

BEFORE THE IOWA BOARD OF SOCIAL WORK EXAMINERS

IN THE MATTER OF:) DIA NO. 04DPHSW001
)
)
BRENDA L. GEERDES) FINDINGS OF FACT,
) CONCLUSIONS OF LAW,
) DECISION AND ORDER

On December 1, 2003, the Iowa Board of Social Work Examiners (Board) denied the application of Brenda L. Geerdes (Applicant) for a license as a bachelor social worker. The Applicant appealed, and a Notice of Hearing was issued on January 27, 2004.

The hearing was held on February 9, 2004 at 11:30 a.m. in the fifth floor conference room, Lucas State Office Building, Des Moines, Iowa. The following members of the Board were present for the hearing: Lance Clemens, L.I.S.W., Chairperson; Jennifer Lock Oman, L.I.S.W.; Thomas Capshew, L.M.S.W.; and Janice McCoy, L.B.S.W. Margaret LaMarche, Administrative Law Judge from the Iowa Department of Inspections and Appeals, assisted the Board in conducting the hearing. The Applicant appeared and was not represented by counsel. The state was represented by Heather Adams, Assistant Attorney General. The hearing was recorded by a certified court reporter. The hearing was open to the public, pursuant to Iowa Code section 272C.6(1)(2003) and 645 IAC 11.19(10).

Following the hearing, the Board convened in closed executive session to deliberate their decision, pursuant to Iowa Code section 21.5(1)(f)(2003). A motion to deny the application was approved in open session. The administrative law judge was instructed to prepare Findings of Fact, Conclusions of Law, Decision and Order, in accordance with the Board's deliberations.

THE RECORD

The record includes the Notice of Hearing, the testimony of the witnesses, and the following exhibits:

State Exhibit A: Iowa Code section 154C.3

State Exhibit B: 645 IAC 280.5(1)

State Exhibit C: Iowa Code section 17A.9A

State Exhibit D: Application For Social Work License,
11/11/03

State Exhibit E: Denial Letter, 12/1/03

State Exhibit F: Appeal Letter, 12/20/03

State Exhibit G: Notice of Hearing

Applicant Exhibit 1: Position Description, Services
Facilitator; Transcript;
Coursework Descriptions from Iowa
State; Excerpts from Wartburg
College Social Work Catalog;
Comparison

FINDINGS OF FACT

1. In May 2003, the Applicant was awarded a Bachelor of Science degree in Child and Family Services from Iowa State University. Iowa State University is not accredited by the Council on Social Work Education. (Testimony of Roxanne Sparks; Applicant; State Exhibit C; Applicant Exhibit 1)
2. The Applicant has been employed as a Services Facilitator for the Hawkeye Valley Area Agency on Aging since June 2003. (Testimony of Applicant; Applicant Exhibit 1)
3. On December 1, 2003, the Board denied the Applicant's request for a license as a bachelor social worker because the Applicant had not graduated from a social work program accredited by the Council on Social Work Education. (Testimony of Roxanne Sparks; State Exhibit E)

CONCLUSIONS OF LAW

Iowa Code section 154C.3(2003) provides, in relevant part:

154C.3 Requirements to obtain license...

1. *License requirements.* An applicant for a license as a bachelor social worker,...shall meet the

following requirements in addition to paying all fees required by the board.

a. *Bachelor social worker.* An applicant for a license as a bachelor social worker shall present evidence satisfactory to the board that the applicant:

(1) Possesses a bachelor's degree in social work from an accredited college or university approved by the board.

(2) Has passed an examination given by the board.

(3) Will conduct all professional activities as a bachelor social worker in accordance with the standards for professional conduct established by the board.

645 IAC 280.5 provides, in relevant part:

645-280.5(154C) Educational qualifications.

280.5(1) Bachelor level social worker. An applicant for a license as a bachelor level social worker shall present evidence satisfactory to the board that the applicant possesses a bachelor's degree in social work from a college or university accredited by the Council on Social Work Education at the time of graduation.

17A.9A Waivers and variances.

1. ...this section does not authorize any agency to waive or vary any requirement created or duty imposed by statute.

The preponderance of the evidence established that the Applicant does not meet the minimum statutory and rule requirements for issuance of a bachelor social worker license. The Applicant does not possess a bachelor's degree in social work; her bachelor's degree is in Child and Family Services. A bachelor's degree in social work is statutorily required and cannot be waived by the Board. Therefore, the applicant's argument that the coursework she completed in Child and Family Services at Iowa State is comparable to the social work coursework at an accredited college or university is irrelevant. In addition, Iowa State University does not have a social work program approved by the board or approved by the Council on Social Work Education. Since the Applicant does not meet the educational

requirements established by statute and by rule for a license as a bachelor social worker, the Board must deny the application.

In her appeal letter to the Board, the Applicant signed her name followed by the initials "BSW." In the opinion of the Board, this is misleading because the Applicant does not have a bachelor's degree in social work.

DECISION AND ORDER

IT IS THEREFORE ORDERED that the application for a license as a bachelor level social worker, filed by Brenda L. Geerdes, is hereby DENIED.

This Findings of Fact, Conclusions of Law, Decision and Order is approved by the board on February 24, 2004.