

**STATE OF IOWA**  
**BOARD OF EDUCATIONAL EXAMINERS**

Grimes State Office Building – 400 E.14<sup>th</sup> St.  
Second Floor State Board Room  
Des Moines, IA 50319-0147

**August 5, 2011**

**AGENDA**  
**Times are approximate**

- 9:00 a.m.**      **1.**      **Call Meeting to Order**
- 9:05 a.m.**      **2.**      **Approve the Agenda** (Tab 1)
- 9:10 a.m.**      **3.**      **Consent Agenda**
- Minutes of June 23-24, 2011 Board Meeting (Tab 2)
  - Minutes of July 13, 2011 Special Telephonic Board Meeting (Tab 3)
  - Adopt
    - 1. 282— Amend Chapter 12 Fees (Tab 4)
- 9:15 a.m.**      **4.**      **Professional Practices - Licensee Discipline – Closed Session – Board members only**
- 9:45 a.m.**      **5.**      **Open Session** – Results of closed session announced
- a. Closed session minutes
- 10:00 a.m.**      **6.**      **Communications**
- a. Board Reports
  - b. Public Comment
  - c. Executive Director’s Report
- 10:15 a.m.**      **7.**      **Rules [Iowa Administrative Code – Chapter 282 (272)]**
- a. Notice
    - a. 282— Amend Chapter 13.9(272) Teacher Intern license (Tab 5)
  - b. Items for Discussion
    - a. 282— Amend Chapter 13 Approvals (Tab 6)
    - b. 282— Amend Chapter 11.35 Application Denial and Appeal and Chapter 25 Human Trafficking (Tab 7)
    - c. 282— Amend Various Chapters (Tab 8)
- 10:35 a.m.**      **8.**      **Waiver** (Tab 9)
- 1. 11-14 Carol Cline (Tab A)
  - 2. 11-15 Daniel Klass (Tab B)
  - 3. 11-16 Eric Kumm (Tab C)
- 11:00 p.m.**      **9.**      **Reports / Approvals**
- 1. Communication Plan Report —Geri McMahon (Tab 10)
  - 2. Legislative Report—Beth Myers (Tab 11)
  - 3. Board Goals for FY 12 (Tab 12)
  - 4. Continue Discussion on Thursday’s topics if needed (Tab 13)
- 11:30 a.m.**      **10.**      **Adjournment**

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**Minutes**

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**June 23-24, 2011**

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The Board Orientation was held on June 23, 2011. Executive Director, Dr. George Maurer, called the meeting to order. Members attending were Tammy Duehr, Dr. Jason Glass, Dr. Larry Hill, Merle Johnson (arrived at 1:20 p.m.), Liz Sheka, Dr. Bev Smith (arrived at 1:50 p.m.), Laura Stevens, Carol Trueg and Richard Wortmann. Also in attendance was Julie Bussanmas, Assistant Attorney General. Julio Almanza, Dr. Marianne Mickelson and Oscar Ortiz were unable to attend.

The following items were discussed/reviewed at the orientation: Orientation PowerPoint Presentation; Iowa Gift Law; FAQ's handout; Chapter 11 and internal complaint process; Chapter 25, How to read legal documents; model motions; and Operating Guidelines.

Carol Trueg moved, with a second by Merle Johnson , that the Board recess until 9:30 a.m., Friday, June 24, 2011. **MOTION CARRIED UNANIMOUSLY.**

The Board of Educational Examiners held its monthly meeting on June 24, 2011. Dr. George Maurer, Executive Director, called the meeting to order for election of officers. Members attending were Dr. Bev Smith, Tammy Duehr, Jason Glass, Dr. Larry Hill, Merle Johnson, Liz Sheka, Laura Stevens, Carol Trueg and Richard Wortmann. Also in attendance was Julie Bussanmas, Assistant Attorney General. Julio Almanza, Dr. Marianne Mickelson and Oscar Ortiz were unable to attend.

1 Merle Johnson moved, with a second by Carol Trueg, to nominate Dr. Bev Smith as  
2 chair of the board. There being no further nominations, Dr. Larry Hill moved, with a  
3 second by Laura Stevens, to close nominations. **MOTION CARRIED**  
4 **UNANIMOUSLY.** Dr. Smith was appointed chair.

5  
6 Dr. Maurer turned the meeting over to Dr. Smith for nominations for vice chair.  
7 Richard Wortmann moved, with a second by Carol Trueg, to nominate Laura Stevens  
8 as vice chair of the board. Dr. Hill moved, with a second by Merle Johnson, to close  
9 nominations. **MOTION CARRIED UNANIMOUSLY.** Laura Stevens was appointed as  
10 vice chair.

11  
12 Merle Johnson moved, with a second by Carol Trueg, to approve the agenda. **MOTION**  
13 **CARRIED UNANIMOUSLY.**

14  
15 Merle Johnson moved, with a second by Tammy Duehr, to approve the consent  
16 agenda. **MOTION CARRIED UNANIMOUSLY.**

17  
18 Laura Stevens moved, with a second by Tammy Duehr, that the Board go into closed  
19 session for the purposes of discussing whether to initiate licensee disciplinary  
20 proceedings and discussing the decision to be rendered in a contested case, pursuant  
21 to Iowa Code sections 21.5(1)(d) and 21.5(1)(f). **MOTION CARRIED UNANIMOUSLY.**

22  
23 Laura Stevens moved, with a second by Richard Wortmann, that in **case number 10-**  
24 **66**, the Board find probable cause to establish a violation of the following provisions of  
25 the Code of Professional Conduct and Ethics, 282 IAC 25.3(3) b, 25.3(4) 25.3(6)l, r and  
26 order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

27  
28 Tammy Duehr moved, with a second by Laura Stevens, that in **case number 11-29**,  
29 the Board find probable cause to establish a violation of the following provisions of the  
30 Code of Professional Conduct and Ethics, 282 IAC 25.3(4) b and 25.3(6) c and order  
31 this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

1 Laura Stevens moved, with a second by Richard Wortmann, that in **case number 11-**  
2 **30**, the Board finds that the evidence gathered in the investigation, including witness  
3 statements and the documentary evidence, does not substantiate the allegations in the  
4 complaint, and that the Board therefore lacks probable cause to proceed with this  
5 matter. **MOTION CARRIED UNANIMOUSLY.**

6

7 Tammy Duehr moved, with a second by Laura Stevens, that in **case number 11-32**,  
8 the Board find probable cause to establish a violation of the following provisions of the  
9 Code of Professional Conduct and Ethics, 282 IAC 25.3(5)a(4), 25.3(6)1, m, r, and  
10 order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

11

12 Richard Wortmann moved, with a second by Tammy Duehr, that in **case number 11-**  
13 **33**, the Board finds that the evidence gathered in the investigation, including witness  
14 statements and the documentary evidence, does not substantiate the allegations in the  
15 complaint, and that the Board therefore lacks probable cause to proceed with this  
16 matter. **MOTION CARRIED UNANIMOUSLY.**

17

18 Tammy Duehr moved, with a second by Richard Wortmann, that in **case number 11-**  
19 **34**, the Board finds that the evidence gathered in the investigation, including witness  
20 statements and the documentary evidence, does not substantiate the allegations in the  
21 complaint, and that the Board therefore lacks probable cause to proceed with this  
22 matter. **MOTION CARRIED UNANIMOUSLY.**

23

24 Tammy Duehr moved, with a second by Richard Wortmann, that the Board not initiate  
25 review of the proposed decision in **case number 10-55, In the Matter of Anthony**  
26 **Curtis**, and allow the proposed decision to become the final decision of the Board  
27 unless an appeal is taken by one of the parties within the time allowed by rule.  
28 **MOTION CARRIED UNANIMOUSLY.**

29

30 Laura Stevens moved, with a second by Tammy Duehr, that the Board not initiate  
31 review of the proposed decision in **case number 10-12, In the Matter of Debra Welk**,  
32 and allow the proposed decision to become the final decision of the Board unless an

1 appeal is taken by one of the parties within the time allowed by rule. (Julie  
2 Bussanmas, Assistant Attorney General and Beth Myers, Attorney/Investigator, left  
3 the room during the discussion of this case.) **MOTION CARRIED UNANIMOUSLY.**

4  
5 Laura Stevens moved, with a second by Tammy Duehr, that in **case number 11-23**,  
6 the Board accepts the Respondent's waiver of hearing and voluntary surrender and  
7 that the Board issue an order permanently revoking the Respondent's license with no  
8 possibility of reinstatement. **MOTION CARRIED UNANIMOUSLY.**

9  
10 Tammy Duehr moved, with a second by Richard Wortmann, that in **case number 10-**  
11 **39**, the Board accept the stipulation and settlement submitted by the parties, and  
12 issue an Order incorporating the agreement of the parties and imposing the agreed  
13 upon sanction. Roll call vote: Duehr – yes; Glass – no; Hill – yes; Johnson – yes;  
14 Sheka – yes; Smith – yes; Stevens – yes; Trueg – yes; Wortmann – yes. **MOTION**  
15 **CARRIED.**

16  
17 Laura Stevens moved, with a second by Tammy Duehr, that in **case number 10-36**,  
18 the Board accept the stipulation and settlement submitted by the parties, and issue  
19 an Order incorporating the agreement of the parties and imposing the agreed upon  
20 sanction. **MOTION CARRIED UNANIMOUSLY.**

21  
22 Tammy Duehr moved, with a second by Laura Stevens, that in **case number 10-09**,  
23 the Board not accept the proposed settlement from James Gilliam on behalf of Brian  
24 Rodemeyer. Roll call vote: Duehr – yes; Glass – yes; Hill – recused; Johnson – yes;  
25 Sheka – yes; Smith – yes; Stevens – yes; Trueg – yes; Wortmann – yes. **MOTION**  
26 **CARRIED.**

27  
28 Richard Wortmann moved, with a second by Laura Stevens, to extend the 180-day  
29 deadline for issuance of the final decision in **case numbers 11-01, 11-03, 11-04, 11-**  
30 **07, 11-09 and 11-10**, based upon the extraordinary amount of time needed to

1 schedule the hearing, allow review of the proposed decision, and issue a final decision.

2 **MOTION CARRIED UNANIMOUSLY.**

3  
4 Board Reports:

5 Tammy Duehr attended the training offered by ISEA for the ethics course and will then  
6 be able to teach it. The course will be very proactive for teachers and administrators.  
7 Dr. Smith suggested that a representative from ISEA give an overview of the course at  
8 a future meeting.

9  
10 Richard Wortmann, Dr. Larry Hill, Tammy Duehr, Carol Trueg and Dr. Bev Smith will  
11 be attending the Education Summit in July.

12  
13 Public Comment:

14 No public comment.

15  
16 Executive Director's Report:

17 Dr. Maurer reviewed the financial report.

18  
19 Rules:

20 Merle Johnson moved, with a second by Carol Trueg, to file under Notice of Intended  
21 Action, the proposed changes to Chapter 13.17 Specific requirement for exchange  
22 licenses. **MOTION CARRIED UNANIMOUSLY.**

23  
24 Richard Wortmann moved, with a second by Merle Johnson, to file under Notice of  
25 Intended Action, the proposed change to Chapter 13.28(12) Mathematics. **MOTION**  
26 **CARRIED UNANIMOUSLY.**

27  
28 Dr. Hill moved, with a second by Carol Trueg, to file under Notice of Intended Action,  
29 the proposed change to 13.28(17) Science. **MOTION CARRIED UNANIMOUSLY.**

1 Dr. Hill moved, with a second by Laura Stevens, to file under Notice of Intended  
2 Action, the proposed change to 22.5 Preliminary Professional Career Authorization.

3 **MOTION CARRIED UNANIMOUSLY.**

4  
5 Items for Discussion:

6 The proposed changes to Chapter 13.9 Teacher Intern License were discussed and will  
7 return again for further discussion with suggested revisions.

8  
9 Petitions for Waiver:

10 Laura Stevens moved, with a second by Carol Trueg, that in **PFW 11-07**, Shannon  
11 Horton, the Board grant the Petition for Waiver. Reasons for granting: The Board  
12 agreed that working in a middle school as a teacher librarian for just 7<sup>th</sup> and 8<sup>th</sup>  
13 graders would be impractical. It would be a hardship to indicate that only the other  
14 teacher librarian could work with the 5<sup>th</sup> and 6<sup>th</sup> graders. The Board indicated since  
15 the endorsement is valid for grades 5-12, it would not be prejudicial to allow Ms.  
16 Horton to serve in grades 5 and 6 during her internship. **MOTION CARRIED**

17 **UNANIMOUSLY.**

18  
19 Dr. Glass moved, with a second by Carol Trueg, that in **PFW 11-10**, Kelly Danilson,  
20 the Board grant the Petition for Waiver. Reasons for granting: The Board reviewed the  
21 information on the credits which included lecture, reading, laboratory and internship  
22 work. Ms. Danilson spent 1,282.5 hours in labs learning content and perfecting her  
23 skills. She also spent 180 hours on an internship. The Board noted that the  
24 preparation would add depth and breadth to her family and consumer science  
25 teaching endorsement. The Board indicated the course is completed through an  
26 accredited institution; it is just not regionally accredited. The Board thought the  
27 students' welfare would be positively affected to have a certified chef share her  
28 expertise with her culinary arts students. Roll call vote: Duehr – yes; Glass – yes;  
29 Hill – no; Johnson – yes; Sheka – no; Smith – yes; Stevens – yes; Trueg – yes;  
30 Wortmann – yes. **MOTION CARRIED.**

1 Merle Johnson moved, with a second by Richard Wortmann, that in **PFW 11-11**,  
2 Buena Vista University, the Board deny the Petition for Waiver. Reasons for denial:  
3 Several individuals on the Board indicated that when a new requirement becomes  
4 effective for a K-12 building, the teachers and administrators must change quickly.  
5 They are not provided five years to implement the change. The rule for the new  
6 elementary education endorsement requirements has gone through the rule making  
7 process which has provided over a year for the university to begin working on the new  
8 requirements. The Board indicated that each institution has been provided the same  
9 time line. No other institution has requested a waiver of the rule timeline. The Board  
10 stated it would be prejudicial to others to grant this waiver for one institution when  
11 the other institutions have been working diligently to meet the deadline. Roll call vote:  
12 Duehr – yes; Glass – yes; Hill – recused; Johnson – yes; Sheka – yes; Smith – yes;  
13 Stevens – no; Trueg – no; Wortmann – yes. **MOTION CARRIED.**

14

15 Merle Johnson moved, with a second by Dr. Hill, that in **PFW 11-12**, Jill Bryant, the  
16 Board deny the Petition for Waiver. Reasons for denial: The Board stated that Ms.  
17 Bryant could complete education classes that would add depth and breadth to her  
18 license even if they are not offered by the university where she currently works. The  
19 courses do not need to be completed on the graduate level and they are not required to  
20 only be in counseling. Numerous courses are also offered online. Ms. Bryant may  
21 apply for an extension of her master educator license if she needs a valid license in  
22 order to conduct the research. The Board indicated it has always required recent  
23 course work for renewal and has not waived this requirement in the past due to  
24 obtaining a doctorate degree. It would be prejudicial to others to grant this waiver  
25 when Ms. Bryant has not completed any course work in the last six years. **MOTION**  
26 **CARRIED UNANIMOUSLY.**

27

28 Richard Wortmann moved, with a second by Laura Stevens, that in **PFW 11-13**, Joel  
29 Foster, the Board grant the Petition for Waiver. Reasons for granting: The Board  
30 agreed that Mr. Foster should not have to choose between his studies and his home  
31 while fighting the flooding. The Board indicated it had allowed individuals additional  
32 time to complete renewal requirements when the flooding of 2008 and 1993 occurred.

1 It would not be prejudicial to allow Mr. Foster additional time to complete his  
2 superintendent course work. Roll call vote: Duehr – yes; Glass – yes; Hill – yes;  
3 Johnson – no; Sheka – yes; Smith – yes; Stevens – yes; Trueg – yes; Wortmann – yes.

4 **MOTION CARRIED.**

5

6 Reports/Approvals:

7 Dr. Maurer reviewed the tentative agenda for the August 4<sup>th</sup> board retreat. Because of  
8 our conversations regarding ethics, he proposed that part of the retreat include a  
9 presentation by Troy Hutchings from Northern Arizona University. Mr. Hutchings has  
10 been involved with professional practices and ROTC organizations regarding decision-  
11 making and ethics. The agenda would also include discussion regarding the summit  
12 and board goals.

13

14 The Board reviewed a report prepared by Dr. Kris Crabtree-Groff on teacher  
15 candidates by endorsement.

16

17 Dr. Maurer discussed the proposed budget for FY 12.

18

19 Dr. Maurer and Beth Myers updated the Board on the NASDTEC Annual Conference  
20 which they attended on June 5-8, 2011, in Sacramento, California. The conference  
21 was excellent—especially the presentation by Troy Hutchings. The Professional  
22 Practices Conference will be held in October in Little Rock, Arkansas.

23

24 Geri McMahon reviewed the ethics report which included survey data collected from  
25 each teacher preparation institution. The Board also reviewed the findings from the  
26 data collected regarding the cases over the past several years.

27

28 Dr. Maurer suggested that the Operating Guidelines Committee review/revise the  
29 Board Operating Guidelines since they were not reviewed last year.

30

1 Dr. Maurer distributed slips and asked the Board to write down their first and second  
2 choices of the committee they wish to serve on. The committees are: Executive  
3 Committee, Professional Practices Committee and Board Operating Guidelines  
4 Committee. The Operating Guidelines state that there by four board members on each  
5 committee. The Chair, Dr. Smith, is automatically on the Executive Committee.  
6 Committee assignments will be emailed in July after Dr. Smith reviews/assigns board  
7 members to the committees.

8  
9 Beth Myers provided the Board with an update of the FY 11 legislative session.

10  
11 Dr. Maurer updated the Board regarding additional programs that will be purchased  
12 for the iPads which they use to view the board packet. We are in the process of  
13 purchasing two additional programs for the iPad—a tab program and notes program.

14  
15 Dr. Smith moved, with a second by Carol Trueg, that the Board go into closed session  
16 for the purposes of discussing the evaluation of the executive director, pursuant to  
17 Iowa Code section 21.5(1)(i). **MOTION CARRIED UNANIMOUSLY.**

18  
19 Dr. Smith asked that it be entered into the minutes that Dr. Maurer notified the Board  
20 of his intent to retire on February 2, 2012. Dr. Hill moved, with a second by Merle  
21 Johnston to accept, with our gratitude. **MOTION CARRIED UNANIMOUSLY.**

22  
23 There being no further business, Dr. Smith asked for a motion to adjourn the meeting.  
24 Merle Johnson moved, with a second by Carol Trueg. **MOTION CARRIED**  
25 **UNANIMOUSLY.** The meeting was adjourned at 1:55 p.m.

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**STATE OF IOWA**  
**BOARD OF EDUCATIONAL EXAMINERS**  
**Grimes State Office Building – 400 East 14<sup>th</sup> Street**  
**Des Moines, Iowa 50319-0147**

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**Special Telephonic Meeting**

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**Minutes**

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**July 13, 2011**

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The Board of Educational Examiners held a special telephonic meeting on July 13, 2011. Dr. Bev Smith called the meeting to order. Members attending were Julio Almanza, Tammy Duehr, Jason Glass (arrived at 8:05 a.m.), Dr. Larry Hill, Merle Johnson, Dr. Marianne Mickelson, Oscar Ortiz, Laura Stevens and Carol Trueg. Also in attendance was Dr. George Maurer, Executive Director. Julie Bussanmas, Assistant Attorney General, Liz Sheka and Richard Wortmann were unable to attend.

Merle Johnson moved, with a second by Oscar Ortiz, to approve the agenda. **MOTION CARRIED UNANIMOUSLY.**

Dr. Bev Smith moved, with a second by Merle Johnson, that the Board go into closed session for the purposes of discussing whether to initiate licensee disciplinary proceedings and discussing the decision to be rendered in a contested case, pursuant to Iowa Code sections 21.5(1)(d) and 21.5(1)(f). **MOTION CARRIED UNANIMOUSLY.**

Dr. Bev Smith moved, with a second by Laura Stevens, that the Board not initiate review of the proposed decision in **case number 10-34, In the Matter of Jeff (Jeffory) Holmes**, and allow the proposed decision to become the final decision of the Board unless an appeal is taken by one of the parties within the time allowed by rule. Roll call vote: Almanza – yes; Duehr – yes; Glass – yes; Hill – no; Johnson – yes; Mickelson – yes; Ortiz – no; Smith – yes; Stevens – yes; Trueg – yes. **MOTION CARRIED.**

1 Dr. Maurer informed the board that Troy Hutchings from Northern Arizona University  
2 will be unable to speak at our August retreat due to a scheduling conflict. We will  
3 contact Mr. Hutchings to see if he available for our October meeting.

4  
5 There was discussion regarding topics for the board retreat on August 4<sup>th</sup>. It was  
6 recommended that there be further discussion of alternative licensure and the ethics  
7 course (ISEA). The Board members were asked to email Dr. Maurer any other topics  
8 they wish to discuss. There will also be discussion regarding the executive director  
9 search and the Iowa Education Summit. If there is no time at the retreat, these two  
10 items will be moved to August 5<sup>th</sup> agenda. Dr. Maurer will draft an agenda for the  
11 retreat and email it to the Board. The regular monthly board meeting will take place  
12 on August 5<sup>th</sup>.

13  
14 There being no further business, Dr. Smith asked for a motion to adjourn the meeting.  
15 Merle Johnson moved, with a second by Julio Almanza. **MOTION CARRIED**  
16 **UNANIMOUSLY.** The meeting was adjourned at 8:25 a.m.

**MEMO**

**Date:** August 5, 2011

**To:** Board Members

**From:** George J. Maurer, Ed.D., Executive Director

**RE:** 282— Amend Chapter 12 Fees - Adopt

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The enclosed noticed rules were filed under Notice of Intended Action and published as ARC 9570B on June 29, 2011.

A public hearing was held Wednesday, July 20, 2011, with written comment accepted until 4 p.m. Friday, July 22, 2011.

The proposed rules were available electronically on the Board's website and available through the Administrative Rules Bulletin both electronically and in hard copy.

No one attended the public hearing.

**I recommend that the proposed rule to Amend 282 – Amend Chapter 12 Fees be Adopted and Filed with no changes.**

**EDUCATIONAL EXAMINERS BOARD[282]**

**Notice of Intended Action**

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 272.2, the Board of Educational Examiners hereby gives Notice of Intended Action to amend Chapter 12, “Fees,” Iowa Administrative Code.

When the Professional Service license was created, the fee for the license was not included in Chapter 12. These amendments address that oversight.

A waiver provision is not included. The Board has adopted a uniform waiver rule.

Any interested party or persons may present their views either orally or in writing at the public hearing that will be held Wednesday, July 20, 2011, at 1 p.m. in Room 3 Southwest, Third Floor, Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa.

At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the proposed amendments. Persons who wish to make oral presentations at the public hearing may contact the Executive Director, Board of Educational Examiners, Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa 50319-0147, or at (515)281-5849, prior to the date of the public hearing.

Any person who intends to attend the public hearing and requires special accommodations for specific needs, such as a sign language interpreter, should contact the office of the Executive Director at (515)281-5849.

Any interested person may make written comments or suggestions on the proposed amendments before 4 p.m. on Friday, July 22, 2011. Written comments and suggestions should be addressed to Kim Cunningham, Board Secretary, Board of Educational Examiners, at the above address, or sent by E-mail to [kim.cunningham@iowa.gov](mailto:kim.cunningham@iowa.gov), or by fax to (515)281-7669.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapter 272.

The following amendments are proposed.

ITEM 1. Adopt the following **new** paragraph “19” in rule 282—12.1(272):

19. Professional service license shall be \$85.

ITEM 2. Adopt the following **new** paragraph “20” in rule 282—12.2(272):

20. The renewal of the professional service license shall be \$85.

## MEMO

**Date:** August 5, 2011

**To:** Board Members

**From:** George J. Maurer, Ed.D., Executive Director

**RE:** Amend IAC 282 Chapter 13.9 Teacher Intern License - Notice

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Over the past meetings we have discussed options to the intern license when the prospective intern is unable to secure an intern position.

**(272)Teacher intern license.**

**13.9(1)Authorization.**

The teacher intern is authorized to teach in grades 7 to 12. The teacher intern is authorized to substitute teach in grades 7 to 12 during the internship year if an internship is not available.

**13.9(2)Term.**

The term of the teacher intern license will be one year from the date of issuance. This license is nonrenewable. The fee for the teacher intern license is in [282—Chapter 12](#).

**13.9(3)Teacher intern requirements.**

A teacher intern license shall be issued upon application provided that the following requirements have been met. The applicant shall:

- a. Hold a baccalaureate degree with a minimum cumulative grade point average of 2.50 on a 4.0 scale from a regionally accredited institution.
- b. Meet the requirements of at least one of the board's secondary (5-12) teaching endorsements listed in rule [282—13.28\(272\)](#).
- c. Possess a minimum of three years of postbaccalaureate work experience. An authorized official at a college or university with an approved teacher intern program will evaluate this experience.
- d. Successfully complete the teacher intern program requirements listed in subrule [13.9\(4\)](#) and approved by the state board of education.
- e. Successfully pass a basic skills test at the level approved by the teacher education institution.

**13.9(4) Program requirements.**

The teacher intern shall:

- a. Complete the following requirements prior to the internship year:
  - (1) Learning environment/classroom management. The intern uses an understanding of individual and group motivation and behavior to create a learning environment that encourages positive social interaction, active engagement in learning, and self-motivation.

(2) Instructional planning. The intern plans instruction based upon knowledge of subject matter, students, the community, curriculum goals, and state curriculum models.

(3) Instructional strategies. The intern understands and uses a variety of instructional strategies to encourage students' development of critical thinking, problem solving, and performance skills.

(4) Student learning. The intern understands how students learn and develop and provides learning opportunities that support intellectual, career, social, and personal development.

(5) Diverse learners. The intern understands how students differ in their approaches to learning and creates instructional opportunities that are equitable and are adaptable to diverse learners.

(6) Collaboration, ethics and relationships. The intern fosters relationships with parents, school colleagues, and organizations in the larger community to support students' learning and development.

(7) Assessment. The intern understands and uses formal and informal assessment strategies to evaluate the continuous intellectual, social, and physical development of the learner.

(8) Field experiences that provide opportunities for interaction with students in an environment that supports learning in context. These experiences shall total at least 50 contact hours in the field prior to the beginning of the academic year of the candidate's initial employment as a teacher intern.

*b.* Complete four semester hours of a teacher intern seminar during the teacher internship year to include support and extension of coursework from the teacher intern program.

*c.* Complete the coursework and competencies in the following areas:

(1) Foundations, reflection, and professional development. The intern continually evaluates the effects of the practitioner's choices and actions on students, parents, and other professionals in the learning community and actively seeks out opportunities to grow professionally.

(2) Communication. The intern uses knowledge of effective verbal, nonverbal, and media communication techniques, and other forms of symbolic representation, to foster active inquiry and collaboration and to support interaction in the classroom.

(3) Exceptional learner program, which must include preparation that contributes to the education of individuals with disabilities and the gifted and talented.

(4) Preparation in the integration of reading strategies into the content area.

(5) Computer technology related to instruction.

(6) An advanced study of the items set forth in [13.9\(4\)“a”\(1\)](#) to (7) above.

**13.9(5) Local school district requirements.**

The local school district shall:

*a.* Provide an offer of employment to an individual who has been evaluated by a college or university for eligibility or acceptance in the teacher intern program.

*b.* Participate in a mentoring and induction program.

*c.* Provide a district mentor for the teacher intern.

*d.* Provide other support and supervision, as needed, to maximize the opportunity for the teacher intern to succeed.

*e.* Not overload the teacher intern with extracurricular duties not directly related to the teacher intern's teaching assignment.

f. Provide evidence to the board from a licensed evaluator that the teacher intern is participating in a mentoring and induction program.

g. At the board's request, provide information including, but not limited to, the teacher intern selection and preparation program, institutional support, local school district mentor, and local school district support.

**13.9(6) Requirements to convert the teacher intern license to the initial license.**

a. An initial license shall be issued upon application provided that the teacher intern has met all of the following requirements:

(1) Successful completion of the coursework and competencies in the teacher intern program approved by the state board of education.

(2) Verification from a licensed evaluator that the teacher intern served successfully for a minimum of 160 days.

(3) Verification from a licensed evaluator that the teacher intern is participating in a mentoring and induction program and is being assessed on the Iowa teaching standards.

(4) Recommendation by a college or university offering an approved teacher intern program that the individual is eligible for an initial license.

(5) At the board's request, the teacher intern shall provide to the board information including, but not limited to, the teacher intern selection and preparation program, institutional support, local school district mentor, and local school district support.

b. The teacher intern year will count as one of the years that is needed for the teacher intern to convert the initial license to the standard license if the conditions listed in paragraph [13.9\(6\) "a"](#) have been met.

**13.9(7) Requirements to obtain the initial license if the teacher intern does not complete the internship year.**

An initial license shall be issued upon application provided that the teacher intern has met all of the following requirements: one of the following options:

Option #1:

a. Successful completion of the coursework and competencies in the teacher intern program approved by the state board of education and

b. Verification by a college or university that the teacher intern successfully completed the college's or university's state-approved student teaching requirements and

c. Recommendation by a college or university offering an approved teacher intern program that the individual is eligible for an initial license.

Option #2

a. Successful completion of the course work and competencies in the teacher intern program approved by the state board of education and

b. Verification by the approved teacher intern program that the teacher intern successfully completed 40 days of paid substitute teaching of which at least 60% of the time shall be in the intern's endorsement area; and

c. Verification by the teacher intern program that the teacher intern successfully completed 40 days of co-teaching and

d. Recommendation by the approved teacher intern program that the individual is eligible for an initial license.

~~e.~~ *e.* At the board's request, the teacher intern shall provide to the board information including, but not limited to, the teacher intern selection and preparation program, institutional support, local school district mentor, and local school district support.

**13.9(8)** *Requirements to extend the teacher intern license if the teacher intern does not complete all of the education coursework during the term of the teacher intern license.*

*a.* A one-year extension of the teacher intern license may be issued upon application provided that the teacher intern has met both of the following requirements:

(1) Successful completion of 160 days of teaching experience during the teacher internship.

(2) Verification by the recommending official at the approved teacher intern program that the teacher intern has not completed all of the coursework required for the initial license.

*b.* Only one year of teaching experience during the term of the teacher intern license or the extension of a teacher intern license may be used to convert the teacher intern license to a standard teaching license.

**I recommend that the proposed rule to Amend Chapter 13.9 (272) Teacher Intern License be filed under Notice of Intended Action.**

## MEMO

**Date:** August 5, 2011

**To:** Board Members

**From:** George J. Maurer, Ed.D., Executive Director

**RE: Proposed Rules: IAC 282 Chapter 13 Approvals - Discussion**

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I believe at the May Board meeting during my Executive Director's report, I addressed the issue of research based programs that are not endorsements but support effective learning strategies in a topic such as second chance reading. Over the past several months, staff has tried to address this issue for your review. Since the content areas we will be addressing will not meet the endorsement requirements, we have identified the topic areas as "approvals".

### **Adding a teaching approval**

#### **13.29(3)**

##### *Adding a teaching approval.*

After the issuance of a teaching license, an individual may add a teaching approval to that license upon proper application, provided current requirements for that teaching approval have been met. An updated license with the expiration date unchanged from the original or renewed license will be prepared.

#### **13.29(4)**

##### *Definition.*

A teaching approval allows an individual to teach a specific program not included in endorsement requirements listed in Ch. 13.26-13.28(29).

#### **13.29(5)**

##### *Application process.*

Any person interested in teaching a specific program listed in 13.28(30)(2) shall submit records of credit to the board of educational examiners for an evaluation in terms of the required course work or training. Application materials are available from the office of the board of educational examiners, online at <http://www.boee.iowa.gov/>, or from institutions or agencies offering approved courses or training.

### **13.29(6)**

*Teaching approval areas of concentration.*

#### *a. Second Chance Reading.*

Applicants must successfully complete the board approved training in second chance reading which includes 3 semester hours of credit in second chance reading.

### **13.29(7)**

*Training for teaching approval areas.*

1. The program training sponsored through the Iowa Department of Education professional development is approved for a teaching approval to teach second chance reading, reading recovery and project lead the way.
  
2. Other institutions of higher education, private colleges or universities, or Iowa area school or area education agencies wishing to obtain approval for a teaching approval area shall submit the following information to the board of educational examiners. The board will review the information and determine if this teaching approval area is approved.
  - a. Submit course description
    - (1).The course must align curriculum, teaching, and assessment
    - (2) The course must be relevant to students
    - (3). The course must emphasize student understanding through inquiry
    - (4) The course must be developmentally appropriate
    - (5) The course must include evidenced-based instructional strategies that will result in improved student learning.
  
  - b.. Submit research studies verifying outcomes in student learning
    - (1)Study should address student achievement
  
    - (2)Study should be published in a peer-reviewed source or have been conducted by an independent third party.
  
    - (3)Study should be empirical
  
    - (4)Study should be focused on the program.

## MEMO

**Date:** August 5, 2011

**To:** Board Members

**From:** George J. Maurer, Ed.D., Executive Director

**RE: Amend IAC 282 Chapter 11.35 Application Denial and appeal and Chapter 25.3(1) Standard I—conviction of crimes, sexual or other immoral conduct with or toward a student, and child and dependent adult abuse - Discussion**

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SF 120 amended Iowa Code 272.2, subsection 14, paragraph b, subparagraph (1), to reflect the current language; therefore it must be changed in the Board rules where it was referenced.

**282—11.35(272) Application denial and appeal.** The executive director is authorized by Iowa Code section 272.7 to grant or deny applications for licensure. If the executive director denies an application or an initial or exchange license, certificate, or authorization, the executive director shall send to the applicant by regular first-class mail written notice identifying the factual and legal basis for denying the application. If the executive director denies an application to renew an existing license, certificate, or authorization, the provisions of rule 282—11.36(272) shall apply.

**11.35(1) Mandatory grounds for license denial.** The executive director shall deny an application based on the grounds set forth in Iowa Code section 272.2(14), including:

- a. The license application is fraudulent.
- b. The applicant's license or certification from another state is suspended or revoked.
- c. The applicant fails to meet board standards for application or for license renewal.
- d. The applicant is less than 21 years of age, except that a coaching authorization or paraeducator certificate may be issued to an applicant who is 18 years of age or older, as provided in Iowa Code sections 272.12 and 272.31. A student enrolled in a practitioner preparation program who meets board requirements for a temporary, limited purpose license and who is seeking to teach as part of the practicum or internship may be less than 21 years of age.
- e. The applicant has been convicted of one of the disqualifying criminal convictions set forth in paragraph 11.35(2)“a.”

**11.35(2) Conviction of a crime and founded child abuse.**

a. *Disqualifying criminal convictions.* The board shall deny an application for licensure if the applicant or licensee has been convicted, has pled guilty to, or has been found guilty of the following criminal offenses, regardless of whether the judgment of conviction or sentence was deferred:

(1) Any of the following forcible felonies included in Iowa Code section 702.11: child endangerment, assault, murder, sexual abuse, or kidnapping;

(2) Any of the following criminal sexual offenses, as provided in Iowa Code chapter 709, involving a child:

1. First-, second- or third-degree sexual abuse committed on or with a person who is under the age of 18;
2. Lascivious acts with a child;
3. Assault with intent to commit sexual abuse;
4. Indecent contact with a child;
5. Sexual exploitation by a counselor; or
6. Lascivious conduct with a minor;
7. Enticing a minor under section 710.10; or
8. Human trafficking under section 710A.2;

(3) Incest involving a child as prohibited by Iowa Code section 726.2;

(4) Dissemination and exhibition of obscene material to minors as prohibited by Iowa Code section 728.2; or

(5) Telephone dissemination of obscene material to minors as prohibited by Iowa Code section 728.15;

(6) Any offense specified in the laws of another jurisdiction, or any offense that may be prosecuted in federal, military, or foreign court, that is comparable to an offense listed in this paragraph a; or

(7) Any offense under prior laws of this state or another jurisdiction, or any offense under prior law that was prosecuted in a federal, military, or foreign court, that is comparable to an offense listed in this paragraph a.

**282—25.3(272) Standards of professional conduct and ethics.** Licensees are required to abide by federal, state, and local laws applicable to the fulfillment of professional obligations. Violation of federal, state, or local laws in the fulfillment of professional obligations constitutes unprofessional and unethical conduct which can result in disciplinary action by the board. In addition, it is hereby deemed unprofessional and unethical for any licensee to violate any of the following standards of professional conduct and ethics:

**25.3(1) Standard I—conviction of crimes, sexual or other immoral conduct with or toward a student, and child and dependent adult abuse.** Violation of this standard includes:

*a. Fraud.* Fraud means the same as defined in rule 282—25.2(272).

*b. Criminal convictions.* The commission of or conviction for a criminal offense as defined by Iowa law ~~or the laws of any other state or of the United States~~, provided that the offense is relevant to or affects teaching or administrative performance.

(1) Disqualifying criminal convictions. The board shall deny an application for licensure and shall revoke a previously issued license if the applicant or licensee has, on or after July 1, 2002, been convicted of, has pled guilty to, or has been found guilty of the following criminal offenses, regardless of whether the judgment of conviction or sentence was deferred:

1. Any of the following forcible felonies included in Iowa Code section 702.11: child endangerment, assault, murder, sexual abuse, or kidnapping;

2. Any of the following criminal sexual offenses, as provided in Iowa Code chapter 709, involving a child:

- First-, second- or third-degree sexual abuse committed on or with a person who is under the age of 18;
- Lascivious acts with a child;
- Assault with intent to commit sexual abuse;
- Indecent contact with a child;
- Sexual exploitation by a counselor;
- Lascivious conduct with a minor; ~~or~~
- Sexual exploitation by a school employee;
  - Enticing a minor under section 710.10; or
  - Human trafficking under section 710A.2;

3. Incest involving a child as prohibited by Iowa Code section 726.2;

4. Dissemination and exhibition of obscene material to minors as prohibited by Iowa Code section 728.2; ~~or~~

5. Telephone dissemination of obscene material to minors as prohibited by Iowa Code section 728.15;

6. Any offense specified in the laws of another jurisdiction, or any offense that may be prosecuted in federal, military, or foreign court, that is comparable to an offense listed in this subparagraph (1); or

7. Any offense under prior laws of this state or another jurisdiction, or any offense under prior law that was prosecuted in a federal, military, or foreign court, that is comparable to an offense listed in this subparagraph (1).

## MEMO

**Date:** August 5, 2011

**To:** Board Members

**From:** George J. Maurer, Ed.D., Executive Director

**RE:** Amend IAC 282 Various Chapters - Discussion

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### IAC 282 1.2(2) - Ch 1, pg 1

- Rule - *Composition*. The composition of the board is defined in Iowa Code Section 272.3 **as amended by the 2007 Acts, House File 615, section 1.**
- Rationale – The amended code section referenced in the Iowa Acts of 2007 has been adopted and published in the Iowa Code, so this is an unnecessary reference. The Iowa Acts are properly referenced as legislative history in the code section and the above language is difficult to find on the Iowa Legislature website.

### IAC 282 3.5 (postscript) – Ch 3, pg 1

- Rule postscript - These rules are intended to implement Iowa Code section 17A.9 **as amended by the 1998 Iowa Acts, chapter 1202.**
- Rationale – Iowa Code section 17A.9 has been amended since 1998 and the amended code section referenced in the Iowa Acts of 1998 has been adopted and published in the Iowa Code, so this is an unnecessary reference.

### IAC 282 4.13(2) (postscript) – Ch. 4, pg 1

- Rule postscript - These rules are intended to implement Iowa Code chapter 17A **as amended by 1998 Iowa Acts, chapter 1202.**
- Rationale - Iowa Code section 17A has been amended since 1998 and the amended code section referenced in the Iowa Acts of 1998 has been adopted and published in the Iowa Code, so this is an unnecessary reference.

### IAC 282 5.13(2)g

- Rule - Records which constitute attorney work product, attorney-client communications, or which are otherwise privileged. Attorney work product is confidential under Iowa Code sections 22.7(4), 622.10 and 622.11, Iowa R.C.P. ~~122(e)~~, Fed. R. Civ. P. 26(b)(3), and case law. Attorney-client communications are confidential under Iowa Code sections 622.10 and 622.11, the rules of evidence, the Iowa Code of Professional Responsibility, and case law.
- Replace stricken language with 1.503
- Rationale – Iowa Rules of Civil Procedure changed rule numbers in February of 2002.

IAC 282 Chapter 10

- Rule - ~~282~~—**10.1(272,252J) Issuance or renewal of a license—denial.** The board shall deny the issuance or renewal of a license upon the receipt of a certificate of noncompliance from the child support recovery unit of the department of human services according to the procedures in Iowa Code ~~Supplement~~ chapter 252J. In addition to the procedures set forth in Iowa Code ~~Supplement~~ chapter 252J, the following shall apply.
  - 10.1(1)** The notice required by Iowa Code ~~Supplement~~ section 252J.8 shall be served upon the applicant or licensee by restricted certified mail, return receipt requested, or personal service in accordance with Iowa Rules of Civil Procedure ~~56.1~~. Alternatively, the applicant or licensee may accept service personally or through authorized counsel.
  - 10.1(2)** The effective date of the denial of the issuance or renewal of a license, as specified in the notice required by Iowa Code ~~Supplement~~ section 252J.8, shall be 60 days following service of the notice upon the applicant or licensee.
  - 10.1(3)** The board's administrator is authorized to prepare and serve the notice required by Iowa Code ~~Supplement~~ section 252J.8 upon the applicant or licensee.
  - 10.1(4)** Applicants and licensees shall keep the board informed of all court actions and all child support recovery unit actions taken under or in connection with Iowa Code ~~Supplement~~ chapter 252J and shall provide the board copies, within seven days of filing or issuance, of all applications filed with the district court pursuant to Iowa Code ~~Supplement~~ section 252J.9, all court orders entered in such actions, and withdrawals of certificates of noncompliance by the child support recovery unit.
  - 10.1(5)** All board fees required for application, license renewal, or license reinstatement must be paid by applicants or licensees before a license will be issued, renewed, or reinstated after the board has denied the issuance or renewal of a license pursuant to Iowa Code ~~Supplement~~ chapter 252J.
  - 10.1(6)** In the event an applicant or licensee files a timely district court action following service of a board notice pursuant to Iowa Code ~~Supplement~~ sections 252J.8 and 252J.9, the board shall continue with the intended action described in the notice upon the receipt of a court order lifting the stay, dismissing the action, or otherwise directing the board to proceed. For purposes of determining the effective date of the denial of the issuance or renewal of a license, the board shall count the number of days before the action was filed and the number of days after the action was disposed of by the court.
  - 10.1(7)** The board shall notify the applicant or licensee in writing through regular first-class mail, or such other means as the board determines appropriate in the circumstances, within ten days of the effective date of the denial of the issuance or renewal of a license, and shall similarly notify the applicant or licensee if the license is issued or renewed following the board's receipt of a withdrawal of the certificate of noncompliance.
- 282—10.2(252J) Suspension or revocation of a license.** The board shall suspend or revoke a license upon the receipt of a certificate of noncompliance from the child support recovery unit of the department of human services according to the procedures set forth in Iowa Code ~~Supplement~~ chapter 252J. In addition to the procedures set forth in Iowa Code ~~Supplement~~ chapter 252J, the following shall apply.
  - 10.2(1)** The notice required by Iowa Code ~~Supplement~~ section 252J.8 shall be served upon the licensee by restricted certified mail, return receipt requested, or personal service in accordance with Iowa Rules of Civil Procedure ~~56.1~~. Alternatively, the licensee may accept service personally or through authorized counsel.

**10.2(2)** The effective date of the suspension or revocation of a license, as specified in the notice required by Iowa Code **Supplement** section 252J.8, shall be 60 days following service of the notice upon the licensee.

**10.2(3)** The board's administrator is authorized to prepare and serve the notice required by Iowa Code **Supplement** section 252J.8 and is directed to notify the licensee that the license will be suspended unless the license is already suspended on other grounds. In the event that the license is on suspension, the administrator shall notify the licensee of the board's intention to continue the suspension.

**10.2(4)** The licensee shall keep the board informed of all court actions, and all child support recovery unit action taken under or in connection with Iowa Code **Supplement** chapter 252J and shall provide the board copies, within seven days of filing or issuance, of all applications filed with the district court pursuant to Iowa Code **Supplement** section 252J.9, all court orders entered in such actions and withdrawals of certificates of noncompliance by the child support recovery unit.

**10.2(5)** All board fees required for license renewal or license reinstatement must be paid by licensees before a license will be reinstated after the board has suspended or revoked a license pursuant to Iowa Code **Supplement** chapter 252J.

**10.2(6)** In the event a licensee files a district court action following service of a board notice pursuant to Iowa Code **Supplement** sections 252J.8 and 252J.9, the board shall continue with the intended action described in the notice upon the receipt of a court order lifting the stay, dismissing the action, or otherwise directing the board to proceed. For purposes of determining the effective date of the suspension or revocation, the board shall count the number of days before the action was filed and the number of days after the action was disposed by the court.

**10.2(7)** The board shall notify the licensee in writing through regular first-class mail, or such other means as the board determines appropriate in the circumstances, within ten days of the effective date of the suspension or revocation of a license, and shall similarly notify the licensee if the license is reinstated following the board's receipt of a withdrawal of the certificate of noncompliance.

**282—10.3(17A,22,252J) Sharing of information.** Notwithstanding any statutory confidentiality provision, the board may share information with the child support recovery unit of the department of human services through manual or automated means for the sole purpose of identifying applicants or licensees subject to enforcement under Iowa Code **Supplement** chapter 252J or 598.

These rules are intended to implement Iowa Code **Supplement** chapter 252J.

- Replace the numbers "56.1" with 1.305
  - o Rationale – Iowa Rules of Civil Procedure changed rule numbers in February of 2002.
- Remove the word "supplement" in every occurrence in this chapter.
  - o Iowa Code section 252J has been published in the Iowa Code and is no longer a supplemental chapter.

IAC 282 11.2 – Ch. 11, pg 1

- Rule - Definitions. Except where otherwise specifically defined by law:
  - "Board" means the board of educational examiners.
  - "Complainant" means any qualified party who files a complaint with the board.

“*Contested case*” means a proceeding defined by Iowa Code section 17A.2(5) and includes any matter defined as a no factual dispute contested case under ~~1998 Iowa Acts, chapter 1202, section 14.~~

“*Issuance*” means the date of mailing of a decision or order or date of delivery if service is by other means unless another date is specified in the order.

“*Party*” means each person or agency named or admitted as a party or properly seeking and entitled as of right to be admitted as a party.

“*Presiding officer*” means an administrative law judge from the Iowa department of inspections and appeals or the full board or a three-member panel of the board.

“*Proposed decision*” means the presiding officer’s recommended findings of fact, conclusions of law, decision, and order in a contested case in which the full board did not preside.

“*Respondent*” means any individual who is charged in a complaint with violating the criteria of professional practices or the criteria of competent performance.

- Replace stricken language with Iowa Code section 17A.10A
- Rationale – This language has been published in the Iowa Code and is now found in Iowa Code section 17A.10A, listing the code section clarifies the information for the reader.

#### IAC 282 11.4(1)d(3) – Ch 11, pg 2

- Rule - Has not met a reporting requirement stipulated by Iowa Code section 272.15 ~~as amended by 2007 Iowa Acts, Senate File 588, section 33~~, Iowa Code section 279.43, 281—subrule 102.11(2), 282—Chapter 11, or 282—Chapter 25; or
- Rationale - The amended code section referenced in the Iowa Acts of 2007 has been adopted and published in the Iowa Code, so this is an unnecessary reference. The Iowa Acts are properly referenced as legislative history in the code section and the above language is difficult to find on the Iowa Legislature website.

#### IAC 282 11.11(2) – Ch 11, pg 6

- Rule - The term “personally investigated” means taking affirmative steps to interview witnesses directly or to obtain documents or other information directly. The term “personally investigated” does not include general direction and supervision of assigned investigators, unsolicited receipt of information which is relayed to assigned investigators, review of another person’s investigative work product in the course of determining whether there is probable cause to initiate a proceeding, or exposure to factual information while performing other agency functions, including fact gathering for purposes other than investigation of the matter which culminates in a contested case. Factual information relevant to the merits of a contested case received by a person who later serves as presiding officer in that case shall be disclosed if required by Iowa Code section 17A.17 ~~as amended by 1998 Iowa Acts, chapter 1202, section 19~~, and subrules 11.11(3) and 11.24(9).
- Rationale – The amended code section referenced in the Iowa Acts of 1998 has been adopted and published in the Iowa Code, so this is an unnecessary reference. The Iowa Acts are properly referenced as legislative history in the code section.

IAC 282 11.23(6) – Ch 11, pg 11

- Rule - “Good cause” for purposes of this rule shall have the same meaning as “good cause” for setting aside a default judgment under Iowa Rule of Civil Procedure ~~236~~.
- Replace stricken language with 1.977
- Rationale – Iowa Rules of Civil Procedure changed rule numbers in February of 2002.

IAC 282 11.30(2) – Ch 11, pg 13

- Rule - *When granted*. In determining whether to grant a stay, the executive director or presiding officer shall consider the factors listed in ~~1998 Iowa Acts, chapter 1202, section 23(5e)~~.
- Replace stricken language with Iowa Code section 17A.19(5).
- Rationale – The language in chapter 1202, section 23 of the 1998 Iowa Acts has been published in the Iowa Code under section 17A.19(5), listing the code section clarifies the information for the reader.

IAC 282 11.35(3) – Ch 11, pg 16

- Rule - *Fraudulent applications*. An application shall be considered fraudulent pursuant to Iowa Code section ~~272.6(4)~~ if it contains any false representation of a material fact or any omission of a material fact which should have been disclosed at the time of application for licensure or is submitted with a false or forged diploma, certificate, affidavit, identification, or other document material to the applicant’s qualification for licensure or material to any of the grounds for denial set forth in Iowa Code sections 272.2(14) ~~and 272.6~~.
- Replace the first stricken section with 272.2(14)b(3) and do not replace the second stricken section.
- Rationale – Iowa Code section 272.6 was repealed in 2002. Fraudulent applications for licensure is now in Iowa Code section 272.2(14)b(3).

IAC 282 11.38(1) – Ch 11, pg 18

- Rule - *Method of reporting*. A report of misconduct made by the director, pursuant to Iowa Code ~~Supplement~~ section ~~256.9(56)~~, or made by an employee of the department of education, pursuant to Iowa Code Supplement section 272.15(2), shall comply with the requirements of subrule 11.37(1).
  - o Strike the work supplement and do not replace it.
    - Rationale - Iowa Code section 256.9 has been published in the Iowa Code and is no longer a supplemental chapter.
  - o Strike ~~256.9(56)~~ and replace it with 256.9(52).
    - Rationale – Iowa Code section 256.9(52) lists the duty to report misconduct, Iowa Code section 256.9(56) lists food nutrition standards and reporting. This is a recent code section change by the Department of Education.

IAC 282 13.15(4) – Ch 13, pg 7

- Rule - Written documentation of the requirements ~~listed in “1” to “3” above~~, provided by the official at the institution where the individual is completing the approved school

guidance counseling program and forwarded to the Iowa board of educational examiners with the application form for licensure.

- Replace stricken language with of subrules 13.15(1) to 13.15(3)
- Rationale – this change clarifies language in the chapter which could reference other subrules listed in Chapter 13.

IAC 282 13.21(3) – Ch 13, pg 10

- Rule - Credit for the human relations requirement shall be given for licensed persons who can give evidence that they have completed a human relations program which meets board of educational examiners criteria (see rule 282—~~13.24(272)~~).
- Replace stricken language with 13.22
- Rationale – IAC 282 13.24 is a reserved chapter, IAC 282 13.22 lists the human relations program.

IAC 282 14.2(4) – Ch 14, pg 5

- Rule - *Instructional strategist II: mental disabilities*. This endorsement authorizes instruction in programs serving students with mental disabilities from age 5 to age 21 (and to a maximum allowable age in accordance with Iowa Code section 256B.8). The applicant must present evidence of having completed the following program requirements.
- After 256B.8 add , subsection 2
- Rational – subsection 2 of 256B.8 is the only portion of the code section which is relevant the age requirement.

IAC 282 14.2(5) – Ch 14, pg 7

- Rule - *Instructional strategist II: physical disabilities*. This endorsement authorizes instruction in programs serving students with physical disabilities from age 5 to age 21 (and to a maximum allowable age in accordance with Iowa Code section 256B.8). The applicant must present evidence of having completed the following program requirements.
- After 256B.8 add , subsection 2
- Rational – subsection 2 of 256B.8 is the only portion of the code section which is relevant the age requirement.

IAC 282 14.2(8)a – Ch 14, pg 8

- Rule - *Option 1*. This endorsement authorizes instruction in programs serving students with hearing loss from birth to age 21 (and to a maximum allowable age in accordance with Iowa Code section 256B.8). An applicant for this option must complete the following requirements and must have completed an approved program in teaching the deaf or hard of hearing from a recognized Iowa or non- Iowa institution and must hold a regular education endorsement. See 282—Chapter 13.
- After 256B.8 add , subsection 2
- Rational – subsection 2 of 256B.8 is the only portion of the code section which is relevant the age requirement.

IAC 282 14.2(9)a – Ch 14, pg 10

- Rule - *Option 1*. This endorsement authorizes instruction in programs serving students with visual disabilities from birth to age 21 (and to a maximum allowable age in accordance with Iowa Code section 256B.8). An applicant for this option must complete the following requirements and must have completed an approved program in visual disabilities from a recognized Iowa or non-Iowa institution and must hold a regular education endorsement. See 282—Chapter 13.
- After 256B.8 add , subsection 2
- Rational – subsection 2 of 256B.8 is the only portion of the code section which is relevant the age requirement.

IAC 282 15.2(1) – Ch 15, pg 1

- Rule - *Authorization*. The holder of this endorsement is authorized to serve as a special education consultant. The consultant provides ongoing assistance to instructional programs for pupils requiring special education. A consultant can serve programs with pupils from birth to age 21 (and to a maximum allowable age in accordance with Iowa Code section 256B.8) with the exception of consultants serving deaf or hard-of-hearing or visually disabled students. Applicants who desire to serve as consultants serving deaf or hard-of-hearing or visually disabled students must hold the respective special education instructional endorsement. The deaf or hard-of-hearing consultant endorsement or the visually disabled consultant endorsement allows the individual to serve students from birth to age 21.
- After 256B.8 add , subsection 2
- Rational – subsection 2 of 256B.8 is the only portion of the code section which is relevant the age requirement.

IAC 282 15.5(1)b – Ch 15, pg 2

- Rule - The supervisor of special education—instructional endorsement (K-12) allows the individual to provide services to programs with pupils from age 5 to age 21 (and to a maximum allowable age in accordance with Iowa Code section 256B.8).
- After 256B.8 add , subsection 2
- Rational – subsection 2 of 256B.8 is the only portion of the code section which is relevant the age requirement.

IAC 282 15.6(1) – Ch 15, pg 2

- Rule - *Authorization*. The holder of this endorsement is authorized to provide support service as a work experience coordinator to secondary school programs, grades 5-12 (and to a maximum allowable age in accordance with Iowa Code section 256B.8).
- After 256B.8 add , subsection 2
- Rational – subsection 2 of 256B.8 is the only portion of the code section which is relevant the age requirement.

IAC 282 15.7(6)a – Ch 15, pg 3

- Rule - The holder of this license is authorized to teach pupils with a visual impairment (see Iowa Code section ~~256B.8~~), including those pupils who are deaf-blind.
- Replace stricken language with 256B.2

- Rationale – Iowa Code section 256B.6 references exceptions for special education in schools (when special education children no longer benefit from the education the school can offer, extension of age maximum for children in special education program and religious exceptions. 256B.2 references which children should be included in a special education program and defines the education a public school is authorized to provide.

IAC 282 16.2(1) – Ch 16, pg 1

- Rule - *Authorization*. The holder of this statement of professional recognition (or endorsement) is authorized to serve as a school audiologist to pupils from birth to age 21 who have hearing impairments (and to a maximum allowable age in accordance with Iowa Code section 256B.8).
- After 256B.8 add , subsection 2
- Rational – subsection 2 of 256B.8 is the only portion of the code section which is relevant the age requirement.

IAC 282 16.4(1) – Ch 16, pg 2

- Rule - *Authorization*. The holder of this authorization may serve as a school occupational therapist to pupils from birth to age 21 who have physical impairments (and to a maximum allowable age in accordance with Iowa Code section 256B.8). The legalization for this support personnel is through a statement of professional recognition (SPR) and not through teacher licensure.
- After 256B.8 add , subsection 2
- Rational – subsection 2 of 256B.8 is the only portion of the code section which is relevant the age requirement.

IAC 282 16.5(1) – Ch 16, pg 2

- Rule - *Authorization*. The holder of this authorization can serve as a school physical therapist to pupils from birth to age 21 who have physical impairments (and to a maximum allowable age in accordance with Iowa Code section 256B.8). The legalization for this support service personnel is through a statement of professional recognition (SPR) and not through teacher licensure.
- After 256B.8 add , subsection 2
- Rational – subsection 2 of 256B.8 is the only portion of the code section which is relevant the age requirement.

IAC 282 16.6

- Rule - 282—16.6(272) School social worker. A person who meets the requirements set forth below may be issued a statement of professional recognition (SPR) by the board of educational examiners. Alternatively, a person may meet the requirements for an endorsement in this area as set forth in 282—Chapter ~~15~~ 27.
- Change chapter 15 to 27

IAC 282 16.6(1) – Ch 16, pg 3

- Rule - *Authorization*. An individual who meets the requirements of 282—subrule 15.7(4) or 16.6(2) is authorized to serve as a school social worker to pupils from birth to age 21 (and to a maximum allowable age in accordance with Iowa Code section 256B.8).
- Replace “subrule 15.7(4) or 16.6(2)” with 27.3(7)

- Rational -
- After 256B.8 add , subsection 2
  - Rational - subsection 2 of 256B.8 is the only portion of the code section which is relevant the age requirement.

IAC 282 16.7(1) – Ch 16, pg 3

- Rule - *Authorization*. The holder of this authorization is authorized to serve as a special education nurse to pupils from birth to age 21 requiring special education (and to a maximum allowable age in accordance with Iowa Code section 256B.8). The legalization for this support service personnel is through a statement of professional recognition (SPR) and not through teacher licensure.
- After 256B.8 add , subsection 2
- Rational – subsection 2 of 256B.8 is the only portion of the code section which is relevant the age requirement.
- IAC 282—16.8(272)  
Rule - Speech-language pathologist. If an applicant has completed a master’s degree in speech pathology but has not completed the education sequence or chooses not to be certified, the applicant must obtain a license from the Iowa board of speech pathology and audiology, department of public health. Additionally, the person is required to obtain an SPR from the board of educational examiners. Alternatively, a person may meet the requirements for an endorsement in this area as set forth in 282—Chapter 247.
- Replace Chapter 21 with 27.

IAC 282 16.8(1) – Ch 16, pg 3

- Rule - *Authorization*. The holder of this statement of professional recognition (or endorsement – see requirements set forth in 282—subrule 15.7(2)) is authorized to serve as a speech-language pathologist to pupils from birth to age 21 (and to a maximum allowable age in accordance with Iowa Code section 256B.8).
- Replace subrule 15.7(2) with 27.3(4)
  - Rational
- After 256B.8 add , subsection 2
  - Rational – subsection 2 of 256B.8 is the only portion of the code section which is relevant the age requirement.

IAC 282 17.2(2)f – Ch 17, pg 2

- Rule - An approved human relations course as described in rule 282—~~13.26(272)~~.
- Replace stricken language with 13.22
- Rationale – 13.22 gives the general regulations for human relations courses, 13.26 no longer does.

IAC 282 18.9(1) – Ch 18, pg 5

- Rule - *Authorization*. The holder of this endorsement is authorized to serve as a principal of programs serving children from birth through grade twelve, a supervisor of instructional special education programs for children from birth to the age of 21, and a

supervisor of support for special education programs for children from birth to the age of 21 (and to a maximum allowable age in accordance with Iowa Code section 256B.8).

- After 256B.8 add , subsection 2
- Rational – subsection 2 of 256B.8 is the only portion of the code section which is relevant the age requirement.

IAC 282 20.3(3) – Ch 20, pg 1

- Rule - *Background check*. Every renewal applicant is required to submit a completed application form with the applicant's signature to facilitate a check of the sex offender registry information under Iowa Code section ~~692A.13~~, the central registry for child abuse information established under Iowa Code chapter 235A, and the dependent adult abuse records maintained under Iowa Code chapter 235B. The board may assess the applicant a fee no greater than the costs associated with obtaining and evaluating the background check.
- Replace stricken language with 6892A.121
- Rationale – Iowa Code section 692A.13 was repealed in 2009, Iowa Code section \_\_\_\_\_ replaces it.

IAC 282 23.1(1)c(1) – Ch 23, pg 1

- Rule - Not been identified as a candidate for driver's license suspension under the habitual violator provisions of rule 761—615.13(321) or serious violation provisions of rule 761—615.17(321).
- Addition – after the first “of” insert, Iowa Administrative Code
- Rationale – The addition of “Iowa Administrative Code” clarifies that number refers to the Iowa Administrative Code for the Transportation Department, not the Iowa Code

IAC 282 25.3(3)d – Ch 25, pg 3

- Rule - Falsifying any records or information submitted to the board in compliance with the license renewal requirements imposed under 282—Chapter ~~17~~.
- Replace stricken language with 20
- Rationale- under the IAC 282 renewals are now under Chapter 20, not Chapter 17

IAC 282 27.3(3)a – Ch 27, pg 6

- Rule - *Authorization*. The holder of this endorsement is authorized to serve as a school psychologist with pupils from birth to age 21 (and to a maximum allowable age in accordance with Iowa Code section 256B.8).
- After 256B.8 add , subsection 2
- Rational – subsection 2 of 256B.8 is the only portion of the code section which is relevant the age requirement.

IAC 282 27.3(4)a – Ch 27, pg 6

- Rule - *Authorization*. The holder of this endorsement is authorized to serve as a speech-language pathologist to pupils from birth to age 21 (and to a maximum allowable age in accordance with Iowa Code section 256B.8).
- After 256B.8 add , subsection 2

- Rational – subsection 2 of 256B.8 is the only portion of the code section which is relevant the age requirement.

IAC 282 27.3(7)a – Ch 27, pg 8

- Rule - *Authorization*. An individual who meets the requirements of 282—~~paragraph 15.7(5)“b” or 282—subrule 16.6(2)~~ is authorized to serve as a school social worker to pupils from birth to age 21 (and to a maximum allowable age in accordance with Iowa Code section 256B.8).
- Replace subrule 15.7(5)b or 282—subrule 16.6(2) with 16.6
  - o Rational
- After 256B.8 add , subsection 2
  - o Rational – subsection 2 of 256B.8 is the only portion of the code section which is relevant the age requirement.

IAC 282 27.3(8)a – Ch 27, pg 9

- Rule - *Authorization*. The holder of this endorsement is authorized to serve as a school audiologist to pupils from birth to age 21 who have hearing impairments (and to a maximum allowable age in accordance with Iowa Code section 256B.8).
- After 256B.8 add , subsection 2
- Rational – subsection 2 of 256B.8 is the only portion of the code section which is relevant the age requirement.

## Petition for Waiver

**Name:** Carol Cline

**License:** Folder # 227009

Holds a standard license for general elementary classroom and prekindergarten-kindergarten. Holds an extension of a Class B license for reading valid until June 30, 2012.

**Reason for Waiver:** Has completed 22 of the 24 hours necessary for the reading endorsement. She indicates she was told she needed to complete a practicum and then she would be eligible for the endorsement. However, her practicum was only a one hour practicum so she is short 2 hours of credit since a practicum is usually 3 hours of credit.

**Rationale:** . Ms. Cline has been a practicing Title one teacher for three years. She believes that since she has completed all of the specific content that is required for the reading endorsement that the additional 2 semester hours of credit should be waived.

**Rule Citation:** 13.28(15)

*Reading.*

*a.K-8 requirements.*

Completion of 24 semester hours in reading to include all of the following requirements:

(1)Foundations of reading. This requirement includes the following competencies:

1. The practitioner demonstrates knowledge of the psychological, sociocultural, and linguistic foundations of reading and writing processes and instruction.
2. The practitioner demonstrates knowledge of a range of research pertaining to reading, writing, and learning, including scientifically based reading research, and knowledge of histories of reading. The range of research encompasses research traditions from the fields of the social sciences and other paradigms appropriate for informing practice.
3. The practitioner demonstrates knowledge of the major components of reading, such as phonemic awareness, word identification, phonics, vocabulary, fluency, and comprehension, and effectively integrates curricular standards with student interests, motivation, and background knowledge.

(2)Reading in the content areas. This requirement includes the following competencies:

1. The practitioner demonstrates knowledge of text structure and the dimensions of content area vocabulary and comprehension, including literal, interpretive, critical, and evaluative.
2. The practitioner provides content area instruction in reading and writing that effectively uses a variety of research-based strategies and practices.

(3)Practicum. This requirement includes the following competencies:

1. The practitioner works with licensed professionals who observe, evaluate, and provide feedback on the practitioner's knowledge, dispositions, and performance of the teaching of reading and writing.
2. The practitioner effectively uses reading and writing strategies, materials, and assessments based upon appropriate reading and writing research and works with colleagues and families in the support of children's reading and writing development.

(4)Language development. This requirement includes the following competency: The practitioner uses knowledge of language development and acquisition of reading skills (birth through sixth grade), and the variations related to cultural and linguistic diversity to provide effective instruction in reading and writing.

(5)Oral communication. This requirement includes the following competencies:

1. The practitioner has knowledge of the unique needs and backgrounds of students with language differences and delays.
2. The practitioner uses effective strategies for facilitating the learning of Standard English by all learners.

(6)Written communication. This requirement includes the following competency: The practitioner uses knowledge of reading-writing-speaking connections; the writing process; the stages of spelling development; the different types of writing, such as narrative, expressive, persuasive, informational and descriptive; and the connections between oral and written language development to effectively teach writing as communication.

(7)Reading assessment, diagnosis and evaluation. This requirement includes the following competencies:

1. The practitioner uses knowledge of a variety of instruments, procedures, and practices that range from individual to group and from formal to informal to alternative for the identification of students' reading proficiencies and needs, for planning and revising instruction for all students, and for communicating the results of ongoing assessments to all stakeholders.
2. The practitioner demonstrates awareness of policies and procedures related to special programs, including Title I.

(8)Children's nonfiction and fiction. This requirement includes the following competency: The practitioner uses knowledge of children's literature for:

1. Modeling the reading and writing of varied genres, including fiction and nonfiction; technology- and media-based information; and nonprint materials;
2. Motivating through the use of texts at multiple levels, representing broad interests, and reflecting varied cultures, linguistic backgrounds, and perspectives; and
3. Matching text complexities to the proficiencies and needs of readers.

(9)Reading instructional strategies. This requirement includes the following competency: The practitioner uses knowledge of a range of research-based strategies and instructional technology for designing and delivering effective instruction across the curriculum, for grouping students, and for selecting materials appropriate for learners at various stages of reading and writing development and from varied cultural and linguistic backgrounds.

**Hardship:** Ms. Cline has been working on the endorsement for three years and completed a practicum which is what the college informed her to complete. Now that she has submitted the checklist to add the endorsement, she was informed that she does not meet the 24 hour total for the endorsement. Ms. Cline indicates it will cost a thousand dollars to complete a two semester hour course in reading which will be a hardship.

**Prejudice to others:** Ms. Cline states there would be no prejudice to others by waiving this rule.

**Public Health, Welfare & Safety:** Ms. Cline believes that her experience of diagnosing and evaluating students for three years would provide equal protection.

**Decision:** Should the Board waive the rules for the reading endorsement?

**Staff Recommendation:** Deny the waiver.

**Rationale:** Ms. Cline started working through one college. This college told her she still needed to complete a practicum which was offered for 3 semester hours of credit at that institution. However, Ms. Cline completed her practicum through a second college. When she told the second college that she just needed a practicum, they provided a one semester hour practicum. She did not check on the number of hours needed for the practicum. She has not completed a total of 24 semester hours of credit which is required for the endorsement. She has completed 22 hours so she must complete an additional 2 semester hours of reading credit. Her extension is valid until 2012 so she has time to complete the

course work. Ms. Cline has been informed that she can complete any reading course work for the additional 2 semester hours of credit.

**Hardship:** Ms. Cline has indicated it would be a hardship to complete additional course work. If she would have completed the practicum through the first institution, she would have had to pay for a three hour practicum instead of the one hour practicum she completed. Thus it is not a hardship because she would have to complete 24 semester hours of credit for the endorsement no matter which college program she completed.

**Prejudice to Others:** The Board of Educational Examiners requires 24 semester hours of credit for the reading endorsement whether a person is teaching reading or not. It would be prejudicial to others to grant this waiver when Ms. Cline has not completed the same number of hours.

**Public Health, Welfare & Safety:** If Ms. Cline completes additional reading course work, this will positively affect the public health, welfare and safety of the reading students. The recommendation from the reading licensure consultant was to complete additional course work in diagnosis and evaluation because the consultant thought this area was a little weak but she informed Ms. Cline that she could complete any additional reading course work to meet the 24 hour total.

## **Petition for Waiver**

**Name:** Daniel Klass

**License:** Folder # 364952

Holds a standard license in social studies and French.

**Reason for Waiver:** Completed 4 semester hours of credit in Arabic from the USDA Graduate School, 30 hours of study in Arabic from the Middle East Institute in Washington, D.C. and a 60 hour intensive language study course from the Arabic Language Institute in Fez, Morocco. Mr. Klass is requesting that the hours from the Middle East Institute and the Arabic Language Institute should be accepted as meeting the 24 semester hours of credit necessary for the Arabic endorsement.

**Rationale:** Mr. Klass was required to submit verification from a credential evaluation service regarding the number of semester hours of credit from a U.S. institution that would be equivalent to the 60 hour language study course completed at the Arabic Language Institute. Mr. Klass has submitted the report from Global Education Group which does not provide an equivalency. Mr. Klass states that the evaluation indicates the study is equivalent to completion of a 60 hour intensive foreign language course in Arabic at a private, vocational institution in the United States.

**Rule Citation:** 13.28(7)

*Foreign language.*

K-8 and 5-12. Completion of 24 semester hours in each foreign language for which endorsement is sought.

**Hardship:** Mr. Klass states he is not able to complete course work at Iowa State University since he is the professor for Arabic at Simpson College and ISU offers the same introductory courses that Mr. Klass already teaches. Any distance learning for Arabic that Mr. Klass found is at the beginning level. Mr. Klass believes any Arabic study beyond what he already knows would require a move out of state to earn the credits.

**Prejudice to others:** Mr. Klass states there would be no prejudice to others by waiving this rule.

**Public Health, Welfare & Safety:** Mr. Klass believes the public health, safety and welfare would not be affected.

**Decision:** Should the Board waive the requirement for 24 semester hours of credit in Arabic?

**Staff Recommendation:** Deny the waiver.

**Rationale:** Mr. Klass audited Arabic II and received 4 semester hours of credit for Arabic II and Arabic IV. He completed a 60 hour language study class. Generally 15 contact hours equate to one semester hour of credit. Thus a 60 hour language class would equate to approximately four semester hours of credit. He also completed 30 hours of study which would equate to approximately 2 semester hours of credit. His credential evaluation report did not provide any different documentation of equivalency of course work. He has completed cultural classes for Middle Eastern philosophy, history and geography which Simpson accepted in order for Mr. Klass to teach Arabic on the college level. He also has experience working for an international relations institute. The course work should be sufficient for the Class B license in Arabic but not the full endorsement.

**Hardship:** Iowa State does offer intermediate Arabic courses so even though Mr. Klass believes they would cover material he has already learned, he could investigate taking the courses and earning credit from ISU to reach the 24 semester hours of credit necessary. There is no CLEP test in Arabic to obtain college credit but he could complete an Oral Proficiency Exam.

**Prejudice to Others:** Other applicants for foreign language endorsements must complete 24 semester hours of credit in that foreign language. The teaching of Arabic is a unique area but Mr. Klass should be held to the same requirements as other foreign language instructors.

**Public Health, Welfare & Safety:** Mr. Klass is not a native speaker of Arabic so for the public health, welfare and safety of his students, it would be beneficial to have completed 24 semester hours of credit in Arabic.

## Petition for Waiver

**Name:** Eric Kumm

**License:** Folder # 300717

Holds a standard license for agriculture, agri-science, earth science and coaching. Held an extension of a Class B license for industrial technology which expired June 30, 2011.

**Reason for Waiver:** Has completed 27 hours necessary for the industrial technology endorsement but still needs to complete 3 classes to meet the requirements for course work in various areas and a methods course. He is registered for the additional course work this fall.

**Rationale:** . Mr. Kumm has been completing course work on site and was not able to complete course work in the summer due to his FFA advisement duties. He has now found online courses that he can complete and is requesting the issuance of another Class E license to provide the additional time necessary to complete the course work.

**Rule Citation:** 282—13.14([272](#))

**Specific requirements for a Class E license.**

A nonrenewable license valid for one year may be issued to an individual as follows:

**13.14(1)***Expired license.*

Based on an expired Class A, Class B, or teacher exchange license, the holder of the expired license shall be eligible to receive a Class E license upon application and submission of all required materials.

**13.14(2)***Application.*

The application process will require transcripts of coursework completed during the term of the expired license, a program of study indicating the coursework necessary to obtain full licensure, and registration for coursework to be completed during the term of the Class E license. The Class E license will be denied if the applicant has not completed any coursework during the term of the Class A or Class B license unless extenuating circumstances are verified.

**13.28(10)**

*Industrial technology.*

5-12. Completion of 24 semester hours in industrial technology to include coursework in manufacturing, construction, energy and power, graphic communications and transportation. The coursework is to include at least 6 semester hours in three different areas.

**Hardship:** If Mr. Kumm is not able to obtain another extension, his contract will be reduced to half time until he completes the course work. There is no other teacher at South O'Brien who can teach industrial technology so no industrial technology course work would be offered in the fall. This would be a hardship to students interested in industrial technology, agriculture, and FFA.

**Prejudice to others:** Mr. Kumm indicates that no other staff member is certified in industrial technology so it would not be prejudicial to anyone if he is granted additional time to complete the course work.

**Public Health, Welfare & Safety:** Mr. Kumm has always stressed safety instruction so he believes there would still be equal protection of public health, safety and welfare if he is granted the additional time to complete the course work.

**Decision:** Should the Board waive the rules for the Class E license?

**Staff Recommendation:** Approve the waiver.

**Rationale:** Mr. Kumm has been working on the endorsement under the term of the Class B license and the two extensions. He has enrolled in the additional course work he needs now that he has found online course work. Mr. Kumm has submitted letters of support from both his principal and superintendent.

**Hardship:** Mr. Kumm should have checked on the availability of course work earlier. With so many courses now available online and through a community college, it is difficult to understand why Mr. Kumm was not more diligent in checking on the availability of course work. However, it would be a hardship for students interested in completing industrial technology courses if no courses are offered in the fall. Mr. Kumm is registered for the course work so he will be completing the requirements this fall.

**Prejudice to Others:** Other waivers for extensions:

07-08: Held a Class B in industrial technology and obtained two extensions. Only completed one class during term of Class B and 2 hours during first extension and none during second. Board granted extension until end of school year only and indicated no further extensions would be granted.

07-24: Held a Class A license in Spanish and was granted 2 extensions. Board granted waiver to complete the school year but no further extensions would be granted.

07-25: Held a Class B license in health and was granted 2 extensions. Board granted waiver to complete the school year but no further extensions would be granted.

08-14: Held Class B for family and consumer science and issued two extensions. Was working on course work and thought she completed all of the necessary requirements but some of the courses were not accepted. Board granted extension. Person submitted waiver for another extension in 2009 but was denied.

08-33: Held a Class B license for BD and obtained 2 extensions. When she applied for a waiver, her program of study indicated had completed 10 semester hours of credit for the endorsement. Board denied waiver.

There is a mixture of decisions on the extensions granted depending on the course work completed. The Board could grant a limited waiver requiring the completion of the course work by January 2012. Since he has been making progress, this may be aligned with the decisions on individuals who requested extensions.

**Public Health, Welfare & Safety:** Mr. Kumm has completed course work in each of these industrial technology areas and has completed shop safety. Thus granting him additional time to complete the remaining course work would not affect the public health, welfare and safety of the students.

**MEMO**

**Date: August 5, 2011**

**To: Board Members**

**From: George J. Maurer, Ed.D., Executive Director**

**RE: Reports and Approvals – Communications Report – Geri McMahon**

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This is an annual report to the Board regarding the presentations and other communication activities done during FY 11.

**2010-2011 Ethics and Licensure  
Presentations to Student Teachers**

<b>DATE</b>	<b>STAFF MEMBER</b>	<b>COLLEGE</b>
August 25, 2010	Fred	Graceland
September 8, 2010	Mike	Upper Iowa, Waterloo
September 13, 2010	David	Iowa Wesleyan College
September 13, 2010	Susan	Grand View
September 14, 2010	Geri	Upper Iowa-West Des Moines
September 22, 2010	Mike	Upper Iowa-Fayette
October 8, 2010	Geri	Morningside
October 8, 2010	Mary Lou	Mt. Mercy
October 12, 2010	Mike	Simpson
October 12, 2010	Mary Lou	Drake
October 27, 2010	David	Central
November 1	Beth	Grandview
November 3	Fred	BVU-Fort Dodge
December 1	Susan	William Penn
December 7	David	BVU Ottumwa
December 13	Fred	Graceland
January 5, 2011	Susan	Faith Baptist
January 18	Mike	Upper IA-Waterloo
January 24	Susan	Grand View
January 25	Fred	Graceland
February 3	Geri	Upper Iowa-WDM
February 22	Mike	Simpson
March 1	Mike	Simpson
March 2	Geri	Dordt and Northwestern
March 7	Beth	Grandview
March 18	Geri	Morningside
March 28	Mike	Dubuque Colleges
April 5	Mary Lou	Drake
April 11	Fred	William Penn
April 18	Mike	Waldorf

**2010-2011  
Licensure and Ethics  
Presentations to Organizations and other related activities**

<b>DATE</b>	<b>STAFF MEMBER</b>	<b>EVENT</b>
July 1, 2010	Susan	School Improvement Meeting
July 9, 2010	Beth	ICSBA presentation
July 14, 2010	Geri	Online council meeting
July 27, 2010	Dave	IGHSAU meeting
August 2-5, 2010	Beth	ISEA Ethics class
August 3, 2010	Fred	Science/Math Ed Summit, Grinnell College
August 3, 2010	Dave	Ad/Administrator Meeting
August 4	All Consultants	SAI Conference
August 25, 2010	Geri	Online Council Meeting
September 10	Susan	SIT Meeting
September 14, 2010	Susan	DMACC
September 15-17, 2010	Geri	INTASC Conference
September 15, 2010	Fred	U of Phoenix meeting
September 21, 2010	Geri	Online Advisory meeting
September 22, 2010	Beth	NEIEU Presentation
September 23	Susan	ESL Meeting
September 23, 2010	Geri	Online Council Meeting
September 24, 2010	Susan, Mike and Beth	IASB meeting
September 30, 2010	Fred	ITILP meeting
October 5-8	Beth	NASDTEC PPI Conference
October 12, 2010	Geri	Licensure Renewal Coordinator's Meeting
October 13, 2010	Beth	ISEA Polk Suburban
October 19, 2010	Susan	TAG Conference
October 21	George, Geri & Susan	IACTE Meeting
October 28, 2010	Geri	Online Council meeting
November 5	Susan and Mike	HR Meeting
November 9, 2010	Beth	IHCC
November 11, 2010	Fred	ITILP
November 18, 2010	All Consultants	IASB Convention
November 23, 2010	Geri	Online Council Meeting
December 2	Fred	Regents Intern Meeting
December 7	George and Geri	Advisory Meeting for TQP Grant
January 5	Geri	Online Advisory Meeting
January 12	Susan, Geri and Mary Lou	International Exchange License meeting
January 14	Susan	China Exchange Program

		Meeting
January 25	Mike	Newton Licensure Site Visit
February 4	Susan and Mike	BEDS focus group
February 7-10	Mike	Morningside Site Visit
February 7	Geri	Licensure Renewal Coordinator Meeting
February 21	Beth	DMPS Presentation
February 25	Mary Lou and Susan	Physics/Math Meeting
March 1	Geri	Online Council Meeting
March 2	All Professional Staff	AEA Superintendent meetings
March 8-9	Susan	Waukee Site visit
March 9-11	Fred	NAAC Conference
March 23	Geri & Susan	Des Moines Site Visit
March 26	Susan	Teacher Fair, UNI
April 1	Geri	IACTE Meeting
April 6	All Professional Staff	AEA Superintendent meetings
April 11	Geri	Music Association El Ed
April 18	Beth	AEA 267
April 18-20	Mary Lou	Conference DC
April 18	Geri	TQP Meeting
April 18	Beth	AEA 267
April 27	Fred	ITILP
May 4	All Professional Staff	AEA Superintendent meetings
May 10	Beth	Indian Hills CC
May 11	Fred	ITILP
May 12	Mike	Strat I and II Mtg
May 16	Fred	ITILP
May 19	Fred	NAAC Phone Conf
May 23	Geri	Para Certifying Official Mtg
June 16-17	Susan	Counseling Conf.
June 20-21	Susan	Mentoring Conf.
June 23	Dave	IGHSAU coaching class
June 28	George, Geri and Fred	BEDS/Dean of Student Clarification Mtg
June 29	Mike	Heartland AEA

## **Fingerprinting Schedule**

### **2010**

July 28	Cedar Rapids	Mike and Jim
August 30	Grantwood AEA	Mike
September 22	Upper Iowa	Mike
October 6	Briar Cliff	Mike
October 21	Dordt	Fred
November 3	BV-Fort Dodge	Fred
November 8	Loras, UD, Clarke and Emmaus	Mary Lou and Dave
November 10	Wartburg	Fred and Mike
December 1	Iowa State	Fred and Jeff
December 2	Iowa State	Geri and Mary Lou
December 7	BV Ottumwa	Fred and Dave
December 8-9	UNI	Mike and Fred

### **2011**

January 25	Graceland	Fred
February 15	Drake	Geri
February 23	St. Ambrose	Mike
March 2	Dordt and Northwestern	Geri
April 21	ISU	Fred
April 27-28	UNI	Mike

**Articles included on our Wordpress Blog, Facebook,  
Twitter, or In the School Leader Update  
From July 1, 2010-June 30-2011**

## **Iowa Teacher Intern Program**

The Iowa Teacher Intern Program was designed to allow persons with an earned bachelor's degree or higher to enter the teaching field, at the secondary level, without completing a traditional teacher education program. To qualify to enter the program a person must meet the following criteria:

- Hold a baccalaureate degree with a minimum cumulative grade point average of 2.5 on a 4.0 scale from a regionally accredited institution.
- Meet the subject matter course work requirements for one of the secondary teaching endorsements
- Have at least three years of post-baccalaureate work experience
- Successfully complete the introductory teacher intern program at a four-year college or university approved by the State Board of Education.

### **Approved Teacher Intern Programs in Iowa**

- The Iowa Regent's Collaborative
- Kaplan University
- Maharishi University of Management
- Morningside College

### **How the Program Works**

- Complete the introductory pedagogy coursework that includes a minimum of 50 contact hours of field experience with students.
- Apply for the teacher intern license upon successful completion of the introductory program, which allows the person to serve as the teacher of record in a high school during a one year teaching internship.
- Obtain support by the postsecondary institution in partnership with the employing district and/or area education agency which includes extensive supervision and participation in a state-approved mentoring and induction program.
- Complete a teacher intern seminar during the internship year that includes an extension of coursework from the teacher intern introductory program.
- Complete all course requirements in the teacher intern program
- Obtain an initial teaching license.

For more information go to <http://www.iowa.gov/boee/tilal.html>

## Who Can Teach Reading in Iowa?

This fairly simple question has many possible answers. Before it can be answered the school district needs to determine the content and purpose of the course.

Chapter 1/Title 1 Reading class: The person teaching this class must have the reading endorsement.

Literature based class: Many courses are called “reading” even though they are language arts or literature based courses. So first ask, is this a literature class? Is an anthology being used? If so, then a person who holds an English endorsement may teach this language arts class.

Reading Skills class: If the primary goal is to teach reading skills then a reading endorsement is required.

Reading Skills taught in a departmentalized setting: If the person holds a K-6 general elementary classroom teaching endorsement, the person may teach the reading skills class in a departmentalized setting through the 6th grade. If the reading skills class is in the 7th or 8th grade, then the person would have to hold the reading endorsement.

The person teaching the reading skills class does not have a reading endorsement: A practitioner must be endorsed in the areas in which they are teaching. A two year conditional license may be obtained if the person has completed 75% of the credits necessary for the reading endorsement.

Free Reading class with no remediation or skill building. If the students receive credit for the class, the teacher must hold the English or reading endorsement. If the class is an exploratory or a class without a credit, then any licensed teacher may teach this class as long as the teacher holds an endorsement at the level of the student.

Second Chance Reading class. If the teacher has completed the Second Chance Reading course AND the students are not being awarded credit for the class, then the Second Chance Reading preparation is sufficient to teach the course. If the students are awarded reading credit, then the teacher must also have the reading endorsement.

Delivered by Special Education teacher. If a special education teacher is responsible for the reading skills class, he or she needs to have a reading endorsement or team teach with an appropriately licensed teacher.

## Tutoring

Last summer the Board of Educational Examiners reviewed and discussed IAC 282-25.3(6), often referred to as the tutoring rule. After much discussion and many questions, the Board has decided not to make any rule changes, but would like to provide guidance on the definition of “solicitation”. At the October 1, 2010 board meeting the Board

decided that this definition is key to understanding the intent of this rule. Solicit is defined by Merriam-Webster as to approach with a request or plea. During discussion at the October 1 board meeting examples of soliciting were shared. One was being in charge of a detassling crew. This would NOT be a violation, however, asking specific students to sign up for your team would be a violation and even announcing in class to “Join my detassling team” or passing out flyers during class could be considered soliciting.

### Conditional Licensure

We are entering the time of the year when administrators are working hard to ensure that each of their teachers is properly licensed to teach the classes they have been assigned for the fall. With state-wide teacher cutbacks this year, more administrators are having to deal with this issue. All currently licensed practitioners can receive conditional licensure to teach in an area outside of their current endorsements. Conditional licensure normally falls into two categories, Class B and Administrative Decisions. Both applications are \$85 and will require an administrator signature. Class B: If the teacher has half of the credits needed for an endorsement in a shortage area or two-thirds of the credits needed in a non shortage, they are eligible for a two year Class B license. This license allows them to teach the subject while they continue to take the classes necessary to obtain the full endorsement. Class B licenses issued for this fall will expire on June 30, 2012.

Administrative Decisions: If a teacher does not have the credits necessary for a Class B license, they can apply for the Administrative Decision License. Applicants in special education, reading, guidance counseling, ESL, teacher librarians, middle school, family and consumer science and PK-3 with special education must submit a program of study from a college or university listing the courses needed and a possible time line for completion. Additionally, the administrator must show that he district performed due diligence in trying to hire a fully endorsed teacher for the position. Administrative Decision licenses issued this fall will expire on June 30, 2011. It is expected that the applicant will then have at least 12 credits and can apply for the Class B license.

Applications for both licenses are found on our website at

<http://www.iowa.gov/boee/ChooseClassBC.html>. You may speak to a consultant about conditional licensure by calling 515-281-3245.

**MEMO**

**Date: August 5, 2011**

**To: Board Members**

**From: George J. Maurer, Ed.D., Executive Director**

**RE: Reports and Approvals – Legislative Report**

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Beth will provide an update of the FY 11 Legislative session as it pertains to the BoEE.

**Board of Educational Examiners**

**2011 Legislative Session**

Bill	Synopsis	Status
<b><u>Board's Agency Bills:</u></b>		
<a href="#">SF 120</a>	Human Trafficking. Added language that was stricken last year. Last year detention in a brothel was removed from the criminal code and the Board's code section. This bill added the equivalent in today's terms, human trafficking, back to the Board's code section. This bill also clarified that if a person is convicted of a similar crime in another jurisdiction as listed in the disqualifying crime section, then that would be a disqualifying crime for their educational license.	Signed into Law by Governor Branstad -- April 12, 2011
<a href="#">SF 123</a>	Immunity. Added language so complainants, board members, and staff cannot be held civilly liable if a complaint was filed, investigated, or acted on in good faith.	Signed into Law by Governor Branstad -- April 12, 2011
<b><u>Bills that Affect the Board:</u></b>		
<a href="#">HF 645</a>	Relating to the funding of, the operations of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters and for effective date, applicability provisions and retroactive applicability provisions. There was a section on educator misconduct added to this bill and it has not been signed by the Governor. Because this is an appropriation bill there is a chance this section could be vetoed. There are four main actions. First, the Board must provide annually training on ethics. The Board must also develop the curriculum and annually provide regional training opportunities throughout the state. Second, the Board was given authority to take action against an administrator that does not report to the Board under the mandatory reporting requirements. Third, is actually a change to 102 investigations, but does impact the Board. An employee shall be put on administrative leave during a 102 investigation. Finally, if the results of the 102 investigation results find that the conduct constituted any crime it must be reported to the Board.	Passed House / Passed Senate / Sent to Governor
<a href="#">SF 483</a>	Administrator out-of-state licenses. Directed the Board to grant licenses for administrator online out-of-state licenses for a specific set of time. The Board had to provide information on our website and to people that inquired.	Signed into law by Governor Brandstad -March 30, 2011
<b><u>Bills that Affect State Agencies:</u></b>		
<a href="#">HF 493</a>	Requiring public employees charged with a felony to pay a civil penalty equal to the cash wages received during a paid leave of absence and any contract termination payments if convicted.	Signed into Law by Governor Branstad --April 26, 2011

**Board of Educational Examiners**

**2011 Legislative Session**

Bill	Synopsis	Status
<a href="#">HF 648</a>	<p>Relating to and making, reducing, and transferring appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the technology reinvestment fund, the revenue bonds capitals fund, and other funds, providing for related matters and including effective date provisions.</p> <p>-- Approval for the Iowa Department of Education to use a portion of moneys appropriated for an e-transcript data system.</p> <p>-- Appropriated dollars are not to be used for purposes of Iowa building repair or maintenance.</p> <p>-- DAS may use space in the Iowa building for short-term leases with persons associated with media who request space for providing media coverage of the 2012 Iowa presidential caucuses. Those moneys shall be retained for operational costs of the Iowa Building.</p>	<p>Passed House / Passed Senate / Sent to Governor</p>
<a href="#">SF 289</a>	<p>Relating to open records and public meetings and including effective date provisions.</p>	<p>Signed into Law by Governor Branstad -- May 12, 2011</p>
<a href="#">SF 533</a>	<p>Standings Bill -- Relating to state and local finances by providing for funding of property tax credits and reimbursements, by making and adjusting appropriations, providing for salaries and compensation of state employees, providing for matters relating to tax credits, providing for fees and penalties, providing for legal responsibilities, and providing for properly related matters, and including effective date and retroactive and other applicability provisions.</p> <p>-- Requirement that state agencies transmit estimates of their expenditure requirements to DOM.</p> <p>-- State agencies must track the budget and actual expenditures for contract services and for employee training for each appropriation line item.</p> <p>-- State agencies must provide DAS with a report on planned purchases and a report regarding efforts to standardize products and services with other state agencies.</p> <p>-- Employees who conduct bids for services must receive training about procurement rules and procedures and procurement best practices.</p> <p>-- State agencies must budget for and conduct lean projects.</p> <p>-- State agencies are encouraged to share resources and services, including staff, training, and educational services.</p> <p>-- DAS is required to examine the process of state hiring of personnel with the goal of simplifying and reducing the steps needed for state agencies to hire personnel.</p>	<p>Passed House / Passed Senate / Sent to Governor</p>

**MEMO**

**Date: August 5, 2011**

**To: Board Members**

**From: George J. Maurer, Ed.D., Executive Director**

**RE: Reports and Approvals – Board Goals FY 12**

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Several activities have been recommended for FY 12.

## BoEE Goals FY 2012 – Proposed / Draft

**GOAL 1: The Board will develop rules for practitioner licensure that maintain high standards, are research based and provide flexibility in attainment.**

Activities	How will the activity be accomplished?	Who will be responsible for this activity?	Target dates	Evidence of Completion
<u>Explore Licensure Issues</u>	1. Research alternative certification options -			
	2. How do deal with out-of-state applicants			
	3. Early childhood endorsement	Mike / Geri		
	4. Professional Core What are the implications from the core curriculum to BoEE's licensure needs?	Geri		
<u>To develop and / or amend rules</u>	1. An on-going analysis of current trends and data collected from a variety of sources and work with the DE.	Ex Dir / BoEE Staff and in collaboration with the DE - update chapters - Licensure applications / policy / procedures		
<u>Explore Future needs</u>	What will future licensure look like? Teacher quality vs. teacher effectiveness. Innovation in Licensure Effective teachers, leaders. What type of teacher is needed to meet student needs? <b>Flexibility in licensing</b>	Staff	Work with constituents on Core Cur InTASC Conference NCATE Conference NASDTEC Conference	

## BoEE Goals FY 2012 – Proposed / Draft

**GOAL 2: The Board will develop a communication plan for the dissemination of information to its constituent groups.**

Activities	How will the activity be accomplished?	Who will be responsible for this activity?	Target dates	Evidence of Completion
<b><u>Board information:</u></b>	Continue with presentations to pre-service and in-service educators.	Ex Dir. / BoEE staff Board Members	On-going – Geri – Bd. Report in Aug. 2012	
	2. Ethics	George / Beth –		
<b><u>Communication to the Field</u></b>	Update brochure – tell people who we are <b>New communication approach – On line</b>	Staff		
<b><u>Continue to improve the use of technology</u></b>	Applications, renewals, etc.	George, Jeff		

**SMART Goals:** S = specific; M = measurable; A = attainable; R = realistic / reasonable; T = time bound.

**MEMO**

**Date: August 5, 2011**

**To: Board Members**

**From: George J. Maurer, Ed.D., Executive Director**

**RE: Reports and Approvals – Continue discussion on Thursday's topics if needed**

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If additional time is needed to complete discussion of Thursday's topics, I would recommend the Board address those issues at this time.