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Biennial Report to the Governor

January 1, 2018 – June 30, 2018

A report submitted in accordance with Minn. Stat. § 214.07.

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A. General Statement of Board Activities

During the 2017 legislative session, the Minnesota legislature combined the work of the Board of Teaching with the Educator Licensing Division in the Minnesota Department of Education to create the Minnesota Professional Educator Licensing and Standards Board. PELSB began operations on January 1, 2018.

Minn. Stat. § 122A.07 establishes PELSB's membership, which includes:

- Six teachers, including:
 - One teacher in a charter school;
 - One teacher from the seven-county metropolitan area;
 - One teacher from outside the seven-county metropolitan area;
 - One teacher from a related service category licensed by the board;
 - One special education teacher; and
 - One teacher from a teacher preparation program;
- One superintendent that alternates each term between a superintendent from the seven-county metropolitan area and a superintendent from outside the metropolitan area;
- One school district human resources director;
- One administrator of a service cooperative unit who oversees a special education program;
- One principal that alternates each term between an elementary and a secondary school principal; and
- One member of the public that may be a current or former school board member.

PELSB's primary goal is to assure that Minnesota students are served by licensed teachers who are equipped to deliver effective instruction and meet the instructional needs of all learners. To that end, over the course of the last 40 years, PELSB and its previous iterations have provided leadership in teacher education by establishing and maintaining licensure standards and requirements, approving institutions and licensure programs to prepare Minnesota teachers, and by establishing and enforcing the Code of Ethics for Minnesota teachers. The current authority and responsibilities of PELSB are delineated primarily in Minnesota Statutes §122A.05 – §122A.093, §122A.18, §122A.2451, §214 *et seq.*, and Minnesota Rules Chapters 8705 and 8710.

PELSB provides leadership for strengthening teacher preparation to ensure that the state has well-prepared, effective teachers. Among its primary duties, the board establishes the standards and practices that serve as the basis for Minnesota's teacher preparation institutions and licensure programs, approves institutions and organizations that seek to deliver teacher preparation, approves licensure programs, and oversees the licensure testing program.

PELSB's 11 members are appointed by the Governor. Appointments and Board member terms are subject to the parameters set forth in Minnesota Statute §214. In accordance with the PELSB's by-laws, the Board has the following standing committees:

- Executive Committee – Chair, Vice Chair, and two additional elected members of the Board
- Disciplinary Committee
- Legislative Committee

- Licensure Committee
- Policy Review Committee
- Standards and Rules – Representatives from education stakeholder organizations

Additionally, working groups are frequently convened to solicit targeted stakeholder input and to assist with specific Board-designated initiatives.

PELSB's work is critical to ensure that teachers who earn a Minnesota teaching license are well prepared and, once licensed, that teachers uphold the Code of Ethics for Teachers (Minnesota Rule 8700.7500). State law clearly sets forth our mandate in this area:

- Minnesota Statute §122A.09, Subdivision 1, provides that "The Professional Educator Licensing and Standards Board must develop by rule a code of ethics covering standards of professional teaching practices, including areas of ethical conduct and professional performance and methods of enforcement."
- Minnesota Statute §122A.20, Subdivision 1, provides grounds for suspension, revocation, or denial of licenses.

The Board is committed to maintaining the public trust and ensuring that teachers who hold a Minnesota license are safe, trustworthy, and represent no threat of harm in any way to our students. As such, the Board's disciplinary work is among our most challenging and important responsibilities.

PELSB has authority to take disciplinary action against teaching licenses in cases where teachers are alleged to have violated either the Board's statute (122A.20) or the Code of Ethics for Minnesota Teachers (Minn. Rule 8700.7500).

Complaints can be filed by school districts, parents, former students, law enforcement agencies, interested citizens, and anyone else who has concerns about the conduct of a particular teacher. Anonymous complaints are not accepted. Once a complaint is filed and it is determined that there is jurisdiction for the Board, in accordance with Minnesota Statutes, and with support from the Office of the Attorney General's office, the Board conducts further inquiry and an investigation regarding the complaint. The teacher is notified of the allegations and given an opportunity to respond.

All of the obtained information from the inquiry is presented to the Board's disciplinary committee, which consists of two licensed and practicing teachers who serve on the Board. They review the information available and make a recommendation on what action, if any, should be taken against the teacher's license. When it is determined that grounds exist to suspend or revoke a teacher's license to teach, the Board must consider suspending or revoking, or decline to suspend or revoke the teacher's license. If a suspension or revocation is recommended, the teacher can contest that recommendation and it may result in a hearing before an Administrative Law Judge. Once the entire process is completed, any disciplinary action taken by the full Board becomes public.

Minnesota Professional Educator Licensing and Standards Board Mission

The purpose of the Professional Educator Licensing and Standards Board is to establish and maintain standards for a quality teacher licensing system for Minnesota public Schools.

Minnesota Professional Educator Licensing and Standards Board Vision

The vision of the Minnesota Professional Educator Licensing and Standards Board will be to maintain high licensure standards while providing flexibility in the licensing process to assure that public school students have fully licensed teachers.

B. Number of Meetings & Approximate Hours Spent by Board Members

Total number of Board meetings held in FY2018 (January 1, 2018 – June 30, 2018): 13.

From January 1, 2018 to June 30, 2018, PELSB members were assigned to and participated in committees in addition to participating in monthly Board meetings. These committees included:

- Executive Committee
- Legislative Committee
- Policy Committee
- Licensure Committee
- Discipline Committee
- Special Education Committee

Page 6 provides a roster of the Board's membership from January 1 to June 30, 2018 as well as details about the terms of appointment, committee assignments, and estimated hours spent participating in Board-related meetings. These estimates do not include the number of hours Board members spent reviewing documents and preparing for these meetings.

Estimated Annual Meeting Hours of PELSB Members in FY2018 (January 1, 2018 – June 30, 2018)

Member Name	Member Type	Initial Appointment	Term Expiration	Committee(s)	Estimated Annual Meeting Hours
Abdi Sabrie	Public Member	1/1/2018	1/1/2022	Legislative	56
Maggie Borman	Teacher	1/1/2018	1/1/2022	Executive, Legislative	62
Anne Krafthefer	Teacher	1/1/2018	1/1/2019	Executive, Discipline	68
James Miklausich	Principal	1/1/2018	1/1/2021	Executive, Legislative	62
Loy Woelber	Superintendent	1/1/2018	1/1/2019	Legislative	56
Katie Groh de Avina	Human Resources	1/1/2018	1/1/2020	Licensing, Policy	62
Heidi Hahn	Administrator	1/1/2018	1/1/2020	Licensing, Policy, Special Education	68
Anne Lindgren	Teacher	1/1/2018	1/1/2020	Licensing	56
Brian Rappe	Teacher	1/1/2018	1/1/2021	Executive, Discipline, Special Education	74
Penelope Dupris	Teacher	1/1/2018	9/1/2018	Licensing	56
Amy Hewett-Olatunde	Teacher	1/1/2018	4/1/2018	Vice Chair, Executive, Discipline, Policy	48

C. Receipts and Disbursements of Board Funds

Professional Educator Licensing and Standards Board Receipts and Disbursements in FY2018 (including receipts and disbursements of BOT)

	FY2018
Total State Appropriations	\$3,481,000
Total Non-Dedicated Revenue	\$433,609
Total Expenditures	\$2,245,143

D. Board Members Information

All members were appointed January 1, 2018.

Board Member

Maggie Borman

Email: Maggie.Borman@state.mn.us

100 3rd Avenue South, Apt. 3701

Minneapolis, MN 55401

612-802-3418

Term Expires: January 1, 2022

Teacher, Charter School

Penelope Dupris

Email: Penelope.Dupris@state.mn.us

7625 Edinborough Way, #2312

Edina, MN 55435

612-819-9093

Term Expires: January 1, 2021

Teacher, Inside 7-County Metro Area

Katie Groh de Avina

Email: Katie.GrohdeAvina@state.mn.us

51 Kipling Street

St. Paul, MN 55119

651-226-3935

Term Expires: January 1, 2020

School District Human Resources Director

Heidi Hahn

Email: Heidi.Hahn@state.mn.us

13135 Preserve Circle

Baxter, MN 56425

218-839-2953

Term Expires: January 1, 2020

Cooperative Unit Administrator

Amy Hewett-Olatunde

Email: Amy.Hewett-Olatunde@state.mn.us

1137 Mary Place South

Maplewood, MN 55119

651-295-3205

Term Expired: April 2018

Interim Chair and Teacher, Teacher Preparation Program

Anne Krafthefer

Email: Anne.Krafthefer@state.mn.us

1601 East 4th Street

Duluth, MN 55812

218-391-1190

Term Expires: January 1, 2019

Teacher, Outside 7-County Metro Area

Board Member

Anne Lindgren
Email: Anne.Lindgren@state.mn.us
9964 Quaker Lane North
Maple Grove, MN 55369
763-350-4599

Term Expires: January 1, 2020
Teacher, Special Education

James Miklausich
Email: James.Miklausich@state.mn.us
4145 Zenith Avenue South
Minneapolis, MN 55410
612-242-6261

Term Expires: January 1, 2021
Principal

Brian Rappe
Email: Brian.Rappe@state.mn.us
2330 Lexington Avenue S, #114
Burnsville, MN 55337
612-618-8861

Term Expires: January 1, 2021
Teacher, Related Service Category

Abdi Sabrie
Email: Abdi.Sabrie@state.mn.us
537 Linda Drive
Eagle Lake, MN 56042
507-351-8142

Term Expires: January 1, 2022
Public Member

Loy Woelber
Email: Loy.Woelber@state.mn.us
2590 121st Street
Avoca, MN 56114
507-828-6608

Term Expires: January 1, 2019
Superintendent

E. Names and Job Classifications of Board Employees

Employee Name	Title	Job Classification	FTE
Alex Liuzzi	Executive Director	Executive Director PELSB	1.00
Brian Cochran	Licensing Executive	State Program Administrator	1.00
Cassandra DuRose	Licensing Executive – Portfolio	State Program Administrator	1.00
Debby Odell	Interim Licensing Director	State Program Admin Supervisor Senior	1.00
Elaine Mattila	Customer Service	Customer Service Specialist Senior	1.00
Emily Busta	Licensing Executive	State Program Administrator	1.00
Foua Xiong	Customer Service	Customer Service Specialist Senior	1.00
Hanna Younce	Licensing Executive	Management Analyst 1	1.00
Heather Ward	Teacher Education Specialist	Education Specialist 1	1.00
Kat Anthony-Wigle	Compliance	Management Analyst 1	1.00
JoAnn VanAernum	Teacher Education Specialist	Education Specialist 2	.50
Keile LaMotte	Customer Service – Renewals	State Program Administrator	1.00
Laurie Wermus	Customer Service	Customer Service Specialist Senior	1.00
Lori Rosenthal	Office Manager	Office Administrative Specialist Principal	1.00
Maria Zaloker	Teacher Ethics Specialist	Education Specialist 2	1.00
Michelle Sander	Teacher Education Specialist	Education Specialist 2	1.00
Sue Koehler	Licensing Executive	Education Specialist 1	1.00
Mai Yang	Temporary Employee	Office Specialist	0.75
Vacant	Communication Specialist	Information Officer 2	1.0
Vacant	Rulemaking Specialist	State Program Admin Coordinator	1.0

F. Summary of Board Rules Proposed or Adopted

During fiscal year 2018, the Minnesota Professional Educator Licensing and Standards Board proposed permanent rules relating to the issuance, renewal and validity of teaching licenses; tiered licensure; licensure via portfolio; and technical changes to teaching licenses.

The rules provide regulations for the issuance of tiered teacher licenses, related services professional licenses, license renewal requirements, out-of-field permissions, innovative program permissions, substitute teacher licenses, and teacher licensure through a portfolio submission process.

PELSB's proposed rules are the result of the Legislature adoption of legislation in June 2017 that established a new tiered teacher licensure system in Minnesota. As part of that legislation, the Legislature directed PELSB to adopt rules to implement the tiered licensure system.

PELSB published a request for comments on its draft of the proposed rules in February 2018 (42 SR 1024). On June 8, 2018, the Minnesota Office of Administrative Hearings oversaw a public hearing on the proposed rules.

As of June 30, 2018, PELSB had not yet adopted the proposed rules.

G. Number of Licenses Issued by the Board

Number of Licenses Issued in FY2018 (January 1, 2018 – June 30, 2018).

License Type	Original	Endorsement	Renewal	Total
Standard	4,641	1,126	3,181	8,948
Vocational	0	0	19	19
Limited	685	27	109	821

Note: Vocational licenses are no longer issued since a change in 2001. These fields are now issued as Career & Technical Education Standard licenses.

Number of Individuals Licensed in FY2018 (January 1, 2018 – June 30, 2018)

License Type	Original	Endorsement	Renewal	Total
Standard	3,500	952	2,292	6,744
Vocational	0	0	13	13
Limited	681	19	109	809

Note: Vocational licenses are no longer issued since a change in 2001. These fields are now issued as Career & Technical Education Standard licenses.

H. Administration of Examinations by the Board

The Minnesota Professional Educator Licensing and Standards Board oversees the administration of the Minnesota Teacher Licensure Examinations (MTLE). The MTLE covers three primary areas of testing: Minnesota NES Essential Academic Skills Test; Pedagogy Tests; and Content Area Tests.

The Minnesota NES Essential Academic Skills Test (EAS) serves as the basic skills examination for Minnesota teacher licensure candidates. The EAS consists of three subtests in Reading, Writing, and Mathematics. Licensure candidates may also demonstrate their competency in basic skills by obtaining Board-approved passing scores on the ACT Plus Writing exam or the SAT.

Pedagogy Tests assess teacher licensure candidates' pedagogical knowledge. Candidates must achieve Board-approved scores in a pedagogy test that aligns with their licensure field. The three different pedagogy tests include: Early Childhood (Birth to Grade 3); Elementary (Grades K-6); and Secondary (Grades 5-12).

Content Area Tests assess teacher licensure candidates' competency in the content area that they seek to teach. There are more than 30 different content-area tests. Candidates must achieve Board-approved scores in the content-area test that aligns with their licensure field.

With the exception of the World Language and Culture tests in French, German, Mandarin Chinese, and Spanish, all MTLE are computer-based tests. The exams are offered at numerous different testing sites within the Minneapolis-St. Paul metro area as well as throughout out-state Minnesota. The exams are also offered at more than 200 testing sites across the United States, Puerto Rico, the Virgin Islands, and international countries.

The tests are available at testing sites by appointment on Mondays through Saturdays (except holidays) throughout the year.

I. Number of Persons Examined by the Board

A full technical report containing data from 2017-2018, specific to each test field is available on the [PELSB website](#). For each test, the report provides the percent passing on first attempt as well as cumulative retake data for each test field. Data is not available specific to sex, age category or state of residency.

J. Number of Persons Licensed by the Board after Taking the Examinations

Using the data found Under Section G (page 12), the following table provides the number of individuals who were subject to testing requirements.

Number of Individuals Licensed in FY2018 (January 1, 2018 – June 30, 2018)

	Original	Endorsement	Total
Standard	3,500	952	4,452

K. Number of Persons Not Licensed by the Board after Taking Examinations

PELSB does not have a reliable way to provide this data. Testing requirements are only one requirement of the teacher licensing process in Minnesota. Often, PELSB does not receive applications unless all testing requirements have been met, and there may be other reasons for why the Board did not issue a license to an applicant (*e.g.*, an issue with a background check).

L. Number of Persons Not Taking Examinations who were Licensed by the Board or who were Denied Licensing with the Reason for the Licensing or Denial Thereof

Under Minnesota Rule 8710.1250, a Temporary Limited License may be issued to an individual on the basis of having at least the equivalent of a minor in the licensure field requested and a statement of need by a Minnesota school district that is unable to find a licensed teacher for the teaching position. Testing is not required for these individuals.

The Temporary Limited License is also available for individuals prepared in a Minnesota teacher preparation program who have not met the testing requirements.

Using the data found in Section G (page 12), the following table provides the number of individuals who were issued a Limited License during FY2018 (January 1, 2018 – June 30, 2018).

Number of Individuals Licensed in FY2018 (January 1, 2018 – June 30, 2018)

	Original	Endorsement	Total
Limited	681	19	700

M. Persons Previously Licensed or Registered by the Board whose Licenses or Registrations were Revoked, Suspended or Otherwise Altered in Status, with Brief Statements of the Reasons for the Revocation, Suspension or Alteration

PELSB has the responsibility to investigate complaints related to licensees holding a Minnesota teaching license. The Board is able to take action pursuant to complaints which fall under the purview of the following statutes:

- a. **Minn. Stat. § 122A.20, subdivision 1(a)(1-5)** states [t]he Professional Educator Licensing and Standards Board . . . may, on the written complaint of the school board employing a teacher, a teacher organization, or any other interested person, refuse to issue, refuse to renew, suspend, or revoke a teacher's license to teach for any of the following causes:
 - (1) immoral character or conduct;
 - (2) failure, without justifiable cause, to teach for the term of the teacher's contract;
 - (3) gross inefficiency or willful neglect of duty;
 - (4) failure to meet licensure requirements; or
 - (5) fraud or misrepresentation in obtaining a license.

- b. **Minn. Stat. § 122A.20, subdivision 1(b)** states [t]he Professional Educator Licensing and Standards Board . . . shall refuse to issue, refuse to renew, or automatically revoke a teacher's license to teach without the right to a hearing upon receiving a certified copy of a conviction showing that the teacher has been convicted of child abuse, as defined in section 609.185, sex trafficking in the first degree under section 609.322, subdivision 1, sex trafficking in the second degree under section 609.322, subdivision 1a, engaging in hiring, or agreeing to hire a minor to engage in prostitution under section 609.324, subdivision 1, sexual abuse under section 609.342, 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3, solicitation of children to engage in sexual conduct or communication of sexually explicit materials to children under section 609.352, interference with privacy under section 609.746 or stalking under section 609.749 and the victim was a minor, using minors in a sexual performance under section 617.246, possessing pornographic works involving a minor under section 617.247, or any other offense not listed in this paragraph that requires the person to register as a predatory offender under section 243.166, or a crime under a similar law of another state or the United States.

- c. **Minn. Stat. § 214.10, subdivision 2(a)** states [a] board shall initiate proceedings to suspend or revoke a license or shall refuse to renew a license of a person licensed by the board who is convicted in a court of competent jurisdiction of violating section

609.2231, subdivision 8, 609.23, 609.231, 609.2325, 609.233, 609.2335, 609.234, 609.465, 609.466, 609.52, or 609.72, subdivision 3.

d. **Minn. Admin. R. 8710.2100, Code of Ethics For Minnesota Teachers, Subparts 1 and 5** provides a list of 10 requirements for teacher conduct and allows the Board to take action against a licensed teacher who has been found in violation of the code, which includes the following:

- A. A teacher shall provide professional education services in a nondiscriminatory manner.
- B. A teacher shall make reasonable effort to protect the student from conditions harmful to health and safety.
- C. In accordance with state and federal laws, a teacher shall disclose confidential information about individuals only when a compelling professional purpose is served or when required by law.
- D. A teacher shall take reasonable disciplinary action in exercising the authority to provide an atmosphere conducive to learning.
- E. A teacher shall not use professional relationships with students, parents, and colleagues to private advantage.
- F. A teacher shall delegate authority for teaching responsibilities only to licensed personnel.
- G. A teacher shall not deliberately suppress or distort subject matter.
- H. A teacher shall not knowingly falsify or misrepresent records or facts relating to that teacher's own qualifications or to other teachers' qualifications.
- I. A teacher shall not knowingly make false or malicious statements about students or colleagues.
- J. A teacher shall accept a contract for a teaching position that requires licensing only if properly or provisionally licensed for that position.

PELSB adopted Findings of Fact, Conclusions of Law and Orders and/or Stipulation Agreements and Consent Orders pursuant to the above statutes. The following data represents the type of Board action adopted and the number of each type of disciplinary action adopted. The tables below show the action taken on received complaints by both the PELSB from January 1, 2018 – June 30, 2018.

Disciplinary Actions taken by PELSB in FY2018 (January 1, 2018 – June 30, 2018)

Adopted Board Action/Disposition	Totals
Stayed Suspension of License	20
Suspension of License	7
Revocation of License	17
Licensure Denial	7
Surrender of License	1

Note: These numbers do not include the 20 mandatory suspensions relating to tax payment or child support payment issues.

N. Number of Complaints and Other Communications Received by the Executive Director, Each Board Member, Employee or Other Person Performing Services for the Board that Allege or Imply a Violation of a Statute or Rule which the Board is Empowered to Enforce

Number of Complaints Received by PELSB in FY2018 (January 1, 2018 – June 30, 2018)

Adopted Board Action/Disposition	Totals
Received Complaints	71
Dismissed Complaints	4
No Action Taken	78
Complaints Forwarded to Other Boards	6 ¹

¹ This information is only partially accurate. This information was not continuously tracked due to staff turnover.

O. Summarize, by Specific Category, the Substance of the Complaints and Communications referred to in Clause (n) of M.S. 214.07, and, for each specific category, the responses of dispositions thereof pursuant to M.S. 214.10 and 214.11

The substance of the complaints in the chart in Section N are related to matters not under the jurisdiction of the Board for review, complaints made that fall under Minn. Stat. § 122A.20, Minn. State § 214.10, and Minn. Rule 8710.2100. They also may fall outside of the BOT's jurisdiction, which is why they were either dismissed or forwarded to an external board.

Other Information that Board Members Believe is Useful in Reviewing Board Activities

PELSB also reviewed all first time applicants and renewal applications based on disclosures made on their Conduct Review Statement. The Conduct Review Statement asks applicants to answer the following questions:

1. Have you ever been convicted of a crime?
2. Have you ever been referred to a pre-trial diversion program after being arrested?
3. Have you ever been acquitted or found not guilty of a criminal offense involving sexual conduct, homicide, assault, or any other crime involving violence?
4. Are any criminal charges currently pending against you in Minnesota or any other state?
5. Have you ever had an education or other occupational license revoked, suspended, or denied in Minnesota or any other state?
6. Have you ever voluntarily surrendered an education or other occupational license?
7. Is disciplinary action against your teaching, administrative, or other occupational license currently pending in another state?
8. Have you ever resigned from or otherwise left an employment after allegations of misconduct were made against you or when an investigation into those allegations was pending?
9. Have you or a school district in which you were employed ever been a party to a civil settlement, award, or agreement of any kind that involved an allegation that involved YOUR sexual conduct?

When an applicant answers yes to any of the above questions, their application is flagged for review by the Disciplinary Committee. The Committee reviews every application that is flagged on a monthly

basis. The Committee reviews the Conduct Review Statement, any supplemental information provided by the applicant about their disclosures, the applicant's background check (if they are a first-time applicant), and any court records gathered by the Ethics Specialist.

If the Committee reviews the application, does not want to open an inquiry, and there are no discrepancies between the completed background check and the disclosures made on the conduct review statement, the application is sent to process. If the applicant meets the criteria for the license(s) they applied for, their license should then issue and they will receive an e-mail notification when this occurs.

If the Committee reviews the application and wants to open an inquiry into the application, the applicant will receive a letter requesting more information about their conduct review statement responses. Once the Board has the response, if the applicant chooses to provide one, and the completed background check, the Disciplinary Committee will review the entire file and make a recommendation about the license.

Between January 1, 2018 and June 30, 2018, there were 340 applications flagged based on Conduct Review Statement answers and background checks. To the extent that disciplinary action resulted following the investigation conducted by the Board in these applications, those are reflected in the above charts under denials, stayed suspensions, and no action.