

**STATE OF IOWA**  
**BOARD OF EDUCATIONAL EXAMINERS**  
Grimes State Office Building – 400 E.14th St.  
Second Floor State Board Room  
Des Moines, IA 50319-0147

**2019-2020 BoEE Goals**

- Goal 1: The Board will develop rules for practitioner licensure that maintain high standards, are research based, and provide flexibility in attainment in all credential types, especially in shortage areas.
- Goal 2: The Board will promote the Model Code of Ethics for Educators.
- Goal 3: The Board will promote pathways to licensure in response to teacher shortages.

**AGENDA**  
*TIMES ARE APPROXIMATE*  
**September 13, 2019**

**9:00 a.m.**

**Call Meeting to Order**

**Approve the Agenda**

**Tab A**

**Consent Agenda**

- a. Minutes from June 20-21, 2019 board meeting and retreat
- b. Minutes from August 7, 2019 telephonic board meeting

**Tab B**

**Tab C**

**Professional Practices - Licensee Discipline – Closed Session – Board Members Only (roll call)**

**Open Session**

- a. Results of closed session announced
- b. Approve closed session minutes from June 21, 2019 and the August 7, 2019 telephonic board meeting
- c. Reinstatement(s)
  - 1. None

**Communication from the Public**

**Board Communications**

- a. Board Member Reports
- b. Executive Director's Report
  - 1. Legislative Update
  - 2. Agency Update
  - 3. Licensing System Update
  - 4. Financial Update
  - 5. Reschedule June 18-19, 2020 Board Meeting/Retreat to June 25-26, 2020
  - 6. NASDTEC Professional Practices Institute (PPI) - October 16-18, 2019 (San Antonio, TX)
  - 7. NASDTEC Ted Andrews Winter Symposium (TAWS) - January 8-10, 2020 (San Diego)

**Tab D**

- 11:00 a.m. Stakeholder Presentation - “Life of a Licensee/Application” - BoEE Consultants, Mike Cavin and Joanne Tubbs
- 12:00 p.m. Lunch for Board Members
- 12:30 p.m. Rules [Iowa Administrative Code – Chapter 282 (272)]
- a. *Adopt*
    - 1. IAC 282 Chapter 11 - Mandatory Filing - 30-day filing (4560C) **Tab E**
  - b. *ARRC Review Pending*
    - 1. None
  - c. *Notice*
    - 1. None
  - d. *Items for Discussion*
    - 1. None
- Waivers**
- 1. None
- Reports/Approvals**
- 1. Summary Waiver Report - July 30, 2019 (Darcy Hathaway)
  - 2. FY 20 Committee Assignments **Tab F**
  - 3. FY 20 Goals and Legislative Priorities **Tab G**
- 2:00 p.m. Adjournment

**UPCOMING MEETINGS:**

- Friday, October 25, 2019
- Wednesday, November 13, 2019 (telephonic, if needed)
- Friday, December 13, 2019



1 Micro-Credentialing/NEA Stacks: A micro-credential is a short, competency-based  
2 recognition that allows an educator to demonstrate mastery in a particular area.  
3 Educators can choose to learn on their own, or join a learning community and support  
4 each other through the process.

5  
6 Change in October board meeting date: Due to the NASDTEC PPI taking place  
7 October 16-18, the board meeting date in October was changed from the 18<sup>th</sup> to the  
8 25<sup>th</sup>.

9  
10 2018-2019 Accomplishments: The board reviewed the accomplishments of the current  
11 fiscal year.

12  
13 FY 20 Goals, Legislative Priorities and Board Presentations: The board members  
14 broke into small groups to put together a list of their goals, legislative priorities for the  
15 coming year. They also put together a list of presentations that they would like  
16 scheduled for FY 20 board meetings. Dr. Lebo will compile the results and share with  
17 the board.

18  
19 Presentation – Teacher Preparation Programs: Representatives from Coe College, Mt.  
20 Mercy College and Cornell College showcased their teacher preparation programs to  
21 the board; shared how all three programs work together and provided feedback  
22 regarding licensure.

23  
24 Presentation – Representatives from the Cedar Rapids Community School District  
25 conducted a presentation, “Every Learner: Future Ready!” They discussed some of  
26 their most recent conversations about "building their own" through dual credit design  
27 opportunities with Mt. Mercy University. And, specifically seeking students from  
28 under-served populations who have an interest in education.

29  
30 FY 20 Board Committee Assignments: Board members ranked their choice for  
31 committee assignments on the Executive Committee, Professional Practices Committee  
32 and Board Operating Guidelines Committee. Dr. Lebo announced the assignments at  
33 Friday’s board meeting.

1 Due to time constraints, the presentation by Assistant Attorney General Allison  
2 Schmidt, "The Life of a Case," was moved to Friday's agenda.

3

4 Tony Voss moved, with a second by Larry Bice, that the board recess until Friday,  
5 June 21, 2019. **MOTION CARRIED UNANIMOUSLY.**

6

7 The Board of Educational Examiners (Board or BoEE) held its monthly meeting at  
8 Iowa BIG, 415 12<sup>th</sup> Avenue SE, Cedar Rapids, IA on June 21, 2019. Dr. Ann Lebo,  
9 Executive Director, called the meeting to order. Members attending were Floyd Athay,  
10 Kathy Behrens, Dr. Larry Bice, David Harper, Mary K. Overholtzer, David Schipper,  
11 Erin Schoening, Dr. Tony Voss, Ryan Williamson and Sara Yedlik. Also in attendance  
12 was Darcy Hathaway, Attorney/Investigator and Allison Schmidt, Assistant Attorney  
13 General.

14

15 Dr. Lebo distributed ballots to the board members to vote for Chair and Vice Chair.  
16 The ballots were collected and counted. Mary K. Overholtzer is Chair. Sara Yedlik is  
17 Vice Chair.

18

19 Tony Voss moved, with a second by Sara Yedlik to approve the agenda. **MOTION**  
20 **CARRIED UNANIMOUSLY.**

21

22 Sara Yedlik moved, with a second by Erin Schoening, to approve the consent agenda  
23 (minutes from the May 17, 2019 board meeting). **MOTION CARRIED**  
24 **UNANIMOUSLY.**

25

26 Tony Voss moved, with a second by Sara Yedlik, that the Board go into closed session  
27 for the purpose of discussing closed session minutes, whether to initiate licensee  
28 disciplinary proceedings, and the decision to be rendered in a contested case,  
29 pursuant to Iowa Code sections 21.5(1)(a), (d), and (f). Roll call vote: Athay – yes;  
30 Behrens – yes; Bice – yes; Harper – yes; Overholtzer – yes; Schipper – yes; Schoening –  
31 yes; Voss – yes; Williamson – yes; Yedlik – yes. **MOTION CARRIED UNANIMOUSLY.**

32

1 Tony Voss moved, with a second by Sara Yedlik, that in **case number 19-25**, the  
2 Board find probable cause to establish a violation of the following provisions of the  
3 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(1)(b)(2) and 25.3(1)(d),  
4 and order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.** (Dr. Lebo  
5 left the room during the discussion of this case in closed session.)

6  
7 Sara Yedlik moved, with a second by David Schipper, that in **case number 19-44**, the  
8 Board find that, although one or more of the allegations in the complaint may be  
9 substantiated by the witnesses interviewed in the course of the investigation [and/or]  
10 the documents gathered in the course of the investigation, and the allegations may  
11 constitute a technical violation of the board's statute or administrative rules; the  
12 evidence before the board indicates that adequate steps have been taken to remedy  
13 the violation and to ensure that incidents of a similar nature do not occur in the  
14 future. The Board will not pursue formal disciplinary action in this matter.

15 **MOTION CARRIED UNANIMOUSLY.**

16  
17 Tony Voss moved, with a second by David Schipper, that in **case number 19-41**, the  
18 Board find that the evidence gathered in the investigation, including witness  
19 statements and the documentary evidence, does not substantiate the allegations in the  
20 complaint, and that the Board therefore lacks probable cause to proceed with this  
21 matter. Roll call vote: Athay – yes; Behrens – yes; Bice – recused; Harper – yes;  
22 Overholtzer – yes; Schipper – yes; Schoening – yes; Voss – yes; Williamson – yes;  
23 Yedlik – yes. **MOTION CARRIED.**

24  
25 Tony Voss moved, with a second by Larry Bice, that in **case number 19-42**, the Board  
26 find probable cause to establish a violation of the following provisions of the Code of  
27 Professional Conduct and Ethics, 282 IAC rules 25.3(3)(e), and order this case set for  
28 hearing. **MOTION CARRIED UNANIMOUSLY.**

29  
30 Tony Voss moved, with a second by Sara Yedlik, that in **case number 19-50**, the  
31 Board find that the evidence gathered in the investigation, including witness  
32 statements and the documentary evidence, does not substantiate the allegations in the

1 complaint, and that the Board therefore lacks probable cause to proceed with this  
2 matter. **MOTION CARRIED UNANIMOUSLY.**

3  
4 Sara Yedlik moved, with a second by David Schipper, that in **case number 19-43**, the  
5 Board find that the evidence gathered in the investigation, including witness  
6 statements and the documentary evidence, does not substantiate the allegations in the  
7 complaint, and that the Board therefore lacks probable cause to proceed with this  
8 matter. Roll call vote: Athay – yes; Behrens – yes; Bice – yes; Harper – yes; Overholtzer  
9 – recused; Schipper – yes; Schoening – yes; Voss – yes; Williamson – yes; Yedlik – yes.

10 **MOTION CARRIED.**

11  
12 David Schipper moved, with a second by Tony Voss, that in **case number 19-58**, the  
13 Board find that, although one or more of the allegations in the complaint may be  
14 substantiated by the witnesses interviewed in the course of the investigation [and/or]  
15 the documents gathered in the course of the investigation, and the allegations may  
16 constitute a technical violation of the board’s statute or administrative rules; the  
17 evidence before the board indicates that adequate steps have been taken to remedy  
18 the violation and to ensure that incidents of a similar nature do not occur in the  
19 future. The Board will not pursue formal disciplinary action in this matter. **MOTION**

20 **CARRIED UNANIMOUSLY.**

21  
22 Tony Voss moved, with a second by Larry Bice, that in **case number 19-12**, the Board  
23 find probable cause to establish a violation of the following provisions of the Code of  
24 Professional Conduct and Ethics, 282 IAC rule 25.3(1)(e)(7), and order this case set for  
25 hearing. **MOTION CARRIED UNANIMOUSLY.**

26  
27 Tony Voss moved, with a second by Larry Bice , that in **case number 19-21**, the  
28 Board find probable cause to establish a violation of the following provisions of the  
29 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(1)(e)(4), and 25.3(6)(c)  
30 and (d), and order this case set for hearing. Roll call vote: Athay – yes; Behrens – yes;  
31 Bice – yes; Harper – yes; Overholtzer – yes; Schipper – yes; Schoening – yes; Voss –  
32 yes; Williamson – yes; Yedlik – recused. **MOTION CARRIED.**

1 Sara Yedlik moved, with a second by Tony Voss, that in **case number 19-45**, the  
2 Board find probable cause to establish a violation of the following provisions of the  
3 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(6)(c) and order this case  
4 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

5  
6 Sara Yedlik moved, with a second by Tony Voss, that in **case number 19-52**, the  
7 Board find that, although one or more of the allegations in the complaint may be  
8 substantiated by the witnesses interviewed in the course of the investigation [and/or]  
9 the documents gathered in the course of the investigation, and the allegations may  
10 constitute a technical violation of the board's statute or administrative rules; the  
11 evidence before the board indicates that the alleged violation was an isolated incident,  
12 and adequate steps have been taken to remedy the violation and to ensure that  
13 incidents of a similar nature do not occur in the future. The Board will not pursue  
14 formal disciplinary action in this matter. **MOTION CARRIED UNANIMOUSLY.**

15  
16 David Schipper moved, with a second by Larry Bice, that in **case number 19-53**, the  
17 Board find that the evidence gathered in the investigation, including witness  
18 statements and the documentary evidence, does not substantiate the allegations in the  
19 complaint, and that the Board therefore lacks probable cause to proceed with this  
20 matter. **MOTION CARRIED UNANIMOUSLY.**

21  
22 Tony Voss moved, with a second by David Schipper, that in **case number 19-56**, 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 rules 25.3(2)(a) and order this case  
25 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

26  
27 David Schipper moved, with a second by Larry Bice, that in **case number 19-55**, the  
28 Board find that, although one or more of the allegations in the complaint may be  
29 substantiated by the witnesses interviewed in the course of the investigation [and/or]  
30 the documents gathered in the course of the investigation, and the allegations may  
31 constitute a technical violation of the board's statute or administrative rules; the  
32 evidence before the board indicates that the alleged violation was an isolated incident.

1 The Board will not pursue formal disciplinary action in this matter. **MOTION**  
2 **CARRIED UNANIMOUSLY.**

3

4 Tony Voss moved, with a second by David Schipper, that in **case number 19-59**, the  
5 Board find that the evidence gathered in the investigation, including witness  
6 statements and the documentary evidence, does not substantiate the allegations in the  
7 complaint, and that the Board therefore lacks probable cause to proceed with this  
8 matter. **MOTION CARRIED UNANIMOUSLY.**

9

10 Sara Yedlik moved, with a second by Larry Bice, that the Board accept the  
11 respondent's waiver of hearing and voluntary surrender in **case number 18-184**, and  
12 that the Board issue an order permanently revoking the license with no possibility of  
13 reinstatement. **MOTION CARRIED UNANIMOUSLY.** (Allison Schmidt left the room  
14 during the discussion of this case in closed session.)

15

16 Larry Bice moved, with a second by Tony Voss, that the Board accept the respondent's  
17 waiver of hearing and voluntary surrender in **case number 16-144**, and that the  
18 Board issue an order permanently revoking the license with no possibility of  
19 reinstatement. **MOTION CARRIED UNANIMOUSLY.** (Allison Schmidt left the room  
20 during the discussion of this case in closed session.)

21

22 Tony Voss moved, with a second by David Schipper, that the Board accept the  
23 respondent's waiver of hearing and voluntary surrender in **case number 19-71**, and  
24 that the Board issue an order permanently revoking the license with no possibility of  
25 reinstatement. **MOTION CARRIED UNANIMOUSLY.** (Dr. Lebo and Allison Schmidt  
26 left the room during the discussion of this case in closed session.)

27

28 David Schipper moved, with a second by Sara Yedlik, that the Board accept the  
29 respondent's waiver of hearing and voluntary surrender in **case number 18-169**, and  
30 that the Board issue an order permanently revoking the license with no possibility of  
31 reinstatement. Roll call vote: Athay – yes; Behrens – yes; Bice – yes; Harper – yes;  
32 Overholtzer – yes; Schipper – yes; Schoening – recused; Voss – yes; Williamson – yes;

1 Yedlik – yes. **MOTION CARRIED.** (Allison Schmidt left the room during the  
2 discussion of this case in closed session.)

3  
4 Sara Yedlik moved, with a second by Larry Bice, that in **case number 18-186**, 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 **MOTION CARRIED UNANIMOUSLY.**

8  
9 Larry Bice moved, with a second by Tony Voss, that in **case number 19-11**, the Board  
10 accept the agreement submitted by the parties, and issue an Order incorporating the  
11 agreement of the parties and imposing the agreed upon sanction. **MOTION CARRIED**  
12 **UNANIMOUSLY.**

13  
14 Tony Voss moved, with a second by David Schipper, that in **case number 18-172**, the  
15 Board accept the agreement submitted by the parties, and issue an Order  
16 incorporating the agreement of the parties and imposing the agreed upon sanction.  
17 **MOTION CARRIED UNANIMOUSLY.** (Dr. Lebo left the room during the discussion of  
18 this case in closed session.)

19  
20 David Schipper moved, with a second by Sara Yedlik, that in **case number 18-173**,  
21 the Board accept the agreement submitted by the parties, and issue an Order  
22 incorporating the agreement of the parties and imposing the agreed upon sanction.  
23 **MOTION CARRIED UNANIMOUSLY.** (Dr. Lebo left the room during the discussion of  
24 this case in closed session.)

25  
26 Sara Yedlik moved, with a second by Larry Bice, that in **case number 18-203**, the  
27 Board accept the agreement submitted by the parties, and issue an Order  
28 incorporating the agreement of the parties and imposing the agreed upon sanction.  
29 Roll call vote: Athay – yes; Behrens – yes; Bice – yes; Harper – yes; Overholtzer – yes;  
30 Schipper – yes; Schoening – yes; Voss – recused; Williamson – yes; Yedlik – yes.  
31 **MOTION CARRIED.** (Dr. Lebo left the room during the discussion of this case in  
32 closed session.)

1 Larry Bice moved, with a second by Tony Voss, that in **case number 19-14**, the Board  
2 accept the agreement submitted by the parties, and issue an Order incorporating the  
3 agreement of the parties and imposing the agreed upon sanction. **MOTION CARRIED**  
4 **UNANIMOUSLY.**

5  
6 Tony Voss moved, with a second by David Schipper, that in **case number 18-201**, the  
7 Board accept the agreement submitted by the parties, and issue an Order  
8 incorporating the agreement of the parties and imposing the agreed upon sanction.  
9 **MOTION CARRIED UNANIMOUSLY.**

10  
11 David Schipper moved, with a second by Sara Yedlik, that in **case number 18-185**,  
12 the Board accept the agreement submitted by the parties, and issue an Order  
13 incorporating the agreement of the parties and imposing the agreed upon sanction.  
14 **MOTION CARRIED UNANIMOUSLY.**

15  
16 Sara Yedlik moved, with a second by Larry Bice, that in **case number 18-182**, 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 Roll call vote: Athay – yes; Behrens – recused; Bice – yes; Harper – yes; Overholtzer –  
20 yes; Schipper – yes; Schoening – yes; Voss – yes; Williamson – yes; Yedlik – yes.  
21 **MOTION CARRIED.** (Dr. Lebo left the room during the discussion of this case in  
22 closed session.)

23  
24 Larry Bice moved, with a second by Tony Voss, that in **case number 18-193**, the  
25 Board accept the agreement submitted by the parties, and issue an Order  
26 incorporating the agreement of the parties and imposing the agreed upon sanction.  
27 **MOTION CARRIED UNANIMOUSLY.**

28  
29 Tony Voss moved, with a second by David Schipper, that in **case number 19-30**, the  
30 Board accept the agreement submitted by the parties, and issue an Order  
31 incorporating the agreement of the parties and imposing the agreed upon sanction.  
32 Roll call vote: Athay – yes; Behrens – yes; Bice – yes; Harper – yes; Overholtzer – yes;

1 Schipper – yes; Schoening – recused; Voss – yes; Williamson – yes; Yedlik – yes.

2 **MOTION CARRIED.**

3

4 David Schipper moved, with a second by Sara Yedlik, that in **case number 19-13**, 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: Athay – yes; Behrens – yes; Bice – yes; Harper – yes; Overholtzer – yes;

8 Schipper – yes; Schoening – yes; Voss – no; Williamson – yes; Yedlik – yes. **MOTION**

9 **CARRIED.**

10

11 Sara Yedlik moved, with a second by Larry Bice, that in **case number 18-159**, the

12 Board accept the agreement submitted by the parties, and issue an Order

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

14 **MOTION CARRIED UNANIMOUSLY.** (Dr. Lebo left the room during the discussion of  
15 this case in closed session.)

16

17 Larry Bice moved, with a second by Tony Voss, that in **case number 18-188**, the

18 Board accept the agreement submitted by the parties, and issue an Order

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

20 **MOTION CARRIED UNANIMOUSLY.**

21

22 David Schipper moved, with a second by Larry Bice, that the Board extend the 180-  
23 day deadline for issuance of the final decision in **case number 18-202**, based upon

24 the amount of time needed to complete the investigation. Roll call vote: Athay – yes;

25 Behrens – yes; Bice – yes; Harper – yes; Overholtzer – yes; Schipper – yes; Schoening –

26 yes; Voss – yes; Williamson – yes; Yedlik – recused. **MOTION CARRIED.** (Allison

27 Schmidt left the room during the discussion of this case in closed session.)

28

29 David Schipper moved, with a second by Sara Yedlik, that the Board extend the 180-  
30 day deadline for issuance of the final decision in **case number 19-10**, based upon the

31 need to schedule the hearing and the need to review the proposed decision. **MOTION**

32 **CARRIED UNANIMOUSLY.** (Allison Schmidt left the room during the discussion of

33 this case in closed session.)

1 Larry Bice moved, with a second by Tony Voss, that the Board extend the 180-day  
2 deadline for issuance of the final decision in **case number 19-12**, based upon the  
3 need to schedule the hearing and the need to review the proposed decision. **MOTION**  
4 **CARRIED UNANIMOUSLY.** (Allison Schmidt left the room during the discussion of  
5 this case in closed session.)

6  
7 Sara Yedlik moved, with a second by Larry Bice, that the Board extend the 180-day  
8 deadline for issuance of the final decision in **case number 19-17**, based upon the  
9 amount of time needed to complete the investigation due to a related law enforcement  
10 investigation. **MOTION CARRIED UNANIMOUSLY.** (Allison Schmidt left the room  
11 during the discussion of this case in closed session.)

12  
13 Larry Bice moved, with a second by Tony Voss, that the Board extend the 180-day  
14 deadline for issuance of the final decision in **case number 19-21**, based upon the  
15 need to schedule the hearing and the need to review the proposed decision. Roll call  
16 vote: Athay – yes; Behrens – yes; Bice – yes; Harper – yes; Overholtzer – yes; Schipper  
17 – yes; Schoening – yes; Voss – yes; Williamson – yes; Yedlik – recused. **MOTION**  
18 **CARRIED.** (Allison Schmidt left the room during the discussion of this case in closed  
19 session.)

20  
21 Tony Voss moved, with a second by David Schipper, that the Board extend the 180-  
22 day deadline for issuance of the final decision in **case number 19-24**, based upon the  
23 need to conduct the hearing set for August 13, 2019, and the need to review the  
24 proposed decision. **MOTION CARRIED UNANIMOUSLY.** (Allison Schmidt left the  
25 room during the discussion of this case in closed session.)

26  
27 David Schipper moved, with a second by Sara Yedlik, that the Board extend the 180-  
28 day deadline for issuance of the final decision in **case number 19-25**, based upon the  
29 need to schedule the hearing and the need to review the proposed decision. **MOTION**  
30 **CARRIED UNANIMOUSLY.** (Dr. Lebo and Allison Schmidt left the room during the  
31 discussion of this case in closed session.)

1 Sara Yedlik moved, with a second by Larry Bice, that the Board extend the 180-day  
2 deadline for issuance of the final decision in **case number 19-26**, based upon the  
3 need to schedule the hearing and the need to review the proposed decision. Roll call  
4 vote: Athay – yes; Behrens – yes; Bice – yes; Harper – recused; Overholtzer – yes;  
5 Schipper – yes; Schoening – yes; Voss – yes; Williamson – yes; Yedlik – yes. **MOTION**  
6 **CARRIED.** (Allison Schmidt left the room during the discussion of this case in closed  
7 session.)

8  
9 Larry Bice moved, with a second by Tony Voss, that the Board extend the 180-day  
10 deadline for issuance of the final decision in **case number 19-27**, based upon the  
11 need to schedule the hearing and the need to review the proposed decision. **MOTION**  
12 **CARRIED UNANIMOUSLY.** (Allison Schmidt left the room during the discussion of  
13 this case in closed session.)

14  
15 Sara Yedlik moved, with a second by Larry Bice, that the Board approve the closed  
16 session minutes from May 17, 2019. **MOTION CARRIED UNANIMOUSLY.**

17  
18 Request for reinstatement – Case Number 18-122 Corry Valeika. (This case was  
19 discussed in open session.) Respondent was disciplined for social media  
20 communication with a student and he was ordered to complete the ethics course and  
21 given a minimum six-month suspension. He has submitted a transcript showing  
22 completion of the ethics course and a request for reinstatement and he has submitted  
23 his request for reinstatement prior to the six-month time frame. He is eligible for  
24 reinstatement as of July 17, 2019. He is asking the board to grant approval for  
25 issuance of an order for reinstatement to be issued no earlier than July 17, 2019. He  
26 is making this request since the board does not have a meeting in July and the August  
27 meeting is a telephonic meeting. The board typically does not consider reinstatement  
28 requests at telephonic meetings. However, the Chair and Executive Director can allow  
29 a request for reinstatement at a telephonic meeting due to case circumstances. Sara  
30 Yedlik moved, with a second by Tony Voss, that the board table the request for  
31 reinstatement in **case number 18-122**, for consideration after the six-month  
32 suspension has been completed. Roll call vote: Athay – yes; Behrens – no; Bice – yes;

1 Harper – yes; Overholtzer – no; Schipper – yes; Schoening – no; Voss – yes; Williamson  
2 – no; Yedlik – yes. **MOTION CARRIED.**

3

4 Request for an extension to complete the ethics course. (This case was discussed in  
5 open session.) Respondent requested an extension to the deadline in a settlement  
6 agreement to complete an ethics course. The respondent, per her board order, had  
7 until May 11, 2019, to complete the ethics course. Respondent had difficulty  
8 scheduling the course. She is registered for the PEI ethics course in late July, 2019.  
9 Tony Voss moved, with a second by David Schipper, that the Board amend the final  
10 order in **case number 17-175**, to state that the respondent has until September 1,  
11 2019, to complete the required ethics course. **MOTION CARRIED UNANIMOUSLY.**

12

### 13 Communication from the Public

14 None.

15

### 16 Board Member Reports

17 Mary K. Overholtzer shared that PEI expressed very positive comments regarding  
18 Joanne Tubbs' ethics presentation.

19

20 Tony Voss requested clarification regarding the recent rule change pertaining to  
21 contract violations in the Code of Ethics (Chapter 25). The Board would not have a  
22 legal basis to sanction the license of a practitioner who provides notice requesting  
23 release from a contract prior to, in the vast majority of cases, June 30. The Board  
24 would also not have a legal basis to sanction an administrator who hires a practitioner  
25 under contract at another district or accredited nonpublic school, as long as that  
26 practitioner provided the required notice within the timeline referred to above.

27

### 28 Executive Director's Report – Dr. Lebo

29 Legislative Update: Dr. Lebo will put together the board's legislative priorities for the  
30 coming year that the board determined during the retreat.

31

32 Licensing System Update: Frontline will be fully turned off soon and all applications  
33 will be in the new Salesforce system.

1 Dr. Lebo reminded the board that phones are off until 10 a.m. over the summer to  
2 allow staff to process applications. This information is also posted on our website.  
3 Financial Update and FY 20 Budget: Dr. Lebo reviewed the financial report and the  
4 proposed FY 20 budget. We will continue to pay OCIO and DAS directly for the actual  
5 services they provide.

6  
7 Agency Update: On July 9, all staff computers will be moved from the DE servers to  
8 OCIO.

9  
10 Dr. Lebo and Joanne Tubbs attended the NASDTEC Annual Conference in Denver, CO  
11 on June 2-4, 2019. They shared valuable information regarding reciprocity, licensure  
12 expectations, teacher preparation and ethics.

13  
14 Dr. Lebo and Dr. Linda Espey attended the Micro-Credential Summit in Louisville, KY  
15 on June 18-19, 2019. There was representation from local, state and national  
16 education organizations and they discussed progress that is being made by various  
17 states which use micro-credentials as one component of a continuous professional  
18 learning system.

19  
20 NASDTEC Professional Practices Institute (PPI) will take place October 16-18, 2019, in  
21 San Antonio, TX. Dr. Lebo will reach out to board members regarding attending the  
22 conference.

23  
24 Stakeholder Presentation: Trace Pickering, Executive Director of Iowa BIG, provided a  
25 presentation to the Board regarding Iowa BIG's statement of mission, purpose and  
26 values. Iowa BIG exists to assist students in developing their agency, efficacy, and  
27 passions while gaining valuable real-world and academic skills so they can succeed in  
28 a world of rapid and constant change. They have a partnership with the following  
29 school districts: Cedar Rapids, College Community, Linn-Mar and Alburnett.

30  
31 Rules

32 Adopt:

33 None.

- 1 ARRC Review Pending:  
2 IAC 282 Chapter 22 - Pre-Service Substitute License (ARC 4501C)  
3 IAC 282 Chapter 13 - Temporary Initial (ARC 4502C)  
4 IAC 282 Chapters 9, 25 - Student Loan Default (ARC 4503C)  
5 IAC 282 Multiple Chapters - Mandatory Reporter Changes (ARC 4504C)

6  
7 Notice:

8 Amend rule 282—11.37(272). The proposed amendment is intended to implement  
9 House File 637, which states that required reports of misconduct under Iowa Code  
10 section 272.15 shall be submitted within thirty days of the disciplinary action or  
11 awareness of misconduct that necessitated the report. Larry Bice moved, with a  
12 second by Tony Voss, to notice the proposed changes to IAC 282 Chapter 11 –  
13 Mandatory Filing (30-day filing). **MOTION CARRIED UNANIMOUSLY.**

14  
15 Items for Discussion:

16 None.

17  
18 Petition for Waiver

19 Larry Bice moved, with a second by Erin Schoening, that in **PFW 19-05 Dr. Eric**  
20 **Knost**, the Board deny the waiver. Roll call vote: Athay – yes; Behrens – yes; Bice –  
21 yes; Harper – yes; Overholtzer – no; Schipper – yes; Schoening – yes; Voss – yes;  
22 Williamson – yes; Yedlik – yes. **MOTION CARRIED.** Reasons for denying: Dr. Eric  
23 Knost requested a waiver of the rule regarding area and grade levels of administrator  
24 endorsements. See 282 IAC r. 18.9. Dr. Knost accepted a position as superintendent  
25 of the Lewis Central Community School District in Council Bluffs, Iowa. He has been  
26 issued an Administrator Exchange License valid through January 31, 2021, with  
27 endorsements in PK-12 Superintendent and AEA Administrator and PK-12  
28 Principal/PK-12 Special Education Supervisor. After reviewing Dr. Knost’s application  
29 materials, Board staff informed him he would need to complete a stand-alone course  
30 addressing current issues in special education administration. This is noted in his  
31 licensure file as a deficiency that must be addressed during the term of his current  
32 license in order to convert to a Professional Administrator License. The rule from  
33 which Dr. Knost seeks a waiver is not specifically mandated by statute or any other

1 provision of law, and, accordingly, may be waived by the Board. Additionally, it does  
2 not appear that a waiver from the requirements at issue would prejudice the  
3 substantial legal rights of any person. The Board finds, however, that the Petition  
4 does not establish by clear and convincing evidence that application of the cited rule  
5 would impose an undue hardship, or that a waiver would not compromise the Board's  
6 charge to protect the public. See 282 IAC 6.4(1) and (4). Application of the rule will not  
7 prevent Dr. Knost from filling the position he has accepted, and the required course is  
8 readily available through a number of Iowa providers. Additionally, the Board has  
9 noted in recent years a significant increase in the number of ethics complaints  
10 involving special education issues. In light of this recent trend, the Board believes the  
11 requirement that district leaders complete a course addressing current issues in  
12 special education administration is particularly important.

13  
14 Reports/Approvals

15 Committee assignments for FY 20 were announced.

16 Executive Committee: Kathy Behrens, Mary K. Overholtzer, Erin Schoening and Tony  
17 Voss.

18 Professional Practices Committee: Larry Bice, David Schipper, Ryan Williamson and  
19 Sara Yedlik.

20 Board Operating Guidelines Committee: Floyd Athay and David Harper. (We  
21 currently have two vacancies on the board and once these are filled, the new members  
22 will be on the committee.)

23  
24 The Board reviewed the consultant presentations that took place in 2018-19.

25  
26 Assistant Attorney General Allison Schmidt provided a presentation to the Board, "The  
27 Life of a Case." She reviewed the process and procedure of how a complaint is  
28 handled as well as a case involving a licensure denial.

29  
30 There being no further business, Larry Bice moved, with a second by David Schipper,  
31 to adjourn the meeting at 2:47 p.m.



1 issue an order permanently revoking the license with no possibility of reinstatement.

2 **MOTION CARRIED UNANIMOUSLY.**

3

4 Larry Bice moved, with a second by Tony Voss, that in **case number 18-155**, 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 **MOTION CARRIED UNANIMOUSLY.**

8

9 David Schipper moved, with a second by Larry Bice, that in **case number 19-42**, the  
10 Board accept the agreement submitted by the parties, and issue an Order  
11 incorporating the agreement of the parties and imposing the agreed upon sanction.

12 **MOTION CARRIED UNANIMOUSLY.**

13

14 Larry Bice moved, with a second by Ryan Williamson, that in **case number 18-183**,  
15 the Board accept the agreement submitted by the parties, and issue an Order  
16 incorporating the agreement of the parties and imposing the agreed upon sanction.  
17 Roll call vote: Athay – no; Behrens – yes; Bice – yes; Overholtzer – no; Schipper – yes;  
18 Schoening – yes; Voss – no; Williamson – yes. **MOTION CARRIED.**

19

20 Tony Voss moved, with a second by Larry Bice, that in **case number 19-26**, the Board  
21 accept the agreement submitted by the parties, and issue an Order incorporating the  
22 agreement of the parties and imposing the agreed upon sanction. **MOTION CARRIED**  
23 **UNANIMOUSLY.**

24

25 Tony Voss moved, with a second by Larry Bice, that in **case number APP 19-02**, the  
26 Board accept the Application Stipulation and Agreement. **MOTION CARRIED**  
27 **UNANIMOUSLY.** (Dr. Lebo and Darcy Hathaway left the room during the discussion  
28 of this case in closed session.)

29

30 Request for Reinstatement (case number 18-122 Corry Valeika) discussed in open  
31 session. This request was before the board at its June meeting. At the June meeting  
32 the board tabled Mr. Valeika's request because the six-month suspension had not yet  
33 elapsed. The board voted to return his reinstatement request to today's telephonic

1 meeting. Mr. Valeika had received a six-month suspension and a requirement to  
2 complete the ethics course. He has submitted to our office a transcript showing that  
3 he has completed the ethics course and a request for reinstatement. Larry Bice  
4 moved, with a second by Ryan Williamson, that the Board grant the respondent's  
5 request for reinstatement in **case number 18-122**, and issue an order finding that the  
6 basis for the suspension no longer exists, and it would be in the public interest for the  
7 license to be reinstated. Roll call vote: Athay – yes; Behrens – yes; Bice – yes;  
8 Overholtzer – no; Schipper – yes; Schoening – yes; Voss – yes; Williamson – yes.

9 **MOTION CARRIED.**

10

11 Communication from the Public

12 None.

13

14 Rules

15 Adopt:

16 Tony Voss moved, with a second by Larry Bice, that the Board adopt the proposed  
17 changes to Chapter 22 – Pre-Service Substitute License. **MOTION CARRIED**

18 **UNANIMOUSLY.**

19

20 Tony Voss moved, with a second by Erin Schoening, that the Board adopt the  
21 proposed amendment to 282 Iowa Administrative Code rule 13.6, make a finding that  
22 the rule confers a benefit on hiring school districts and potential license candidates by  
23 making the license available before the 2019-2020 school year, and deem the rule  
24 effective upon filing, per Iowa Code section 17A.5(2)(b).” **MOTION CARRIED**

25 **UNANIMOUSLY.**

26

27 Tony Voss moved, with a second by Larry Bice, that the Board adopt the proposed  
28 changes to Chapters 9 and 11 – Student Loan Default. **MOTION CARRIED**

29 **UNANIMOUSLY.**

30

31 Tony Voss moved, with a second by Larry Bice, that the Board adopt the proposed  
32 changes to Chapters 15, 19, 20, 22, 23, and 24 – Mandatory Reporter Changes.

33 **MOTION CARRIED UNANIMOUSLY.**

1 ARRC Review Pending:

2 IAC 282 – Chapter 11 – Mandatory Filing – 30-day filing (4560C)

3

4 Notice:

5 None.

6

7 Items for Discussion:

8 None.

9

10 Petition for Waiver

11 Larry Bice moved, with a second by Tony Voss, that in **PFW 19-06 Roderick Wade**,  
12 the Board deny the waiver. Roll call vote: Athay – yes; Behrens – yes; Bice – yes;  
13 Overholtzer – yes; Schipper – yes; Schoening – yes; Voss – yes; Williamson – yes.

14 **MOTION CARRIED UNANIMOUSLY.** Reasons for denying: Roderick Wade requested  
15 a waiver of administrative rules regarding administrator licensing. Mr. Wade had  
16 previously applied for an administrator exchange license and been denied. Mr. Wade  
17 has accepted an Executive Director position with the College Community School  
18 District in Cedar Rapids. His application for an administrator exchange license was  
19 denied because he has not completed a teacher preparation program or a professional  
20 service program, and because he has not verified three years of teaching or school  
21 counseling experience while holding a valid license in the relevant state. The Board  
22 finds, however, that the Petition does not establish by clear and convincing evidence  
23 that application of the cited rule would impose an undue hardship. *See* 282 IAC  
24 6.4(1). Materials submitted with the Petition indicate that enforcement of the rules will  
25 not prevent Mr. Wade from working in some capacity in the district. Additionally, there  
26 is no evidence that Board staff provided any assurances to Mr. Wade that he would be  
27 able to obtain a license prior to Mr. Wade accepting the position and moving to the  
28 state. The Board finds that the Petition does not establish by clear and convincing  
29 evidence that waiver of the teacher preparation program requirement would provide  
30 substantially equal protection of the public. *See* 282 IAC 6.4(4). The Board considers  
31 completion of a teacher preparation program to be a fundamental requirement for  
32 licensed administrators within the state. (Jeri Moritz, Executive Director of HR and

1 Equity from College Community School District and Roderick Wade joined the meeting  
2 telephonically.)

3

4 There being no further business, Larry Bice moved, with a second by Tony Voss, to  
5 adjourn the meeting at 5:15 p.m.

6

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To: BoEE - Executive Director, Dr. Ann Lebo  
 cc: Dave Heuton, Mirela Jusic

From: Mike Cornelison

Date: September 3, 2019

Re: **FY 2020 FINANCIAL ANALYSIS**  
**Period 02 - August 2019**

**NOTE 1: Cash Balance Review**

Unit	Current Cash Balance	Projected FYE Carry Forward
9397 - BoEE	\$1,023,487	\$784,925
2217 - Teachers Cert Clrg	0	0
	<u>\$1,023,487</u>	<u>\$784,925</u>

**Areas to Monitor:**

**RED:**

---

**YELLOW:** BoEE office relocation costs tbd

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**GREEN:** Partial Licensing Fees Carry Forward to FY20 completed July 1.  
 Full Year Fees Carry Forward to FY20 completed August 26.

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**Outstanding issues that may affect the financial statements**

**Questions and review of financials:**

**Accounting conventions:**

Financial statements have been prepared on the cash basis.  
 For Fiscal 2020, July, December & June are "3 Payroll" months.  
 Budget or forecast updates will be discussed during the monthly financial review meetings and will be included in the next months financials.

**Other Information:**

[mike.cornelison@iowa.gov](mailto:mike.cornelison@iowa.gov) 515-336-9435

Fund: 0001 General Fund

Unit: 9397

Sub Unit: Blank

Appropriation: WZ9 Board of Educational Examiners

FY 2020

EDas Customer Number: 1100  
Percent of Year Complete 17%

Obj/Rev Class	Obj/Rev Class Name	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	HO13	HO14	HO15	YTD	End of Year Forecast	Annual Budget	Percent of Budget	Percent of Budget
		Actual	Actual	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Actual	(C=A+B)	(D)	To Date
	Balance Brought Forward from Prior Year	100,000	709,643	5,950													809,643	815,593	779,722		
	Balance Carried Forward to Next Year													(100,000)	(684,925)		-	(784,925)	(768,909)		
<b>Revenue Collected</b>																					
234	Gov Transfer In Other Agencies	-	-	38	-	88	-	-	-	50	-	-	38	-	-	-	-	213	300	0%	71%
401	Fees, Licenses & Permits	166,551	213,121	146,709	150,734	119,990	100,698	161,146	125,865	133,800	150,673	181,042	223,378	-	-	-	379,672	1,873,707	1,900,000	20%	99%
704	Other	42,768	50,710	52,499	55,219	43,779	35,021	49,857	43,530	46,486	59,894	46,196	49,088	-	-	-	93,478	575,047	585,000	16%	98%
<b>Total Revenues:</b>		<b>309,319</b>	<b>973,473</b>	<b>205,196</b>	<b>205,953</b>	<b>163,857</b>	<b>135,719</b>	<b>211,003</b>	<b>169,396</b>	<b>180,336</b>	<b>210,567</b>	<b>227,237</b>	<b>272,503</b>	<b>(100,000)</b>	<b>(684,925)</b>	<b>-</b>	<b>1,282,792</b>	<b>2,479,635</b>	<b>2,496,113</b>	<b>51%</b>	<b>99%</b>
<b>Expenditures</b>																					
101	Personal Services	111,528	99,621	117,296	117,296	117,296	175,944	117,296	117,296	117,296	117,296	117,296	175,944	5,865	-	-	211,149	1,507,273	1,524,852	14%	99%
202	In State Travel	-	223	1,950	3,100	1,800	1,000	2,000	1,050	1,300	1,350	2,500	2,000	1,500	-	-	223	19,773	20,000	1%	99%
203	State Vehicle Operation	-	-	-	850	-	100	-	50	-	-	-	-	-	-	-	-	1,000	1,000	0%	100%
205	Out Of State Travel	-	-	2,000	3,000	2,000	2,000	3,000	1,000	2,000	3,000	1,000	500	500	-	-	-	20,000	20,000	0%	100%
301	Office Supplies	1,000	4,641	200	350	350	350	1,400	350	350	6,600	300	600	(4,500)	-	-	5,641	11,991	12,000	47%	100%
303	Equipment Maintenance Supplies	-	-	1,000	-	-	1,000	-	-	1,000	-	-	1,000	-	-	-	-	4,000	4,000	0%	100%
308	Other Supplies	30	-	-	470	-	-	100	2,000	700	2,400	-	100	-	-	-	30	5,800	5,800	1%	100%
309	Printing & Binding	-	25	75	-	100	200	-	200	-	200	-	100	100	-	-	25	1,000	1,000	2%	100%
313	Postage	-	508	700	450	550	500	450	650	550	450	550	600	650	-	-	508	6,608	6,700	8%	99%
401	Communications	-	1,189	1,270	1,270	1,270	1,270	1,270	1,270	1,270	1,270	1,270	1,270	1,280	-	-	1,189	15,169	15,250	8%	99%
402	Rentals	-	75	2,400	-	2,500	-	-	2,500	-	-	2,500	-	-	-	-	75	9,975	10,000	1%	100%
405	Prof & Scientific Services	-	-	1,500	1,100	1,250	1,500	2,400	1,100	1,250	1,100	1,100	1,600	1,100	-	-	-	15,000	15,000	0%	100%
406	Outside Services	33	-	3,450	300	250	300	250	300	250	300	250	300	250	-	-	33	6,233	3,300	1%	189%
408	Advertising & Publicity	-	-	-	50	-	-	-	-	-	50	-	-	-	-	-	-	100	100	0%	100%
409	Outside Repairs/Service	-	-	500	500	500	500	500	500	500	500	500	500	500	-	-	-	5,500	6,000	0%	92%
414	Reimbursements To Other Agency	-	5,550	6,600	6,600	69,000	69,000	6,600	6,600	6,600	6,600	6,600	6,600	6,600	-	-	5,550	202,950	204,000	3%	99%
416	ITD Reimbursements	-	6,970	22,000	14,550	14,600	14,600	14,550	14,600	14,600	14,550	14,600	14,600	14,550	-	-	6,970	174,770	175,000	4%	100%
418	IT Outside Services	-	1,475	-	-	-	-	-	-	-	-	-	-	-	-	-	1,475	1,475	-	0%	0%
432	Attorney General Reimbursement	-	-	7,500	3,750	3,750	3,750	3,750	3,750	3,750	3,750	3,750	3,750	3,750	-	-	-	45,000	45,000	0%	100%
433	Gov Transfer Auditor of State	-	-	-	-	-	-	-	400	-	400	-	-	400	-	-	-	800	800	0%	100%
434	Gov Transfer Other Agencies	-	18,519	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	-	-	18,519	293,519	300,000	6%	98%
501	Equipment	-	-	-	-	-	-	5,000	-	-	-	-	-	5,000	-	-	-	10,000	10,000	0%	100%
502	Office Equipment	-	-	-	-	6,000	6,500	500	-	-	-	-	-	-	-	-	-	13,000	13,000	0%	100%
503	Equipment-Non Inventory	-	-	-	-	-	-	-	-	-	-	-	-	500	-	-	-	500	500	0%	100%
510	IT Equipment & Software	-	7,920	-	10,000	2,500	12,500	-	20,000	2,500	-	-	10,000	2,500	-	-	7,920	67,920	62,500	13%	109%
602	Other Expenses & Obligations	-	-	4,500	5,500	3,000	3,500	3,000	2,500	3,500	3,000	3,000	3,000	5,500	-	-	-	40,000	40,000	0%	100%
702	Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	30	0%	0%
705	Refunds-Other	-	-	-	50	-	-	-	50	-	100	80	-	-	-	-	-	280	280	0%	100%
<b>Total Expenditures:</b>		<b>112,590</b>	<b>146,715</b>	<b>197,941</b>	<b>194,186</b>	<b>251,716</b>	<b>319,514</b>	<b>187,066</b>	<b>200,766</b>	<b>182,416</b>	<b>187,916</b>	<b>180,296</b>	<b>247,464</b>	<b>71,045</b>	<b>-</b>	<b>-</b>	<b>259,306</b>	<b>2,479,635</b>	<b>2,496,113</b>	<b>10%</b>	<b>99%</b>
<b>Current Month Operations</b>		<b>196,728</b>	<b>826,758</b>	<b>7,254</b>	<b>11,767</b>	<b>(87,859)</b>	<b>(183,795)</b>	<b>23,937</b>	<b>(31,370)</b>	<b>(2,081)</b>	<b>22,651</b>	<b>46,941</b>	<b>25,039</b>	<b>(171,045)</b>	<b>(684,925)</b>	<b>-</b>	<b>1,023,487</b>	<b>0</b>	<b>(0)</b>		
<b>Cash Balance</b>		<b>196,728</b>	<b>1,023,487</b>	<b>1,030,741</b>	<b>1,042,508</b>	<b>954,648</b>	<b>770,853</b>	<b>794,790</b>	<b>763,420</b>	<b>761,339</b>	<b>783,990</b>	<b>830,931</b>	<b>855,970</b>	<b>684,925</b>	<b>0</b>	<b>0</b>			<b>(0)</b>		

**FOOTNOTES**

**Expenditures**

- 101** Personal Services - July, December & June have 3 payroll warrants written.
- 202** In State Travel - Employee travel and Board Meeting expense.
- 301** Office Supplies - July expense is for the FY20 PESBA dues. August expense includes the FY20 NASDTEC membership fees.
- 401** Communication - Cell phone and ICN Voice usage.
- 402** Rentals - Exhibit booths for the trade events.
- 405** Prof & Scientific Services - payments to school districts for Board Member per diem & substitute reimbursements.
- 406** Outside Services - Includes cost for contractor to fill vacant Clerk position.
- 414** Reimbursements to Other Agencies - Association fee & DAS services. Forecast includes moving costs & facility lease.
- 416** ITD Reimbursements - I/3 Admin & OCIO Services. Aug expense includes the annual Google E-Mail & Productivity license fees.
- 418** IT Outside Services - WebSpec Design costs - budgeted for in 405 Prof & Scientific Services.
- 434** Gov Transfer Other Agencies - DCI criminal history & background checks.
- 502** Office Equipment - Forecasted cost is for office equipment for new location.
- 510** IT Equipment & Software - Aug expense includes the annual Livescan maintenance & support. Forecasted expense is for copier, computer replacements for staff.
- 602** Other Expenses & Obligations - TOS credit card processing fees.

Job Class	Board Members
14000-001	Larry Bice DOE
14000-002	Sara J Yedlik
14000-003	Anthony D Voss
14000-004	vacant
14000-005	Erin K Schoening
14000-006	vacant
14000-007	Floyd E Athay
14000-008	Mary K Overholtzer
14000-009	Ryan J Williamson
14000-010	David M Schipper
14000-011	Kathy J Behrens
14000-012	David A Harper

Job Class	Employee Name	9397
00018-002 Clerk-Specialist	Vacant (Sarah Robinson)	1.00
00018-003 Clerk-Specialist	Sharon S Jensen	1.00
00018-004 Clerk-Specialist	Danielle N Brookes	1.00
00121-001 Info Tech Specialist 4	Jeff S Debruin	1.00
00697-001 Investigator 4	James P McNellis	1.00
00705-801 Admin Intern	vacant	0.00
01071-001 Education Program Consultant	Steven C Mitchell	1.00
01071-005 Education Program Consultant	Michael D Cavin	1.00
01071-006 Education Program Consultant	Gregory S Horstman	1.00
01071-007 Education Program Consultant	Linda Hunt Espey	1.00
01071-008 Education Program Consultant	David D Wempen	1.00
31038-002 Exec Dir/Ed Examiners Board	Ann E Lebo	1.00
31513-001 Admin Consultant	Joanne K Tubbs	1.00
90645-001 Attorney 3	Darcy K Hathaway	1.00
95002-001 Secretary 3	Kimberly K Cunningham	1.00

Total Budgeted FTEs 14.00

Fund: 0914 Teacher Certificates Clearing  
 Unit: 2217  
 Sub Unit: Blank  
 Appropriation: Teacher Certificates Clearing

FY 2020

EDas Customer Number:  
 Percent of Year Complete 17%

Obj/Rev Class	Obj/Rev Class Name	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	HO13	HO14	HO15	YTD	End of Year Forecast	Annual Budget	Percent of Budget	Percent of Budget
		Actual	Actual	Forecast	Actual	(C=A+B)	(D)	To Date	Forecasted EOY												
	Appropriation	-																			
	BBF	-		-																	
	<b>Revenue Collected</b>																				
501	Refunds & Reimbursements	-	-	250	-	-	250	-	-	250	-	-	250	-	-	-	-	1,000	1,000	0%	100%
	<b>Total Revenue Collected:</b>	-	-	250	-	-	250	-	-	250	-	-	250	-	-	-	-	1,000	1,000	0%	100%
	<b>Expenditures</b>																				
705	Refunds-Other	-	-	250	-	-	250	-	-	250	-	-	250	-	-	-	-	1,000	1,000	0%	100%
	<b>Total Expenditures:</b>	-	-	250	-	-	250	-	-	250	-	-	250	-	-	-	-	1,000	1,000	0%	100%
	<b>Current Month Operations</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
	<b>Cash Balance</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0				1%

Revenue  
501

Expense  
705

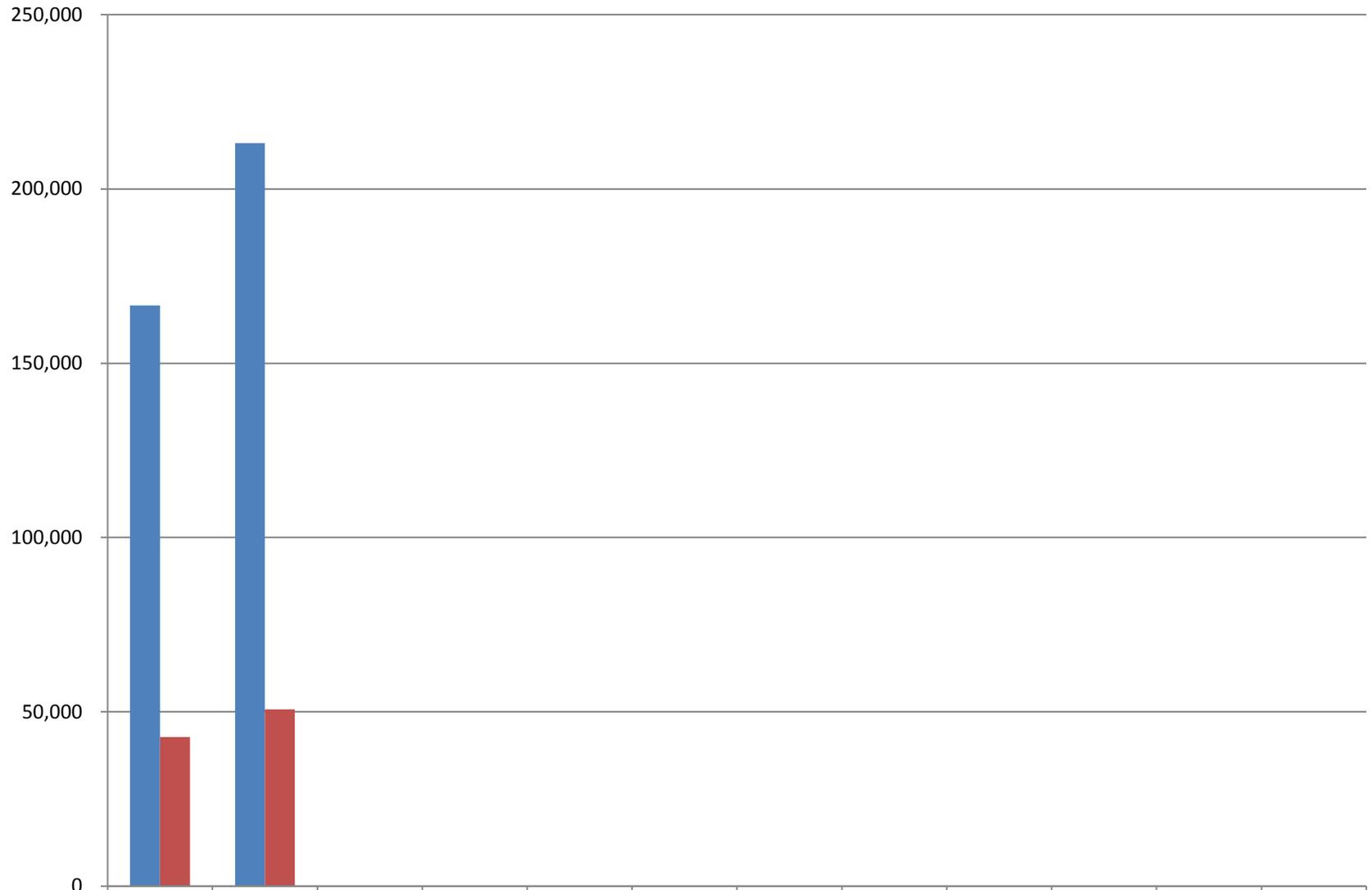
Fund: 0001 General Fund  
 Unit: 9397  
 Sub Unit: Blank  
 Appropriation: WZ9

Board of Educational Examiners

Obj/Rev Class	Obj/Rev Class Name	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	HO13	HO14	HO15	YTD
		Actual	Actual	Forecast	Actual												
	Appropriation																
	BBF																
<b>Revenue Collected</b>																	
234	Gov Transfer In Other Agencies	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
401	Licensure Fees	166,551	213,121	0	0	0	0	0	0	0	0	0	0	0	0	0	379,672
704	DCI Check Fees	42,768	50,710	0	0	0	0	0	0	0	0	0	0	0	0	0	93,478
<b>Total Revenues:</b>		<b>209,319</b>	<b>263,831</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	<b>473,150</b>
234 Gen Fund	Licensure Fees % - Other Agcy	0	0	0	0	0	0	0	0	0	0	0	0				0
401 Gen Fund	Licensure Fees	52,557	67,718	0	0	0	0	0	0	0	0	0	0				120,275
<b>Total General Fund</b>		<b>52,557</b>	<b>67,718</b>	<b>0</b>	<b>120,275</b>												
<b>Total Receipts</b>		<b>261,876</b>	<b>331,549</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	<b>593,425</b>

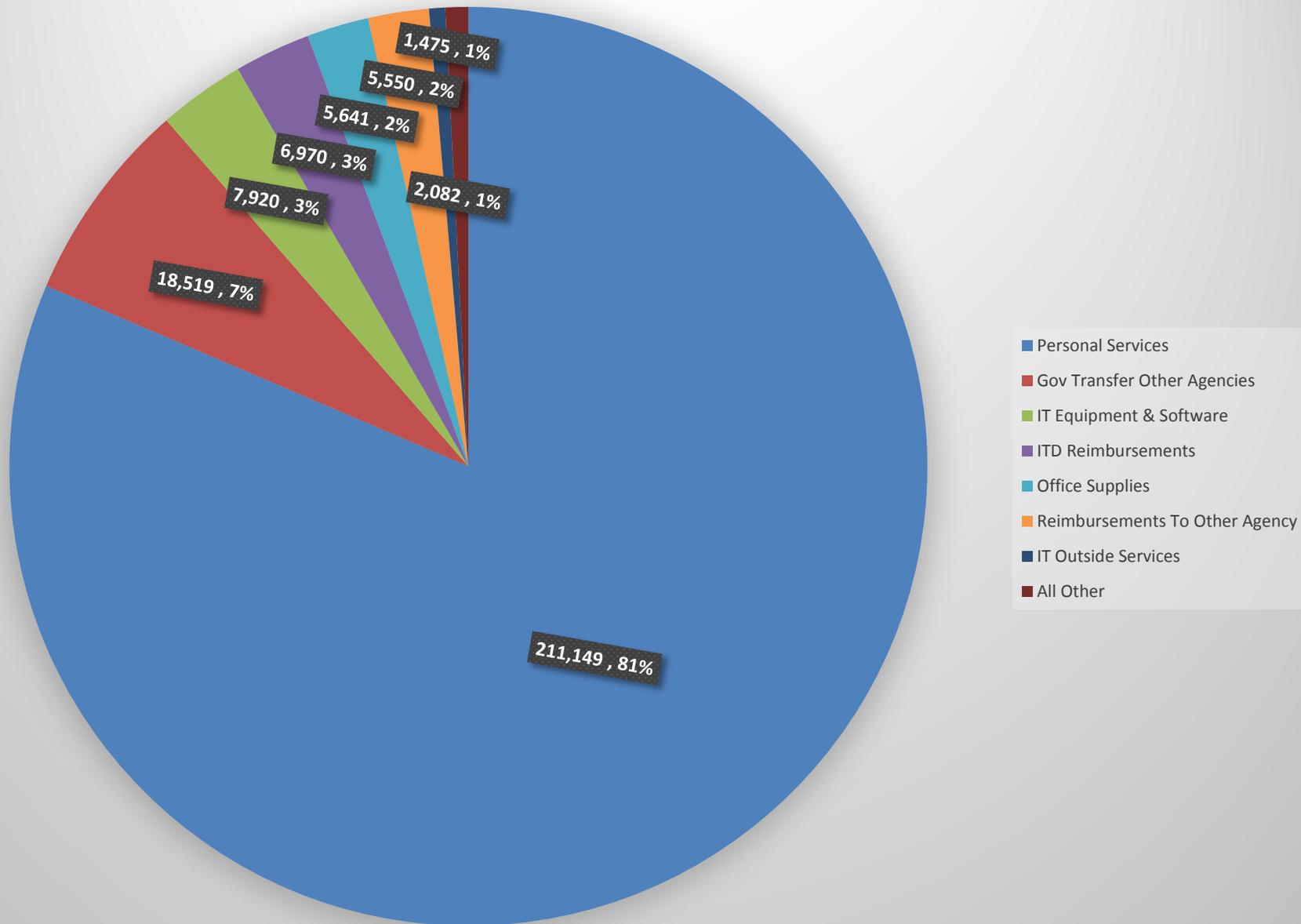
Note -  
 General Fund 0001-996-2820

## Receipts July 2019-June 2020



■ Licensure Fees	166,551	213,121	0	0	0	0	0	0	0	0	0	0
■ DCI Check Fees	42,768	50,710	0	0	0	0	0	0	0	0	0	0

### Expenditures July 2019-June 2020

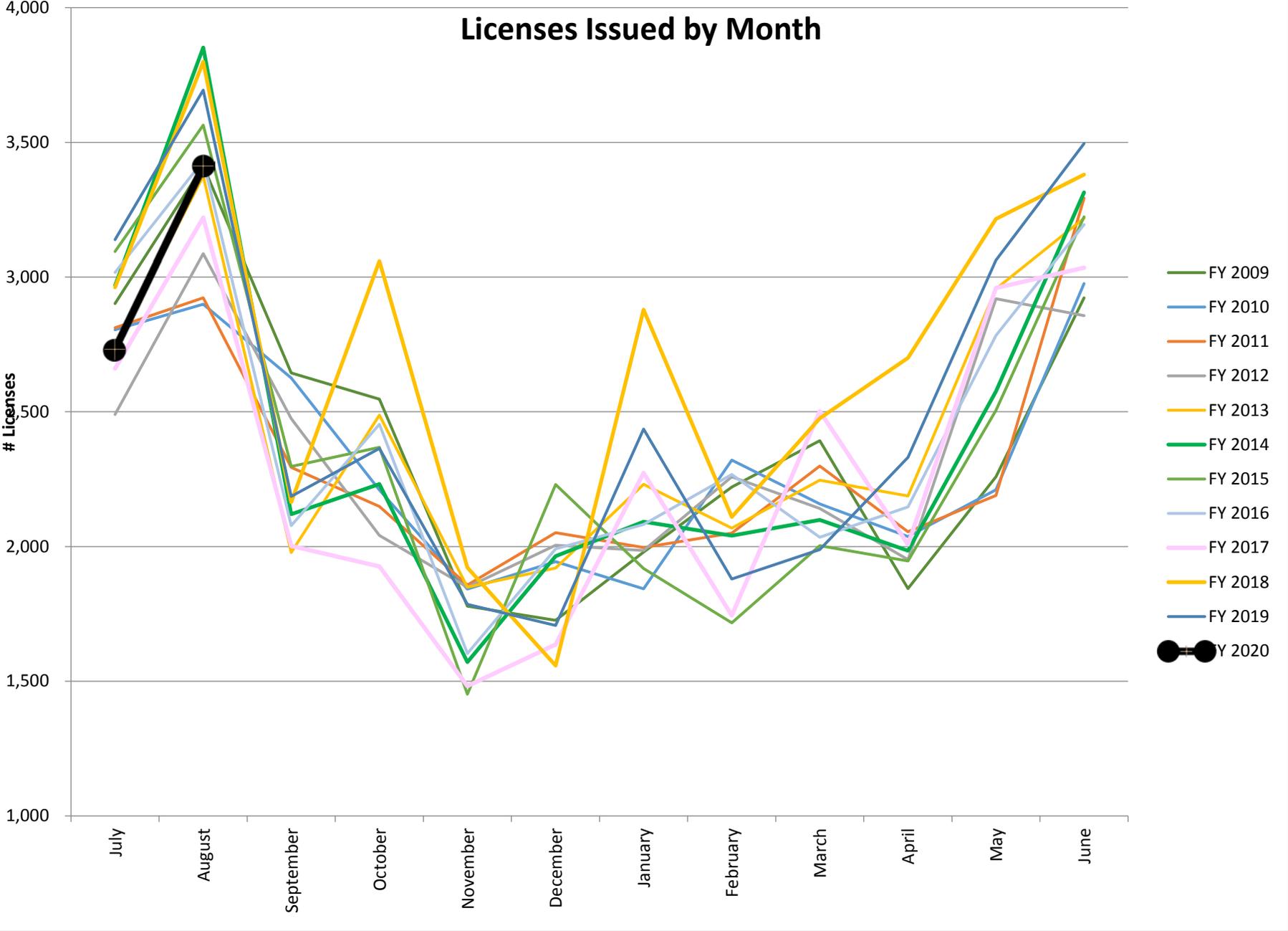


**Obligations vs. Budget Report**  
**Budget Fiscal Year: 2020**

	Actual To-Date	FY-Encumbered	Total Obligations FY-TO-Date	FY 20 Budget	Budget Balance	Percent of Budget Received /Spent
<b>Resources -</b>						
Balance Forward	809,643		809,643	779,722		
234 Gov Transfer In Other Agencies		0	0	300		
401 Fees, Licenses & Permits	379,672		379,672	1,900,000		
704 Other	93,478		93,478	585,000		
Total Resources	<b>\$1,282,792</b>	<b>\$0</b>	<b>\$1,282,792</b>	<b>\$3,265,022</b>		
(Total Revenues)	<u>\$473,150</u>	<u>\$0</u>	<u>\$473,150</u>	<u>\$2,485,300</u>	\$2,012,150	19%
<b>Expenditures -</b>						
101 Personal Services	211,149		211,149	1,524,852	1,313,703	14%
202 In State Travel	223		223	20,000	19,778	1%
203 State Vehicle Operation	0		0	1,000	1,000	0%
205 Out Of State Travel	0		0	20,000	20,000	0%
301 Office Supplies	5,641		5,641	12,000	6,359	47%
303 Equipment Maintenance Supplies	0		0	4,000	4,000	0%
308 Other Supplies	30		30	5,800	5,770	1%
309 Printing & Binding	25		25	1,000	975	2%
313 Postage	508		508	6,700	6,192	8%
401 Communications	1,189		1,189	15,250	14,061	8%
402 Rentals	75		75	10,000	9,925	1%
405 Prof & Scientific Services	0		0	15,000	15,000	0%
406 Outside Services	33		33	3,300	3,268	1%
408 Advertising & Publicity	0		0	100	100	0%
409 Outside Repairs/Service	0		0	6,000	6,000	0%
414 Reimbursements To Other Agency	5,550		5,550	204,000	198,450	3%
416 ITD Reimbursements	6,970		6,970	175,000	168,030	4%
418 IT Outside Services	1,475		1,475	0	(1,475)	100%
432 Attorney General Reimbursement	0		0	45,000	45,000	0%
433 Gov Transfer Auditor of State	0		0	800	800	0%
434 Gov Transfer Other Agencies	18,519		18,519	300,000	281,481	6%
501 Equipment	0		0	10,000	10,000	0%
502 Office Equipment	0		0	13,000	13,000	0%
503 Equipment-Non Inventory	0		0	500	500	0%
510 IT Equipment & Software	7,920		7,920	62,500	54,580	13%
602 Other Expenses & Obligations	0		0	40,000	40,000	0%
702 Fees	0		0	30	30	0%
705 Refunds-Other	0		0	280	280	0%
Total Expenditures	\$259,306	\$0	\$259,306	\$2,496,113	\$2,236,808	10%
CY Revenue Less Expenditures	<u>\$213,844</u>					
Estimated Carry Forward	<u>\$1,023,487</u>					



# Licenses Issued by Month



**Number of Licenses Issued by Month**

	July	August	September	October	November	December	January	February	March	April	May	June	Total number of Licenses Issued
<b>FY 2020</b>	2,732	3,412											
<b>Running Total</b>	2,732	6,144	6,144	6,144	6,144	6,144	6,144	6,144	6,144	6,144	6,144	6,144	
<b>FY 2019</b>	3,139	3,694	2,186	2,364	1,785	1,707	2,436	1,879	1,989	2,331	3,063	3,496	30,069
<b>Running Total</b>	3,139	6,833	9,019	11,383	13,168	14,875	17,311	19,190	21,179	23,510	26,573	30,069	
<b>FY 2018</b>	2,962	3,799	2,165	3,059	1,922	1,558	2,879	2,110	2,476	2,700	3,216	3,380	32,226
<b>Running Total</b>	2,962	6,761	8,926	11,985	13,907	15,465	18,344	20,454	22,930	25,630	28,846	32,226	
<b>FY 2017</b>	2,660	3,221	2,002	1,926	1,482	1,636	2,273	1,744	2,502	2,007	2,959	3,035	27,447
<b>Running Total</b>	2,660	5,881	7,883	9,809	11,291	12,927	15,200	16,944	19,446	21,453	24,412	27,447	
<b>FY 2016 Actual</b>	3,017	3,432	2,078	2,454	1,603	1,991	2,082	2,267	2,034	2,147	2,783	3,195	29,083
<b>Running Total</b>	3,017	6,449	8,527	10,981	12,584	14,575	16,657	18,924	20,958	23,105	25,888	29,083	
<b>FY 2015 Actual</b>	3,095	3,564	2,297	2,368	1,452	2,230	1,918	1,717	2,003	1,946	2,505	3,224	28,319
<b>Running Total</b>	3,095	6,659	8,956	11,324	12,776	15,006	16,924	18,641	20,644	22,590	25,095	28,319	
<b>FY 2014 Actual</b>	2,968	3,852	2,120	2,232	1,571	1,964	2,092	2,040	2,099	1,984	2,576	3,314	28,812
<b>Running Total</b>	2,968	6,820	8,940	11,172	12,743	14,707	16,799	18,839	20,938	22,922	25,498	28,812	
<b>FY 2013 Actual</b>	2,744	3,375	1,978	2,488	1,849	1,920	2,231	2,068	2,246	2,188	2,956	3,219	29,262
<b>Running Total</b>	2,744	6,119	8,097	10,585	12,434	14,354	16,585	18,653	20,899	23,087	26,043	29,262	
<b>FY 2012 Actual</b>	2,490	3,087	2,475	2,041	1,849	2,005	1,985	2,259	2,141	1,951	2,920	2,857	28,060
<b>Running Total</b>	2,490	5,577	8,052	10,093	11,942	13,947	15,932	18,191	20,332	22,283	25,203	28,060	
<b>FY 2011 Actual</b>	2,812	2,923	2,294	2,149	1,857	2,051	1,996	2,050	2,299	2,055	2,189	3,293	27,968
<b>Running Total</b>	2,812	5,735	8,029	10,178	12,035	14,086	16,082	18,132	20,431	22,486	24,675	27,968	
<b>FY 2010 Actual</b>	2,804	2,899	2,626	2,210	1,842	1,944	1,843	2,321	2,158	2,037	2,211	2,976	27,871
<b>Running Total</b>	2,804	5,703	8,329	10,539	12,381	14,325	16,168	18,489	20,647	22,684	24,895	27,871	
<b>FY 2009 Actual</b>	2,902	3,413	2,644	2,547	1,779	1,726	1,979	2,221	2,393	1,844	2,259	2,923	28,630
<b>Running Total</b>	2,902	6,315	8,959	11,506	13,285	15,011	16,990	19,211	21,604	23,448	25,707	28,630	





**ADOPTION MEMO**

**Date: September 13, 2019**

**To: Board Members**

**From: Dr. Ann Lebo, Executive Director**

**RE: Amend IAC 282—11.37 regarding mandatory reporting of misconduct**

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The proposed amendment is intended to implement House File 637, which states that required reports of misconduct under Iowa Code section 272.15 shall be submitted within thirty days of the disciplinary action or awareness of misconduct that necessitated the report. The amendment below is to 282—11.37 regarding mandatory reporting.

The Notice of Intended Action was published in the 7/31/2019 edition of the Iowa Administrative Bulletin as 4560C. The Administrative Rules Review Committee reviewed the proposed changes at its regular meeting on 8/12/2019, and did not raise any questions or concerns. The Board has not received any written comments on the proposed changes, and there were no attendees at the public hearing on 8/21/2019.

**EDUCATIONAL EXAMINERS BOARD[282]**

**Notice of Intended Action**

**Proposing rule making related to required reports of misconduct and providing an opportunity for public comment**

The Educational Examiners Board hereby proposes to amend Chapter 11, “Complaints, Investigations, Contested Case Hearings,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is proposed under the authority provided in 2019 Iowa Acts, House File 637.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, 2019 Iowa Acts, House File 637.

*Purpose and Summary*

The proposed amendment is intended to implement 2019 Iowa Acts, House File 637, which states that required reports of misconduct under Iowa Code section 272.15 shall be submitted within 30 days of the disciplinary action or awareness of misconduct that necessitated the report. The Board’s administrative rules currently have a 60-day timeline for the reporting of disqualifying criminal convictions and no required timeline for reporting of disciplinary actions based on the four behavior areas enumerated in Iowa Code section 272.15(1)“a”(1). The proposed amendment provides a clear 30-day timeline for all required reports of misconduct to the Board.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

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

*Waivers*

No waivers of the 30-day timeline are allowed because the timeline is required by statute pursuant to 2019 Iowa Acts, House File 637.

*Public Comment*

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on August 23, 2019. Comments should be directed to:

Kimberly Cunningham  
Board of Educational Examiners  
Grimes State Office Building  
400 East 14th Street  
Des Moines, Iowa 50319-0147  
Fax: 515.281.7669  
Email: [kim.cunningham@iowa.gov](mailto:kim.cunningham@iowa.gov)

*Public Hearing*

A public hearing at which persons may present their views orally or in writing will be held as follows:

August 21, 2019  
1 p.m.

Room 3 Southwest  
Grimes State Office Building  
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Amend rule 282—11.37(272) as follows:

**282—11.37(272) Mandatory reporting of contract nonrenewal or termination or resignation based on allegations of misconduct.** The board of directors of a school district or area education agency, the superintendent of a school district or the chief administrator of an area education agency, and the authorities in charge of a nonpublic school shall report to the board any instance of disciplinary action taken against a person who holds a license, certificate, or authorization issued by the board for conduct that would constitute a violation of 282—subparagraph 25.3(1)“e”(4), subrule 25.3(2), paragraph 25.3(3)“e,” or paragraph 25.3(4)“b.” In addition, the board of directors of a school district or area education agency, the superintendent of a school district or the chief administrator of an area education agency, and the authorities in charge of a nonpublic school shall report to the board the nonrenewal or termination, for reasons of alleged or actual misconduct, of a person's contract executed under Iowa Code sections 279.12, 279.13, 279.15 ~~through 279.21~~, 279.16, 279.18 through 279.21, 279.23, and 279.24, and the resignation of a person who holds a license, certificate, or authorization issued by the board as a result of or following an incident or allegation of misconduct that, if proven, would constitute a violation of 282—subparagraph 25.3(1)“b”(1), subparagraph 25.3(1)“e”(4), subrule 25.3(2), paragraph 25.3(3)“e,” or paragraph 25.3(4)“b,” when the board or reporting official has a good-faith belief that the incident occurred or the allegation is true.

**11.37(1) Method of reporting.** The report required by this rule may be made by completion and filing of the complaint form described in subrule 11.4(2) or by the submission of a letter to the executive director of the board which includes:

- a. ~~the~~ The full name, address, telephone number, title and signature of the reporter;
- b. ~~the~~ The full name, address, and telephone number of the person who holds a license, certificate or authorization issued by the board;
- c. ~~a~~ A concise statement of the circumstances under which the termination, nonrenewal, or resignation occurred;
- d. The date action was taken which necessitated the report, including the date of disciplinary action taken, nonrenewal or termination of a contract for reasons of alleged or actual misconduct, or resignation of a person following an incident or allegation of misconduct as required under Iowa Code section 272.15(1), or awareness of alleged misconduct as required under Iowa Code section 272.15(2); and

*e.* ~~any~~ Any additional information or documentation which the reporter believes will be relevant to assessment of the report pursuant to subrule 11.37(4).

**11.37(2)** *Timely reporting required.* The report required by this rule shall be filed within ~~60~~ 30 days ~~of the date of local board action on the termination or resignation~~ of the date action was taken which necessitated the report or within 30 days of an employee becoming aware of the alleged misconduct under Iowa Code section 272.15(2).

**11.37(3)** *Confidentiality of report.* Information reported to the board in accordance with this rule is privileged and confidential, and, except as provided in Iowa Code section 272.13, is not subject to discovery, subpoena, or other means of legal compulsion for its release to a person other than the respondent and the board and its employees and agents involved in licensee discipline, and is not admissible in evidence in a judicial or administrative proceeding other than the proceeding involving licensee discipline.

**11.37(4)** *Action upon receipt of report.*

*a.* Upon receipt of a report under this rule, the executive director of the board shall review the information reported to determine whether a complaint investigation should be initiated.

*b.* In making this determination, the executive director shall consider the nature and seriousness of the reported misconduct in relation to the position sought or held, the time elapsed since the misconduct, the degree of rehabilitation, the likelihood that the individual will commit the same misconduct again, and the number of reported incidents of misconduct.

*c.* If the executive director determines a complaint should not be initiated, no further formal action will be taken and the matter will be closed.

*d.* If the executive director determines a complaint investigation should be initiated, the executive director shall assign the matter for investigation pursuant to rule 282—11.5(272).

**11.37(5)** *Proceedings upon investigation.* From the time of initiation of an investigation, the matter will be processed in the same manner as a complaint filed under rule 282—11.4(17A,272).



Date: June - 2019

To: Board Members

From: Mary K. Overholtzer, Board Chair

Re: Committee Assignments for FY 20

The committee assignments for FY 20 are as follows:

**Executive Committee**

Mary K. Overholtzer, Chair

Kathy Behrens

Erin Schoening

Dr. Tony Voss

Dr. Ann Lebo, Executive Director

**Professional Practices Committee**

Dr. Larry Bice

David Schipper

Ryan Williamson

Sara Yedlik, Vice Chair

Dr. Ann Lebo, Executive Director

Darcy Hathaway, Attorney/Investigator

Allison Schmidt, Assistant Attorney General

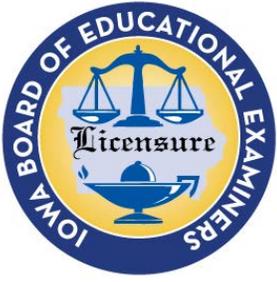
**Board Operating Guidelines**

Floyd Athay

Dave Harper

Public Member #1

Public Member #2



### **Mission**

The mission of the Iowa Board of Educational Examiners is to establish and enforce rigorous standards for Iowa educational practitioners to effectively address the needs of students.

### **Belief Statements**

We Believe:

- that an effective licensure system is efficient, innovative, and responsive to needs of students and educators.
- in collaboration with other organizations to improve professional development and preparation programs.
- that education is a profession.
- that establishing ethical standards protects students and practitioners.

### **Goals FY20**

1. The Board will develop rules for practitioner licensure that maintain high standards, are research based, and provide flexibility in attainment in all credential types, especially shortage areas.
2. The Board will promote the Model Code of Ethics for Educators.
3. The Board will promote pathways to licensure in response to teacher shortages.

### **Legislative Priorities FY20**

- The Board will advocate for Special Education endorsement changes.
- The Board will revise secondary endorsement criteria in response to shortages.
- The Board will evaluate reciprocity pathways for administrators.