

IOWA BOARD OF EDUCATIONAL EXAMINERS

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EXECUTIVE DIRECTOR
BOARD OF EDUCATIONAL EXAMINERS
JUL 16 2026

PETITION FOR WAIVER

Chapter 6 – Waivers or Variances from Administrative Rules

General Directions:

- Please print clearly or type on the form. The information is provided in this format to the Board of Educational Examiners for review. If the information is not legible, the petition will not be submitted to the Board.
- The petition must be complete. If any criterion is left blank, the petition for a waiver will not be submitted to the Board.
- Provide clear and convincing evidence for all sections of the petition for a waiver.

Section A. PETITIONER'S INFORMATION.

Name: Paul Croghan Case No. 26-05
(to be completed by Board)

Address: [REDACTED]

Date: _____

Folder Number (if known): 310725

Home Phone with Area Code: [REDACTED]
Work Phone with Area Code: [REDACTED]

Section B. 282—6.4(17A) CRITERIA FOR WAIVER OR VARIANCE.

- Denial of application. In order for a petition for a waiver to be reviewed, the petitioner must have submitted an application to the Board of Educational Examiners and the determination has been provided to the petitioner that the petitioner is not eligible for the action to be completed based on a Board of Educational Examiners' rule. Please indicate when you submitted the application:

August 2025

- Waiver rule. In response to a petition completed pursuant to rule 6.6(17A), the board may in its sole discretion issue an order waiving in whole or in part the requirements of a rule if the board finds, based on clear and convincing evidence, all of the following:
 1. The application of the rule would impose an undue hardship on the person for whom the waiver is requested;
 2. The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person;
 3. The provisions of the rule subject to the petition for a waiver are not specifically mandated by statute or another provision of law; and
 4. Substantially equal protection of public health, safety, and welfare will be afforded by a means other than prescribed in the particular rule for which the waiver is requested.

Section C. BOARD DISCRETION. 282—6.10(1)

- Board's decision. The final decision on whether the circumstances justify the granting of a waiver shall be made at the sole discretion of the board, upon consideration of all relevant factors. Each petition for a waiver shall be evaluated by the board based on the unique, individual circumstances set out in the petition.
- Appeal of Board's decision. Once a decision is rendered by the Board, the decision is final. If you wish to contest the decision, you must do so in district court.

Section D. BURDEN OF PERSUASION. 282—6.10(2)

- Be thorough. Please complete the petition for a waiver in detail. This is the document that the Board will utilize in determining the outcome of your petition for a waiver. Do not assume that the Board will have any information that is not included on this waiver. If the information is not provided on the petition for a waiver, the information is not shared with the Board for its review.
- Support. You may attach additional pages to provide more documentation than what could be included in the spaces provided.
- Burden of proof. The burden of persuasion rests with the petitioner to demonstrate by clear and convincing evidence that the board should exercise its discretion to grant a waiver from a board rule.
- Board meeting agenda. Please be aware that if you wish to attend the Board meeting at which your petition for a waiver is included on the agenda, you are welcome to speak at the public comment time on the agenda. You do not present the information to the Board regarding your petition during the agenda time set aside for your petition. That is the time that the Board will review the written information you have provided. If the Board asks you a question, you may respond.
- New information. If new information is provided at the Board meeting that was not included in the petition for a waiver, please be aware that the Board may table the discussion on your petition while reviewing the new information provided.

Section E. RULE INFORMATION

- Cite the specific rule or rules that you are requesting the Board to waive. You may find the rules on the Board of Educational Examiners' website: www.boee.iowa.gov
Click on the link for "Rules and Code" and scroll to the rule that you wish to waive.

Citation: 282-22.3 (256) Career and technical authorization

22.3 (1) Requirements for the initial career and technical authorization

5 (b) Recent and relevant experience will have been accrued within ten years prior to the date of application.
Experience that doesn't meet these

2. Provide a description of the rule or rules that you are requesting the Board to waive:

Description:

"Recency" rule requires one to have 4000 hours of vocational experience within the last ten years.

Self-employment for the construction can be problematic as the verification of work doesn't come from an outside employer or company.

Section F. WAIVER INFORMATION

1. In your own words, provide a brief narrative of your specific request. Provide clear and convincing evidence.

My request is for the Board to waive the recency clause because the field of carpentry continues to rely on many of the same foundational principles, despite advancements in technology and construction materials. Through my ongoing work as a self-employed contractor and my involvement in Career and Technical Education (CTE), I remain actively engaged in the construction industry and continue to apply current industry practices. In addition, I have established professional relationships with licensed professionals in carpentry, electrical, plumbing, and HVAC trades to ensure students are exposed to current methods, safety standards, and industry expectations. These ongoing professional connections allow me to provide students with relevant and up-to-date instruction while meeting the workforce needs of the district. (see enclosed photos).

2. In your own words, provide a brief narrative of the hardship that the Board's rule(s) would impose upon you (not the school district, not the area education agency, nor the local board of directors):

I am a self-employed fence builder currently teaching part-time in both Career and Technical Education (CTE) and mathematics to help meet staffing needs in those areas. Compliance with the board's rule would require me to dedicate substantial time to additional coursework and/or work under a contractor. Balancing those requirements while continuing to operate my fencing business would create a significant hardship. Any reduction in time spent managing and performing work for my business would result in a considerable loss of income and place a financial burden on me and my family.

3. To your knowledge, would any substantial legal rights be affected for other individuals by waiving this rule(s)? If the rule is waived, what would be the consequences? If this decision would become a precedent for others, what would be the ramifications?

To my knowledge, waiving this rule would not affect any substantial legal rights of other individuals. If the recency requirement were waived, a potential consequence could be that students may have less exposure to the newest construction materials, products or methods currently being introduced within the industry. However, this concern can be addressed by requiring the instructor to maintain professional partnerships with local contractors and industry professionals who can verify that current practices, safety standards, and emerging technologies are being incorporated into classroom instruction.

If this decision were to become precedent for others, I believe the same safeguards and professional expectations could be applied on a case-by-case basis to ensure instructional quality and industry relevance are maintained while also helping schools address ongoing shortages in qualified Career and Technical Education instructors.

4. How would the equal protection of public health, safety and welfare be afforded if this waiver were granted? What are the benefits for your students if your waiver is granted? What are the benefits for other students? What are the benefits for the school district? How will you ensure that the welfare of your students will not be compromised if the waiver is granted? How will this decision protect the profession and the integrity of the licensure standards? How will this decision ensure the delivery of highly qualified content for enhanced student learning?

Equal protection of public, health, safety, and welfare would continue to be maintained through compliance with local and state building codes, industry safety standards, and classroom safety procedures. Safety is emphasized beginning on the first day of class, and I completed OSHA 10 certification alongside the 11th grade students this year to reinforce the importance of workplace safety and industry expectations.

My students benefit from this waiver by receiving real-life, hands-on experience in construction and exposure to industry standards, expectations, and career opportunities within the skilled trades. Students take an active role in the completion of projects, allowing them to develop practical skills, problem-solving, abilities, teamwork, and work ethic that directly apply to future employment and training opportunities.

Other students benefit from the continued availability of Career and Technical Education (CTE) opportunities within the district. The school district benefits by continuing to meet CTE program requirements while providing students with meaningful workforce preparation in a high-demand industry.

Student welfare would not be compromised if the waiver is granted because all projects continue to follow state and local building codes, safety requirements and industry practices. The evidence presented to the board demonstrates the progress made throughout the school year, as well as the quality and safety of the completed construction projects.

Granting this waiver would protect the profession and the integrity of licensure standards because students are being taught industry expectations, proper safety procedures, and quality workmanship. The completed project demonstrates the level of skill and professionalism students are capable of achieving under my instruction. My goal is to help strengthen the skilled trades by preparing students to become quality workers who are willing to learn, grow and contribute positively to the trade industry.

5. What time period are you requesting for this waiver?

I am requesting this waiver for a period of five years. This timeframe would allow me to obtain the additional 800 to 1,000 hours per year needed to satisfy the 4,000-hour requirement while continuing to teach and operate my business.

6. Does anyone else possess knowledge relevant to this waiver request? (If yes, list name, address and telephone number.) Your administrator/colleague/ other professional may submit a letter of support for your petition. Include the letter with the petition for a waiver.

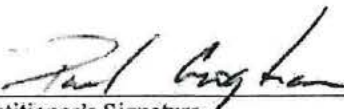
Attached letter of support by East Mills Community School District High School Principal building Dale Scott as well as contact information for General Contractor Matt Urban - Urban Developments, [REDACTED]

7. Please review the board waivers on the Board of Educational Examiners' website: www.boee.iowa.gov to determine if the board has reviewed a similar petition for a waiver and the outcome. Cite the similar petition(s) to support your request for a petition of a waiver of the rules.

I reviewed the Board of Educational Examiners, waiver information, and search resources available on the website. To the best of my knowledge, I was unable to locate substantially similar, petition or waiver decisions related to this specific request through the search tools provided on the website.

Section G. RELEASE OF INFORMATION: I authorize any persons with knowledge of the relevant or important facts relating to the requested waiver to release any information to the Iowa Board of Educational Examiners.

Section H. ACCURACY AND TRUTH: I certify that the information on this Petition for Waiver is true and complete to the best of my knowledge. I understand that any misrepresentation of facts may result in the denial of this Petition.



Petitioner's Signature

5/22/26

Date

This Petition is to be submitted to: Board of Educational Examiners, 701 E. Court Ave., Suite A, Des Moines, IA 50319-0147.

