

1 Sara Yedlik moved, with a second by Larry Bice, that the Board go into closed session
2 for the purpose of discussing closed session minutes, mental health information,
3 whether to initiate licensee disciplinary proceedings, and the decision to be rendered
4 in a contested case, pursuant to Iowa Code sections 21.5(a), (d), and (f). Roll call vote:
5 Behrens – yes; Bice – yes; Bower – yes; Harper – yes; McRina – yes; Overholtzer – yes;
6 Rickey – yes; Schoening – yes; Voss – yes; Williamson – Absent; Yedlik – yes.

7 **MOTION CARRIED UNANIMOUSLY.**

8

9 Sara Yedlik moved, with a second by Larry Bice, that in **case number 19-158**, the
10 Board find probable cause to establish a violation of the following provisions of the
11 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(5)(a)(2), and order this
12 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

13

14 Larry Bice moved, with a second by Sara Yedlik, that in **case number 19-141**, the
15 Board find that the evidence gathered in the investigation, including witness
16 statements and the documentary evidence, does not substantiate the allegations in the
17 complaint, and that the Board therefore lacks probable cause to proceed with this
18 matter. **MOTION CARRIED UNANIMOUSLY.**

19

20 Sara Yedlik moved, with a second by Larry Bice, that in **case number 19-142**, 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. **MOTION CARRIED UNANIMOUSLY.**

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26 Larry Bice moved, with a second by Sara Yedlik, that in **case number 19-167**, the
27 Board find that, although one or more of the allegations in the complaint may be
28 substantiated by the witnesses interviewed in the course of the investigation [and/or]
29 the documents gathered in the course of the investigation, and the allegations may
30 constitute a technical violation of the board's statute or administrative rules; the
31 evidence before the board indicates that the alleged violation was an isolated incident.
32 The Board will not pursue formal disciplinary action in this matter. **MOTION**
33 **CARRIED UNANIMOUSLY.**

1 Sara Yedlik moved, with a second by Larry Bice, that in **case number 19-148**, 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(3)(e) and 25.3(8)(a), and
4 order this case set for hearing. Roll call vote: Behrens – yes; Bice – yes; Bower – yes;
5 Harper – recused; McRina – yes; Overholtzer – yes; Rickey – yes; Schoening – yes; Voss
6 – yes; Williamson – Absent; Yedlik – yes. **MOTION CARRIED.**

7
8 Larry Bice moved, with a second by Sara Yedlik, that in **case number 19-144**, the
9 Board find probable cause to establish a violation of the following provisions of the
10 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(1)(e)(1), and order this
11 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

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13 Larry Bice moved, with a second by Sara Yedlik, that in **case number 19-150**, the
14 Board find probable cause to establish a violation of the following provisions of the
15 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(1)(e)(1) and 25.3(1)(b)(2),
16 and order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

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18 Sara Yedlik moved, with a second by Larry Bice, that in **case number 19-132**, the
19 Board find that, although one or more of the allegations in the complaint may be
20 substantiated by the witnesses interviewed in the course of the investigation [and/or]
21 the documents gathered in the course of the investigation, and the allegations may
22 constitute a technical violation of the board’s statute or administrative rules; the
23 evidence before the board indicates that the alleged violation was an isolated incident,
24 and adequate steps have been taken to remedy the violation and to ensure that
25 incidents of a similar nature do not occur in the future. The Board will not pursue
26 formal disciplinary action in this matter. **MOTION CARRIED UNANIMOUSLY.**

27
28 Larry Bice moved, with a second by Sara Yedlik, that in **case number 19-151**, the
29 Board find probable cause to establish a violation of the following provisions of the
30 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(6)(c) and 25.3(6)(e), and
31 order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

32
33

1 Sara Yedlik moved, with a second by Larry Bice, that the Board accept the
2 respondent's waiver of hearing and voluntary surrender in **case number 19-164**, and
3 that the Board issue an order permanently revoking the license with no possibility of
4 reinstatement. **MOTION CARRIED UNANIMOUSLY.**

5
6 Larry Bice moved, with a second by Sara Yedlik, that the Board accept the
7 respondent's waiver of hearing and voluntary surrender in **case number 19-166**, and
8 that the Board issue an order permanently revoking the license with no possibility of
9 reinstatement. **MOTION CARRIED UNANIMOUSLY.**

10
11 Sara Yedlik moved, with a second by Larry Bice, that in **case number 19-80**, 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.**

15
16 Larry Bice moved, with a second by Sara Yedlik, that in **case number 19-88**, 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.**

20
21 Sara Yedlik moved, with a second by Larry Bice, that the Board not initiate review of
22 the proposed decision in **case number 19-81, In the Matter of Jill Lowe**, and allow
23 the proposed decision to become the final decision of the Board unless an appeal is
24 taken by one of the parties within the time allowed by rule. **MOTION CARRIED**
25 **UNANIMOUSLY.** (Ann Lebo and Jesse Ramirez left the room during the discussion of
26 this case in closed session.)

27
28 Larry Bice moved, with a second by Sara Yedlik, that the Board extend the 180-day
29 deadline for issuance of the final decision in **case number 19-111**, based upon the
30 need to conduct the hearing and the need to review the proposed decision. **MOTION**
31 **CARRIED UNANIMOUSLY.** (Jesse Ramirez left the room during the discussion of this
32 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 19-112**, based upon the
3 amount of time needed to complete the investigation due to pending criminal charges.
4 **MOTION CARRIED UNANIMOUSLY.** (Jesse Ramirez left the room during the
5 discussion of this case in closed session.)

6
7 Sara Yedlik moved, with a second by Larry Bice, that the Board approve the closed
8 session minutes from December 13, 2019. **MOTION CARRIED UNANIMOUSLY.**

9
10 Request for Reinstatement – **case number 13-86.** Respondent Seth Fischer was
11 alleged to have solicited an inappropriate relationship with a student. A settlement
12 was reached and respondent agreed to a suspension for a minimum of five years and
13 was ordered to complete a mental health evaluation and comply with any resulting
14 recommendations for treatment and/or further training. Five years have elapsed since
15 the effective date of the settlement and Mr. Fischer has submitted a request for
16 reinstatement. He did complete the mental health evaluation. However, there was a
17 recommendation for completion of a course that he has not yet completed. Due to Mr.
18 Fischer not completing the recommended course, the board denied his request for
19 reinstatement. Larry Bice moved, with a second by Sara Yedlik, that the Board deny
20 the respondent’s request for reinstatement in **case number 13-86**, and issue an order
21 stating that the materials submitted do not establish that the basis for the suspension
22 no longer exists and it would be in the public interest for the license to be reinstated.
23 **MOTION CARRIED UNANIMOUSLY.**

24
25 Communication from the Public

26 None.

27
28 Board Member Reports

29 Ryan Williamson shared a conversation he had with a former colleague regarding the
30 human relations component in the teacher prep program and how new teachers are
31 being introduced to working with a diverse student population.

1 Mary K. Overholtzer had a doctoral student approach her regarding how the BoEE
2 collects data. She wanted to know the history of the STEM endorsement. It was
3 recommended that the student contact Joanne Tubbs.

4
5 Executive Director's Report – Dr. Lebo

6 Legislative Update: No proposed legislation. We continue to manage inquiries
7 regarding reciprocity, pathways to the classroom, rural shortages, and efficiencies
8 along with our review of special education requirements and secondary endorsement
9 criteria. A bill tracker is maintained by Joanne and is available for board members
10 and staff to follow current legislation that may affect the BoEE.

11
12 Agency Update: Total relocation costs are approximately at \$67,000. We purchased a
13 television monitor, which will be mounted on the board room wall for meeting
14 presentations, Zoom meetings, etc. Our investigator position has closed and Dr. Lebo
15 is reviewing the applications.

16
17 Financial Update: Dr. Lebo reviewed the financial report.

18
19 NASDTEC Ted Andrews Winter Symposium (TAWS) was held on January 8-10, 2020
20 in San Diego. Board member Larry Bice attended on behalf of the Department of
21 Education. The focus was on equity (pathways to recruit and retain diverse teachers
22 and principals) and research on dispositional preparation - preparing educators to
23 meet the needs of diverse students.

24
25 Board Meeting and Retreat – June 25-26, 2020. Dr. Lebo asked the board for input on
26 where to hold the board meeting and retreat. After some discussion, it was decided to
27 hold the meeting and retreat in Waterloo at Hawkeye Community College to see and
28 learn about their programs. The board also expressed an interest in touring the
29 recently renovated Schindler Education Center at UNI. Rhonda McRina will assist in
30 facilitating.

1 Stakeholder Presentation – “2019 Administrators of the Year”

2 The 2019 Administrators of the Year presented to the board and shared: How being
3 administrator of the year has impacted them; their favorite educational success story;
4 BoEE challenges they most often face; and, how the BoEE can better serve licensees.

5 The administrators that attended: Susie Meade, Winterset, Superintendent of the
6 Year; Mark Lane, Urbandale, Central Office Administrator of the Year (Mark is now the
7 superintendent in Decorah); Valerie Nyberg, Cedar Rapids, Assistant Secondary
8 Principal of the Year; Candace Lynch, Cedar Rapids, Elementary Principal of the Year.
9 Mark Moody, Clear Creek Amana, Secondary Principal of the Year and Kerry Newman,
10 Council Bluffs, Middle Level Principal of the Year, were unable to attend.

11
12 Rules

13 Adopt:

14 None.

15
16 ARRC Review Pending:

17 IAC 282 Chapter 13 Reductions to endorsement credit hour requirements.

18
19 Notice:

20 None.

21
22 Items for Discussion:

23 None.

24
25 Petition for Waiver

26 Larry Bice moved, with a second by Tony Voss, that the board approve **PFW 20-01,**
27 **Michal South. MOTION CARRIED UNANIMOUSLY.** Reasons for approving: Michal
28 South requested a waiver of the rule for the substitute authorization. South holds a
29 bachelor’s degree from Northland International University, which is not a regionally
30 accredited institution. South has successfully completed the substitute authorization
31 course, and has experience working as a substitute paraeducator. Based on the
32 limited authority granted by the substitute authorization and South’s successful
33 experience working with children, the Board finds it would create an undue hardship

1 if it were to deny South’s request to waive the requirement of a bachelor’s degree from
2 a regionally accredited institution. The Board has granted waivers in similar cases.
3 The Board found granting the waiver would not cause prejudice to the substantial
4 legal rights of any person. The substitute authorization carries limited authority, as
5 the holder cannot serve for extended periods of time in one assignment. The Board
6 finds that South has presented clear and convincing evidence that waiving the rule in
7 question to grant this authorization would not compromise public health, safety, or
8 welfare.

9
10 Reports/Approvals

11 The following reports were reviewed:

- 12 • Home Base Iowa Annual Report 2019 which was prepared by Dr. Linda Espey,
13 BoEE Consultant.
- 14 • Annual Rules Report 2020 prepared by Darcy Hathaway.
- 15 • Annual Fees Report FY19 prepared by Dr. Ann Lebo.

16
17 There being no further business, Tony Voss moved, with a second by Sara Yedlik, to
18 adjourn the meeting at 1:40 p.m.