| 1 | STATE OF IOWA |
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| 2 | BOARD OF EDUCATIONAL EXAMINERS |
| 3 | 701 E. Court Ave., Suite A |
| 4 | Des Moines, Iowa 50309 |
| 5 | |
| 6 | Minutes |
| 7 | June 27, 2023 |
| 8 | Due to legislative changes to the Board Membership, Director Cavin called the meeting |
| 9 | |
| 10 11 | to order to nominate and elect a new Board Chair and Vice Chair. |
| 12 | The Board of Educational Examiners (Board or BoEE) held a Zoom meeting on June |
| 13 | 27, 2023. This meeting was held to avoid requiring board members' travel and |
| 14 | expenses and to meet professional practice deadlines regarding 180-day extensions. |
| 15 | Executive Director Cavin called the meeting to order. Members attending were Kathy |
| 16 | Behrens, Pam Bleam, Tim Bower, Davis Eidahl, Chad Janzen, Rhonda McRina, Kristin |
| 17 | Rickey, Eric St Clair. Also in attendance was Beth Myers, BoEE Attorney and Kristi |
| 18 | Traynor, Assistant Attorney General. |
| 19 | Tray not, resolution retorney denotal. |
| 20 | Director Cavin requested nominations for Board Chair for Board of Educational |
| 21 | Examiners for FY24. Tim Bower moved, with a second by Kristin Rickey, to nominate |
| 22 | Chad Janzen as Board Chair. There were no other nominations. |
| 23 | Kristin Rickey moved, with a second by Rhonda McRina, to appoint Chad Janzen as |
| 24 | Board Chair. MOTION CARRIED UNANIMOUSLY. Chad Janzen is the Chair of the |
| 25 | Board. |
| 26 | |
| 27 | Director Cavin requested nominations for Vice Chair for Board of Educational |
| 28 | Examiners for FY24. Kristin Rickey moved, with a second by Rhonda McRina, to |
| 29 | nominate Kathy Behrens as Vice Chair. There were no other nominations |
| 30 | Rhonda McRhina moved, with a second by Kristin Rickey, to appoint Kathy Behrens |
| 31 | as Board Chair. MOTION CARRIED UNANIMOUSLY. Kathy Behrens is the Vice |
| 32 | Chair of the Board. |
| 33 | |
| 34 | Appointments to committee assignments will be discussed at a future meeting. |

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| 2 | Kristin Rickey moved, with a second by Tim Bower, to approve the agenda. MOTION |
| 3 | CARRIED UNANIMOUSLY. |
| 4 | |
| 5 | Rhonda McRina moved, with a second by Kristin Rickey, to approve the consent |
| 6 | agenda (minutes for May 19, 2023). MOTION CARRIED UNANIMOUSLY. |
| 7 | |
| 8 | Kristin Rickey moved, with a second by Kathy Behrens, that the Board go into closed |
| 9 | session for the purpose of discussing closed session minutes, the decision to be |
| 10 | rendered in a contested case, and review of confidential health information, and |
| 11 | mental health information, pursuant to Iowa Code sections 21.5(1)(a), (d), and (f). Roll |
| 12 | call vote: Behrens – yes; Bleam – yes; Bower – yes; Eidahl- yes; Janzen – yes; Rickey – |
| 13 | yes; McRina – yes; St Clair – yes. MOTION CARRIED UNANIMOUSLY. |
| 14 | |
| 15 | Kristin Rickey moved, with a second by Kathy Behrens, that the Board accept the |
| 16 | respondent's waiver of hearing and voluntary surrender in case number 22-197 , and |
| 17 | that the Board issue an order permanently revoking the license with no possibility of |
| 18 | reinstatement. MOTION CARRIED UNANIMOUSLY |
| 19 | |
| 20 | Eric St Clair move, with a second by Kathy Behrens, that in case number 22-123 the |
| 21 | Board accepts the agreement submitted by the parties, and issues an Order |
| 22 | incorporating the agreement of the parties and imposing the agreed upon sanction. |
| 23 | MOTION CARRIED UNANIMOUSLY |
| 24 | |
| 25 | Eric St Clair moved, with a second by Kathy Behrens, that in case number 22-129 |
| 26 | the Board accepts the agreement submitted by the parties, and issues an Order |
| 27 | incorporating the agreement of the parties and imposing the agreed upon sanction. |
| 28 | MOTION CARRIED UNANIMOUSLY |
| 29 | |
| 30 | Kristin Rickey moved, with a second by Kathy Behrens, that in case number 22-69 |
| 31 | the Board accepts the agreement submitted by the parties, and issues an Order |
| 32 | incorporating the agreement of the parties and imposing the agreed upon sanction. |
| 33 | MOTION CARRIED UNANIMOUSLY |

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| 2 | Kathy Behrens moved, with a second by Kristin Rickey, that in case number 22-109 |
| 3 | the Board accepts the agreement submitted by the parties, and issues an Order |
| 4 | incorporating the agreement of the parties and imposing the agreed upon sanction. |
| 5 | MOTION CARRIED UNANIMOUSLY |
| 6 | |
| 7 | Kristin Rickey moved, with a second by Kathy Behrens, that in case number 23-06 |
| 8 | the Board accepts the agreement submitted by the parties, and issues an Order |
| 9 | incorporating the agreement of the parties and imposing the agreed upon sanction. |
| 10 | MOTION CARRIED UNANIMOUSLY |
| 11 | |
| 12 | Kristin Rickey moved, with a second by Eric St Clair, that in case number 23-05 the |
| 13 | Board accepts the agreement submitted by the parties, and issues an Order |
| 14 | incorporating the agreement of the parties and imposing the agreed upon sanction. |
| 15 | MOTION CARRIED UNANIMOUSLY |
| 16 | |
| 17 | Kristin Rickey moved, with a second by Kathy Behrens, that in case numbers 22-133 |
| 18 | & 23-134 the Board accepts the agreement submitted by the parties, and issues an |
| 19 | Order incorporating the agreement of the parties and imposing the agreed upon |
| 20 | sanction. MOTION CARRIED UNANIMOUSLY |
| 21 | |
| 22 | Eric St Clair moved, with a second by Kathy Behrens, that in case number 23-04 the |
| 23 | Board accepts the agreement submitted by the parties, and issues an Order |
| 24 | incorporating the agreement of the parties and imposing the agreed upon sanction. |
| 25 | MOTION CARRIED UNANIMOUSLY |
| 26 | |
| 27 | Kristin Rickey moved, with a second by Kathy Behrens, that in case number 23-79, |
| 28 | the Board table discussion and action on the agreement filed by the parties and return |
| 29 | the matter to the Board for further consideration at the next meeting. MOTION |
| 30 | CARRIED UNANIMOUSLY |
| 31 | |
| 32 | Kristi Traynor recused during the discussion of the Proposed Decision for case no. 22- |
| 33 | 118 and 22-83 and remained recused for the 180-day extensions in closed session. |

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| 2 | Eric St Clair moved, with a second by Kristin Rickey, that the Board adopt the |
| 3 | proposed decision in case number 22-118, In the Matter of RILEY BARRETT, and |
| 4 | allow the proposed decision to become the final decision of the Board. MOTION |
| 5 | CARRIED UNANIMOUSLY |
| 6 | |
| 7 | Kathy Behrens moved, with a second by Eric St Clair, that the Board adopt the |
| 8 | proposed decision in case number 22-83 , and allow the proposed decision to become |
| 9 | the final decision of the Board. Roll call vote: Behrens – yes; Bleam – yes; Bower – yes; |
| 10 | Eidahl- yes; Janzen – yes; Rickey – recused; McRina – yes; St Clair – yes. MOTION |
| 11 | CARRIED |
| 12 | |
| 13 | Eric St Clair moved, with a second by Kathy Behrens, to extend the 180-day deadline |
| 14 | for issuance of the final decision in case number 23-01 based upon the need to |
| 15 | schedule the hearing and conclude the contested case process. MOTION CARRIED |
| 16 | UNANIMOUSLY |
| 17 | |
| 18 | Kristin Rickey moved, with second by Kathy Behrens, to extend the 180-day deadline |
| 19 | for issuance of the final decision in case number 23-02 based upon the need to |
| 20 | schedule the hearing and conclude the contested case process. MOTION CARRIED |
| 21 | UNANIMOUSLY |
| 22 | |
| 23 | Eric St Clair moved, with a second by Kathy Behrens, to extend the 180-day deadline |
| 24 | for issuance of the final decision in case number 23-07 based upon the time needed |
| 25 | to complete the scheduled hearing and conclude the contested case process. MOTION |
| 26 | CARRIED UNANIMOUSLY |
| 27 | |
| 28 | Kristin Rickey moved, with a second by Eric St Clair, to extend the 180-day deadline |
| 29 | for issuance of the final decision in case number 23-08 based upon the need to |
| 30 | schedule the hearing and conclude the contested case process. MOTION CARRIED |
| 31 | UNANIMOUSLY |
| 32 | |

- 1 Kathy Behrens moved, with a second by Kristin Rickey, to extend the 180-day
- deadline for issuance of the final decision in **case number 23-10** based upon the need
- 3 to schedule the hearing and conclude the contested case process. **MOTION CARRIED**

4 UNANIMOUSLY

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- 6 Eric St Clair moved, with a second by Kathy Behrens, to extend the 180-day deadline
- 7 for issuance of the final decision in **case number 23-12** based upon the need to
- 8 schedule the hearing and conclude the contested case process. **MOTION CARRIED**

9 **UNANIMOUSLY**

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

14 **UNANIMOUSLY**

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- 16 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 23-14** based upon choose one or
- more: a) the amount of time needed to complete the investigation and conclude the
- 19 contested case process; The Criminal Case is still pending. **MOTION CARRIED**

20 UNANIMOUSLY

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- 22 Kristin Rickey moved, with a second by Eric St Clair, to extend the 180-day deadline
- for issuance of the final decision in **case number 23-15** based upon the need to
- 24 schedule the hearing and conclude the contested case process. **MOTION CARRIED**

25 **UNANIMOUSLY**

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- 27 Kathy Behrens moved, with a second by Kristin Rickey, to extend the 180-day
- deadline for issuance of the final decision in **case number 23-16** based upon the time
- 29 needed to complete the scheduled hearing and conclude the contested case. Roll call
- 30 vote: Behrens yes; Bleam recused; Bower yes; Eidahl- yes; Janzen yes; Rickey –
- yes; McRina yes; St Clair yes. **MOTION CARRIED**

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2 for issuance of the final decision in **case number 23-17** based upon the amount of time needed to complete the investigation and conclude the contested case process; 3 The criminal case is still pending. MOTION CARRIED UNANIMOUSLY 4 5 6 Kristin Rickey moved, with a second by Kathy Behrens, that the Board approve the closed session minutes from May 19, 2023. MOTION CARRIED UNANIMOUSLY 7 8 9 Request for Reinstatement: Case No. 21-93 In the Matter of Allen Stroh. Mr. Stroh was alleged to have been on school premises or at a school-sponsored activity 10 involving students while under the influence of, possess, using or consuming alcohol. 11 He received a sanction of a written reprimand, suspension of his license for one year, 12 13 with all but three months deferred. During the one-year suspension period, Dr. Stroh 14 was required to provide an unscheduled BAC Breath Test during school hours, and complete a 15 hours Ethics for Educators course. The Respondent has completed all 15 16 requirements and requests that his license be reinstated. The Respondent is eligible 17 for reinstatement. Kristin Rickey moved, with a second by Kathy Behrens, that in case number 21-93, the Board grants the Respondent's request for reinstatement and 18 19 issues an order stating the basis for the suspension no longer exists and it will be in 20 the public interest for the license to be reinstated. MOTION CARRIED **UNANIMOUSLY** 21 22 23 Communication from the Public 24 None. 25 26 **Board Communications** 27 Board Member Reports 28 None 29 Executive Director's Report 30 31 None 32 33 Discussion

Eric St Clair moved, with a second by Kathy Behrens, to extend the 180-day deadline

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- 1 Chad Janzen requested if there is an update of a timeline for future appointments of
- 2 new board members to be made. Director Cavin advised there are no updates at this
- 3 time but that there are five seats that are still open. Of these open positions: two will
- 4 be parents, two will be teachers and 1 will be a non-public school employee.
- 5 Attendance at future meetings by current board members will be critical since quorum
- 6 has increased to 7 members.

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- 8 The June Retreat and in-person board meeting was cancelled due to a delay in
- 9 appointments of board members after House File 430 went into effect. A review of
- 10 numerous investigative reports had been scheduled for the June board meeting;
- 11 however, due to the importance of involved discussion by board members on these
- cases, Investigative reports are not reviewed during Zoom meetings and have been
- slated for a future in-person meeting. The next in-person board meeting is currently
- scheduled for September. Director Cavin requested an in-person, full Board meeting
- on August 4th be held, rather than the scheduled Zoom meeting on August 2nd. Board
- members expressed preference for a full, in-person meeting on August 2nd at 8:30 a.m.

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- Newly appointed Department of Education Director Snow has been invited and plans
- in the near future to attend an upcoming board meeting. Director Cavin will be
- 20 meeting with her to discuss the work and role of the board.

21

- 22 As part of the legislation that was passed this session, one change involved the BoEE
- 23 reporting out when probable cause was determined by the board, rather than
- 24 reporting out only final decisions. Since this legislation has gone into effect, this
- 25 information has been made public in the license search public notes information.
- 26 Director Cavin further explained this law also requires those who are hiring for open
- 27 positions must search for this information before extending an offer to an applicant.

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- 29 There being no further business, Kristin Rickey moved, with a second by Davis Eidahl,
- to adjourn the meeting at 3:18 p.m. **MOTION CARRIED UNANIMOUSLY.**

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