

**STATE OF IOWA
BOARD OF EDUCATIONAL EXAMINERS**

701 E. Court Ave, Suite A
Des Moines, IA 50309

2023-2024 BoEE Goals

- Goal 1: Explore options for conditional licensure for non-prepared individuals enrolled in preparation programs.
- Goal 2: Expand remediation trainings available for ethical violations.
- Goal 3: Expansion of ethics and grooming presentations to LEA's.

BOARD MEETING AGENDA

Friday, October 13, 2023

This meeting will be conducted electronically.

**To access the meeting: please contact Interim Executive Director, Joanne Tubbs
by 8:00 a.m. for the Zoom Link
joanne.tubbs@iowa.gov**

10:00 a.m.

Call Meeting to Order

Approve the Agenda

Tab A

Approve the Consent Agenda

- a. Minutes from September 8, 2023 board meeting

Tab B

**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 September 8, 2023

Communication from the Public

(If you wish to address the board, please contact Meredith Hawk by 8:00 a.m. at
meredith.hawk@iowa.gov)

Board Communications

- a. Board Member Reports
- b. Executive Director's Report

Waivers

- 1. PFW 23-10 Kristine Sutton

Tab C

11:00 a.m.

Adjournment

UPCOMING MEETINGS

Wednesday November 8, 2023 – 8:30 a.m.

Friday, December 15, 2023, 8:30 a.m.

Thursday, January 11, 2024, 9:00 a.m.

1 the documents gathered in the course of the investigation, and the allegations may
2 constitute a technical violation of the board's statute or administrative rules; the
3 evidence before the board indicates that the alleged violation is not of sufficient
4 magnitude to warrant a hearing, and the alleged violation was an isolated incident.

5 **MOTION CARRIED UNANIMOUSLY.**

6
7 Tim Bower moved, with a second by Eric St. Clair, that in **case number 23-78**, the
8 Board finds that the evidence gathered in the investigation, including witness
9 statements and the documentary evidence, does not substantiate the allegations in the
10 complaint, and that the Board therefore lacks probable cause to proceed with this
11 matter. **MOTION CARRIED UNANIMOUSLY.**

12
13 Tim Bower moved, with a second by Kristin Rickey, that in **case number 23-81**, the
14 Board finds that the evidence gathered in the investigation, including witness
15 statements and the documentary evidence, does not substantiate the allegations in the
16 complaint, and that the Board therefore lacks probable cause to proceed with this
17 matter. Roll Call: Behrens – yes; Bower – yes; Eidahl – yes; Janzen – recused; McRina
18 – yes; Rickey – yes; St Clair – yes **MOTION CARRIED.**

19
20 Eric St Clair moved, with a second by Tim Bower, that in **case number 23-69**, the
21 Board finds 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.**

25
26 Eric St Clair moved, with a second by Kristin Rickey, that in **case number 23-67**, 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 rule 25.3(3)e, 25.3(6)b, 25.3(8)a and
29 order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

30
31 Tim Bower moved, with a second by Eric St Clair, that in **case number 23-45**, the
32 Board finds that the evidence gathered in the investigation, including witness
33 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 Kristin Rickey moved, with a second by Eric St Clair, that in **case number 23-82 and**
5 **23-85** the Board combine these cases, and the board deny the motion to dismiss and
6 that the Board return the complaints and investigative reports to the investigator to
7 gather further information, and return the case to the Board for further consideration.
8 **MOTION CARRIED UNANIMOUSLY.**

9
10 Eric St Clair moved, with a second by Tim Bower, that in **case number 23-105**, 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(1)(b)(1)(2), (1)c & (1)e(3) &
13 (1)e(4), and order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

14
15 Kristin Rickey moved, with a second by Eric St Clair, that in **case number 23-115**,
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(6)d, and order this case
18 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

19
20 Tim Bower moved, with a second by Kristin Rickey, that in **case number 23-111**, 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(2)b, and order this case
23 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

24
25 Kristin Rickey moved, with a second by Tim Bower, that in **case number 23-118**, the
26 Board the Board find probable cause to establish a violation of the following provisions
27 of the Code of Professional Conduct and Ethics, 282 IAC rule 25.3(4)a, b, d, e,
28 25.3(6)m, 25.3(8)a & b, and order this case set for hearing. **MOTION CARRIED**
29 **UNANIMOUSLY.**

30
31 Eric St Clair moved, with a second by Kristin Rickey, that in **case number 23-74**, the
32 Board find probable cause to establish a violation of the following provisions of the

1 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(8)(a) and order this case
2 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

3
4 Tim Bower moved, with a second by Eric St Clair, that in **case number 23-76**, 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(8)a, and order this case
7 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

8
9 Tim Bower moved, with a second by Kristin Rickey, that in **case number 23-22**, the
10 Board find that, although one or more of the allegations in the complaint may be
11 substantiated by the witnesses interviewed in the course of the investigation [and/or]
12 the documents gathered in the course of the investigation, and the allegations may
13 constitute a technical violation of the board’s statute or administrative rules; the
14 evidence before the board indicates that the alleged violation was an isolated incident.
15 Roll Call: Behrens – no; Bower – yes; Eidahl – yes; Janzen – yes, McRina – yes; Rickey
16 – yes; St Clair – no. **MOTION CARRIED.**

17
18 Kristin Rickey moved, with a second by Tim Bower, that in **case number 23-61**, the
19 Board find probable cause to establish a violation of the following provisions of the
20 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(3)b, and order this case
21 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

22
23 Eric St Clair moved, with a second by Kristin Rickey, that in **case number 23-92**, the
24 Board find probable cause to establish a violation of the following provisions of the
25 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(6)c & d, and order this
26 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

27
28 Eric St Clair moved, with a second by Tim Bower, that in **case number 23-88**, 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(5)a(2) and order this case
31 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

1 Tim Bower moved, with a second by Eric St Clair, that in **case number 23-86** the
2 Board finds that the evidence gathered in the investigation, including witness
3 statements and the documentary evidence, does not substantiate the allegations in the
4 complaint, and that the Board therefore lacks probable cause to proceed with this
5 matter. **MOTION CARRIED UNANIMOUSLY.**

6
7 Kristin Rickey moved, with a second by Eric St Clair, that in **case number 23-91**, the
8 Board finds that the evidence gathered in the investigation, including witness
9 statements and the documentary evidence, does not substantiate the allegations in the
10 complaint, and that the Board therefore lacks probable cause to proceed with this
11 matter. **MOTION CARRIED UNANIMOUSLY.**

12
13 Kristin Rickey moved, with a second by Eric St Clair, that in **case number 23-79**, the
14 Board acknowledge the agreement filed by the parties and that the Board find
15 probable cause to establish a violation of the following provisions of the Code of
16 Professional Conduct and Ethics, 282 IAC rule 25.3(6)d and order this case set for
17 hearing. **MOTION CARRIED UNANIMOUSLY.**

18
19 Kristin Rickey moved, with a second by Eric St Clair, that in **case number 23-14**,
20 move that the Board accept the respondent's waiver of hearing and voluntary
21 surrender in **case number 23-14**, and that the Board issue an order permanently
22 revoking the license with no possibility of reinstatement.

23
24 Tim Bower moved, with a second by Kristin Rickey, that in **case number 22-112** 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 Eric St Clair moved, with a second by Kristin Rickey, that in **case number 23-50** 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: Behrens- yes; Bower – recused; Eidahl – yes; Janzen – yes; McRina – yes;
33 Rickey – yes; St Clair – yes; **MOTION CARRIED.**

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Kristin Rickey moved, with a second by Eric St Clair, that in **case number 23-51** the Board accept the agreement submitted by the parties, and issue an Order incorporating the agreement of the parties and imposing the agreed upon sanction. Roll call: Behrens- yes; Bower – recused; Eidahl – yes; Janzen – yes; McRina – yes; Rickey – yes; St Clair – yes; **MOTION CARRIED.**

Eric St Clair moved, with a second by Kristin Rickey, that in **case number 23-52** the Board accept the agreement submitted by the parties, and issue an Order incorporating the agreement of the parties and imposing the agreed upon sanction. Roll call: Behrens- yes; Bower – recused; Eidahl – yes; Janzen – yes; McRina – yes; Rickey – yes; St Clair – yes; **MOTION CARRIED.**

Kristin Rickey moved, with a second by Eric St Clair, that in **case number 23-48** the Board accept the agreement submitted by the parties, and issue an Order incorporating the agreement of the parties and imposing the agreed upon sanction. Roll call: Behrens- yes; Bower – recused; Eidahl – yes; Janzen – yes; McRina – yes; Rickey – yes; St Clair – yes; **MOTION CARRIED.**

Eric St Clair moved, with a second by Kristin Rickey, that in **case number 23-49** the Board accept the agreement submitted by the parties, and issue an Order incorporating the agreement of the parties and imposing the agreed upon sanction. Roll call: Behrens- yes; Bower – recused; Eidahl – yes; Janzen – yes; McRina – yes; Rickey – yes; St Clair – yes; **MOTION CARRIED.**

Tim Bower moved, with a second by Kristin Rickey, that in **case number 22-111** the Board accept the agreement submitted by the parties, and issue an Order incorporating the agreement of the parties and imposing the agreed upon sanction. **MOTION CARRIED UNANIMOUSLY.**

Eric St Clair moved, with a second by Kristin Rickey, that in **case number 23-56** the Board accept the agreement submitted by the parties, and issue an Order

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

2 **MOTION CARRIED UNANIMOUSLY.**

3
4 Kristin Rickey moved, with a second by Tim Bower, that in **case number 21-128** 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 Andrew Steffensmeier recused during the discussion for the 180-day extensions in
10 closed session.

11
12 Kristin Rickey moved, with a second by Eric St Clair, to extend the 180-day deadline
13 for issuance of the final decision in **case number 23-35** based upon the need to
14 schedule the hearing and conclude the contested case process. **MOTION CARRIED**

15 **UNANIMOUSLY**

16
17 Eric St Clair moved, with a second by Kristin Rickey, to extend the 180-day deadline
18 for issuance of the final decision in **case number 23-37** based upon the need to
19 schedule the hearing and conclude the contested case process. Roll call: Behrens- yes;
20 Bower – recused; Eidahl – yes; Janzen – yes; McRina – yes; Rickey – yes; St Clair – yes;

21 **MOTION CARRIED.**

22
23 Tim Bower moved, with a second by Eric St Clair, to extend the 180-day deadline for
24 issuance of the final decision in **case number 23-42** based upon the need to schedule
25 the hearing and conclude the contested case process. **MOTION CARRIED**

26 **UNANIMOUSLY**

27
28 Eric St Clair moved, with a second by Kristin Rickey, to extend the 180-day deadline
29 for issuance of the final decision in **case number 23-44** based upon need to schedule
30 the hearing and conclude the contested case process. **MOTION CARRIED**

31 **UNANIMOUSLY**

1 Kristin Rickey moved, with a second by Tim Bower, to extend the 180-day deadline for
2 issuance of the final decision in case number 23-46 based upon the need to schedule
3 the hearing and conclude the contested case process. **MOTION CARRIED**

4 **UNANIMOUSLY**

5
6 Tim Bower moved, with a second by Eric St Clair, to extend the 180-day deadline for
7 issuance of the final decision in case number 23-47 based upon the need to schedule
8 the hearing and conclude the contested case process. **MOTION CARRIED**

9 **UNANIMOUSLY**

10
11 Eric St Clair moved, with a second by Kristin Rickey, to extend the 180-day deadline
12 for issuance of the final decision in case number 23-53 based upon the need to
13 schedule the hearing and conclude the contested case process. **MOTION CARRIED**

14 **UNANIMOUSLY**

15
16 Kristin Rickey moved, with a second by Tim Bower, to extend the 180-day deadline for
17 issuance of the final decision in case number 23-54 based upon the need to schedule
18 the hearing and conclude the contested case process. **MOTION CARRIED**

19 **UNANIMOUSLY**

20
21 Kristin Rickey moved, with a second by Tim Bower, that the Board approve the closed
22 session minutes from August 2, 2023. **MOTION CARRIED UNANIMOUSLY**

23
24 Requests for Reinstatement:

25 **Case No. 21-57 In the Matter of Jody Kline.** Ms. Kline was charged with being on
26 school premises or a school sponsored activity while under the influence of alcohol.
27 The Respondent received a public reprimand, a suspension for 1 year, completion of
28 the Ethics for Educators course, and completed a mental health evaluation and
29 substance abuse evaluation. Ms. Kline was present before the board. The Respondent
30 has met all of the required criteria for reinstatement. Kristin Rickey moved, with a
31 second by Eric St Clair, that in case number 21-57, the Board grant the Respondent's
32 request for reinstatement and issues an order stating the basis for the suspension no

1 longer exists and it will be in the public interest for the license to be reinstated.

2 **MOTION CARRIED UNANIMOUSLY**

3
4 Communication from the Public:

5 None

6
7 Board Member Reports:

8 None

9
10 Executive Director's Report

11 Joanne will be serving as Interim Executive Director for the next few months,
12 beginning today, and also delivered the Director's Report on behalf of Executive
13 Director Cavin.

14
15 Legislative updates:

16 Rules discussed today encompasses all rule adoptions and changes needed per 2023
17 legislative action. The BoEE has worked with the Department of Education on
18 proposed legislation for next session. One item is to remove the 180-day limitation
19 altogether or change to 180 days to complete a BoEE investigation and allow the board
20 to determine PC. There is also a proposal to eliminate the short course and
21 employment offer for Transitional Coaching Authorization, which would create a more
22 streamlined process. There is also a proposal to modify confidentiality law and allow
23 the BoEE to turn the complaint and investigation over to law enforcement when
24 applicable. We will need additional modifications to allow investigations of non-
25 licensed staff (HF 430), to maintain confidentiality and not impair the criminal
26 investigation.

27
28 We've made a request to expand Mandatory Reporting to all of Standard 1, including
29 physical abuse and to modify the 3 years limitation on complaints in cases where the
30 individual was a minor in an in appropriate relationship. This allows an individual to
31 file a complaint as an adult against an educator who committed the inappropriate
32 relationship when they were a minor.

1 Joanne has begun the initial investigation into our rule re-writes as required by the
2 Governor's Executive Order, which is due in 2024. Joanne will also be assisting with
3 Director Cavin's responsibilities starting today. Staff have been assigned to the AEA
4 Superintendent meetings, with Chad Janzen, Kristen Rickey and Davis Eidahl
5 assisting to provide BoEE reports to the superintendents in their areas. Interviews
6 will be taking place over the next few weeks to fill our open Education Program
7 Consultant position. Permission has been granted to begin advertising for a new
8 investigator.

9
10 There is no news on additional Board Member appointments. The legislative
11 committee on Boards and Commissions approved the continued existence of our
12 separate Board. Board members may provide public comment if they desire.

13 14 Financial Report

15 Financials have been included. Please reach out if you have any questions. FY23 came
16 out about 6% above previous year. Clarity is about 1/3 of the way through the
17 requested updates to our application system. All improvements will be implemented
18 when all the tasks have been completed. The goals were to improve customer
19 interaction, streamline processing, and improved casefile and waiver searching
20 capabilities.

21 22 License Report

23 Renewals are just over 3 weeks out. Conditionals are at 3-5 days in most cases, if
24 complete applications submitted. Online requests for the use of substitute teachers to
25 start a year, extended time for sub authorizations, and expansion of Paraeducators are
26 open. As of Wednesday September 6th, 262 out of 275 requests have been approved
27 for open positions. The streamlined application for MA+ and 10 years' experience for
28 renewal opened on July 1st and 207 have been processed, with 314 submitted for
29 review.

30
31 NASDTEC Professional Practices Institute will take place in November in Rhode Island.
32 At this time Beth will be attending and will also attend a Special Education Law
33 conference in Omaha this Fall.

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Rules

Joanne Tubbs reviewed the amendments, as outlined in the Discussion Memo regarding Amend IAC 282 Chapter 11, COMPLAINTS, INVESTIGATIONS, CASE HEARINGS, and Amend IAC 282 Chapter 12, FEES. No action was taken at this meeting on the rule changes. Rule changes were shared to inform the board of changes, answer their questions or hear their comments. There is a new rulemaking process and this stage is gaining permission to do rulemaking.

Petition for Waiver

Kristin Rickey moved, with a second by Tim Bower, that the Board approve **PFW 23-08 Ryan Summers**. **MOTION CARRIED UNANIMOUSLY**. Reasons for approval: On August 17, 2023, the Board received a Petition from Mr. Summers requesting a waiver of the rule for the requirements of an extension of an Initial License. Mr. Summer holds a conditional one-year license and a substitute license. The conditional license expired on August 21, 2015. The substitute license is valid until August 31, 2028. Mr. Summers was denied another year on his initial license. He has had an initial license for three years, but has not secured a sign off to convert his initial license to a standard license. Mr. Summers has reflected on his previous experiences and knows better how to handle difficult students and situations. He has support and desire to be a teacher. Mr. Summers would endure hardship in not being able to pay for his degree and use the degree he worked to achieve. The granting of this waiver would benefit the community by providing an English/Language Arts teacher.

Kristin Rickey moved, with a second by Kathy Behrens, that the Board deny **PFW 23-09 Hans Andersen**. **MOTION CARRIED UNANIMOUSLY**. Reasons for denial: On July 31, 2023, the Board received a Petition from Anderson requesting a waiver of the rule for the requirements of an extension of an Initial License. Mr. Anderson holds a conditional one-year license and a substitute authorization. The conditional license expired on June 30, 2022. The substitute authorization is valid until July 31, 2028. Mr. Anderson was denied another year on his initial license. He has had an initial license for three years, but has not secured a sign off to convert his initial license to a standard license. The district supports allowing Andersen to get a job in another

1 district and work on achieving full licensure. Mr. Andersen never revealed another job
2 offer. The Board supported the ability of Mr. Anderson to file a future waiver, should
3 employment in a position requiring a teaching license was secured.

4
5 Rhonda McRina moved that the board consider the waiver on the condition that
6 additional documentation is provided for PFW 23-10 Kristine Sutton. The **MOTION**
7 **FAILED** because of a lack of a second. Kristin Rickey moved, with a second by Tim
8 Bower, that the Board table the consideration until such time as additional
9 information is received for **PFW 23-10 Kristine Sutton**. Roll call: Behrens – recused;
10 Bower – yes; Eidahl- yes; Janzen – yes; McRina – yes; Rickey – yes; St Clair – yes.

11 **MOTION CARRIED.** Ms. Sutton was present before the board via Zoom. Katie
12 Schoolen, attorney for ISEA, and representative for Ms. Sutton, was also present
13 before the board. The board did not feel they had enough information at this time
14 approve or deny the waiver. The board tabled to allow Ms. Sutton time to submit
15 additional information to the board for review.

16
17 There being no further business, Kathy Behrens moved, with a second by Eric St
18 Clair, to adjourn the meeting at 1:44 p.m. **MOTION CARRIED UNANIMOUSLY.**

IOWA BOARD OF EDUCATIONAL EXAMINERS

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: _____ Kristine Sutton _____ Case No. 23-10
(to be completed by Board)

Address: _____

_____ Date: _____

Folder Number (if known): _____ 1100846 _____

Home Phone with Area Code: (_____) - _____ - _____
Work Phone with Area Code: (_____) - _____ - _____

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:

● 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—13.10(272)

13.10(2)

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

Description:

282—13.10(272) Specific requirements for a Class A extension license. A nonrenewable Class A extension license valid for one year may be issued to an individual under one of the following conditions:

13.10(2) Based on a mentoring and induction program. An applicant may be eligible for a Class A extension license if the school district, after conducting a comprehensive evaluation, recommends and verifies that the applicant shall participate in the mentoring program for a third year. **No further extensions are available for this type of Class A extension license.**

Section F. WAIVER INFORMATION

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

I am requesting the Iowa BOEE to waive the requirement successful completion of a beginning teacher mentoring and induction program within a two-year period and grant an additional one-year extension to complete the process in a new school district.

During the third year of my initial license, I was placed on paid administrative leave by my district, Clear Creek Amana. There was no disciplinary action taken against me, however, the district refused to allow me to return to the classroom to fulfill the school year and second year of the beginning teacher mentoring and induction program (the “Program”). I was also not provided a final and comprehensive evaluation. I made several requests and reasonable offers to be allowed to complete the Program, but was denied. As a result, Clear Creek Amana also refused to provide signatures to convert my initial license to a standard license.

I have been offered a position in Muscatine for the 2023-24 school year. I would appreciate the ability to start fresh in Muscatine and be provided an additional year to fulfill the Program at this new district and, ultimately, convert my initial license to a standard license.

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):

If denied this request of the waiver for a one-year extension, there will be many hardships to follow. These hardships include a great impact financially for my family as my career provides great financial stability to survive. The denial would also cause grave hardships in my abilities and capabilities to impact the lives, learning, and growth of students and families. In my short teaching career, I have conquered great achievements and impacted many lives both for students and families in very positive and proactive ways. Students thrive, learn to like school once again, and parents gain trust in the school system again and respect for teachers. Furthermore, a denial will have a very grave impact on my mental health and self-worth all of which we as educators try to improve and protect. If we cannot model and practice these for ourselves, the impact is detrimental. Denial of the waiver will detrimentally affect the access to appropriate health care which will affect myself and my family due to health concerns, issues, and prescriptions.

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 no other individuals' rights would be affected by the granting of this waiver, nor would there be any negative consequences.

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?

I am requesting a waiver for the 2023-24 school year to allow me to begin a new position at Muscatine CSD, filling a position as a general education classroom teacher. I do, however, hold a Strat I endorsement, which would provide both the District and its students with a long-term benefit should there be a future need for a licensed educator for special needs students. Licensed Educators and Special Education professionals are in high demand as there are more vacancies than there are candidates for the positions. The public health, safety and welfare will not be substantially compromised or placed at risk as a result of the Board granting a waiver. By granting the waiver, the students of Muscatine CSD will benefit because they will start the year with a permanent employee instead of a substitute, which will provide them consistency. Furthermore, due to my Strat I endorsement, I have specialized knowledge that may be utilized by the district in the future. Furthermore, it will benefit the district because they will not be required to find coverage for the vacancy should a substitute be available. I am a well-qualified educator who is fully capable and motivated to provide students a quality educational experience. Unfortunately, my last assignment at Clear Creek Amana was simply not a good fit, however, I argue that is not a reason to deny me the right to obtain my standard license, nor is it a reason to deny students in the Muscatine CSD the ability to have a permanent teacher to begin the year.

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

I am requesting a waiver of one year (for the 2023-24 school year) in order to allow me to complete the program at a new school district.

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.

Yes.

Haley Feltenz: Special Education Department Team Lead
Phone Number: . Address:

Michael Van Hulle: Induction Innovator/Coach. Phone Number:
Address:

Katie Schnedler: Parent of former Student. Phone Number:

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.

02-09

03-13

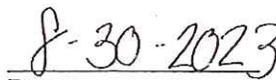
Section G. RELEASE OF INFORMATION: I authorize any persons with knowledge of the relevant or important facts relating to the requested waiver to release any information to the Iowa Board of Educational Examiners.

Yes.

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.

Yes.


Petitioner's Signature


Date

This Petition is to be submitted to: Board of Educational Examiners, 701 E. Court Ave., Suite A, Des Moines, IA 50309-4941.

Waiver form revised - Dec. 2011.doc.certifdrive