



TERRY BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF EDUCATION  
JASON E. GLASS, DIRECTOR

**DE Employee Request for Consent to Sell**

Date of Request           **11 Sep 2013**  
Employee Name           **Iowa Department of Education**  
Job Title at DE   **HPE Consultant**  
Division, Bureau at DE   **Standards and Curriculum**

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Immediate Supervisor at DE   **Lea Davidson**

Proposed outside employer

**James Balmer**  
**Falsani, Balmer, Peterson, Quinn & Beyer**  
**306 W Superior St # 1200**  
**Duluth, MN**

Proposed services to sell to outside employer

**Expert Witness -- Kael Richards v. Ely School District (North East, MN).**

**Case summary: This case involves a 17 year old high school student who sustained a serious and permanent injury to his left eye after being struck by a floor hockey ball during gym class.**

(E.g., if teaching classes, which classes, graduate or undergraduate level)

How will selling this service not conflict with your DE duties?

**This work will not interfere/conflict w/my IDOE responsibilities and has no connection to Iowa or my duties with the IDOE. All activities related to this case will occur outside my required IDOE duties. I am half-time with the IDOE.**

I certify that I have the permission of my DE supervisor, above named, to make this request of the Department of Education.



## Response to DE Employee Request for Consent to Sell

**Employee Name and Job Title:** Ed Thomas, Education Program Consultant (HPE)

**Division, Bureau:** Standards and Curriculum

**Date of Request:** September 11, 2013

**Date of Agency Determination:** September 16, 2013

**Determination<sup>1</sup>:** Consent granted without condition

### Summary of Request and Rationale for Determination:

Ed Thomas seeks permission to sell the service of being an expert witness in the case of *Kael Richards v. Ely School District* (North East, MN) for employer James Balmer of Falsani, Balmer, Peterson, Quinn, & Beyer, 306 W. Superior St #1200, Duluth, MN.

The Iowa Department of Education (IDE) does not have a relationship with this employer or the parties involved in the legal action. Mr. Thomas will provide this service outside of his regular working hours.

Therefore, the sale of the service of being expert witness will not cause Ed Thomas to advocate on behalf of any entity, does not benefit or prejudice any regulated person or entity, and does not result in a conflict of interest per section 68B.2A.

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<sup>1</sup> If the determination is a denial or a conditional consent, the employee may file an appeal with the Iowa Ethics and Campaign Disclosure Board pursuant to rule 351—IAC 6.11(6).