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STATE OF IOWA
BOARD OF EDUCATIONAL EXAMINERS
701 E. Court Ave., Suite A
Des Moines, Iowa 50309

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Minutes
April 22, 2022

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The Board of Educational Examiners (Board or BoEE) held a meeting on April 22, 2022. Sara Yedlik, Board Chair, called the meeting to order. Members attending were Kathy Behrens, Dr. Larry Bice, Pam Bleam, Tim Bower (attended via Zoom), Dave Harper (attended via Zoom), Chad Janzen, Rhonda McRina (attended via Zoom), Dr. Kristen Rickey, Erin Schoening and Dr. Tony Voss. Also, in attendance was Mike Cavin, Executive Director, Nicole Proesch, Attorney/ Investigator, Diane Dennis, Investigator, Greg Horstmann, Consultant/Investigator, and Kristi Traynor, Assistant Attorney General.

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Tony Voss moved, with a second by Chad Janzen, to approve the agenda. **MOTION CARRIED UNANIMOUSLY.**

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Dave Harper moved, with a second by Tim Bower, to approve the consent agenda (minutes for February 14, 2022, February 18, 2022 and March 16, 2022). **MOTION CARRIED UNANIMOUSLY.**

Larry Bice moved, with a second by Erin Schoening, that the Board go into closed session for the purpose of discussing closed session minutes, whether to initiate licensee disciplinary proceedings, and the decision to be rendered in a contested case, pursuant to Iowa Code sections 21.5(1)(a), (d), and (f). Roll call vote: Behrens – yes; Bice – yes; Bleam – yes; Bower – yes; Harper – yes; Janzen – yes; McRina – yes; Rickey – yes; Schoening – yes; Voss – yes; Yedlik - yes. **MOTION CARRIED UNANIMOUSLY.**

Larry Bice moved, with a second by Kristen Rickey, that in **case number 21-98**, the Board find probable cause to establish a violation of the following provisions of the Code of Professional Conduct and Ethics, 282 IAC rules 25.3(1)(b)(1), 25.3(1)(e)(7),

1 25.3(6)(c), 25.3(6)(d), and order this case set for hearing. **MOTION CARRIED**
2 **UNANIMOUSLY.**

3

4 Kristen Rickey moved, with a second by Erin Schoening, that in **case number 21-147,**
5 the Board find probable cause to establish a violation of the following provisions of the
6 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(1)(b)(2), 25.3(4)(a),
7 25.3(4)(b), 25.3(4)(e), and order this case set for hearing. **MOTION CARRIED**
8 **UNANIMOUSLY.**

9

10 Chad Janzen moved, with a second by Erin Schoening, that in **case number 22-14,**
11 the Board find probable cause to establish a violation of the following provisions of the
12 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(5)(a)(2), and order this
13 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

14

15 Erin Schoening moved, with a second by Larry Bice, that in **case number 21-157,** the
16 Board find that the evidence gathered in the investigation, including witness
17 statements and the documentary evidence, does not substantiate the allegations in the
18 complaint, and that the Board therefore lacks probable cause to proceed with this
19 matter. **MOTION CARRIED UNANIMOUSLY.**

20

21 Chad Janzen moved, with a second by Kristen Rickey, that in **case number 21-143,**
22 the Board find probable cause to establish a violation of the following provisions of the
23 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(3)(e), and order this case
24 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

25

26 Kristen Rickey moved, with a second by Larry Bice, that in **case number 21-162,** the
27 Board find probable cause to establish a violation of the following provisions of the
28 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(2)(b), 25.3(3)(c), and
29 order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

30

31 Larry Bice moved, with a second by Kristen Rickey, that in **case number 22-07,** the
32 Board find probable cause to establish a violation of the following provisions of the
33 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(5)(2), and order this case

1 set for hearing. Roll call vote: Behrens – yes; Bice – yes; Bleam – yes; Bower – yes;
2 Harper – yes; Janzen – yes; McRina – yes; Rickey – yes; Schoening – recused; Voss –
3 yes; Yedlik - yes. **MOTION CARRIED.**

4
5 Chad Janzen moved, with a second by Erin Schoening, that in **case number 22-11**,
6 the Board find probable cause to establish a violation of the following provisions of the
7 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(3)(c), 25.3(6)(c),
8 25.3(6)(d), 25.3(6)(e), 25.3(6)(m), 25.3(6)(s), 25.3(6)(t), and order this case set for
9 hearing. **MOTION CARRIED UNANIMOUSLY.**

10
11 Kristen Rickey moved, with a second by Chad Janzen, that in **case number 22-21**,
12 the Board find probable cause to establish a violation of the following provisions of the
13 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(1)(e)(1), 25.3(6)(c),
14 25.3(6)(d), 25.3(6)(m), 25.3(8)(a), 25.3(8)(b), and order this case set for hearing. Roll
15 call vote: Behrens – recused; Bice – yes; Bleam – yes; Bower – yes; Harper – yes;
16 Janzen – yes; McRina – yes; Rickey – yes; Schoening – yes; Voss – yes; Yedlik - yes.
17 **MOTION CARRIED.**

18
19 Larry Bice moved, with a second by Erin Schoening, that in **case number 22-23**, the
20 Board find probable cause to establish a violation of the following provisions of the
21 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(3)(b), and order this case
22 set for hearing. Roll call vote: Behrens – yes; Bice – yes; Bleam – yes; Bower – yes;
23 Harper – yes; Janzen – recused; McRina – yes; Rickey – yes; Schoening – yes; Voss –
24 yes; Yedlik - yes. **MOTION CARRIED.**

25
26 Kristen Rickey moved, with a second by Larry Bice, that in **case number 22-31**, the
27 Board find that the evidence gathered in the investigation, including witness
28 statements and the documentary evidence, does not substantiate the allegations in the
29 complaint, and that the Board therefore lacks probable cause to proceed with this
30 matter. **MOTION CARRIED UNANIMOUSLY.**

31
32 Erin Schoening moved, with a second by Chad Janzen, that in **case number 22-32**,
33 the Board find that the evidence gathered in the investigation, including witness

1 statements and the documentary evidence, does not substantiate the allegations in the
2 complaint, and that the Board therefore lacks probable cause to proceed with this
3 matter. **MOTION CARRIED UNANIMOUSLY.**

4
5 Chad Janzen moved, with a second by Kristen Rickey, that in **case number 22-38**,
6 the Board find probable cause to establish a violation of the following provisions of the
7 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(1)(e)(4), and order this
8 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

9
10 Larry Bice moved, with a second by Erin Schoening, that in **case number 22-39**, the
11 Board find probable cause to establish a violation of the following provisions of the
12 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(5)a(2), and order this case
13 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

14
15 Erin Schoening moved, with a second by Chad Janzen, that in **case number 22-51**,
16 the Board find probable cause to establish a violation of the following provisions of the
17 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(5)(a)(2), and order this
18 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

19
20 Larry Bice moved, with a second by Kristen Rickey, that in **case number 22-52** the
21 Board find probable cause to establish a violation of the following provisions of the
22 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(5)(a)(2), and order this
23 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

24
25 Kristen Rickey moved, with a second by Larry Bice, that in **case number 22-10**, the
26 Board find probable cause to establish a violation of the following provisions of the
27 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(1)(e)(4), and order this
28 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

29
30 Kristen Rickey moved, with a second by Larry Bice, that in **case number 21-164**, the
31 Board find probable cause to establish a violation of the following provisions of the
32 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(6)(c), and order this case
33 set for hearing. Roll call vote: Behrens – yes; Bice – yes; Blead – no; Bower – yes;

1 Harper – no; Janzen – yes; McRina – yes; Rickey – yes; Schoening – yes; Voss – no;
2 Yedlik - yes. **MOTION CARRIED.**

3
4 Erin Schoening moved, with a second by Larry Bice, that in **case number 22-47**, the
5 Board find probable cause to establish a violation of the following provisions of the
6 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(5)(a)(2), and order this
7 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

8
9 Chad Janzen moved, with a second by Erin Schoening, that in **case number 22-48**,
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 rule 25.3(5)(a)(2), and order this
12 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

13
14 Chad Janzen moved, with a second by Erin Schoening, that in **case number 22-49**,
15 the Board find that, although one or more of the allegations in the complaint may be
16 substantiated by the witnesses interviewed in the course of the investigation [and/or]
17 the documents gathered in the course of the investigation, and the allegations may
18 constitute a technical violation of the board’s statute or administrative rules; the
19 evidence before the board indicates that adequate steps have been taken to remedy
20 the violation and to ensure that incidents of a similar nature do not occur in the
21 future. The Board will not pursue formal disciplinary action in this matter. **MOTION**
22 **CARRIED UNANIMOUSLY.**

23
24 Larry Bice moved, with a second by Erin Schoening, that in **case number 22-30** the
25 Board find probable cause to establish a violation of the following provisions of the
26 Code of Professional Conduct and Ethics, 282 IAC rules 25.3(6)(d), 25.3(6)(s), and
27 order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

28
29 Larry Bice moved, with a second by Erin Schoening, that in **case number 21-132**, 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: Behrens – yes; Bice – yes; Bleam – yes; Bower – yes; Harper – yes;

1 Janzen – yes; McRina – yes; Rickey – yes; Schoening – yes; Voss – recused; Yedlik -
2 yes. **MOTION CARRIED.**

3

4 Chad Janzen moved, with a second by Larry Bice, that in **case number 21-133**, 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 Erin Schoening moved, with a second by Chad Janzen, that in **case number 22-02**,
10 the 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 Kristen Rickey moved, with a second by Larry Bice, that in **case number 21-89**, 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.**

18

19 Kristen Rickey moved, with a second by Chad Janzen, that in **case number 21-23**,
20 the Board accept the agreement submitted by the parties, and issue an Order
21 incorporating the agreement of the parties and imposing the agreed upon sanction.
22 Roll call vote: Behrens – yes; Bice – yes; Blead – yes; Bower – yes; Harper – yes;
23 Janzen – yes; McRina – yes; Rickey – yes; Schoening – yes; Voss – recused; Yedlik -
24 yes. **MOTION CARRIED.**

25

26 Kristen Rickey moved, with a second by Erin Schoening, that the Board accept the
27 respondent’s waiver of hearing and voluntary surrender in **case number 22-35**, and
28 that the Board issue an order permanently revoking the license with no possibility of
29 reinstatement. **MOTION CARRIED UNANIMOUSLY.**

30

31 Larry Bice moved, with a second by Chad Janzen, that the Board accept the
32 respondent’s waiver of hearing and voluntary surrender in **case number 22-12**, and

1 that the Board issue an order permanently revoking the license with no possibility of
2 reinstatement. **MOTION CARRIED UNANIMOUSLY.**

3
4 Kristen Rickey moved, with a second by Chad Janzen, that the Board not initiate
5 review of the proposed decision in **case number 21-17, In the Matter of Craig**
6 **Nelson**, and allow the proposed decision to become the final decision of the Board
7 unless an appeal is taken by one of the parties within the time allowed by rule.

8 **MOTION CARRIED UNANIMOUSLY.** (Kristi Traynor left the room during the
9 discussion of this case in closed session.)

10
11 Erin Schoening moved, with a second by Larry Bice, that the Board not initiate review
12 of the proposed decision in **case number 21-06, In the Matter of Robert Webb**, and
13 allow the proposed decision to become the final decision of the Board unless an appeal
14 is taken by one of the parties within the time allowed by rule. **MOTION CARRIED**
15 **UNANIMOUSLY.** (Kristi Traynor left the room during the discussion of this case in
16 closed session.)

17
18 Larry Bice moved, with a second by Kristen Rickey, to extend the 180-day deadline for
19 issuance of the final decision in **case number 21-137**, based upon the need to
20 schedule the hearing. **MOTION CARRIED UNANIMOUSLY.** (Kristi Traynor left the
21 room during the discussion of this case in closed session.)

22
23 Chad Janzen moved, with a second by Erin Schoening, to extend the 180-day deadline
24 for issuance of the final decision in **case number 21-138**, based upon the need to
25 hold the hearing and review the proposed decision. **MOTION CARRIED**
26 **UNANIMOUSLY.** (Kristi Traynor left the room during the discussion of this case in
27 closed session.)

28
29 Erin Schoening moved, with a second by Larry Bice, to extend the 180-day deadline
30 for issuance of the final decision in **case number 21-140**, based upon the need to
31 schedule the hearing. **MOTION CARRIED UNANIMOUSLY.** (Kristi Traynor left the
32 room during the discussion of this case in closed session.)

1 Kristen Rickey moved, with a second by Chad Janzen, that in **case number 22-40**, the
2 board deny the motion to dismiss on the basis that the complaint was filed within
3 three years of the complainant being made aware of the Respondent's conduct on
4 September 10, 2021, and a complaint filed on February 24, 2022. **MOTION CARRIED**
5 **UNANIMOUSLY.** (Kristi Traynor left the room during the discussion of this case in
6 closed session.)

7
8 Larry Bice moved, with a second by Kristen Rickey, that the Board approve the closed
9 session minutes for February 18, 2022. **MOTION CARRIED UNANIMOUSLY.**

10
11 Kristen Rickey moved, with a second by Larry Bice, that the Board approve the closed
12 session minutes for March 16, 2022. **MOTION CARRIED UNANIMOUSLY.**

13
14 Communication from the Public

15 None.

16
17 Board Member Reports

18 Tony Voss asked if we could compile data regarding the number of contract cases
19 we've had over the past five years. This year we've received more complaints for
20 contract violations than in previous years. He believed this would be helpful regarding
21 discussions about teacher shortages and people leaving the profession.

22
23 Larry Bice is working on a project with the American Institutes of Research on a
24 research project that came out of the Task Force on Growing a Diverse K-12 Teacher
25 Base in Iowa. The research projects will include: 1) Why students are choosing/not
26 choosing teaching. Surveys and focus groups will take place with college freshman.
27 2) Why are teachers leaving teaching? Survey current teachers that are in their 3rd-5th
28 year and 6th-8th year of teaching to get their thoughts on it. 3) Attempt to reach out to
29 those teachers that left teaching within the last five years. 4) Survey people who have
30 earned a practitioner license (teacher or administrator) but are not using the license.
31 Registered Apprenticeship also came out of the task force. It is a program using US
32 Department of Labor protocols that provides learning through coursework and on-the-
33 job training leading to a certificate. A request has been made for grants.

1 Larry also mentioned that this would be his last BoEE board meeting. He accepted a
2 position at Iowa State as Director of Ed Prep Programs and will begin on May 6. Board
3 members thanked Larry for his service on the board and congratulated him on his new
4 position.

5
6 Kristen Rickey will be heading to Finland for ten days of educational and cultural
7 experiences as a participant of the Fulbright Leaders for Global Schools Program.

8
9 Chad Janzen will be the new superintendent at Sergeant Bluff-Luton CSD effective
10 July 1.

11
12 Executive Director's Report

13 Legislative Update: Key Legislation with BoEE Impacts - SF 2383 – Passed Senate-
14 sitting with House. No action as of April 20 and still holding. This bill includes: 1)
15 WBL Authorization; 2) Remove one-year license and residency from reciprocity; 3)
16 Waive any fee for an individual's first application who is below 200% of poverty level;
17 4) Waive application fee (we already do) and one renewal for honorably discharged
18 military. Still out there – no renewal requirement for Master Educator's License. We
19 have trimmed down to require LEA Admin. to signoff that professional development
20 has been met.

21
22 Agency Update:

23 The Senate did confirm Executive Director Cavin in his position - 48-0.

24
25 A new board member has been appointed to replace Sara Yedlik – Tim McKinney, a
26 teacher from I-35 CSD. He will begin in May. There is still no word on our final board
27 member appointment.

28
29 Executive Director Cavin is in discussion with Director Lebo regarding Larry Bice's
30 replacement as the DE Designee.

31
32 The start time for our BoEE board meetings will now be 8:30 a.m. beginning in FY 23.

1 Licensure Update: Renewals are just over 2 ½ weeks out.

2

3 Financial Update: Executive Director Cavin reviewed the financials for March. Our FY
4 23 budget is due in mid-May.

5

6 Board Meeting and Retreat: Our board retreat and meeting are scheduled for
7 June 23-24, 2022, and will take place in Council Bluffs. Information will be sent out
8 to board members regarding the hotel details. The board retreat will begin at 1:00
9 p.m. on Thursday, June 23. It will consist of a work session to work on goals, etc., for
10 the coming year. We will visit Thomas Jefferson HS to hear about the Diploma Plus
11 One Program and tour the Tradeworks Program. The board meeting will be held on
12 Friday, June 24, and begin at 8:00 a.m. Friday's presentation will be about the
13 International Baccalaureate Primary Years Programs. Special thanks to Erin
14 Schoening for scheduling the visit and presentation.

15

16 If board members have any suggestions or recommendations for training/information
17 for the retreat and/or meeting, they were asked to email Executive Director Cavin.

18

19 Nicole Proesch has prepared a presentation regarding grooming behaviors,
20 unacceptable behaviors, boundaries, etc., among educators She will begin scheduling
21 presentations for districts that would be interested.

22

23 Stakeholder Presentation

24 George Anderson, 2020/2021 Iowa Teacher of the Year, shared some of his
25 experiences as teacher of year.

26

27 Rules

28 Adopt:

29 None.

30

31 ARRC Review Pending:

32 IAC 282 Chapter 24 – Paraeducator Substitute Authorization (ARC 6228C and ARC
33 6229C). This amendment will allow the Director of the Board to grant permission for a

1 paraeducator to serve as a substitute teacher outside of the paraeducator’s assigned
2 special education classroom based on documented need. ARC 6229C was adopted
3 and filed emergency on Feb 14, 2022. ARC 6228C is the same language but filed as a
4 regular notice in order to give opportunity for public comment.

5
6 Notice:

7 None.

8
9 Discussion:

10 None.

11
12 Petition for Waiver

13 None.

14
15 Reports/Approvals

16 Tony Voss moved, with a second by Erin Schoening, to approve the board meeting
17 calendar for FY 23. **MOTION CARRIED UNANIMOUSLY.**

18
19 Mike Cavin presented Sara Yedlik with a Certificate of Service for her eight years of
20 service as a member of our board. Sara also served as Board Chair for two years.
21 This was Sara’s last meeting - April 30, 2022, is the end of her term.

22
23 There being no further business, Tony Voss moved, with a second by Erin Schoening,
24 to adjourn the meeting at 12:25 p.m. **MOTION CARRIED UNANIMOUSLY.**