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

**Minutes**  
**August 2, 2023**

The Board of Educational Examiners (Board or BoEE) held a meeting on August 2, 2023. Chad Janzen, Board Chair, called the meeting to order at 9:54 a.m. Members attending were Kathy Behrens, Pam Bleam, Davis Eidahl, Rhonda McRina (via Zoom), Kristin Rickey (arrived at 9:50 a.m.), Eric St Clair. Also in attendance was Mike Cavin, Executive Director, Beth Myers, Attorney/Investigator, Diane Dennis, Investigator, Greg Horstmann, Investigator and Kristi Traynor, Assistant Attorney General. Tim Bower was unable to attend.

While waiting for all board members to arrive, Executive Director Cavin introduced newly appointed Department of Education Director, McKenzie Snow to the board. Director Snow introduced herself and shared the Department of Education's vision, as well as the unified agency state-wide priorities. She also shared the progress of the re-alignment of government agencies.

Director Cavin advised the board that due to an unexpected absence, and fewer than 7 board members being present, the board did not have quorum to start the meeting at the scheduled time. Board members agreed to delay the start of the meeting until later in the morning when Dr. Rickey would be arriving and the board would have quorum.

Rhonda McRina moved, with a second by Kristin Rickey, to approve the agenda.

**MOTION CARRIED UNANIMOUSLY.**

Eric St Clair moved, with a second by Kristin Rickey, to approve the consent agenda (minutes for June 27, 2023). **MOTION CARRIED UNANIMOUSLY.**

1 Kristin Rickey moved, with a second by Eric St Clair that the Board go into closed  
2 session for the purpose of discussing closed session minutes, the decision to be  
3 rendered in a contested case, and review of confidential health information, and  
4 mental health information, pursuant to Iowa Code sections 21.5(1)(a), (d), and (f). Roll  
5 call vote: Behrens – yes; Bleam – yes; Eidahl- yes; Janzen – yes; Rickey – yes; McRina  
6 – yes; St Clair – yes. **MOTION CARRIED UNANIMOUSLY.**

7  
8 Eric St Clair moved, with a second by Kristin Rickey, that in **case number 23-59**, 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(2)(b) and ordered this  
11 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

12  
13 Eric St Clair moved, with a second by Kristin Rickey, that in **case number 23-53**, the  
14 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(2)b, and ordered this case  
16 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

17  
18 Kristin Rickey moved, with a second by Pam Bleam, that in **case number 23-46**, 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(6)d & m, and ordered this  
21 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

22  
23 Pam Bleam moved, with a second by Eric St Clair, that in **case number 23-22**, the  
24 Board return the complaint and investigative report to the investigator to gather  
25 further information, and return the case to the Board for further consideration. Roll  
26 call: Behrens – yes; Bleam – no; Eidahl – no; Janzen – no; McRina – yes; Rickey – yes;  
27 St Clair – yes; **MOTION CARRIED.**

28  
29 Eric St Clair moved, with a second by Kristin Rickey, that in **case number 22-190**,  
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(6) b and m, 25.3(8)b, and  
32 ordered this case set for hearing. Roll call: Behrens – yes; Bleam – yes; Eidahl – no;  
33 Janzen – recused; McRina – yes; Rickey – yes; St Clair – yes; **MOTION CARRIED.**

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Eric St Clair moved, with a second by Pam Bleam, that in **case number 23-55**, the Board finds that the evidence gathered in the investigation, including witness statements and the documentary evidence, does not substantiate the allegations in the complaint, and that the Board therefore lacks probable cause to proceed with this matter. **MOTION CARRIED UNANIMOUSLY.**

Pam Bleam moved, with a second by Kristin Rickey, that in **case number 23-58**, the Board find probable cause to establish a violation of the following provisions of the Code of Professional Conduct and Ethics, 282 IAC rule 25.3(1)e(1), and ordered this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

Eric St Clair moved, with a second by Pam Bleam, that in **case number 23-44**, the Board find probable cause to establish a violation of the following provisions of the Code of Professional Conduct and Ethics, 282 IAC 25.3(5)a(2), and ordered this case set for hearing. Behrens – yes; Bleam – yes; Eidahl – yes; Janzen – no; McRina – yes; Rickey – yes; St Clair – yes; **MOTION CARRIED.**

Kristin Rickey moved, with a second by Eric St Clair, that in **case number 23-54**, the Board find probable cause to establish a violation of the following provisions of the Code of Professional Conduct and Ethics, 282 IAC rule 25.3(3)b, and ordered this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

Pam Bleam moved, with a second by Eric St Clair, that in **case number 23-31**, the Board find probable cause to establish a violation of the following provisions of the Code of Professional Conduct and Ethics, 282 IAC rule 25.3(4)a, and 25.3(6)m, and ordered this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

Eric St Clair moved, with a second by Kristin Rickey, that in **case number 23-42**, the Board find probable cause to establish a violation of the following provisions of the Code of Professional Conduct and Ethics, 282 IAC rule 25.3(3)e, 25.3(8)a, and ordered this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

1 Kristin Rickey moved, with a second by Eric St Clair, that in **case number 23-47**, 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 ordered this case  
4 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

5  
6 Pam Blead moved, with a second by Kristin Rickey that in **case number 23-68** the  
7 Board finds that the evidence gathered in the investigation, including witness  
8 statements and the documentary evidence, does not substantiate the allegations in the  
9 complaint, and that the Board therefore lacks probable cause to proceed with this  
10 matter. **MOTION CARRIED UNANIMOUSLY.**

11  
12 Kristin Rickey moved, with a second by Pam Blead, that in **case number 23-66**, the  
13 Board find probable cause to establish a violation of the following provisions of the  
14 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(2)b, and ordered this case  
15 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

16  
17 Eric St Clair moved, with a second by Pam Blead, that in **case number 23-60** the  
18 Board finds that the evidence gathered in the investigation, including witness  
19 statements and the documentary evidence, does not substantiate the allegations in the  
20 complaint, and that the Board therefore lacks probable cause to proceed with this  
21 matter. **MOTION CARRIED UNANIMOUSLY.**

22  
23 Kristin Rickey moved, with a second by Eric St Clair, that in **case number 23-101**,  
24 the 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(2)b, 25.3(8)a & b, and  
26 ordered this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

27  
28 Pam Blead moved, with a second by Eric St Clair, that in **case number 23-102**, 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(2)b, 25.3(8)a & b, and  
31 ordered this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

1 Kristin Rickey moved, with a second by Eric St Clair, that in **case number 23-93**, 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, 25.3(8)a & b, and  
4 ordered this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

5  
6 Kristin Rickey moved, with a second by Pam Bleam, that in **case number 23-94**, the  
7 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, 25.3(8)a & b, and  
9 ordered this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

10  
11 Kristin Rickey moved, with a second by Pam Bleam, that in **case numbers 23-62, 23-**  
12 **63 and 23-64** the Board finds that the evidence gathered in the investigation,  
13 including witness statements and the documentary evidence, does not substantiate  
14 the allegations in the complaint, and that the Board therefore lacks probable cause to  
15 proceed with this matter. **MOTION CARRIED UNANIMOUSLY.**

16  
17 Pam Bleam moved, with a second by Eric St. Clair, that in **case number 23-72 and**  
18 **23-73**, the Board find probable cause to establish a violation of the following  
19 provisions of the Code of Professional Conduct and Ethics, 282 IAC rule 25.3(2)b and  
20 ordered this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

21  
22 Eric St Clair moved, with a second by Kristin Rickey, that in **case number 23-75**, the  
23 Board find probable cause to establish a violation of the following provisions of the  
24 Code of Professional Conduct and Ethics, 282 IAC rule 25.3(1)e(1) and 25.3(6)c and  
25 ordered this case set for hearing. Roll Call: Behrens – yes; Bleam – yes; Eidahl – no;  
26 Janzen – yes; McRina – yes; Rickey – yes; St Clair – yes; **MOTION CARRIED.**

27  
28 Eric St Clair moved, with a second by Pam Bleam, that in **case number 23-71** 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. Roll call: Behrens – yes; Bleam – yes; Eidahl – yes; Janzen – recused; McRina  
33 – yes; Rickey – yes; St Clair – yes; **MOTION CARRIED.**

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Kristin Rickey moved, with a second by Pam Bleam, that in **case number 23-83**, the Board finds that the evidence gathered in the investigation, including witness statements and the documentary evidence, does not substantiate the allegations in the complaint, and that the Board therefore lacks probable cause to proceed with this matter. **MOTION CARRIED UNANIMOUSLY.**

Kristin Rickey moved, with a second by Pam Bleam, that in **case number 23-84** the Board finds that the evidence gathered in the investigation, including witness statements and the documentary evidence, does not substantiate the allegations in the complaint, and that the Board therefore lacks probable cause to proceed with this matter. **MOTION CARRIED UNANIMOUSLY.**

Kristin Rickey moved, with a second by Eric St Clair, that in **case number 23-16** 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; Bleam – 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 23-27** 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.**

Kristin Rickey moved, with a second by Pam Bleam, that in **case number 23-39** 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.**

Kristin Rickey moved, with a second by Eric St Clair, that in **case number 23-19** 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.**

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Kristin Rickey moved, with a second by Eric St Clair, that in **case number 23-40** 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 Kristin Rickey, that in **case number 23-01** 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 23-25** 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.**

Kristin Rickey moved, with a second by Pam Bleam, that in **case number 23-10** 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.**

Kristi Traynor recused during the discussion for the 180-day extensions in closed session.

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

**UNANIMOUSLY**

Kristin Rickey moved, with a second by Pam Bleam, to extend the 180-day deadline for issuance of the final decision in **case number 23-22** based upon the amount of time needed to complete the investigation and conclude the contested case process.

**MOTION CARRIED UNANIMOUSLY**

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

Eric St Clair moved, with a second by Kristin Rickey, to extend the 180-day deadline for issuance of the final decision in **case number 23-24** based upon the need to hold the hearing and conclude the contested case process. **MOTION CARRIED UNANIMOUSLY**

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

Pam Blead moved, with a second by Eric St Clair, to extend the 180-day deadline for issuance of the final decision in **case number 23-28** based upon the need to hold the hearing and conclude the contested case process. **MOTION CARRIED UNANIMOUSLY**

Eric St Clair moved, with a second by Kristin Rickey, to extend the 180-day deadline for issuance of the final decision in **case number 23-31** based upon the amount of time needed to complete the investigation and conclude the contested case process. **MOTION CARRIED UNANIMOUSLY**

Kristin Rickey moved, with a second by Pam Blead, to extend the 180-day deadline for issuance of the final decision in **case number 23-32** based upon the need to hold the hearing and conclude the contested case process. **MOTION CARRIED UNANIMOUSLY**

Pam Blead moved, with a second by Eric St Clair, to extend the 180-day deadline for issuance of the final decision in **case number 23-33** based upon the need to hold the



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

2 **UNANIMOUSLY**

3  
4 Kristin Rickey moved, with a second by Eric St Clair, that the Board approve the  
5 closed session minutes from June 27, 2023. **MOTION CARRIED UNANIMOUSLY**

6  
7 Requests for Reinstatement:

8 **Case No. 21-44 In the Matter of Kathryn Schmitt.** Ms. Schmitt struck a student on  
9 the side of the head and pulled the student's hair when her ring got tangled while  
10 demonstrating inappropriate behavior. Ms. Schmitt received a public reprimand, a  
11 restriction on her license not to be the sole licensee in a classroom and a restriction  
12 that she not be alone with a student until she satisfactorily completes mental health  
13 evaluation, ethics class, course in appropriate discipline, mental health evaluation to  
14 establish her ability to maintain appropriate classroom environment. The mental  
15 health evaluation, the ethics course and course in appropriate discipline has been  
16 completed but Ms. Schmitt has not met all of the requirements of the recommendation  
17 from the mental health evaluation. The restriction on her license was eligible to be  
18 removed at the earliest on August 3, 2023. Kristin Rickey moved, with a second by  
19 Pam Blead, that in **case number 21-44**, the Board reject the Respondent's request for  
20 reinstatement based on not all requirements have been met but remove the one on one  
21 restriction. **MOTION CARRIED UNANIMOUSLY**

22  
23 **Case No. 21-100 In the Matter of Brandon Kirchhoff.** Mr. Kirchhoff was charged  
24 with various charges including boundary concerns and improper discussion with  
25 employees. Mr. Kirchhoff completed a workplace sexual harassment awareness course  
26 for supervisors. Mr. Kirchhoff received a public reprimand, a suspension of his license  
27 for six months that was deferred. Respondent agreed to complete ethics training and  
28 a course recognizing and reporting child abuse (not mandatory reporter). Mr.  
29 Kirchhoff agreed to undergo a mental health evaluation that includes ability to  
30 maintain appropriate boundaries in the workplace and comply with any  
31 recommendations and also 6 months of counseling following the initial evaluation.  
32 The initial stipulation required certain scope in the mental health evaluation and the  
33 documents received did not fulfil that scope to give appropriate information relative to

1 the initial order. Also, there was no evidence that the six-month sessions following the  
2 initial evaluation were completed. Kristin Rickey moved, with a second by Eric St  
3 Clair, that in **case 21-100** the board reject the Respondent's request for reinstatement  
4 until such -time as the requirements are completed satisfactorily, specifically the  
5 scope of the mental health evaluation needs to meet the initial stipulation and also to  
6 extend the timeline for 1 additional year to allow Mr. Kirchhoff time to meet the  
7 requirements. **MOTION CARRIED UNANIMOUSLY.**

8  
9 **Case No. 12-137 In the Matter of Kevin Johnston** Mr. Johnston was charged with  
10 failing to make reasonable efforts to protect the health and safety of students and by  
11 conducting business in such a way that repeatedly exposes students to  
12 embarrassment and disparagement. Mr. Johnston agreed to an immediate  
13 suspension of his license that was in effect until he attended a course pre-approved by  
14 the Board's executive director. The course must have included knowledge and  
15 understanding of professional ethics and legal responsibilities of coaches. Mr.  
16 Johnston has submitted verification of completing the ethics training and the coaching  
17 classes. Mr. Johnston's license was suspended for 10 years and he is eligible for  
18 reinstatement. Mr. Johnston was present before the board at the meeting. Mr.  
19 Johnston has met all of the requirements of the initial stipulation. Pam Bleam  
20 moved, with a second by Kristin Rickey, that in **case 12-137**, the Board grants the  
21 Respondent's request for reinstatement and issues an order stating the basis for the  
22 suspension no longer exists and it will be in the public interest for the license to be  
23 reinstated. **MOTION CARRIED UNANIMOUSLY**

24  
25 Petition for Waiver

26 Kristin Rickey moved, with a second by Pam Bleam, that the Board deny **PFW 23-05**  
27 **Brian Kingrey** but also that documentation submitted for applied music could be  
28 applicable once submitted by the applicant. Instrumental music coursework would  
29 still be required in order to add the 2 endorsements. **MOTION CARRIED**  
30 **UNANIMOUSLY.** Reasons for denying: On July 17, 2023, the Board received a Petition  
31 from Kingrey requesting a waiver of the rule for the requirements of an endorsement  
32 for K-8 and 5-12 music endorsement. Mr. Kingrey holds a Master Educator K-6  
33 Elementary Education, PK-K Teacher, K-12 Reading Specialist, K-8 Reading, PK-12

1 Principal License, Evaluator. He is currently teaching on Class B license for K-8 Music  
2 and 5-12 Music. It expires in June 2024. Mr. Kingrey had been a long-term substitute and  
3 agreed to continue taking courses to fulfill the requirements of a music endorsement. He only  
4 has two more courses needed to complete the two endorsement areas. Mr. Kingrey applied for a  
5 class B license in order to work as the music teacher. He has one more year left before the Class  
6 B license expires. These courses are offered during the day, on-campus. He also states that the  
7 coursework covers instrumental music. The Methods of Instrumental Band course is offered in  
8 the Fall only and enrolling in these two courses would take him away from his duties as a teacher  
9 in the district. A substitute would need to be hired to teach his classes or the programming would  
10 not be fully implemented because of his absences. Mr. Kingrey would also have to take on more  
11 debt and he already has multiple degrees and endorsement areas. The Board was unable to  
12 identify any person whose rights would be prejudiced by granting this waiver. Traditionally  
13 vocal and instrumental music have been in the same endorsement area in Iowa, so as to help  
14 smaller districts cover different jobs. The rule from which Brian Kingrey seeks a waiver is not  
15 specifically mandated by statute or any other provision of law, and, accordingly, may be waived  
16 by the Board. Mr. Kingrey currently works at the Melcher Dallas Community School district  
17 and they will benefit from him being able to remain in this position.

18  
19 Kristin Rickey moved, with a second by Pam Bleam, that the Board approve **PFW 23-**  
20 **06 Riley Jakob Coy Kluver**. **MOTION CARRIED UNANIMOUSLY.** Reasons for  
21 approving: On July 20, 2023, the Board received a Petition from Mr. Kluver  
22 requesting a waiver of the rule for the requirements of the career and technical  
23 secondary authorization. Mr. Kluver holds an Initial Career and Technical  
24 Authorization. It expires in February 2027. Mr. Kluver has over 9000 hours of work  
25 experience at Mr. Muffler, but is not able to distinguish 6000 hours dedicated to  
26 welding. Mr. Kluver does not have a college degree in welding, but does have eight (8)  
27 college semester hours of welding. Mr. Kluver has a Career and Technical license for  
28 auto mechanics, but would like to be able to teach the introductory welding at the  
29 school. He states that the skills he would be teaching were covered in the college  
30 course work he took. In addition, he did many hours of welding at his job. Without  
31 the waiver Mr. Kluver could not teach the class. He could not take more coursework  
32 before school started because of time and the lack of money. He took a substantial

1 pay cut to work at the school. The Board was unable to identify any person whose  
2 rights would be prejudiced by granting this waiver. The rule from which Mr. Kluver  
3 seeks a waiver is not specifically mandated by statute or any other provision of law,  
4 and, accordingly, may be waived by the Board. Mr. Kluver works for the LeMars  
5 Community School District. He would be able to continue to offer an introductory  
6 welding class that benefits students by teaching them basic welding and safety  
7 requirements so they can decide if they want to further their education in this field.  
8 The program Mr. Kluver teaches in, at LeMars schools is highly successful and the  
9 community supports the program.

10  
11 Pam Blean moved, with a second by Rhonda McRina, that the Board approve **PFW**  
12 **23-07 Jarred Herring. MOTION CARRIED UNANIMOUSLY.** Reasons for approving:  
13 On July 24, 2023, the Board received a Petition from Herring requesting a waiver of  
14 the rule for the requirements of the activities administration authorization. Mr.  
15 Herring holds a Coaching Authorization. It expires in February 2028. Mr. Herring has  
16 not completed a BA in Athletic Administration. His MA degree is in Organizational  
17 Leadership and he has taken LTI classes in oversight of athletics and activities. Mr.  
18 Herring would like to be able to serve and help students in an administrative role. His  
19 application for Activities Administrator Authorization was denied with two deficiencies,  
20 degrees are not related specifically enough to athletics and two LTI courses were  
21 missing. Mr. Herring took the two courses right away. Without the waiver Mr. Herring  
22 would have to get another degree. It would take a significant amount money and time.  
23 The Board was unable to identify any person whose rights would be prejudiced by  
24 granting this waiver. There have been three waivers granted previously for this rule.  
25 The rule from which Mr. Herring seeks a waiver is not specifically mandated by statute  
26 or any other provision of law, and, accordingly, may be waived by the Board. Mr.  
27 Herring would be able to continue working with students as an administrator for  
28 athletics and activities. The students benefit not only from his skill and knowledge,  
29 but the opportunity to learn and have access to an administrator from another  
30 cultural background. Mr. Herring already works to help students by creating new  
31 opportunities for students by providing new awards and putting athletics and  
32 activities in the role of supporting academics.

1 Rules

2 Rules addressed today encompasses all rule adoptions and changes needed per 2023  
3 legislative action. Legislation has put rulemaking on hold and only allows for rule  
4 making when directed to be created or if they are required to be created to implement  
5 new legislation. 2023 Iowa Acts, HF 430 directs the board of educational examiners  
6 to adopt rules related to investigations, retention of records, public notice, and the  
7 evaluation of past complaints. 2023 Iowa Acts HF 672 created a new renewal option  
8 with a reduced fee. Joanne Tubbs reviewed the amendments, as outlined in the  
9 Discussion Memo regarding Amend IAC 282 Chapter 11, COMPLAINTS,  
10 INVESTIGATIONS, CASE HEARINGS, and Amend IAC 282 Chapter 12, FEES. No  
11 action was taken at this meeting on the rule changes. Rule changes were shared to  
12 inform the board of changes, answer their questions or hear their comments.

13  
14 Director Cavin clarified that if a mandatory reporting area of concern is discovered and  
15 administrator initiates an investigation and the practitioner resigns or surrenders  
16 their license, the investigation must be completed. The administrator must also follow  
17 through with filing a complaint with the board and the board investigation must be  
18 completed, even if the practitioner surrenders the license. Administrators can have a  
19 complaint filed against them for not filing a complaint for mandatory reporting areas,  
20 even if the practitioner resigns or surrenders their license.

21  
22 Kristin Rickey expressed a concern regarding the new requirement that “a finding of  
23 probable cause” is now public record, because probable cause is not a finding of guilt.  
24 She is concerned that the new legislation will create pressure and cause over-  
25 reporting, which will now be public record once probable cause is found, rather than  
26 only final decisions. Director Cavin acknowledged concerns and advised these have  
27 been shared. He also advised the original bill required that any case that was  
28 submitted was public information, but due to numerous concerns, this was re-worked  
29 to the existing language. Probable cause has already started to be made public record  
30 as of July 1, 2023. Dr. Rickey stated she thoroughly agrees that it is important to  
31 ensure the safety of children; however, the requirement to search the BoEE website for  
32 every district employee hired will very challenging due to limited technology and  
33 resources.

1 Communication from the Public

2 None.

4 Board Communications

5 Board Member Reports

6 None

8 Executive Director's Report

9 Legislative agenda items for FY 24 are starting to be generated with Eric St Clair,  
10 legislative liaison. As of July 1, 2023, we are now a Bureau within the Iowa  
11 Department of Education. There has been no decision yet on moving the bureau back  
12 to the Grimes Building. New branding is in process (letterhead etc.) and being  
13 reviewed to distinguish communication that is being sent by the bureau, the State  
14 Board of Education and the Board of Educational Examiners. The website will be  
15 migrated into the Department of Education's by end of calendar year. We will still  
16 maintain our information but it will become part of DE site. DAS will continue to  
17 serve as our financial support through FY 24. Human Resources has been transferred  
18 to the DE.

19  
20 IT will be managed by the DE, except for desktop support and we will continue with  
21 Insight. All staff remains part of the Bureau of Educational Examiners, except Jeff  
22 DeBruin, who is now with Department of Education IT, but is assigned to support  
23 BoEE.

24  
25 Fieldprint has been a phenomenal success and was rolled out June 5th. Reports are  
26 coming back within 2-3 days. There have been issues with how the contract was  
27 agreed upon and executed (invoicing BoEE rather than billing the client) but we are in  
28 the process of resolving. Also, Fieldprint is not accessible outside of Iowa, but we are  
29 working through options. We are still fingerprinting in office and accepting fingerprint  
30 cards.

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32 Steve Mitchell has announced his retirement in October 2023. His position has been  
33 posted in hopes of getting his replacement hired prior to his exit to assist in training.

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There is no news on additional Board Members. As soon as they are appointed, Beth and Director Cavin will schedule orientation and try to get them up to speed as quickly as possible. PP committee and Executive committee roles have been assigned. These may be temporary until more Board members come on. Members will then need to be assigned to the Operating Guidelines committee and review.

Financials and adopted budget have been included in the agenda. We had a great year, finishing \$100,00 above budgeted income. Clarity initiated the process of updating our licensure system with kickoff set for next week and should be completed by late October/early November. We began work with the IDOE for purchase of a new copier/printer. In addition, we have begun discussion of replacement of Board's Chromebooks.

June was our best June in the last 10 years. 3,684 applications were received. There has been an increase in conditionals and new applicants. Renewals are being processed at 3 1/2 weeks out. Conditionals are being processed at 3-5 days in most cases if complete applications were submitted. There has been an increase in out-of-country applicants. New legislation and rule changes is simplifying the processing of these. Online requests for use of substitutes to start a year, extended time for substitute authorization, and expansion of Paraeducator subbing opened Monday, July 31st. Director Cavin will update next month on the usage. Nine Content Specialists have been issued since the application has been opened.

Director Cavin attended the NASDTEC conference in Phoenix, AZ in June. Good discussions took place around how to handle teacher shortages, teacher internships, and legislative impacts. Professional Practices Institute (PPI) will be in Rhode Island in November and Beth Myers will be attending, as well as attending the Special Ed Law conference.

There being no further business, Rhonda McRina moved, with a second by Kristin Rickey, to adjourn the meeting at 3:05 p.m. **MOTION CARRIED UNANIMOUSLY.**