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EXECUTIVE DIRECTOR
BOARD OF EDUCATIONAL EXAMINERS
DEC 0 3 2018

BEFORE THE BOARD OF EDUCATIONAL EXAMINERS OF THE STATE OF IOWA

In the matter of:	)	BOEE Case No. 18-67
	)	Folder # 1010832
KARA A. GAUL,	)	
	)	**COMBINED STATEMENT OF**
Respondent.	)	**CHARGES, SETTLEMENT**
	)	**AGREEMENT, AND FINAL ORDER**

In accordance with the provisions of Iowa Code sections 17A.12(5) and 272.2(4) and 282 Iowa Administrative Code rule 11.4(6), and with full knowledge of the right to demand a formal hearing before the Board upon the pending complaint prior to the imposition of sanction upon her license, the Respondent expressly waives the right to a disciplinary hearing and notifies the Board of her desire to resolve the pending complaint through means of informal disposition.

The Respondent concedes the jurisdiction of the Board for all issues relevant hereto and voluntarily consents to the State's counsel presenting this agreement to the Board with the terms provided. If the Board does not accept the terms of this agreement, the disciplinary hearing will be rescheduled and the stipulations contained herein are not binding upon the Respondent and will not be presented against her at the time of hearing without further agreement of the Respondent.

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

NOTICE OF HEARING

A hearing in this matter will not be held, as the State and Respondent have entered into the following consent agreement in lieu of scheduling a contested case hearing. If the Board does not accept this Combined Statement of Charges, Settlement Agreement, and Final Order, the matter may be set for hearing in accordance with 282 Iowa Administrative Code rule 11.7.

STATEMENT OF CHARGES

Count I

Respondent is charged with soliciting, encouraging, or consummating a romantic or otherwise inappropriate relationship with a student, in violation of 282 Iowa Administrative Code rule 25.3(1)(e)(4).

STIPULATIONS

1. Respondent holds a STANDARD LICENSE (FOLDER # 1010832) with the following endorsement: 5-12 Mathematics. This license is current and will next expire on December 31, 2022. Respondent also holds a COACHING AUTHORIZATION, which will next expire on December 27, 2018, and an expired Executive Director Decision license.

2. During the relevant facts of this matter, Respondent was employed as a teacher with Clayton Ridge Community School District.

3. On April 4, 2018, the Board of Educational Examiners received a complaint against Respondent alleging a violation of the Code of Ethics.

4. On November 9, 2018, the Board found probable cause to proceed to hearing based upon the facts set forth in paragraph 5 below.

5. Investigation revealed that Respondent established an inappropriate relationship with a student. Respondent communicated via text message with a student about personal matters, sometimes late into the evening. Respondent frequently initiated the communication, and the content of the messages indicate that Respondent was actively attempting to continue the personal relationship.

SETTLEMENT AGREEMENT

6. This Combined Statement of Charges, Settlement Agreement, and Final Order constitutes the final resolution of a contested case proceeding and shall have the force and effect of a disciplinary order entered following a contested case hearing.

7. In order to resolve this matter without proceeding to hearing, Respondent agrees to the following conditions:

a. Respondent accepts a WRITTEN REPRIMAND.

b. Respondent accepts a SUSPENSION of her license for a minimum period of EIGHTEEN MONTHS. Respondent agrees she bears the burden of applying for reinstatement pursuant to 282 Iowa Administrative Code 11.34 and that she bears the burden of proving that the basis for her suspension no longer exists and that it will be in the public interest to reinstate her license. Additionally, Respondent agrees she is not eligible for reinstatement until she satisfactorily completes the requirements of subparagraph (c) and (d) below.

c. Respondent agrees to successfully complete at least fifteen in-person contact hours in "Ethics for Educators," which is offered by the ISEA, or "Ethical Educators," which is offered by the PEI, prior to seeking reinstatement. Respondent is responsible for all costs associated with the

completion of the educational course. Respondent shall provide the Board with proof of completion of the ethics course prior to seeking reinstatement.

d. Respondent agrees to undergo a mental health evaluation that includes an assessment of her ability to establish and maintain appropriate teacher-student boundaries prior to seeking reinstatement. This evaluation shall be performed by a licensed professional selected by Respondent, with prior approval by the Board's Executive Director. Respondent shall provide the professional a copy of this Combined Statement of Charges, Settlement Agreement, and Final Order prior to the mental health evaluation. Respondent shall ensure the Board receives a copy of the evaluation report from the approved professional within THIRTY (30) DAYS of the completion of the mental health evaluation. Respondent shall comply with any recommendations for treatment and/or training resulting from the evaluation and must successfully complete any recommended boundaries counseling. Respondent is responsible for all costs of the evaluation and any treatment and training. Respondent is not eligible for reinstatement until the Board determines she has satisfactorily completed this requirement.

LICENSEE DECLARATION

I understand that this Combined Statement of Charges, Settlement Agreement, and Final Order is subject to the approval of the Board and will have no force or effect if it is not accepted by the Board.

I understand State's counsel will present this Combined Statement of Charges, Settlement Agreement, and Final Order to the Board *ex parte*.

I agree to comply with the requirements set forth in the stipulations and requirements of this Combined Statement of Charges, Settlement Agreement, and Final Order and understand that my failure to do so can result in additional discipline of my licenses.

I understand that this Combined Statement of Charges, Settlement Agreement, and Final Order is a public record, which will become part of my permanent licensure file and will be available for public inspection and reproduction.

I understand that my name will be added to the national clearinghouse database kept by the National Association of State Directors of Teacher Education and Certification (NASDTEC).

12/02/18
Date

Kara t Harrington
Kara Gaul, Respondent

ORDER

IT IS THE FINAL ORDER OF THE IOWA BOARD OF EDUCATIONAL EXAMINERS THAT:

1. The conduct with which Respondent has been charged constitutes a violation of the Code of Professional Conduct and Ethics governing the teaching profession. Respondent is REPRIMANDED for the charged conduct.

2. Additionally, Respondent's license is SUSPENDED for a minimum period of EIGHTEEN MONTHS. Respondent bears the burden upon reinstatement to prove that the reason for suspension no longer exists and that it will be in the public interest to reinstate her license. Additionally, Respondent is not eligible for reinstatement until she satisfactorily completes the requirements of paragraphs 3 and 4 below.

3. Respondent shall successfully complete at least fifteen in-person contact hours in "Ethics for Educators" or "Ethical Educators" prior to seeking reinstatement. Respondent is responsible for all costs associated with the completion of the educational course. Respondent shall provide the Board with proof of completion of the ethics course prior to seeking reinstatement.

4. Respondent shall undergo a mental health evaluation that includes an assessment of her ability to establish and maintain appropriate teacher-student boundaries prior to seeking reinstatement. This evaluation shall be performed by a licensed professional selected by Respondent, with prior approval by the Board's Executive Director. Respondent shall provide the professional a copy of this Combined Statement of Charges, Settlement Agreement, and Final Order prior to the mental health evaluation. Respondent shall ensure the Board receives a copy of the evaluation report from the approved professional within THIRTY (30) DAYS of the completion of the mental health evaluation. Respondent shall comply with any recommendations for treatment and/or training resulting from the evaluation and must successfully complete any recommended boundaries counseling. Respondent is responsible for all costs of the evaluation and any treatment and training. Respondent is not eligible for reinstatement until the Board determines she has satisfactorily completed this requirement.

5. In determining the appropriate sanction to impose in this case, the Board has considered the nature and seriousness of the allegations as well as mitigating circumstances.

Dated this 17th day of January, 2019.

A. Lebo

Ann Lebo, Executive Director

Iowa Board of Educational Examiners

Copies to:

Kara Gaul
RESPONDENT

Christy Hickman
ATTORNEY FOR RESPONDENT

Allison Schmidt
ATTORNEY FOR THE STATE