



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 Kristen 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 Kristen 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 Kristen 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 Kristen 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 Kristen 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 Kristen 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 Kristen 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 Kristen 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 Kristen 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 Kristen 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 Kristen 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 Kristen 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 Kristen 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 Kristen 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 Kristen 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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Kristen 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 Kristen 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.**

Kristen 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 Kristen 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 Kristen 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 Kristen 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 Kristen 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 Kristen 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 Kristen 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 Kristen 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 Kristen 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 Kristen 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 Kristen 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 Kristen 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. Kristen 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

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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 1<sup>st</sup> 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

Kristen 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.

Kristen 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. Kristen 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.**