

BEFORE THE IOWA BOARD OF PSYCHOLOGY

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In the Matter of:	)	Case No. 13-002
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<b>JOHN WILLIAMS,</b>	)	NOTICE OF HEARING AND
	)	STATEMENT OF CHARGES
RESPONDENT.	)	

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**COMES NOW** the Iowa Board of Psychology (Board) and files this Notice of Hearing and Statement of Charges pursuant to Iowa Code sections 17A.12(2), 17A.18(3), and 645 Iowa Administrative Code (IAC) 11.6. Respondent was issued Iowa license no. 00960 on 11-18-03, and license no. 000498 on 6-2-08. Respondent's licenses are current and will expire on 6-30-16. Respondent's mailing address as reported to the Board is: 1409 MOUNTAIN AVE, CANMORE, AB, T1W1M3, CANADA.

**A. TIME, PLACE AND NATURE OF HEARING**

Hearing. A disciplinary contested case hearing shall be held on February 13, 2015, before the Iowa Board of Psychology. The hearing shall begin at 9 a.m. and shall be located in the Lucas State Office Building, Fifth Floor, Board Conference Room 526, 321 E. 12<sup>th</sup> Street, Des Moines, Iowa.

Answer. Within twenty (20) days of the date you are served this Notice of Hearing and Statement of Charges you are required by 645 IAC 11.12 to file an Answer. The Answer should specifically admit, deny, or otherwise answer all allegations contained in sections C and D of this Notice of Hearing and Statement of Charges. Pleadings shall be filed with the Board at the following address: Board of Psychology, Lucas State Office Building, 5<sup>th</sup> Floor, 321 E. 12<sup>th</sup> Street, Des Moines, Iowa, 50319.

Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge make initial rulings on pre-hearing matters, and be present to assist and advise the board at hearing.

Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 645 IAC chapter 11. At hearing, you may appear personally or be represented by legal counsel at your own expense. You will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf on issues of material fact, cross-examine witnesses present at the hearing, and examine and respond to any documents introduced at hearing. If you need to request an alternative time or date for hearing, you must comply with the requirements of 645 IAC 11.18. The hearing may be open to the public or closed to the public at your discretion.

Pre-hearing Conference. Any party may request a pre-hearing conference to discuss evidentiary issues related to the hearing. The Board's rules regarding pre-hearing conferences are contained at 645 IAC 11.17.

Prosecution. The Office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Copies of pleadings should be provided to counsel for the State at the following address: David Van Compernelle, Assistant Attorney General, Iowa Attorney General's Office, Hoover State Office Building, 2<sup>nd</sup> Floor, 1305 E. Walnut Street, Des Moines, Iowa 50319.

Communications. You may not contact Board members in any manner, including by phone, letter, or e-mail, about this Notice of Hearing and Statement of Charges.

Board members may only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case.

## **B. LEGAL AUTHORITY AND JURISDICTION**

Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 154B, and 272C.

Legal Authority. If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code chapters 17A, 147, 154B, and 272C and 645 IAC chapter 242.

Default. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code section 17A.12(3) and 645 IAC 11.21.

## **C. SECTIONS OF STATUTES AND RULES INVOLVED**

### **Count I**

Respondent is charged with knowingly making misleading, deceptive, untrue or fraudulent representations in the practice of psychology or engaging in unethical conduct or practice harmful or detrimental to the public in violation of 645 IAC section 242.2(4).

### **Count II**

Respondent is charged with habitual intoxication or addiction to the use of drugs in violation of 645 IAC section 242.2(7).

### **Count III**

Respondent is charged with failing to comply with the Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association, as published in the December 2002 edition of American Psychologist in violation of 645 IAC section 242.2(1). Specifically, Respondent is charged with violating Standard 1.05, 2.06, 3.02, 3.03, 3.05, 3.08, and 7.07.

**Count IV**

Respondent is charged with unethical conduct in violation of 645 IAC 242.2(30).

**Count V**

Respondent is charged with failing to report a change of name or address within 30 days after it occurs in violation of 645 IAC 242.2(26).

**D. FACTUAL CIRCUMSTANCES**

1. At all relevant times hereto, Respondent was licensed to practice as a psychologist and/or a health service provider in the State of Iowa.
2. Respondent was employed at the University of Northern Iowa from 2002 through January 2013 as a tenured psychology professor until his departure contemporaneous with an internal investigation into allegations of misconduct by him with students and supervisees.
3. The complained of conduct includes, but is not limited to, inappropriate touching, inappropriate email and text messages, comments to students that were threatening, racist, homophobic, and sexist in nature, allowing and partaking in the viewing of a "twerking" video in the classroom, allowing a picture of a female buttocks in

thong underwear to appear on the classroom board, gestures regarding a female student's attire and cleavage, boundary issues with students, and habitual intoxication.

4. The factual circumstances surrounding the misconduct claims appear to have happened in 2012-2013.

#### **E. SETTLEMENT**

The procedural rules governing the Board's settlement process are found at 645 IAC chapter 12. If you are interested in pursuing settlement of this matter, please contact David Van Compernelle, Assistant Attorney General, at 515-281-7262.

#### **F. PROBABLE CAUSE FINDING**

On this 8<sup>th</sup> day of October, 2014, the Iowa Board of Psychology found probable cause to file this Notice of Hearing and Statement of Charges.



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Chairperson  
Iowa Board of Psychology

Copies to:

David Van Compernelle  
Assistant Attorney General  
Iowa Attorney General's Office  
Hoover State Office Building, 2<sup>nd</sup> Floor  
1305 E. Walnut Street  
Des Moines, IA 50319