

1 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(4)(c) and 25.3(6)(l),
2 and order this case set for hearing. Roll call vote: Behrens – yes; Carroll – yes;
3 Dutcher – yes; Overholtzer – abstain; Pattee – yes; Prescott – yes; Schmidt – yes;
4 Sullivan – yes; Yedlik – yes. **MOTION CARRIED.**

5

6 Jay Prescott moved, with a second by Dan Dutcher, that in **case number 16-106**, the
7 Board find that the evidence gathered in the investigation, including witness
8 statements and the documentary evidence, does not substantiate the allegations in the
9 complaint, and that the Board therefore lacks probable cause to proceed with this
10 matter. Roll call vote: Behrens – yes; Carroll – yes; Dutcher – yes; Overholtzer –
11 abstain; Pattee – yes; Prescott – yes; Schmidt – yes; Sullivan – yes; Yedlik – yes.

12 **MOTION CARRIED.**

13

14 Kathy Behrens moved, with a second by Jay Prescott, that in **case number 16-124**,
15 the Board find probable cause to establish a violation of the following provisions of the
16 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(6)(h), and order this
17 case set for hearing. Roll call vote: Behrens – yes; Carroll – yes; Dutcher – yes;
18 Overholtzer – abstain; Pattee – yes; Prescott – yes; Schmidt – yes; Sullivan – recuse;
19 Yedlik – yes. **MOTION CARRIED.** (Ann Lebo left the room during the discussion of
20 this case in closed session.)

21

22 Kathy Behrens moved, with a second by Dan Dutcher, that in **case number 16-64**,
23 the Board find probable cause to establish a violation of the following provisions of the
24 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(1)(b)(2) and order
25 this case set for hearing. Roll call vote: Behrens – yes; Carroll – yes; Dutcher – yes;
26 Overholtzer – abstain; Pattee – yes; Prescott – yes; Schmidt – yes; Sullivan – yes; Yedlik
27 – yes. **MOTION CARRIED.**

28

29 Jay Prescott moved, with a second by Dan Dutcher, that in **case number 16-127**, the
30 Board find probable cause to establish a violation of the following provisions of the
31 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(5)(a)(3), and order
32 this case set for hearing. Roll call vote: Behrens – yes; Carroll – yes; Dutcher – yes;

1 Overholtzer – abstain; Pattee – yes; Prescott – yes; Schmidt – yes; Sullivan – yes; Yedlik
2 – yes. **MOTION CARRIED.**

3

4 Kathy Behrens moved, with a second by Dan Dutcher that in **case number 16-134**,
5 the Board find probable cause to establish a violation of the following provisions of the
6 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(7)(d), and order this
7 case set for hearing. Roll call vote: Behrens – yes; Carroll – yes; Dutcher – yes;
8 Overholtzer – abstain; Pattee – yes; Prescott – yes; Schmidt – yes; Sullivan – yes; Yedlik
9 – yes. **MOTION CARRIED.** (Ann Lebo left the room during the discussion of this case
10 in closed session.)

11

12 Kathy Behrens moved, with a second by Dan Dutcher that in **case number 16-34**, the
13 Board find 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. Roll call vote: Behrens – yes; Carroll – yes; Dutcher – yes; Overholtzer –
17 abstain; Pattee – yes; Prescott – yes; Schmidt – recuse; Sullivan – recuse; Yedlik – yes.
18 **MOTION CARRIED.**

19

20 Jay Prescott moved, with a second by Dan Dutcher that in **case number 16-35**, the
21 Board find that the evidence gathered in the investigation, including witness
22 statements and the documentary evidence, does not substantiate the allegations in the
23 complaint, and that the Board therefore lacks probable cause to proceed with this
24 matter. Roll call vote: Behrens – yes; Carroll – yes; Dutcher – yes; Overholtzer –
25 abstain; Pattee – yes; Prescott – yes; Schmidt – recuse; Sullivan – recuse; Yedlik – yes.
26 **MOTION CARRIED.**

27

28 Dan Dutcher moved, with a second by Jay Prescott that in **case number 16-36**, the
29 Board find that the evidence gathered in the investigation, including witness
30 statements and the documentary evidence, does not substantiate the allegations in the
31 complaint, and that the Board therefore lacks probable cause to proceed with this
32 matter. Roll call vote: Behrens – yes; Carroll – yes; Dutcher – yes; Overholtzer –

1 abstain; Pattee – yes; Prescott – yes; Schmidt – recuse; Sullivan – recuse; Yedlik – yes.

2 **MOTION CARRIED.**

3

4 Jay Prescott moved, with a second by Dan Dutcher, that in **case number 16-119**, the
5 Board accept the agreement submitted by the parties, and issue an Order

6 incorporating the agreement of the parties and imposing the agreed upon sanction.

7 Roll call vote: Behrens – recuse; Carroll – yes; Dutcher – yes; Overholtzer – yes; Pattee
8 – yes; Prescott – yes; Schmidt – yes; Sullivan – yes; Yedlik – yes. **MOTION CARRIED.**

9

10 Dan Dutcher moved, with a second by Kathy Behrens, that the Board not initiate
11 review of the proposed decision in **case number APP 16-09, In the Matter of Stacey**
12 **Ford**, and allow the proposed decision to become the final decision of the Board unless
13 an appeal is taken by one of the parties within the time allowed by rule. **MOTION**
14 **CARRIED UNANIMOUSLY.** (Ann Lebo left the room during the discussion of this case
15 in closed session.)

16

17 Jay Prescott moved, with a second by Kathy Behrens, to extend the 180-day deadline
18 for issuance of the final decision in **case number 16-94**, based upon the need to
19 schedule the hearing and the need to review the proposed decision. **MOTION**

20 **CARRIED UNANIMOUSLY.**

21

22 Kathy Behrens moved, with a second by Dan Dutcher, to extend the 180-day deadline
23 for issuance of the final decision in **case number 16-96**, based upon the amount of
24 time needed to complete the investigation due to pending criminal charges. **MOTION**

25 **CARRIED UNANIMOUSLY.**

26

27 Dan Dutcher moved, with a second by Jay Prescott, to extend the 180-day deadline for
28 issuance of the final decision in **case number 16-97**, based upon the amount of time
29 needed to complete the investigation due to pending criminal charges. **MOTION**

30 **CARRIED UNANIMOUSLY.**

31

32 Kathy Behrens moved, with a second by Jay Prescott, to extend the 180-day deadline
33 for issuance of the final decision in **case number 16-105**, based upon the amount of

1 time needed to complete the investigation due to pending criminal charges. **MOTION**
2 **CARRIED UNANIMOUSLY.**

3
4 Jay Prescott moved, with a second by Dan Dutcher, to extend the 180-day deadline for
5 issuance of the final decision in **case number 16-107**, based upon the amount of time
6 needed to complete the investigation. **MOTION CARRIED UNANIMOUSLY.**

7
8 Kathy Behrens moved, with a second by Dan Dutcher, to extend the 180-day deadline
9 for issuance of the final decision in **case number 16-108**, based upon the amount of
10 time needed to complete the investigation. **MOTION CARRIED UNANIMOUSLY.**

11
12 Jay Prescott moved, with a second by Kathy Behrens, to extend the 180-day deadline
13 for issuance of the final decision in **case number 16-111**, based upon the amount of
14 time needed to complete the investigation. **MOTION CARRIED UNANIMOUSLY.**

15
16 Dan Dutcher moved, with a second by Jay Prescott, to extend the 180-day deadline for
17 issuance of the final decision in **case number 16-112**, based upon the need to
18 schedule the hearing and the need to review the proposed decision. **MOTION**
19 **CARRIED UNANIMOUSLY.**

20
21 Kathy Behrens moved, with a second by Jay Prescott, to extend the 180-day deadline
22 for issuance of the final decision in **case number 16-113**, based upon the need to
23 schedule the hearing and the need to review the proposed decision. **MOTION**
24 **CARRIED UNANIMOUSLY.**

25
26 Dan Dutcher moved, with a second by Kathy Behrens, to extend the 180-day deadline
27 for issuance of the final decision in **case number 16-116**, based upon the amount of
28 time needed to complete the investigation due to pending criminal charges. **MOTION**
29 **CARRIED UNANIMOUSLY.**

30
31 Kathy Behrens moved, with a second by Dan Dutcher, that the Board approve the
32 closed session minutes for October 7, 2016. **MOTION CARRIED UNANIMOUSLY.**

1 The following cases were discussed in open session.

2
3 Jay Prescott moved, with a second by Dan Dutcher, to extend the 180-day deadline for
4 issuance of the final decision in **case number 16-103**, based upon the need to
5 conduct the hearing and the need to review the proposed decision. **MOTION**
6 **CARRIED UNANIMOUSLY.** (The Board found probable cause at the August meeting.
7 The hearing is set for December 16, 2016.)

8
9 Jay Prescott moved, with a second by Kathy Behrens, that in **case number 15-148**,
10 the Board reject the Respondent's request for reinstatement and issue an order stating
11 that the respondent has not provided sufficient evidence for the board to conclude that
12 the basis for the suspension no longer exists and it would be in the public interest for
13 the license to be reinstated. **MOTION CARRIED UNANIMOUSLY.** (Ted Larson,
14 Respondent, was reprimanded and indefinitely suspended per an order issued in
15 February of 2016. The order states he is eligible for reinstatement as of November 1,
16 2016, provided he completes anger management counseling and Ethics for Educators.
17 He has submitted documentation of counseling, but has not yet provided a transcript
18 for the ethics course. However, he is registered for the ethics course.)

19
20 Communication from the Public

21 None.

22
23 Board Member Reports

24 Board members who attended the NASDTEC Professional Practices Institute (PPI) on
25 October 26-28, in Des Moines, shared their experiences and insights with the Board.
26 Kathy Behrens – very educational and beneficial; appreciated the opportunity to
27 attend; Mary K. Overholtzer – complimented Darcy Hathaway on her participation and
28 organization involving the conference since it was held in Des Moines; she found the
29 various presentations at the conference valuable and she became more aware of what
30 is happening in other states regarding ethics, etc.; Katherine Schmidt – found the
31 conference helpful since she is new to the board; very worthwhile. Attending the
32 conference provided a great opportunity for more board members and staff to attend

1 since it was held in Des Moines. For those interested, a PowerPoint is available on the
2 NASDTEC website.

3
4 Legislative Update

5 None. Phil Wise was unable to attend the meeting.

6
7 Executive Director's Report

8 Dr. Lebo reviewed the financial report. Through the previous executive director's
9 action and significant cuts, it has helped the BoEE re-establish cash flow. How many
10 services do we need to bring back? We definitely need to reinstate one of our positions
11 to ease the burden on those that have had to pick up the load due to the three lost
12 positions. Hire a temp during seasonal busy times? Increase background check fee
13 for all renewals? Current fee is \$86 (\$85 to renew - \$1 for the background check).
14 Increase in one lump sum or spread out the increase over three years? This will be
15 discussed further at the January 12th board meeting.

16
17 Dr. Lebo will send out information/data to the board prior to the January meeting
18 regarding a possible increase in the background check fee and bringing back a
19 position. This will be for information only and there should be no discussion via email
20 between board members – do not reply all. The total cost to bring back a position
21 (salary+benefits) – classification and description of position will also be shared with
22 the board.

23
24 Licensing System Update: We hope to have all applications online by January. We
25 currently have a pilot with a higher ed. institution regarding licensing of new
26 graduates.

27
28 Professional Practices Institute (PPI): The PPI was held on October 26-28, 2016, in
29 Des Moines. Several board members and staff attended the conference.

30
31 Legislative Platform: The bill regarding mandatory reporting of being under the
32 influence of alcohol or drugs while on school premises will move forward as one of the
33 Board's legislative priorities.

1 Legislative Reception: The legislative reception will be held on Thursday, January 12,
2 2017, 7:30-9:00 a.m., in the Capitol Rotunda. A legislative reception planning
3 meeting/dinner will take place the night prior, Wednesday, January 11, 2017. The
4 professional practices committee and executive committee will meet Wednesday or
5 Thursday, prior to the reception. Information will be communicated to the board via
6 email regarding the details.

7
8 BoEE Website Training: Joanne Tubbs, BoEE Consultant, provided a tutorial to the
9 board regarding the BoEE website. The video is available for viewing on YouTube and
10 can be accessed through our website www.boee.iowa.gov . The link for viewing will be
11 sent out to licensees.

12
13 Stakeholder Presentation

14 Dr. Jeff Weld, Executive Director of the Iowa Governor’s STEM Advisory Council,
15 presented to the Board regarding STEM (Science, Technology, Engineering and
16 Mathematics). He provided information regarding: Projected STEM-related job
17 growth; STEM education programs across Iowa; STEM efforts in Iowa; STEM Council
18 initiatives; Students interest and achievement in STEM; STEM endorsement
19 requirements pertaining to licensure.

20
21 Rules

22 Adopt:

23 None.

24
25 ARRC Review Pending

26 None.

27
28 Notice:

29 None.

30
31 Items for Discussion

32 IAC 282 Chapter 13 – Requirements for exchange licenses, early childhood and
33 multioccupations. The proposed updates would: add an additional year to the

1 regional-exchange license to allow more time for applicants to complete required
2 coursework; strike language removing old language for endorsement 100 PK-3
3 Including Special Education; and, update the coursework and work experience
4 requirements for the multioccupational endorsement. Discussion will continue.

5
6 IAC 282 Chapters 13, 22, and 27 – Ethics training as a requirement for standard
7 license. One of the paramount goals of the Board is to create clear guidelines and
8 expectations for code of conduct and ethics education for educators. This series of
9 revised changes will allow educators to complete current and relevant training as a
10 condition of transitioning from an initial to a standard license or authorization.

11 Chapter 272.2 also states that the Board shall provide this training to any person who
12 holds a license, certificate, authorization, or statement of professional recognition.

13 Discussion will continue.

14
15 IAC 282 Chapter 24 – Paraeducator preparation requirements. Recommendations for
16 changes are based on a review of current national standards and expectations in the
17 field. Changes are based on input from Iowa’s paraeducator preparation programs,
18 Iowa Department of Education staff, teachers, administrators and practicing
19 paraeducators. Discussion will continue.

20
21 Petitions for Waiver

22 None.

23
24 Reports/Approvals

25 Dr. Linda Espey, BoEE Consultant, reviewed the 2016 Licensure Renewal Annual
26 Report.

27
28 There being no further business, Anne Sullivan moved, with a second by Mary K.
29 Overholtzer to adjourn the meeting. Meeting adjourned at 11:50 a.m. **MOTION**
30 **CARRIED UNANIMOUSLY.**