



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 adequate steps have been taken to remedy  
4 the violation and to ensure that incidents of a similar nature do not occur in the  
5 future. The Board will not pursue formal disciplinary action in this matter. **MOTION**  
6 **CARRIED UNANIMOUSLY.**

7  
8 Eric St Clair moved, with a second by Tim Bower, that in **case number 23-97**, 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 rule 25.3(6)c, m, and t, and order  
11 this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

12  
13 Eric St Clair moved, with a second by Kathy Behrens, that in **case number 22-161**,  
14 the Board find probable cause to establish a violation of the following provisions of the  
15 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(1)b(2), and order this case  
16 set for hearing. Roll call vote: Behrens – yes; Bleam – no; Bower – yes; Eidahl – yes;  
17 Janzen – no; Rickey – no; St Clair – yes **MOTION CARRIED.**

18  
19 Eric St Clair moved, with a second by Kristen Rickey, that in **case numbers 22-64**,  
20 the 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(1)d and order this case  
22 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

23  
24 Kristen Rickey moved, with a second by Tim Bower, that in **case number 23-136**, 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 rule 25.3(5)a(2), and order this case  
27 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

28  
29 Eric St Clair moved, with a second by Kristen Rickey, that in **case number 23-148**,  
30 the Board find probable cause to establish a violation of the following provisions of the  
31 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(2)b, and order this case  
32 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

1 Eric St Clair moved, with a second by Kristen Rickey, that in **case number 23-149** 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 rule 25.3(2)b, and order this case  
4 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

5

6 Eric St Clair moved, with a second by Kristen Rickey, that in **case number 23-150**,  
7 the Board find probable cause to establish a violation of the following provisions of the  
8 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(2)b, and order this case  
9 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

10

11 Eric St Clair moved, with a second by Kristen Rickey, that in **case number 23-151**,  
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 rule 25.3(2)b, and order this case  
14 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

15

16 Kristen Rickey moved, with a second by Tim Bower, that in **case number 23-121** the  
17 Board finds 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 Kristen Rickey moved, with a second by Pam Bleam, that in **case number 23-122** the  
23 Board finds that the evidence gathered in the investigation, including witness  
24 statements and the documentary evidence, does not substantiate the allegations in the  
25 complaint, and that the Board therefore lacks probable cause to proceed with this  
26 matter. **MOTION CARRIED UNANIMOUSLY.**

27

28 Kristen Rickey moved, with a second by Pam Bleam, that in **case number 23-123** the  
29 Board finds that the evidence gathered in the investigation, including witness  
30 statements and the documentary evidence, does not substantiate the allegations in the  
31 complaint, and that the Board therefore lacks probable cause to proceed with this  
32 matter. **MOTION CARRIED UNANIMOUSLY.**

33

1 Pam Blead moved, with a second by Eric St Clair, that in **case number 23-100**, the  
2 Board find that, although one or more of the allegations in the complaint may be  
3 substantiated by the witnesses interviewed in the course of the investigation [and/or]  
4 the documents gathered in the course of the investigation, and the allegations may  
5 constitute a technical violation of the board's statute or administrative rules; the  
6 evidence before the board indicates that the alleged violation was an isolated incident,  
7 and adequate steps have been taken to remedy the violation and to ensure that  
8 incidents of a similar nature do not occur in the future. The Board will not pursue  
9 formal disciplinary action in this matter. **MOTION CARRIED UNANIMOUSLY.**

10  
11 Kristen Rickey moved, with a second by Eric St Clair, that in **case numbers 23-82 &**  
12 **23-85** the Board find that the evidence gathered in the investigation, including  
13 witness statements and the documentary evidence, does not substantiate the  
14 allegations in the complaint, and that the Board therefore lacks probable cause to  
15 proceed with this matter. **MOTION CARRIED UNANIMOUSLY.**

16  
17 Eric St Clair moved, with a second by Tim Bower, that in **case number 23-128**, the  
18 Board find probable cause to establish a violation of the following provisions of the  
19 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(3)a, and order this case  
20 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

21  
22 Kristen Rickey moved, with a second by Eric St Clair, that in **case number 23-125** the  
23 Board return the complaint and investigative report to the investigator to gather  
24 further information, and return the case to the Board for further consideration.  
25 **MOTION CARRIED UNANIMOUSLY.**

26  
27 Kristen Rickey moved, with a second by Tim Bower, that in **case number 23-99**, 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 rule 24.3(3)e, 25.3(4)a, and 25.3(8)  
30 a & b, and order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

31  
32 Kristen Rickey moved, with a second by Tim Bower, that in **case number 23-98**, the  
33 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(3)e, 25.3(8)a & b, and  
2 order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

3  
4 Eric St Clair moved, with a second by Pam Bleam, that in **case number 23-165**, 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(2)b, and order this case  
7 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

8  
9 Pam Bleam moved, with a second by Kristen Rickey, that in **case number 23-87** the  
10 Board finds that the evidence gathered in the investigation, including witness  
11 statements and the documentary evidence, does not substantiate the allegations in the  
12 complaint, and that the Board therefore lacks probable cause to proceed with this  
13 matter. **MOTION CARRIED UNANIMOUSLY.**

14  
15 Eric St Clair moved, with a second by Kristen Rickey, that in **case numbers 23-170**  
16 **and 23-171**, the Board consolidate these cases as they involve common parties and  
17 questions of fact and law and find probable cause to establish a violation of the  
18 following provisions of the Code of Professional Conduct and Ethics, 282 IAC rule  
19 25.3(1)b(1)2, and order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

20  
21 Pam Bleam moved, with a second by Tim Bower, that in **case number 23-89** the Board  
22 find that, although one or more of the allegations in the complaint may be  
23 substantiated by the witnesses interviewed in the course of the investigation [and/or]  
24 the documents gathered in the course of the investigation, and the allegations may  
25 constitute a technical violation of the board's statute or administrative rules; the  
26 evidence before the board indicates that the alleged violation is not of sufficient  
27 magnitude to warrant a hearing. The Board will not pursue formal disciplinary action  
28 in this matter. Roll call: Behrens – no; Bleam – yes; Bower – yes; Eidahl – yes; Janzen  
29 – yes; Rickey – no; St Clair – no **MOTION CARRIED.**

30  
31 Eric St Clair moved, with a second by Kristen Rickey, that in **case number 23-161**,  
32 the 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(2)b and order this case  
2 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

3  
4 Kristen Rickey moved, with a second by Eric St Clair, that in **case number 23-176** 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(2)b, 25.3(6)c and order  
7 this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

8  
9 Kristi Traynor and Andrew Steffensmeier recused during the discussion of **case**  
10 **number 23-79** in closed session. Kristen Rickey moved, with a second by Pam Bleam,  
11 that in **case number 23-79** the Board refer the decisions on the pending motions to  
12 the designated Administrative Law Judge and upload the previously filed motions,  
13 resistances, and order assigning to the pending motions to the Administrative law  
14 Judge to the electronic docketing system. **MOTION CARRIED UNANIMOUSLY.**

15  
16 Kristen Rickey moved, with a second by Eric St Clair, that the Board accept the  
17 respondent's waiver of hearing and voluntary surrender in **case number 22-120** and  
18 that the Board issue an order permanently revoking the license with no possibility of  
19 reinstatement. **MOTION CARRIED UNANIMOUSLY.**

20  
21 Kristen Rickey moved, with a second by Pam Bleam, that in **case number 23-101** the  
22 Board accept the agreement submitted by the parties, and issue an Order  
23 incorporating the agreement of the parties and imposing the agreed upon sanction.  
24 **MOTION CARRIED UNANIMOUSLY.**

25  
26 Eric St Clair moved, with a second by Kristen Rickey, that in **case number 22-148** 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 **MOTION CARRIED UNANIMOUSLY.**

30  
31 Kristen Rickey moved, with a second by Pam Bleam, that in **case number 22-165**, the  
32 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 Eric St Clair moved, with a second by Kristen Rickey, that in **case number 23-46**, 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 Pam Blead moved, with a second by Eric St Clair, that in **case number 23-13** 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 Eric St Clair moved, with a second by Pam Blead, that in **case number 22-166** 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 Pam Blead, that in **case number 23-15** the  
20 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 **MOTION CARRIED UNANIMOUSLY.**

23  
24 Eric St Clair moved, with a second by Kristen Rickey, that in **case number 22-198** 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 Roll call: Behrens- yes; Blead – yes; Bower – yes; Eidahl – yes; Janzen – recused;  
28 Rickey – yes; St Clair – yes **MOTION CARRIED.**

29  
30 Kristen Rickey moved, with a second by Pam Blead, that in **case number 23-73** the  
31 Board accept the agreement submitted by the parties, and issue an Order  
32 incorporating the agreement of the parties and imposing the agreed upon sanction.  
33 **MOTION CARRIED UNANIMOUSLY.**

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Kristen Rickey moved, with a second by Pam Bleam, that in **case number 23-72** 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.**

Pam Bleam moved, with a second by Tim Bower, that in **case number 22-37** 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 Pam Bleam, that in **case number 23-67** 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.**

Kristen Rickey moved, with a second by Pam Bleam, that in **case number 22-192** 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.**

Kristen Rickey moved, with a second by Pam Bleam, that the Board not initiate review of the proposed decision in **case number 23-32** and allow the proposed decision to become the final decision of the Board unless an appeal is taken by one of the parties within the time allowed by rule. **MOTION CARRIED UNANIMOUSLY.**

Kristen Rickey moved, with a second by Eric St Clair, to extend the 180-day deadline for issuance of the final decision in **case number 23-95** based upon the amount of time needed to complete the investigation and conclude the contested case process and because the Respondent has requested an extension be granted in order to have the case properly reviewed. **MOTION CARRIED UNANIMOUSLY**



1 Eric St Clair moved, with a second by Tim Bower to extend the 180-day deadline for  
2 issuance of the final decision in case number 23-90 in order to not interfere with the  
3 criminal proceedings. **MOTION CARRIED UNANIMOUSLY**

4  
5 Kristen Rickey moved, with a second by Pam Bleam to extend the 180-day deadline for  
6 issuance of the final decision in case number 23-96 based upon the amount of time  
7 needed to complete the investigation and conclude the contested case process and due  
8 to recently received new information by the board's investigators. **MOTION CARRIED**  
9 **UNANIMOUSLY**

10  
11 Eric St Clair moved, with a second by Tim Bower to extend the 180-day deadline for  
12 issuance of the final decision in case number 23-97 based upon the need to schedule  
13 the hearing and conclude the contested case process and allowing more time for  
14 resolution of the complaint ensures due process for the Respondent. **MOTION**  
15 **CARRIED UNANIMOUSLY**

16  
17 Kristen Rickey moved, with a second by Pam Bleam to extend the 180-day deadline for  
18 issuance of the final decision in case number 23-98 based upon the need to schedule  
19 the hearing and conclude the contested case process and because justice would not  
20 served by dismissing a pending complaint concerning ethical wrongdoings of this  
21 educator. **MOTION CARRIED UNANIMOUSLY**

22  
23 Kristen Rickey moved, with a second by Pam Bleam to extend the 180-day deadline for  
24 issuance of the final decision in case number 23-99 based upon the need to schedule  
25 the hearing and conclude the contested case process and because justice would not be  
26 served by dismissing a pending complaint concerning ethical wrongdoing of this  
27 educator. **MOTION CARRIED UNANIMOUSLY**

28  
29 Kristi Traynor and Andrew Steffensmeier recused during the discussion for the  
30 following 180-day extensions in closed session:

31  
32 Pam Bleam moved, with a second by Eric St Clair to extend the 180-day deadline for  
33 issuance of the final decision in case number 23-74 based upon need to schedule the

1 hearing and conclude the contested case process and because Respondent has asked  
2 for an extension. **MOTION CARRIED UNANIMOUSLY**

3  
4 Kristin Rickey moved, with a second by Eric St Clair to extend the 180-day deadline  
5 for issuance of the final decision in case number 23-75 based upon need to schedule  
6 the hearing and conclude the contested case process and justice would not be served  
7 by dismissing a pending complaint concerning ethical wrongdoing of this educator.

8 **MOTION CARRIED UNANIMOUSLY**

9  
10 Eric St Clair moved, with a second by Pam Blead to extend the 180-day deadline for  
11 issuance of the final decision in case number 23-76 based upon need to schedule the  
12 hearing and conclude the contested case process and the Respondent would not be  
13 prejudiced by the additional time necessary to resolve the pending complaint given  
14 that investigative information remains confidential pending the final decision.

15 **MOTION CARRIED UNANIMOUSLY**

16  
17 Pam Blead moved, with a second by Kristen Rickey to extend the 180-day deadline for  
18 issuance of the final decision in case number 23-79 based upon the need to hold the  
19 hearing and conclude the contested case process. **MOTION CARRIED UNANIMOUSLY**

20  
21 Kristin Rickey moved, with a second by Eric St Clair to extend the 180-day deadline  
22 for issuance of the final decision in case number 23-88 based upon the need to hold  
23 the hearing and conclude the contested case process. **MOTION CARRIED**

24 **UNANIMOUSLY**

25  
26 Pam Blead moved, with a second by Kristen Rickey to extend the 180-day deadline for  
27 issuance of the final decision in case number 23-92 based upon the need to schedule  
28 the hearing and conclude the contested case process. **MOTION CARRIED**

29 **UNANIMOUSLY**

30  
31 Eric St Clair moved, with a second by Pam Blead to extend the 180-day deadline for  
32 issuance of the final decision in case number 23-93 based upon the need to schedule

1 the hearing and conclude the contested case process. **MOTION CARRIED**  
2 **UNANIMOUSLY**

3

4 Eric St Clair moved, with a second by Pam Blead to extend the 180-day deadline for  
5 issuance of the final decision in **case number 23-94** based upon the need to schedule  
6 the hearing and conclude the contested case process. **MOTION CARRIED**  
7 **UNANIMOUSLY**

8

9 Kristen Rickey moved, with a second by Tim Bower to extend the 180-day deadline for  
10 issuance of the final decision in **case number 23-102** based upon the need to  
11 schedule the hearing and conclude the contested case process and allowing more time  
12 for resolution of the complaint assures due process for the Respondent. **MOTION**  
13 **CARRIED UNANIMOUSLY**

14

15 Kristen Rickey moved, with a second by Pam Blead, that the Board approve the closed  
16 session minutes from October 13, 2023. **MOTION CARRIED UNANIMOUSLY**

17

18 Request for Reinstatement: Case No. 22-83, In the Matter of Anthony Whitaker. Mr.  
19 Whitaker was accused of encouraging an inappropriate relationship with a student  
20 based on the respondent's contact with a student while they were working and  
21 providing his personal phone number. His sanction included: license suspension for a  
22 minimum of 60 days from the date of the final decision, completion of a mental health  
23 evaluation that includes an assessment of his ability to establish and maintain  
24 appropriate boundaries and completion of the ethics course. Mr. Whitaker's license  
25 has been suspended since June 28, 2023 and he has applied for reinstatement  
26 October 18, 2023. Mr. Whitaker was not present before the board. In reviewing the  
27 information that was submitted, it was unclear whether the criteria behind the mental  
28 health screening was satisfied. Eric St Clair moved, with a second by Kathy Behrens,  
29 that in **case 22-83**, the board deny the Respondent's request for reinstatement. Roll  
30 call vote: Behrens – yes; Blead – yes; Bower – yes; Eidahl – yes; Janzen – yes; Rickey  
31 – recused; St Clair -yes. **MOTION CARRIED.**

32

33

1 Communication from the Public:

2 None

3  
4 Board Member Reports:

5 Chad Janzen recognized and commended Joanne Tubbs for her work serving as  
6 Interim Executive Director.

7  
8 Dr. Kristen Rickey announced that she will be retiring from her position as  
9 superintendent at the end of the year. This will also end her term serving on the  
10 Board of Educational Examiners. She is concerned for the board's ability to make  
11 quorum once she retires, if new members are not yet appointed.

12  
13 Executive Director's Report

14 Eric St. Clair is the legislative liaison for the Department of Education and is working  
15 on our proposals. Joanne has begun the initial investigation into our rule re-writes as  
16 required by the Governor's Executive Order.

17  
18 Kelly Faga has been hired as the new program consultant. She started on October 27  
19 and is working primarily with coaching authorizations but will also add professional  
20 service licensure. A second full-time investigator position is being advertised for the  
21 BoEE.

22  
23 Financials have been included. Please reach out if you have any questions. FY 23  
24 came out about 6% above previous year. Upgrades are complete for our online  
25 application system. Goals were to improve customer interaction, streamline  
26 processing, and improve casefile and waiver searching capabilities.

27  
28 Renewals are just over 2-3 weeks out. Conditionals are at 3-5 days in most cases if  
29 complete applications are submitted. Online requests for use of subs to start a school  
30 year in a vacancy, extended time for sub authorization holders, and expansion of  
31 Paraeducator's ability to substitute are open. As of Tuesday, November 7, 2023, 190  
32 requests were made to use a sub authorization holder in a long-term position and 350  
33 requests have been made to fill open positions with substitutes temporarily.

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Beth attended Professional Practices Institute in October. Joanne will attend the winter symposium in January (registered apprenticeships and science of reading). Joanne received a grant from NASDTEC and all expenses will be covered.

Rules

Kristen Rickey moved, with a second by Kathy Behrens, that the Board Notice the proposed rule making as written to IAC 282 Chapter 11, COMPLAINTS, INVESTIGATIONS, CASE HEARINGS, Amend IAC 282 Chapter 12, FEES. **MOTION CARRIED UNANIMOUSLY.**

Petition for Waiver

Eric St Clair moved, with a second by Pam Bleam, that the board grant **PFW 23-11 Kristine Sutton**. Roll call: Behrens – recused; Bleam – yes; Eidahl - no; Bower – yes; Rickey – yes; Janzen – yes; St Clair - yes **MOTION CARRIED**. Reasons for granting: On November 1, 2023, the Board received a Petition from Sutton requesting a waiver of the rule for the requirements of an extension of an Initial License. Ms. Sutton holds a substitute license, and a conditional one-year license. The conditional license expired on June 30, 2023. The substitute license is valid until November 30, 2028. Ms. Sutton was denied another year on her initial license. She has had an initial license for three years, but has not secured a sign off to convert her initial license to a standard license. Ms. Sutton is currently subbing and that district supports her getting this extension. She was put on administrative leave last year at a different district and was not allowed to complete the mentoring and induction program nor did she receive a comprehensive evaluation. Ms. Sutton was not able to use the last three months of the extension of her initial license. Ms. Sutton would not be able to use the degree she worked to obtain. The Board was unable to identify any person whose rights would be prejudiced by granting this waiver. The rule from which Kristine Sutton seeks a waiver is not specifically mandated by statute or any other provision of law, and, accordingly, may be waived by the Board. Ms. Sutton’s principal said she was going to work with her. She had letters of support from the principal and instructional coach. They have also observed her teaching and have a better understanding of her teaching. Katie Schoolen, attorney for the petitioner, was

1 present to speak before the Board. Tammy Turner, current Principal for the  
2 petitioner, also spoke to the Board via Zoom.

3

4 There being no further business, Eric St Clair moved, with a second by Pam Bleam, to  
5 adjourn the meeting at 2:56 p.m. **MOTION CARRIED UNANIMOUSLY.**