigned from that position on March 6, 2014.

12. On March 7, 2014, a Complaint was filed with the Board alleging that Respondent violated the code of professional conduct and ethics.

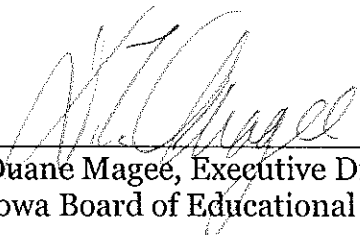
13. On June 20, 2014, the Board found probable cause to proceed to hearing based upon the facts set forth herein and delineated in further detail within the complaint and investigation file compiled by the Board.

14. Respondent engaged in an inappropriate relationship with a student who was a junior in high school at Charter Oak Ute Community School District. Respondent was the student's chorus teacher. Respondent had sexual intercourse with the student.

#### **E. SETTLEMENT**

15. This matter may be resolved by surrender of your license. The procedural rules governing the Board's settlement process are found at 282 Iowa Administrative Code 11.4(6). If you are interested in pursuing settlement of this matter, please contact the Assistant Attorney General identified in Section A, above.

Dated this 5<sup>th</sup> day of August, 2014.

  
\_\_\_\_\_  
Duane Magee, Executive Director  
Iowa Board of Educational Examiners

Copies to:

Molly Tullis  
RESPONDENT

Christy A.A. Hickman  
ATTORNEY FOR RESPONDENT

Julie Bussanmas  
Assistant Attorney General  
Hoover State Office Bldg., 2<sup>nd</sup> Floor  
Des Moines, Iowa 50319  
ATTORNEY FOR STATE