

1 Kathy Behrens moved, with a second by Jay Prescott that in **case number 16-112**,
2 the Board find probable cause to establish a violation of the following provisions of the
3 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(4)(e), and order this
4 case set for hearing. Roll call vote: Behrens – yes; Hill – yes; Overholtzer – yes; Pattee
5 – yes; Prescott – yes; Schmidt – yes; Schoening – recused; Yedlik – yes. **MOTION**
6 **CARRIED.**

7
8 Jay Prescott moved, with a second by Erin Schoening, that in **case number 16-102**,
9 the Board find that the evidence gathered in the investigation, including witness
10 statements and the documentary evidence, does not substantiate the allegations in the
11 complaint, and that the Board therefore lacks probable cause to proceed with this
12 matter. **MOTION CARRIED UNANIMOUSLY.**

13
14 Erin Schoening moved, with a second by Kathy Behrens, that in **case number 15-**
15 **195**, the Board find probable cause to establish a violation of the following provisions
16 of the Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(1)(b)(2),
17 25.3(1)(e)(1) and 25.3(6)(c) and (d), and order this case set for hearing. **MOTION**
18 **CARRIED UNANIMOUSLY.**

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20 Kathy Behrens moved, with a second by Erin Schoening, that in **case number 16-95**,
21 the Board find that, although one or more of the allegations in the complaint may be
22 substantiated by the witnesses interviewed in the course of the investigation [and/or]
23 the documents gathered in the course of the investigation, and the allegations may
24 constitute a technical violation of the board’s statute or administrative rules; the
25 evidence before the board indicates that adequate steps have been taken to remedy
26 the violation and to ensure that incidents of a similar nature do not occur in the
27 future. The Board will not pursue formal disciplinary action in this matter. **MOTION**
28 **CARRIED UNANIMOUSLY.**

29
30 Jay Prescott moved, with a second by Kathy Behrens, that in **case number 16-98**, the
31 Board find that, although one or more of the allegations in the complaint may be
32 substantiated by the witnesses interviewed in the course of the investigation [and/or]
33 the documents gathered in the course of the investigation, and the allegations may

1 constitute a technical violation of the board’s statute or administrative rules; the
2 evidence before the board indicates that the alleged violation was an isolated incident
3 and adequate steps have been taken to remedy the violation and to ensure that
4 incidents of a similar nature do not occur in the future. The Board will not pursue
5 formal disciplinary action in this matter. Roll call vote: Behrens – yes; Hill – yes;
6 Overholtzer – yes; Pattee – yes; Prescott – yes; Schmidt – yes; Schoening – recused;
7 Yedlik – yes. **MOTION CARRIED.**

8
9 Erin Schoening moved, with a second by Kathy Behrens that in **case number 16-30**,
10 the Board find probable cause to establish a violation of the following provisions of the
11 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(1)(c) and
12 25.3(1)(e)(4), and order this case set for hearing. **MOTION CARRIED**
13 **UNANIMOUSLY.**

14
15 Jay Prescott moved, with a second by Kathy Behrens that in **case number 16-73**, the
16 Board find probable cause to establish a violation of the following provisions of the
17 Code of Professional Conduct and Ethics, 282 IAC –Chapter 25.3(3)(e), and order this
18 case set for hearing. Roll call vote: Behrens – yes; Hill – yes; Overholtzer – yes; Pattee
19 – yes; Prescott – yes; Schmidt – yes; Schoening – yes; Yedlik – recused. **MOTION**
20 **CARRIED.**

21
22 Kathy Behrens moved, with a second by Jay Prescott that in **case number 16-94**, the
23 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(3)(e) and 25.3(4)(b)
25 and (e), and order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

26
27 Erin Schoening moved, with a second by Jay Prescott that in **case number 16-119**,
28 the Board find probable cause to establish a violation of the following provisions of the
29 Code of Professional Conduct and Ethics, 282 IAC – Chapter 25.3(2)(b), and order this
30 case set for hearing. Roll call vote: Behrens – recused; Hill – yes; Overholtzer – yes;
31 Pattee – yes; Prescott – yes; Schmidt – yes; Schoening – yes; Yedlik – yes. **MOTION**
32 **CARRIED.**

1 Erin Schoening moved, with a second by Kathy Behrens, that the Board accept the
2 respondent's waiver of hearing and voluntary surrender in case number 15-09, and
3 that the Board issue an order permanently revoking the license with no possibility of
4 reinstatement. **MOTION CARRIED UNANIMOUSLY.**

5
6 Jay Prescott moved, with a second by Erin Schoening, that the Board accept the
7 respondent's waiver of hearing and voluntary surrender in case number 16-56, and
8 that the Board issue an order permanently revoking the license with no possibility of
9 reinstatement. **MOTION CARRIED UNANIMOUSLY.**

10
11 Kathy Behrens moved, with a second by Jay Prescott, that the Board accept the
12 respondent's waiver of hearing and voluntary surrender in case number 16-132, and
13 that the Board issue an order permanently revoking the license with no possibility of
14 reinstatement. **MOTION CARRIED UNANIMOUSLY.**

15
16 Jay Prescott moved, with a second by Erin Schoening, that in case no 16-93, the
17 Board accept the agreement submitted by the parties, and issue an Order
18 incorporating the agreement of the parties and imposing the agreed upon sanction.
19 **MOTION CARRIED UNANIMOUSLY.** (Jordan Esbrook left the room during the
20 discussion of this case in closed session.)

21
22 Kathy Behrens moved, with a second by Erin Schoening, that the Board not initiate
23 review of the proposed decision in case number APP 16-10, In the Matter of Justin
24 Dannelly, and allow the proposed decision to become the final decision of the Board
25 unless an appeal is taken by one of the parties within the time allowed by rule.
26 **MOTION CARRIED UNANIMOUSLY.** (Jordan Esbrook left the room during the
27 discussion of this case in closed session.)

28
29 Erin Schoening moved, with a second by Jay Prescott, to extend the 180-day deadline
30 for issuance of the final decision in case number 16-88, based upon the need to
31 schedule the hearing and the need to review the proposed decision. **MOTION**
32 **CARRIED UNANIMOUSLY.**

1 Erin Schoening moved, with a second by Jay Prescott, that the Board approve the
2 closed session minutes for August 5, 2016 and September 7, 2016. **MOTION**
3 **CARRIED UNANIMOUSLY.**

4
5 Communication from the Public

6 None.

7
8 Board Member Reports

9 Andy Pattee thanked Dr. Lebo for attending the AEA 267 (in Cedar Falls)
10 superintendents meeting. She did a wonderful job meeting the superintendents and
11 sharing updates regarding the work of the BoEE staff and board.

12
13 Mary K. Overholtzer thanked Dr. Lebo for her visit to Winterset Community School
14 District.

15
16 Legislative Update

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

18
19 Executive Director's Report

20 Cindy Diehl Yang, Director of the Center for Educational Transformation (CET),
21 provided information to the board about CET. Established in 2012 by the Iowa Board
22 of Regents and based at the University of Northern Iowa, the CET is a collaborative
23 designed to transform PreK-12 education in Iowa and nationwide by conducting and
24 disseminating research on emerging and critical educational issues.

25
26 Dr. Lebo reviewed the financial report.

27
28 New licensure system update: Jeff DeBruin updated the Board regarding the new
29 licensing system (Frontline). We are expecting to hear back from Frontline near the
30 end of the month regarding the changes we need to push out the renewal applications
31 which we hope to have online by the end of November. Iowa college recommendations
32 may be on by the end of December.

1 Legislative Platform: Dr. Lebo is having conversations with the Governor’s Office as far
2 as what we are looking for and what things we will be asking for during the 2017
3 legislative session. Changes in mandatory reporting of certain ethics violations;
4 discussion around the fees.

5
6 District Visits: Dr. Lebo finds these wonderful and helpful. Representing the board at
7 this level you learn how things are done in different districts. There are amazing
8 things being done for students in the various districts.

9
10 Board member Tom Buckman submitted his resignation and we are working with the
11 Governor’s Office (Boards and Commissions) to find a replacement.

12
13 At our November 4th board meeting, Dr. Lebo will give a “mini” presentation/training of
14 the BoEE website as far as what resources are available.

15
16 Stakeholder Presentation

17 Iowa BIG – Trace Pickering, Administrator – Iowa BIG was created by the community
18 via an effort of The Gazette Company in 2012-13. The community developed the
19 criteria for a school that would deliver on things they deemed critical. The core design
20 criteria established for Iowa BIG by the community were: Passion, Projects (Authentic)
21 and Community.

22
23 Waukee’s APEX Program – Michelle Hill, Director and Kirk Johnson, Associate
24 Superintendent, School Improvement – Through a collaboration of education,
25 business and the community, Waukee Aspiring Professional experience (APEX)
26 develops highly skilled, adaptable, global innovators and leaders. Waukee APEX
27 draws on the knowledge and expertise of business leaders to bring real world
28 application into the comprehensive high school experience. Through inquiry-based
29 learning and authentic projects and experiences, students add value to business
30 partners while exploring passions and career possibilities identified by economic
31 trends within our metro area and state.

32
33 Darcy Hathaway provided the board with a review of the rules process.

1 Rules

2 Adopt:

3 Larry Hill moved, with a second by Sara Yedlik, to adopt the proposed changes to IAC
4 282 Chapters 13 and 22 – Transitional coaching authorization and CPR requirement
5 (ARC 2690C). **MOTION CARRIED UNANIMOUSLY.**

6

7 Larry Hill moved, with a second by Mary K. Overholtzer, to adopt the proposed
8 changes to IAC 282 Chapter 13 – Specific requirements for a standard license (ARC
9 2689C). **MOTION CARRIED UNANIMOUSLY.**

10

11 ARRC Review Pending

12 None.

13

14 Notice:

15 None.

16

17 Items for Discussion

18 IAC 282 Chapter 13 – Requirements for exchange licenses, early childhood and
19 multioccupations. The proposed updates would: add an additional year to the
20 regional-exchange license to allow more time for applicants to complete required
21 coursework; strike language removing old language for endorsement 100 PK-3
22 Including Special Education; and, update the coursework and work experience
23 requirements for the multioccupational endorsement. Discussion will continue.

24

25 IAC 282 Chapters 13, 22, and 27 – Ethics training as a requirement for standard
26 license. One of the paramount goals of the Board is to create clear guidelines and
27 expectations for code of conduct and ethics education for educators. This series of
28 revised changes will allow educators to complete current and relevant training as a
29 condition of transitioning from an initial to a standard license or authorization.
30 Chapter 272.2 also states that the Board shall provide this training to any person who
31 holds a license, certificate, authorization, or statement of professional recognition.
32 Discussion will continue.

33

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

6
7 Petitions for Waiver

8 Larry Hill moved, with a second by Kathy Behrens, that in **PFW 16-13 Steven**

9 **Robinson**, the Board deny the waiver. Reasons for denial: The Board received a

10 Petition requesting a waiver of the rule for the administrator license. See 282 IAC

11 18.4(1)(272). Mr. Robinson is licensed as a school administrator in Tennessee. He

12 has recently relocated to Iowa and has started work as an administrator for Ankeny

13 Christian Academy. This position does not require an Iowa administrator license.

14 Mr. Robinson applied for an Iowa administrator license on June 21, 2016. His

15 application was denied because Iowa Administrative Code requires applicants for

16 administrative licensure to hold or be eligible to hold an Iowa teaching license. Mr.

17 Robinson is not eligible for an Iowa teaching license because the teacher preparation

18 program he completed at Tennessee Temple is not regionally accredited. Denial of the

19 waiver would not prevent Mr. Robinson from continuing to serve in his current

20 position. Also, Department of Education staff present at the board meeting explained

21 that Mr. Robinson may be able to obtain administrative licensure by transferring

22 credits to a regionally accredited institution in Iowa. Therefore, application of the rule

23 would not pose an undue hardship. The petition did not cite any similar waivers

24 granted in the past. The board found that granting the waiver could result in

25 substantial prejudice to the legal rights of in-state applicants. The requirement of

26 regional accreditation for in-state candidates is found in Iowa Code and therefore

27 cannot be waived by the board. Statutory authority and protection of public health,

28 safety, and welfare: The Board did not specifically address these factors, having found

29 the petition did not satisfy the first two required factors. Roll call vote: Behrens – yes;

30 Carroll – yes; Hill – yes; Overholtzer – no; Pattee – yes; Schmidt – yes; Schoening – yes;

31 Yedlik – yes. **MOTION CARRIED.**

1 Reports/Approvals

2 The Board reviewed the Semi-Annual Waiver Report (July 30, 2016) provided by Darcy
3 Hathaway.

4

5 Professional Practices Institute (PPI) will be held in Des Moines this year – October 26-
6 28. Board members (Larry, Mary K., Erin, Dan, Katherine and Kathy), Greg
7 Horstmann, Darcy Hathaway, Dr. Lebo and Jordan Esbrook will be attending.

8

9 There being no further business, Erin Schoening moved, with a second by Mary K.

10 Overholtzer to adjourn the meeting. Meeting adjourned at 1:00 p.m. **MOTION**

11 **CARRIED UNANIMOUSLY.**

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