STATE BOARD OF EDUCATION OF OHIO
MINUTES
January 2014
Ohio Department of Education
25 South Front Street
Columbus, Ohio 43215

MEMBERS OF THE STATE BOARD OF EDUCATION

Deborah Cain
Stephanie Dodd
Joe Farmer
Thomas Gunlock
C. Todd Jones
Darryl D. Mehaffie
Ron Rudduck
Debe Terhar
Michael Collins
Tess Elshoff
Sarah Fowler
Ann Jacobs
Kathleen McGervey
Mary Rose Oakar
Mark Smith
Rebecca Vazquez-Skillings

EX OFFICIO MEMBERS
Senator Peggy Lehner
Representative Gerald Stebelton

SECRETARY
Dr. Richard A. Ross
Superintendent of Public Instruction

Mr. Collins was absent on Monday. Mr. Mehaffie and Mrs. Vazquez-Skillings were absent from the meeting.

The State Board convened on Monday, January 13, at the Ohio Department of Education in Columbus.

The Board's Achievement, Capacity and Committee on Urban and Rural Renewal met beginning at 8:45 a.m.

The Board took a brief recess.

Berkshire/Newbury District Consolidation Presentation
Individuals from the Berkshire and Newbury school districts provided Board members with a presentation regarding the proposed merger of the two school districts. Topics discussed included preliminary enrollment, expenditure and operating information.

Recognition of Debra J. McDonald, 2013- 2014 Ohio Teacher of the Year and Finalists

The State Board had the honor to recognize Mrs. Debra J. McDonald as the 2013-2014 Ohio Teacher of the Year.

The Ohio Teacher of the Year award was created in 1969 to honor and promote excellence in teaching and the teaching profession; and to build a network of exemplary teachers who are leaders in improving our schools.

Nominations for the award come from superintendents and principals throughout Ohio. A review panel considered each recipient and selected finalists to be interviewed for the award. State Board members Tom Gunlock, Joe Farmer and Darryl Mehaffie served on that panel.

Mrs. McDonald is a teacher in the Early Childhood Education and Care program at the Wayne County Schools Career Center. She holds the Master Teacher Certification that only our nation's best and most motivated teachers earn.

She also operates a fully functioning preschool at the career center, where her students get practical experiences as assistants.

Other finalists in the 2014 Ohio Teacher of the Year program:

Ms. Holly Welch, Youngstown City Schools. Ms. Welch is a Biotechnology teacher at Choffin Career and Technical Center, teaching Grades 11 and 12.

Ms. Toby Carpenter, Dublin City Schools. Ms. Carpenter is an 8th-grade science teacher at Karrer Middle School.

Ms. Caren Golenberg, Cleveland Heights-University Heights School District. Ms. Golenberg teaches Kindergarten at Gearity Professional Development School.

Recognition of Sarah Franko, Recipient of the 2013 Ohio Educator Award from the Milken Family Foundation

The State Board had the honor to recognize Ms. Sarah Franko as the recipient of the 2013 Ohio Educator Award from the Milken Family Foundation.

The Milken Family Foundation National Educator Awards program honors outstanding teachers and administrators in 48 states, including the District of Columbia.

The Milken Family Foundation awards are presented to elementary and secondary school educators in alternate years. Milken looks for outstanding early- to mid-career educators who among other things offer excellent long-range potential for professional leadership; and have an engaging and inspiring presence that motivates and impacts students, colleagues and the community.

Nominations for the Milken Educator of the Year Award can come from a teacher's school administrators, fellow teachers or even parents, but the teacher's principal must sign the nomination.

Ms. Sarah Franko is a fifth-grade science teacher at North Royalton Middle School in North Royalton, Ohio.

Ms. Franko has a long list of accomplishments:

The first year that Sarah taught fifth-grade science, her students' average scores jumped from 76 to 86 percent.

As fifth-grade team coordinator at the school, Ms. Franko developed an online virtual space to bring parents closer to their child's schoolwork and activities.

Ms. Franko is a mentor to beginning teachers, and serves on her school's Resident Educator committee. In addition to that she serves on her local Curriculum, Assessment and Instruction committees. She co-leads the student Green Team and chairs the school's annual Field Day competitions. She also headed a school-wide initiative that raised more than $4,000 to benefit H2O for Life, an organization that gets girls and boys involved in fighting the global water crisis. Ms. Franko has presented three times at the Ohio Middle Level Association State Conference.

The State Board recessed for lunch.

Straight A Fund Presentation
Presenter: Dr. Susan Tave Zelman, Executive Director, Straight A Fund.
Highlights from the presentation:

Goals:
- Raise student achievement
- Reduce Spending
- Target a greater share of resources to the classroom

Why is the Straight A Fund different?
- Sustainability
- What is sustainability?
- What was required in the application?

Grant Selection Process:
- Scorers
- Fiscal and Programmatic Review
- Grant Advisor Process
- Statistical Analysis

Themes of Winning Applications:
- Partnerships within and outside the education community
- Collaboration Among Districts
- Blended Learning
- Use of Technology in Curriculum/Instruction
- Postsecondary Options for High School Students
- STEM Education

Conversation with Grant Winners:
- Kelley's Island
- Dayton Early College Academy
- Cincinnati City

- Marysville Exempted Village
- Northern Local
- James A. Garfield Local

Questions and Resources:
- education.ohio.gov/Topics/Straight-A-Fund
- StraightAFund@education.ohio.gov

The Board took a brief recess.

President Terhar convened the Business Meeting of the State Board of Education on Monday, January 13, at 3 p.m.

President Terhar asked the Recording Secretary to call the roll.

MEMBERS PRESENT

Deborah Cain	Stephanie Dodd
Tess Elshoff	Joe Farmer
Sarah Fowler	Thomas Gunlock
C. Todd Jones	Kathleen McGervey
Mary Rose Oakar	Ron Rudduck
Mark Smith	Debe Terhar

EX OFFICIO MEMBERS

Senator Peggy Lehner	Representative Gerald Stebelton

MEMBERS ABSENT

Michael Collins	Darryl D. Mehaffie
Rebecca Vazquez-Skillings	

NOTE: Ms. Jacobs entered the room after roll call.

President Terhar called on Vice President Gunlock, who Moved that that the State Board of Education go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official; that the State Board of Education go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(1) to consider the investigation of charges or complaints against a public employee, official, licensee, or regulated individual; that the State Board of Education go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(3) for the purpose of conferring with legal counsel about matters that are the subject of pending or imminent court action.

Ms. McGervey Seconded the motion.

The President called for a roll call vote.

YES VOTES

Deborah Cain	Stephanie Dodd
Tess Elshoff	Joe Farmer
Sarah Fowler	Thomas Gunlock
C. Todd Jones	Kathleen McGervey

Mary Rose Oakar	Ron Rudduck
Mark Smith	Debe Terhar

Motion carried.

The Board went into Executive Session at 3 p.m.

The Board recessed from Executive Session at 4 p.m.

President Terhar recessed the State Board Business meeting at 4 p.m.

President Terhar recessed the Board meeting at 4 p.m.

The Board's Accountability Committee met beginning at 4 p.m.

President Terhar reconvened the meeting of the State Board of Education on Tuesday, January 14, at 8 a.m.

The Board's Operating Standards Committee met beginning at 8 a.m.

The Board's Legislative and Budget Committee met beginning at 9 a.m.

President Terhar reconvened the Business meeting of the State Board of Education on Tuesday, January 14, at 9:45 a.m.

President Terhar asked the Recording Secretary to call the roll.

MEMBERS PRESENT

Deborah Cain	Michael Collins
Stephanie Dodd	Tess Elshoff
Joe Farmer	Sarah Fowler
Thomas Gunlock	Ann Jacobs
C. Todd Jones	Kathleen McGervey
Mary Rose Oakar	Ron Rudduck
Mark Smith	Debe Terhar

EX OFFICIO MEMBERS

Senator Peggy Lehner | Representative Gerald Stebelton

MEMBERS ABSENT
Darryl D. Mehaffie | Rebecca Vazquez-Skillings

Motion carried.

President Terhar welcomed Board members and guests, and led the Board in the Pledge of Allegiance.

President Terhar called for the approval of the Minutes of the December 2013 meeting. She asked if there were any corrections to the Minutes.

There were no corrections.

It was Moved by Mrs. Elshoff and Seconded by Mr. Gunlock that the Minutes be approved as presented. The President called for a voice vote.

Motion carried unanimously.

REVIEW OF WRITTEN REPORTS, ITEMS FOR VOTE AND ITEMS FOR CONSIDERATION FOR NEXT MONTH

Consent Agenda (1); Volume 2

1. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL COMPREHENSIVE HIGH SCHOOL TEACHING LICENSE OF STEVEN E. MORIO (VOLUME 2, PAGE 4)

Territory Transfers (1); Volume 2

2. RESOLUTION TO APPROVE THE AGREEMENT BETWEEN THE SYCAMORE COMMUNITY CITY SCHOOL DISTRICT, HAMILTON COUNTY, AND THE INDIAN HILL EXEMPTED VILLAGE SCHOOL DISTRICT, HAMILTON COUNTY, TO TRANSFER PROPERTY FROM THE SYCAMORE COMMUNITY CITY SCHOOL DISTRICT TO THE INDIAN HILL EXEMPTED VILLAGE SCHOOL DISTRICT. (VOLUME 2, PAGE 7)

Items 3 through 9 were school personnel resolutions.

Administrative Rules (4); Volume 3

10. RESOLUTION TO AMEND RULE 3301-8-01 OF THE ADMINISTRATIVE CODE ENTITLED PAYMENT OF DEBT CHARGES UNDER THE STATE CREDIT ENHANCEMENT PROGRAM (VOLUME 3, PAGE 185) (CAPACITY COMMITTEE)

11. RESOLUTION TO AMEND RULE 3301-24-04 OF THE ADMINISTRATIVE CODE ENTITLED TEACHER RESIDENCY (VOLUME 3, PAGE 192) (CAPACITY COMMITTEE)

12. RESOLUTION TO AMEND RULE 3301-26-01 OF THE ADMINISTRATIVE CODE ENTITLED EXAMINATIONS FOR EDUCATOR LICENSURE (VOLUME 3, PAGE 197) (CAPACITY COMMITTEE)

13. RESOLUTION TO RESCIND RULE 3301-71-01 OF THE ADMINISTRATIVE CODE ENTITLED POVERTY-BASED ASSISTANCE (VOLUME 3, PAGE 203) (CAPACITY COMMITTEE)

Miscellaneous Resolutions (1); Volume 4

14. RESOLUTION TO ADOPT READING COMPETENCIES (VOLUME 4, PAGE 4) (ACHIEVEMENT COMMITTEE)

Presentation on Value-Added by Jamie Meade, Managing Director, Strategic Measures, Battelle for Kids

Teacher Value-Added Reports - State Board of Education, January 14, 2014.
Highlights from the presentation:

Value-Added in Ohio:

- For over 10 years, Battelle for Kids has provided support for professional learning and fostered collegial dialogue for understanding and using value-added measures.
- Battelle for Kids continues to advocate for the use of value-added measures, in combination with other educational measures, to improve practice and accelerate student academic progress.

Ohio's Value-Added History:

- 2002: Battelle for Kids' SOAR Collaborative
  - School and District Value-Added Reports
- 2006: Battelle for Kids' TCAP Project
  - Teacher Value-Added Reports
- 2007: Department Value-Added on Local Report Card
- 2009: Battelle for Kids' Ohio VA High Schools
- 2011: RttT: 30% Teachers, VA Reports
- 2012: RttT: 60% Teachers, VA Reports
- 2013: 4-8 Reading & Math Teachers, VA Reports
  80 RttT Districts, K-3 R & M Teachers, VA Reports

- Educational Value Added Assessment System (EVAAS)
- SAS Analytics
  - Customers in 135 countries

- More than 65,000 business, government and university sites
- SAS customers or their affiliates represent 90 of the top 100 companies on the 2012 FORTUNE Global 500® list.

Value-Added Information in Practice: Building Awareness

- Understanding the Difference
  - Achievement Measures
  - Progress / Growth Measures

Value-Added Information in Practice: SAS EVAAS MRM Model

- Mutlivariate Response Model (MRM)
  - Grades 4–8 Reading and Math VA Reports
  - Uses Ohio Achievement Assessments

SAS EVAAS Value-Added MRM Model (conceptual definition)

- Uses Grades 3–8 Reading and Math OAAs.
  - Compares the average growth of students in the most recent year to the average growth of students in 2010 (state's baseline year)*
  - Growth expectation is defined as maintaining placement in the distribution of NCE scores from one year to the next*

Value-Added Terminology:
Normal Curve Equivalent (NCE)

- The NCE is similar to a percentile rank in that scores are derived from scaled scores and ranked based upon performance.
- A significant difference between percentile rank and NCE is that an NCE scale is an equal interval scale.

- Baseline Score
  - Group of students' prior year mean NCE
  - Example: Spring 2012 OAA mean NCE
- Observed Score
  - Group of students' new/most recent mean NCE
  - Example: Spring 2013 OAA mean NCE

Standard Error:

- A measure of the uncertainty
  - All measures of student learning contain error.
- In the EVAAS teacher value-added report, the size of the standard error is influenced by
  - N size (size of the student group).
  - Missing scores

Teacher Value-Added Report:
Value-Added Terminology

- Growth Index
  - Since the size of the standard error (degree of certainty) will vary across teachers, their estimated gain must be standardized to include both the estimate and the degree of certainty (standard error).
  - Divides a teacher's estimated gain by the associated standard error.

Using Value-Added to Inform Practice:

Key Considerations:

- Systemic Programs, Delivery Models, Structures, Services, etc.
- Professional Learning
- Curriculum Alignment
    - What I teach
- Assessment
    - How I measure/monitor learning along the way
- Instruction
    - How I teach

Combining Measures to Inform Practice:

- All measures of student learning contain error.
- No single measure can capture the complexity of learning and teaching.
- There's an important distinction between a flawed measure and a flawed assumption based upon a single measure.

BOARD PRESENTATIONS AND DISCUSSION FROM THE CAPACITY COMMITTEE
Chair: Tom Gunlock
Mr. Gunlock gave a report from the Capacity Committee meeting focusing on the following issues:

Update by Educational Testing Service (ETS) on the Praxis Teaching Reading: Elementary Education Exam:

The Committee received an update from Kathy Pruner, Ohio Client Relations Director with Educational Testing Service (ETS) on the Praxis exam entitled Teaching Reading: Elementary Education (TREE), which has been administered to Ohio teachers on an elective basis starting in September 2013.

This exam was adopted by the State Board of Education in July 2013 as the reading instruction test required by law for Ohio teachers to use as an option in order to establish that they meet the teacher qualification provisions related to the Third Grade Reading Guarantee.

Scores from the October administration of the exam were reviewed. 290 people have taken the exam in Ohio, achieving a pass rate of 96.6% given the current cut score adopted by the State Board. The data will be reviewed by the Committee again when scores from additional administrations and test takers are available.

Update on the Resident Educator Summative Assessment (RESA):

The Committee heard an update on the Ohio Resident Educator Summative Assessment (RESA), the performance-based assessment that is part of the Ohio Resident Educator Program, Ohio's four year teacher residency program for beginning teachers. The assessment includes five separate "tasks" that require teachers to demonstrate their ability to design and implement instruction, use formative and summative assessments to inform teaching practice, communicate with key stakeholders, and reflect on their teaching based on the feedback they receive.

Nearly 3300 resident educators in their third year of teaching have completed the first of the five tasks required by the assessment. Submission of the first task by some candidates was hampered by technical issues which continue to be addressed by the vendor. Task 1 deadlines were extended to allow candidates additional time to submit, and both the vendor and the Department continue to offer support to those candidates who are still having difficulties submitting their work.

Discuss Plan for Review of the Ohio Assessments for Educators (OAE) Licensure Exams:
Staff reported that a representative from the Evaluation Systems Group of Pearson will be present at the February meeting of the Capacity Committee in order to provide an update on pass rates from the first three administrations of the new Ohio Assessments for Educators (OAE) licensure exams.

Discuss Berkshire/Newbury School District Proposed Consolidation:
Committee members discussed the full Board presentation regarding the proposed consolidation of the Berkshire and Newbury school districts, and the responsibility of the Board in the consolidation process. It was determined that verification of the results of a study commissioned by the districts should be at least one component of the Board's 'study' of the proposed consolidation. In addition, Capacity Committee and other State Board members will travel to Geauga County, at a date to be determined in consultation with the respective school boards, to hear comments from district residents regarding the desirability of consolidation.

BOARD PRESENTATIONS AND DISCUSSION FROM THE URBAN AND RURAL RENEWAL COMMITTEE
Chair: Dr. Mark Smith, Vice Chair: Mike Collins
Dr. Smith gave a report from the Committee on Urban Education meeting focusing on the following issues:

Cornell Lewis, Executive Director of the Expanding Visions Foundation spoke to the committee. The Expanding Visions Foundation is an all-male mentoring organization which has been serving the Columbus area since 2006. It is designed to develop young people and prepare them for productive, self-sustaining lives

- There are 25 mentors in the Organization
- 100% graduated from this program
- Currently working with 71 families
- 89% of the students are employed

Cornell Lewis and his staff (Anthony Qualls, and Ani M' Walimu) presented to the committee the Impact Areas/Explanation and the Correlating Narrative of their program. The highlighted points were specific to:

- Curriculum & Instruction
- School & Community Contacts
- Evaluation & Improvement
- Personal Development
- Educational Development
- Health Education

Dr. Smith encouraged the committee and organization to do the following:

- Consider what can we do statewide to address non-academic barriers
- Set up a Resource Pool to assist organizations at a statewide level
- Work with Grant Writers and Support Systems
- Set up more time and continue a dialogue for discussion on the Expanding Visions Foundation program with the committee

Pam Vanhorn, Director of the Office of Improvement and Innovation, presented to the committee and focused on the Analysis of the 2012-2013 school-year Improvement of Ohio's ESEA Waiver Schools. The highlighted points of discussion are as follows:

- Her office looked at performance index as a way to evaluate increased student achievement
- Priority Schools made the most gain in performance index; Priority Schools are defined as buildings in the lowest 5% with regard to student achievement
- Focus Schools made the next highest gain in performance index; Focus Schools are defined as buildings with the biggest differences between overall test scores and test scores for one or more Federal subgroup of children (i.e. special needs, economically disadvantaged students)

- What made the difference in the schools that increased performance index?
    - The Department placed people in the building to coach, support, and help implement the Ohio Improvement Process
    - Principals of different leadership levels benefited from the onsite coaching in Priority and Focus Schools
- The Department will continue to place coaches in Priority and Focus Schools next year
- Coaches will continue to model leadership behaviors
- Coaches, State Support Teams (SSTs) and Department staff will continue to support buildings in increasing student test scores
- Since the Ohio Improvement Process has a proven track record, coaches will continue to use it in the Priority and Focus Schools

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BOARD PRESENTATIONS AND DISCUSSION FROM THE OPERATING STANDARDS COMMITTEE

Chair: Ron Rudduck, Co-Chair: Daryl Mehaffie

Mr. Rudduck gave a report from the Operating Standards Committee meeting focusing on the following issues:

Chair Rudduck began the committee meeting by presenting a "committee checkpoint". Because revision of the Operating Standards will be a long process I thought it was important to summarize the work of the committee to date and share my vision of the process going forward.

The committee has agreed to streamline and simplify the Operating Standards. At the same time, there will be a website to support districts that provides one location for them to find rules, laws and summaries related to each topic in the standards. Department staff and Committee members will begin developing this website as the standards are revised.

The committee heard a summary of proposed changes to Rule 4. The changes involved removing language already provided for in Ohio Revised Code and reorganizing some pieces to be more logically categorized.

The Committee will vote finalize the draft language for Rule 4 at the next meeting and begin discussion of Rule 5.

BOARD PRESENTATIONS AND DISCUSSION FROM THE LEGISLATIVE AND BUDGET COMMITTEE

Chair: Kathleen McGervey, Co-Chair: C. Todd Jones
Ms. McGervey gave a report from the Legislative and Budget Committee meeting focusing on the following issues:

Committee members received a presentation regarding the 2013 Year-End Legislative Report.

Kelly Weir, Executive Director, Office of Legislative Services and Budgetary Planning, discussed changes made by an omnibus amendment to HB 193 (Brenner, R-Powell).

Lori Lofton, Senior Executive Director, Office of the Teaching Profession, and P.R. Casey, Chief Legal Counsel, discussed a licensure issue and asked for the Committee's feedback.

The State Board recessed for lunch.

PUBLIC PARTICIPATION ON ACTION ITEMS

There was no Public Participation on Action Items.

PUBLIC PARTICIPATION ON NONACTION ITEMS

There was no Public Participation on Nonaction Items.

BOARD PRESENTATIONS AND DISCUSSION FROM THE ACCOUNTABILITY COMMITTEE

Chair: Tom Gunlock
Mr. Gunlock gave a report from the Accountability Committee meeting focusing on the following issues:

Gifted Indicator & Dashboard:

Chris Woolard, Director, Office of Accountability, shared information about the new Gifted indicator, new Gifted Value-Added metric and Gifted Rankings. His team is putting together a mock draft of the new Gifted dashboard, which they hope to share with the SBOE in the near future.

Matt Cohen, Chief Research Officer, Office of Policy and Research, reviewed the current proposal for the Gifted Indicator, explaining that the rankings are based on H.B. 59 requirements. Department staff proposes that the Gifted Indicator will look at three individual measures - Gifted Opportunity, Gifted Performance and Gifted Progress.

Chair Gunlock presented an alternate proposal for review and asked that the committee study both before the next meeting in order to make an informed decision on one or the other, or a hybrid.

K-3 Data:

Chris Woolard, Director, Office of Accountability, gave a preliminary update of K-3 Literacy data. Districts are currently reporting on the twenty-five different types of interventions they used last year. Department staff is working on the implementation of Prep for Success, and will come to the Board in February with more information on that.

The Department is still collecting K-3 data, because some districts did not report on time. An additional opportunity to report results from the Fall of 2012 K-3 diagnostic assessments has been offered to these districts and the supplemental window closes January 15th. As of Friday, January 10, 32 districts/community schools have not reported their diagnostic data.

During the report out, Mr. Gunlock presented the following recommendations:

MOTION TO APPROVE THE CAREER-TECHNICAL EDUCATION REPORT CARD IMPLEMENTATION PLAN AND GRADING SCHEMA FOR TECHNICAL SKILL ATTAINMENT

It was Moved by Mr. Jones and Seconded by Mr. Gunlock that the above recommendation be approved.

President Terhar called for a voice vote.

Motion carried.

MOTION TO ADOPT CRITERIA FOR ACCEPTABLE INDUSTRY CREDENTIALS TO BE REPORTED IN THE PREPARED FOR SUCCESS COMPONENT ON THE REPORT CARD

It was Moved by Mr. Gunlock and Seconded by Mrs. Dodd that the above recommendation be approved.

President Terhar called for a voice vote.

Motion carried.

BOARD PRESENTATIONS AND DISCUSSION FROM THE ACHIEVEMENT COMMITTEE
Chair: C. Todd Jones, Vice Chair: Joe Farmer
Mr. Jones gave a report from the Achievement Committee meeting focusing on the following issues:

Reading Competencies, Third Grade Reading Guarantee:

The Committee reviewed and discussed the reading competencies as required by Senate Bill 21 at this month and last month's meeting. The reading competencies communicate what teachers should know and do to provide reading instruction. Legislation requires the reading competencies to address the five components of reading development, differentiated instruction, assessment, instructional materials and instructional practices. Legislation also states the reading competencies must be adopted by January 31, 2014. Once adopted, The Department's approved list of training programs and credentials (July 2014); OBR's requirements for reading endorsement programs (July 2016); and the reading test candidates have to take and pass to earn a Pre K- 3 or 4-9 license (July 2017), must align to the reading competencies. Support materials including a glossary, resources, and guidance information will be developed and provided after the competencies are adopted. The Committee approved and moved forward to the full Board a resolution to adopt the reading competencies.

Operating Standards for Children with Disabilities:

The Committee discussed this month and last month the upcoming changes to the OAC 3301-51-01 through 3301-51-11 and 3301-51-21 which are a part of the five-year rule revision process. Changes to the rule are minimal and include closely paralleling rule language to federal language wherever there is not a higher state standard required by Ohio Revised code. The Committee approved and moved to the full Board a resolution of intent to adopt the amended rules.

Innovative Education Pilot Program:

The Committee discussed the minor changes to the Innovative Education Pilot Program rules. The proposed changes are minor and include updating website addresses. The Committee approved and moved to the full Board a resolution of intent to adopt the amended rules.

Committee Discussion:

Ms. Jacobs noted concern about the status of the Operating Standards for gifted. Ms. Jacobs asked Chairman Jones to elaborate on the progress. Mr. Jones elaborated the decisions to date and that the request to delay came at the behest of the Board President.

President Terhar called on Superintendent Ross for his report.

Superintendent Ross provided Board members with updates on the following topics:

- Third Grade Reading Guarantee
- Dropouts
- Start Talking Initiative
- December 12, all-staff meeting
- Huber Ridge Elementary school visit (Westerville City S.D.)
- December 13, Superintendent's Advisory Committee meeting
- December 16, Straight A Fund meeting
- School district data-scrubbing issue

This concludes the Superintendent's report.

President Terhar called on Superintendent Ross for his report and recommendations.

President Terhar presented the following recommendations (Item 1) on the Consent Agenda:

1. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL COMPREHENSIVE HIGH SCHOOL TEACHING LICENSE OF STEVEN E. MORIO

I **RECOMMEND** that the State Board of Education **ADOPT** the following Resolution:

WHEREAS Steven E. Morio holds a five-year professional comprehensive high school teaching license issued in 2012; and

WHEREAS on December 23, 2013, the Ohio Department of Education received a voluntary surrender form from Steven E. Morio, which authorizes the State Board to enter an order permanently revoking his five-year professional comprehensive high school teaching license issued in 2012 based upon Mr. Morio's failure to maintain appropriate teacher-student boundaries; and

WHEREAS the form specifies that Steven E. Morio is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Steven E. Morio has waived his right to a hearing and authorizes the State Board of Education to enter an order permanently revoking his five-year professional comprehensive high school teaching license issued in 2012: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and Ohio Revised Code 3319.311(F), hereby **REVOKES** Steven E. Morio's five-year professional comprehensive high school teaching license issued in 2012 based upon Mr. Morio's failure to maintain appropriate teacher-student boundaries. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Steven E. Morio be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

RESOLVED, That the State Superintendent of Public Instruction be, and he hereby is, directed to notify Mr. Morio of this action.

It was Moved by Mrs. Elshoff and Seconded by Ms. Fowler that the Consent Agenda (Item 1) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Tess Elshoff
Joe Farmer	Sarah Fowler
Thomas Gunlock	Ann Jacobs
C. Todd Jones	Kathleen McGervey
Mary Rose Oakar	Ron Rudduck
Mark Smith	Debe Terhar

Motion carried.

President Terhar presented the following recommendation (Item 2):

2. RESOLUTION TO APPROVE THE AGREEMENT BETWEEN THE SYCAMORE COMMUNITY CITY SCHOOL DISTRICT, HAMILTON COUNTY, AND THE INDIAN HILL EXEMPTED VILLAGE SCHOOL DISTRICT, HAMILTON COUNTY, TO TRANSFER PROPERTY FROM THE SYCAMORE COMMUNITY CITY SCHOOL DISTRICT TO THE INDIAN HILL EXEMPTED VILLAGE SCHOOL DISTRICT.

I **RECOMMEND** that the State Board of Education **ADOPT** the following resolution:

WHEREAS the Sycamore Community City School District filed a proposal with the State Board of Education for the transfer of school district territory from the Sycamore Community City School District, Hamilton County, to the Indian Hill Exempted Village School District, Hamilton County, in accordance with Ohio Revised Code section 3311.24; and

WHEREAS the proposal filed by the Sycamore Community City School District was initiated pursuant to a resolution of the Sycamore Community City Board of Education approving the request to transfer property at a specific address to the Indian Hill Exempted Village School District; and

WHEREAS the Indian Hill Exempted Village School District agreed to the transfer of the subject property in a resolution of the Indian Hill Exempted Village School District; and

WHEREAS the resolutions reflect that both school districts agree to the transfer of the territory for no exchange of money or resources; and

WHEREAS in accordance with Ohio Administrative Code section 3301-89-02(A)(6), upon receipt of a negotiated agreement, the State Board of Education shall adopt a resolution of approval of the negotiated agreement or may establish a hearing if approval is not granted: Therefore, Be It

RESOLVED, That upon consideration of the agreement reflected in the mutual resolutions of the two districts, the State Board of Education hereby approves the agreement between the Sycamore Community City School District and the Indian Hill Exempted Village School District to transfer territory from the Sycamore Community City School District to the Indian Hill Exempted Village School District; and, Be It

FURTHER RESOLVED, that the State Superintendent of Public Instruction be, and he hereby is, directed to serve a true copy of this resolution on the Boards of Education of the Sycamore Community City School District and the Indian Hill Exempted Village School District, and counsel of record, if applicable.

It was Moved by Ms. Fowler and Seconded by Dr. Smith that the above recommendation (Item 2) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Tess Elshoff
Joe Farmer	Sarah Fowler
Thomas Gunlock	Ann Jacobs
C. Todd Jones	Kathleen McGervey
Mary Rose Oakar	Ron Rudduck
Mark Smith	Debe Terhar

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 3):

3. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL HIGH SCHOOL TEACHING LICENSE OF SANDRA D. ADAMS

I **RECOMMEND** that the State Board of Education **ADOPT** the following Resolution:

WHEREAS Sandra D. Adams holds a five-year professional high school teaching license issued in 2009; and

WHEREAS on July 1, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Sandra D. Adams of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional high school teaching license issued in 2009 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(3). The notice was based upon Ms. Adams' 2012 guilty plea in the Van Wert Court of Common Pleas to one felony count of unauthorized use of property, which stemmed from Ms. Adams' conversion of property owned by the Van Wert City School District. Subsequently, Ms. Adams entered into the court's intervention in lieu of conviction program; and

WHEREAS Ms. Adams did not request a hearing regarding the State Board's intent; and

WHEREAS a hearing was held on October 2, 2013; and

WHEREAS Ms. Adams was not present at the hearing nor did counsel represent her; and

WHEREAS the hearing officer recommends that Ms. Adams' license be revoked and she be permanently ineligible to apply for any license issued by the State Board of Education. The hearing officer’s recommendation is based upon Ms.

Adams' misconduct that involved the theft of thousands of dollars from her employing school district and her licensure having a negative impact on the welfare of the school community and/or statewide education community: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(3), hereby **REVOKES** Sandra D. Adams' five-year professional high school teaching license issued in 2009 based upon Ms. Adams' 2012 guilty plea in the Van Wert Court of Common Pleas to one felony count of unauthorized use of property, which stemmed from Ms. Adams' conversion of property owned by the Van Wert City School District. Subsequently, Ms. Adams entered into the court's intervention in lieu of conviction program. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Sandra D. Adams be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

RESOLVED, That the State Superintendent of Public Instruction be, and he hereby is, directed to notify Ms. Adams of this action.

It was Moved by Mrs. Dodd and Seconded by Mr. Collins that the above recommendation (Item 3) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Tess Elshoff
Joe Farmer	Sarah Fowler
Thomas Gunlock	Ann Jacobs
C. Todd Jones	Kathleen McGervey
Mary Rose Oakar	Ron Rudduck
Debe Terhar	

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 4):

4. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY PERMANENTLY THE ONE-YEAR EDUCATIONAL AIDE PERMIT APPLICATION OF JEANETTE DUKE

I **RECOMMEND** that the State Board of Education **ADOPT** the following Resolution:

WHEREAS Jeanette Duke has applied for a one-year educational aide permit; and

WHEREAS on December 17, 2012, the Acting State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Jeanette Duke of

its intent to deny or permanently deny her application for a one-year educational aide permit pursuant to Ohio Revised Code 3319.31(B)(1) and (F). The notice was based upon Ms. Duke's *[redacted in accordance with Ohio law]* and 2011 permanent revocation of her nursing license by the Ohio Board of Nursing; and

WHEREAS Ms. Duke did not request a hearing regarding the State Board's intent; and

WHEREAS a hearing was held on April 17, 2013; and

WHEREAS Ms. Duke was not present at the hearing nor did counsel represent her; and

WHEREAS the hearing officer recommends that Ms. Duke's application be denied and she be permanently ineligible to apply for any license issued by the State Board of Education. The hearing officer's recommendation is based upon Ms. Duke *[redacted in accordance with Ohio law]*; and

WHEREAS the State Board of Education considered the objections to the hearing officer's report and recommendation, which Ms. Duke timely filed: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and (F), hereby **DENIES** Jeanette Duke's application for a one-year educational aide permit based upon Ms. Duke's *[redacted in accordance with Ohio law]* and 2011 permanent revocation of her nursing license by the Ohio Board of Nursing. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Jeanette Duke be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

RESOLVED, That the State Superintendent of Public Instruction be, and he hereby is, directed to notify Ms. Duke of this action.

It was Moved by Ms. Jacobs and Seconded by Mr. Rudduck that the above recommendation (Item 4) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Tess Elshoff
Joe Farmer	Sarah Fowler
Thomas Gunlock	Ann Jacobs
C. Todd Jones	Kathleen McGervey
Mary Rose Oakar	Ron Rudduck
Debe Terhar	

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 5):

5. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT APPLICATION OF THERON H. ELLIS

I **RECOMMEND** that the State Board of Education **ADOPT** the following Resolution:

WHEREAS Theron H. Ellis has applied for a three-year pupil activity permit; and

WHEREAS on September 5, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Theron H. Ellis of its intent to deny or permanently deny his application for a three-year pupil activity permit pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (B)(2)(b), (B)(2)(c), and (F) and Rule 3301-20-01(E) of the Ohio Administrative Code. The notice was based upon Mr. Ellis' 2009 conviction in the Cobb County Superior Court for one misdemeanor count of simple battery and one misdemeanor count of family violence battery, 2004 conviction in the Cobb County State Court for two misdemeanor counts of deprivation of a minor, 2002 conviction in the Bulloch County Superior Court for one felony count of theft by receiving stolen property, and failure to disclose his felony conviction on his pending application; and

WHEREAS Mr. Ellis requested a hearing regarding the State Board's intent; and

WHEREAS a hearing was held on November 8, 2013; and

WHEREAS Mr. Ellis was present at the hearing, but he was not represented by counsel; and

WHEREAS the hearing officer recommends that Mr. Ellis' application be denied and he be permanently ineligible to apply for any license issued by the State Board of Education. The hearing officer's recommendation is based upon Mr. Ellis' criminal convictions and his failure to disclose his felony conviction on his application: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (B)(2)(b), (B)(2)(c), and (F) and Rule 3301-20-01(E) of the Ohio Administrative Code, hereby **DENIES** Theron H. Ellis' application for a three-year pupil activity permit based upon Mr. Ellis' 2009 conviction in the Cobb County Superior Court for one misdemeanor count of simple battery and one misdemeanor count of family violence battery, 2004 conviction in the Cobb County State Court for two misdemeanor counts of deprivation of a minor, 2002 conviction in the Bulloch County Superior Court for one felony count of theft by receiving stolen property, and failure to disclose his felony conviction on his pending application. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Theron H. Ellis be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

RESOLVED, That the State Superintendent of Public Instruction be, and he hereby is, directed to notify Mr. Ellis of this action.

It was Moved by Mr. Rudduck and Seconded by Mr. Collins that the above recommendation (Item 5) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Tess Elshoff
Joe Farmer	Sarah Fowler
Thomas Gunlock	Ann Jacobs
C. Todd Jones	Kathleen McGervey
Mary Rose Oakar	Ron Rudduck
Mark Smith	Debe Terhar

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 6):

6. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF DEREK J. GAUDIO, JR.

I **RECOMMEND** that the State Board of Education **ADOPT** the following Resolution:

WHEREAS Derek J. Gaudio, Jr. holds a three-year pupil activity permit issued in 2011; and

WHEREAS on March 5, 2013, the Acting State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Derek J. Gaudio of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2011 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Gaudio using profanity and acting unprofessionally while serving as a basketball coach in January 2012, including pushing a student from the opposing team after a game; and

WHEREAS Mr. Gaudio did not request a hearing regarding the State Board's intent; and

WHEREAS a hearing was held on July 8, 2013; and

WHEREAS Mr. Gaudio was not present at the hearing nor did counsel represent him; and

WHEREAS the hearing officer recommends that Mr. Gaudio's permit be revoked and he be permanently ineligible to apply for any license issued by the State Board of Education. The hearing officer's recommendation is based upon the uncontroverted evidence that during and after a basketball game Mr. Gaudio used profanity on several occasions, acted unprofessionally, and pushed a player from the opposing team. Further, Mr. Gaudio did not appear at the hearing to

explain his conduct or offer any mitigating evidence in this matter: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Derek J. Gaudio, Jr.'s three-year pupil activity permit issued in 2011 based upon Mr. Gaudio using profanity and acting unprofessionally while serving as a basketball coach in January 2012, including pushing a student from the opposing team after a game. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Derek J. Gaudio be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

RESOLVED, That the State Superintendent of Public Instruction be, and he hereby is, directed to notify Mr. Gaudio, Jr. of this action.

It was Moved by Mrs. Dodd and Seconded by Ms. Fowler that the above recommendation (Item 6) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Tess Elshoff
Joe Farmer	Sarah Fowler
Thomas Gunlock	Ann Jacobs
C. Todd Jones	Kathleen McGervey
Mary Rose Oakar	Ron Rudduck
Mark Smith	Debe Terhar

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 7):

7. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY PERMANENTLY THE ONE-YEAR SUBSTITUTE TEACHING LICENSE APPLICATION OF JOHN E. HAZELWOOD

I **RECOMMEND** that the State Board of Education **ADOPT** the following Resolution:

WHEREAS John E. Hazelwood has applied for a one-year substitute teaching license; and

WHEREAS on June 4, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified John E. Hazelwood of its intent to deny or permanently deny his application for a one-year substitute teaching license pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Hazelwood's persistent pattern of violating laws and generally prevailing

standards as summarized in multiple school audit reports, failing to serve as a positive role model, and using public funds for personal gain; and

WHEREAS Mr. Hazelwood requested a hearing regarding the State Board's intent; and

WHEREAS a hearing was held on September 4, 2013; and

WHEREAS Mr. Hazelwood was not present at the hearing nor did counsel represent him; and

WHEREAS the hearing officer recommends that Mr. Hazelwood's application be denied and he be permanently ineligible to apply for any license issued by the State Board of Education. The hearing officer's recommendation is based upon Respondent's conduct being egregious and exhibiting a total disregard for his responsibilities as a public official and fiduciary: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **DENIES** John E. Hazelwood's application for a one-year substitute teaching license based upon Mr. Hazelwood's persistent pattern of violating laws and generally prevailing standards as summarized in multiple school audit reports, failing to serve as a positive role model, and using public funds for personal gain. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders John E. Hazelwood be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

RESOLVED, That the State Superintendent of Public Instruction be, and he hereby is, directed to notify Mr. Hazelwood of this action.

It was Moved by Mr. Gunlock and Seconded by Ms. Fowler that the above recommendation (Item 7) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain
Stephanie Dodd
Joe Farmer
Thomas Gunlock
Kathleen McGervey
Ron Rudduck
Debe Terhar
Michael Collins
Tess Elshoff
Sarah Fowler
Ann Jacobs
Mary Rose Oakar
Mark Smith

ABSTAIN

C. Todd Jones

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 8):

8. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY THE THREE-YEAR PUPIL ACTIVITY PERMIT APPLICATION AND TO SUSPEND THE FIVE-YEAR SUBSTITUTE TEACHING LICENSE OF THOMAS J. STOLL

I **RECOMMEND** that the State Board of Education **ADOPT** the following Resolution:

WHEREAS Thomas J. Stoll has applied for a three-year pupil activity permit and holds a five-year substitute teaching license issued in 2010; and

WHEREAS on February 27, 2013, the Acting State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Thomas J. Stoll of its intent to deny or permanently deny his application for a three-year pupil activity permit and to suspend, limit, revoke, or permanently revoke his five-year substitute teaching license issued in 2010 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Stoll's law license being suspended by the Ohio Supreme Court in 2010 because Mr. Stoll failed to correctly and timely file accounting records, reports, and other documents with courts in twenty-two cases; and

WHEREAS Mr. Stoll requested a hearing regarding the State Board's intent; and

WHEREAS a hearing was held on October 11, 2013; and

WHEREAS Mr. Stoll was not present at the hearing nor did counsel represent him; and

WHEREAS the hearing officer recommends that Mr. Stoll's application be denied and his license be suspended until he shows that he has completed the requirements to have his law license reinstated. Further, the hearing officer recommends that Mr. Stoll be ineligible to apply for any license issued by the State Board of Education until he has completed the requirements to have his law license reinstated. The hearing officer's recommendation is based upon Mr. Stoll's pattern of negligence in serving his clients and his conduct demonstrating an inability and/or unwillingness to fulfill his duties, to assume responsibility, and to timely respond to repeated requests or orders by those in authority over him, including courts: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **DENIES** Thomas J. Stoll's application for a three-year pupil activity permit and **SUSPENDS** his five-year substitute teaching license issued in 2010 until such time that Mr. Stoll provides the State Board of Education with satisfactory documentation that he has fulfilled all the requirements of the Ohio Supreme Court's December 14, 2010 order for reinstatement of his license to practice law in Ohio. The State Board's order is based upon Mr. Stoll's law license being suspended by the Ohio Supreme Court in 2010 because Mr. Stoll failed to correctly and timely file accounting records, reports, and other documents with courts in twenty-two cases. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(a), orders Thomas J. Stoll be ineligible to apply for any license issued by the State

Board of Education until he has completed the requirements to have his law license reinstated by the Ohio Supreme Court; and, Be It Further

RESOLVED, That the State Superintendent of Public Instruction be, and he hereby is, directed to notify Mr. Stoll of this action.

It was Moved by Mrs. Elshoff and Seconded by Mr. Gunlock that the above recommendation (Item 8) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain
Stephanie Dodd
Joe Farmer
Thomas Gunlock
Kathleen McGervey
Ron Rudduck
Debe Terhar
Michael Collins
Tess Elshoff
Sarah Fowler
Ann Jacobs
Mary Rose Oakar
Mark Smith

ABSTAIN

C. Todd Jones

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 9):

9. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO ADMONISH KIMBERLY K. WALL

I **RECOMMEND** that the State Board of Education **ADOPT** the following Resolution:

WHEREAS Kimberly K. Wall holds a five-year professional elementary teaching license issued in 2010; and

WHEREAS on March 4, 2013, the Acting State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Kimberly K. Wall of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional elementary teaching license issued in 2010 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Wall's conduct in November 2011 when she used a hammer to break the driver side window and damage the front and rear driver side doors of a vehicle belonging to another person and *[redacted in accordance with Ohio law]*; and

WHEREAS Ms. Wall requested a hearing regarding the State Board's intent; and

WHEREAS a hearing was held on September 3, 2013; and

WHEREAS Ms. Wall was present at the hearing and was represented by counsel; and

WHEREAS the hearing officer recommends that Ms. Wall be issued a letter of admonishment. The hearing officer's recommendation is based upon the following mitigating factors: Ms. Wall did not have a prior criminal record; Ms. Wall's conduct at issue in the hearing is her sole violation; Ms. Wall is well regarded as a teacher; Ms. Wall has no history of disciplinary action; and Ms. Wall's licensure would not negatively impact the health, safety, and welfare of the school community and/or statewide education community; and

WHEREAS the Ohio Department of Education filed objections to the hearing officer's report and recommendation, Ms. Wall filed a memorandum in opposition to the Ohio Department of Education's objections, and the Ohio Department of Education filed a reply in support of its objections: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **ADMONISHES** Kimberly K. Wall, who holds a five-year professional elementary teaching license issued in 2010, based upon her conduct in November 2011 when she used a hammer to break the driver side window and damage the front and rear driver side doors of a vehicle belonging to another person and *[redacted in accordance with Ohio law]*; and, Be It Further

RESOLVED, That the State Superintendent of Public Instruction be, and he hereby is, directed to notify Ms. Wall of this action.

It was Moved by Ms. McGervey and Seconded by Dr. Smith that the above recommendation (Item 9) be approved.

Mr. Gunlock Moved to amend the resolution by Substitution. He proposed the following substitutions to the original resolution: RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby SUSPENDS Kimberly K. Wall's five-year professional elementary teaching license issued in 2010 through June 30, 2015, based upon her conduct in November 2011 when she used a hammer to break the driver side window and damage the front and rear driver side doors of a vehicle belonging to another person and[redacted in accordance with Ohio law]. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders Kimberly K. Wall, be ineligible to apply for any license issued by the State Board of Education until on or after July 1, 2015 and provided that she completes a forensic fitness to teach evaluation by a license psychologist, preapproved by the Ohio Department of Education, to determine whether she is a risk to the health, safety, or welfare of students or others in the school community. Mr. Gunlock stated he was bringing forth the amendment for several reasons; 1) Ms. Wall lied to law enforcement regarding leaving her home, 2) Ms. Wall used two deadly weapons during the incident that could have resulted in deadly consequences, 3) Ms. Wall lied to law enforcement as to what occurred, 4) Ms. Wall threatened Carolyn two times, 5) Ms. Wall has never apologized to Carolyn, and 6) Ms. Wall never admitted the use of the hammer to break the windshield was threatening. Mr. Gunlock further stated he felt the Hearing Officer did not reach the proper conclusion in this case. Ms. McGervey Seconded the motion.

President Terhar called for a roll call vote on the proposed amendment.

YES VOTES

Deborah Cain Michael Collins

Stephanie Dodd
Joe Farmer
Thomas Gunlock
Kathleen McGervey
Ron Rudduck
Debe Terhar
Tess Elshoff
Sarah Fowler
Ann Jacobs
Mary Rose Oakar
Mark Smith

ABSTAIN
C. Todd Jones

Motion carried.

President Terhar called for a roll call vote on the resolution as amended.

YES VOTES
Deborah Cain
Stephanie Dodd
Joe Farmer
Thomas Gunlock
Kathleen McGervey
Ron Rudduck
Debe Terhar
Michael Collins
Tess Elshoff
Sarah Fowler
Ann Jacobs
Mary Rose Oakar
Mark Smith

ABSTAIN
C. Todd Jones

Motion carried.

Mr. Gunlock presented the following recommendation (Item 10):

10. RESOLUTION TO AMEND RULE 3301-8-01 OF THE ADMINISTRATIVE CODE ENTITLED PAYMENT OF DEBT CHARGES UNDER THE STATE CREDIT ENHANCEMENT PROGRAM

The Capacity Committee **RECOMMENDS** that the State Board of Education **ADOPT** the following Resolution:

> WHEREAS Section 3317.18 of the Revised Code authorizes the Department of Education to adopt rules regarding the withholding and depositing of payments under Chapter 3317. of the Revised Code to secure payment of debt charges on school district securities; and
>
> WHEREAS Rule 3301-8-01 of the Administrative Code establishes criteria for the evaluation and approval or denial of school district requests for withholding and limits on the obligation for the purpose of paying debt charges or reimbursing credit enhancement facilities of funds otherwise to be paid to school districts under Chapter 3317. of the Revised Code; and

WHEREAS Rule 3301-8-01 of the Administrative Code is proposed to be amended pursuant to the requirements of five-year rule review; and

WHEREAS the proposed changes to the rule update a statutory reference contained within the rule; and

WHEREAS the Capacity Committee, during its September 2013 meeting, approved the proposed changes to the rule; and

WHEREAS the State Board of Education, during its September 2013 meeting, approved a Resolution of Intent to amend the rule subject to this resolution; and

WHEREAS on December 9, 2013, the State Board of Education held a public hearing concerning the proposed amending of the rule subject to this resolution; and

WHEREAS on January 8, 2014, the Joint Committee on Agency Rule Review held a hearing regarding the proposed rule action subject to this resolution during which the committee took no action on the rule: Therefore, Be It

RESOLVED, That the State Board of Education hereby amends Rule 3301-8-01 of the Administrative Code that is attached hereto and incorporated herein by this reference; and, Be It

FURTHER RESOLVED, That the Superintendent of Public Instruction be, and he hereby is, directed to complete the process of amending the rule by filing with the Secretary of State, Legislative Service Commission, and the Joint Committee on Agency Rule Review, the full text of the rule to be amended and that the same be made available on request, without charge, to all persons affected by the rule.

It was Moved by Mr. Gunlock that the above recommendation (Item 10) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Tess Elshoff
Joe Farmer	Sarah Fowler
Thomas Gunlock	Ann Jacobs
C. Todd Jones	Kathleen McGervey
Mary Rose Oakar	Ron Rudduck
Mark Smith	Debe Terhar

Motion carried.

Mr. Gunlock presented the following recommendation (Item 11):

11. RESOLUTION TO AMEND RULE 3301-24-04 OF THE ADMINISTRATIVE CODE ENTITLED TEACHER RESIDENCY

The Capacity Committee **RECOMMENDS** that the State Board of Education **ADOPT** the following Resolution:

> WHEREAS Section 3319.223 of the Revised Code establishes the Ohio teacher residency program as a four-year, entry-level program for classroom teachers and prescribes components of the Ohio teacher residency program including mentoring and measures of appropriate progression through the program; and
>
> WHEREAS Rule 3301-24-04 of the Administrative Code outlines the various components and requirements of the residency program, including passing a resident educator performance-based assessment as one of the requirements to qualify for a professional educator license; and
>
> WHEREAS Rule 3301-24-04 of the Administrative Code is proposed to be updated in order to clarify various aspects of the residency program, including the addition of a one-year interim license, to be utilized in cases where a resident educator has failed to pass one or more portions of the performance-based assessment and their resident educator license has expired; and
>
> WHEREAS the Capacity Committee, at its September 2013 meeting, unanimously voted to recommend adoption of the proposed rule changes to the State Board of Education; and
>
> WHEREAS the State Board of Education, during its September 2013 meeting, approved a Resolution of Intent to amend the rule subject to this resolution; and
>
> WHEREAS on December 9, 2013, the State Board of Education held a public hearing concerning the proposed amending of the rule subject to this resolution; and
>
> WHEREAS on January 8, 2014, the Joint Committee on Agency Rule Review held a hearing regarding the proposed rule action subject to this resolution during which the committee took no action on the rule: Therefore, Be It
>
> RESOLVED, That the State Board of Education hereby amends Rule 3301-24-04 of the Administrative Code that is attached hereto and incorporated herein by this reference; and, Be It
>
> FURTHER RESOLVED, That the Superintendent of Public Instruction be, and he hereby is, directed to complete the process of amending the rule by filing with the Secretary of State, Legislative Service Commission, and the Joint Committee on Agency Rule Review, the full text of the rule to be amended and that the same be made available on request, without charge, to all persons affected by the rule.

It was Moved by Mr. Gunlock that the above recommendation (Item 11) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Tess Elshoff
Joe Farmer	Sarah Fowler
Thomas Gunlock	Ann Jacobs
C. Todd Jones	Kathleen McGervey
Mary Rose Oakar	Ron Rudduck
Mark Smith	Debe Terhar

Motion carried.

Mr. Gunlock presented the following recommendation (Item 12):

12. RESOLUTION TO AMEND RULE 3301-26-01 OF THE ADMINISTRATIVE CODE ENTITLED EXAMINATIONS FOR EDUCATOR LICENSURE

The Capacity Committee **RECOMMENDS** that the State Board of Education **ADOPT** the following Resolution:

WHEREAS Section 3319.22 of the Revised Code authorizes the State Board of Education to adopt rules establishing standards and requirements for obtaining educator licenses of categories, types and levels the Board elects to provide; and

WHEREAS successful completion of examinations prescribed by the State Board of Education has been a prerequisite for obtaining educator licensure since 1987; and

WHEREAS Rule 3301-26-01 of the Administrative Code provides a structural framework for procedures associated with educator licensure examinations including the selection, development, and administration of licensure examinations, and is proposed to be amended pursuant to the requirements of five-year rule review; and

WHEREAS the Capacity Committee, at its September 2013 meeting, unanimously voted to recommend adoption of the proposed rule changes to the State Board of Education; and

WHEREAS the State Board of Education, during its September 2013 meeting, approved a Resolution of Intent to amend the rule subject to this resolution; and

WHEREAS on December 9, 2013, the State Board of Education held a public hearing concerning the proposed amending of the rule subject to this resolution; and

WHEREAS on January 8, 2014, the Joint Committee on Agency Rule Review held a hearing regarding the proposed rule action subject to this resolution during which the committee took no action on the rule: Therefore, Be It

RESOLVED, That the State Board of Education hereby amends Rule 3301-26-01 of the Administrative Code that is attached hereto and incorporated herein by this reference; and, Be It

FURTHER RESOLVED, That the Superintendent of Public Instruction be, and he hereby is, directed to complete the process of amending the rule by filing with the Secretary of State, Legislative Service Commission, and the Joint Committee on Agency Rule Review, the full text of the rule to be amended and that the same be made available on request, without charge, to all persons affected by the rule.

It was Moved by Mr. Gunlock that the above recommendation (Item 12) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Tess Elshoff
Joe Farmer	Sarah Fowler
Thomas Gunlock	Ann Jacobs
C. Todd Jones	Kathleen McGervey
Mary Rose Oakar	Ron Rudduck
Mark Smith	Debe Terhar

Motion carried.

Mr. Gunlock presented the following recommendation (Item 13):

13. RESOLUTION TO RESCIND RULE 3301-71-01 OF THE ADMINISTRATIVE CODE ENTITLED POVERTY-BASED ASSISTANCE

The Capacity Committee **RECOMMENDS** that the State Board of Education **ADOPT** the following Resolution:

WHEREAS Rule 3301-71-01 of the Administrative Code defines "building with the highest concentration of need" as it relates to the provision of disadvantaged pupil impact aid, pursuant to requirements established by Section 3317.029 of the Revised Code;

WHEREAS House Bill 59 of the 130th General Assembly repealed Section 3317.029 of the Revised Code thereby eliminating the requirement for the rule; and

WHEREAS the Capacity Committee, during its September 2013 meeting, voted to approve the proposed rescission of Rule 3301-71-01 of the Administrative Code; and

WHEREAS the State Board of Education, during its September 2013 meeting, approved a Resolution of Intent to rescind the rule subject to this resolution; and

WHEREAS on December 9, 2013, the State Board of Education held a public hearing concerning the proposed rescinding of the rule subject to this resolution; and

WHEREAS on January 8, 2014, the Joint Committee on Agency Rule Review held a hearing regarding the proposed rule action subject to this resolution during which the committee took no action on the rule: Therefore, Be It

RESOLVED, That the State Board of Education hereby rescinds Rule 3301-71-01 of the Administrative Code that is attached hereto and incorporated herein by this reference; and, Be It

FURTHER RESOLVED, That the Superintendent of Public Instruction be, and he hereby is, directed to complete the process of rescinding the rule by filing with the Secretary of State, Legislative Service Commission, and the Joint Committee on Agency Rule Review, the full text of the rule to be rescinded and that the same be made available on request, without charge, to all persons affected by the rule.

It was Moved by Mr. Gunlock that the above recommendation (Item 13) be approved.

Ms. Oakar asked for clarification regarding what was being eliminated. Eric Bode responded that the rule reflected an old funding calculation regarding poverty based assistance that has been replaced by a new funding formula.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Tess Elshoff
Joe Farmer	Sarah Fowler
Thomas Gunlock	Ann Jacobs
Kathleen McGervey	Mary Rose Oakar
Ron Rudduck	Mark Smith
Debe Terhar	

Motion carried.

Mr. Jones presented the following recommendation (Item 14):

14. RESOLUTION TO ADOPT READING COMPETENCIES

The Achievement Committee **RECOMMENDS** that the State Board of Education **ADOPT** the following Resolution:

WHEREAS Ohio Revised Code Section 3301.077, effective June 4, 2013, requires the State Board of Education to adopt reading competencies for all reading credentials and training;

WHEREAS Ohio Revised Code Section 3301.077 requires that such competencies shall include, but not be limited to, an understanding of phonemic awareness, phonics, fluency, vocabulary, comprehension, appropriate use of assessments, differentiated instruction, and selection of appropriate instructional materials and application of research-based instructional practices;

WHEREAS the staff of the Ohio Department of Education (ODE) developed draft reading competencies in collaboration with the external Third Grade Reading Guarantee workgroup;

WHEREAS the staff of the Ohio Department of Education (ODE) sought input from educators representing early childhood, K-12, higher education, and diverse learners;

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WHEREAS the public and stakeholders have been kept informed of the revision processes through regional educator workshops and presentations to association boards and at state conferences; and

WHEREAS the Achievement Committee of the State Board of Education has received updates on the development of the reading competencies at their October and December 2013 meetings: Therefore, Be It

RESOLVED that the State Board of Education hereby adopts the reading competencies, which are attached hereto and incorporated herein by this reference; and, Be It

FURTHER RESOLVED, That the State Superintendent of Public Instruction be authorized to publish the reading competencies electronically or through other media and to make edits in form and style as may be determined to be of a non-substantive nature, including grammatical problems; but that substantive issues requiring significant revision of the reading competencies will be brought before the State Board of Education for review and consideration.

It was Moved by Mr. Jones that the above recommendation (Item 14) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Tess Elshoff
Joe Farmer	Sarah Fowler
Thomas Gunlock	Ann Jacobs
C. Todd Jones	Kathleen McGervey
Mary Rose Oakar	Ron Rudduck
Mark Smith	Debe Terhar

Motion carried.

Non-Resolutions
Old Business
Ms. Elshoff stated that she would be bringing forth her resolution regarding cursive handwriting to the Board next month.

New Business
Superintendent Ross announced that next month he would discuss with the Board the Columbus City School District's request for a waiver regarding limited selected entry to Magnet schools. President Terhar announced the Board would vote on the waiver recommendations in February.

Resolutions
New Business

Mr. Gunlock presented the following recommendation:

Mr. Gunlock requested and was granted emergency consideration by Board leadership.

> **RESOLUTION TO APPROVE AN APPEAL OF THE DARKE COUNTY COMMON PLEAS COURT'S DECISION TO REVERSE AND VACATE THE STATE BOARD OF EDUCATION'S ORDER THAT PERMANENTLY DENIED THE THREE-YEAR PUPIL ACTIVITY PERMIT OF SANTIAGO R. ANGUIANO**

I **RECOMMEND** that the State Board of Education **ADOPT** the following Resolution:

> WHEREAS on October 8, 2013, the State Board of Education adopted a resolution permanently denying the three-year pupil activity permit of Santiago R. Anguiano; and
>
> WHEREAS Santiago R. Anguiano appealed the State Board's order permanently denying his application for a three-year pupil activity permit to the Darke County Common Pleas Court in Case Number 13-CV-00689; and
>
> WHEREAS in a judgment rendered on or about December 26, 2013, the Darke County Common Pleas Court reversed and vacated the State Board's order permanently denying Mr. Anguiano's application for a three-year pupil activity permit; and
>
> WHEREAS the State Board has considered the decision by the Darke County Common Pleas Court; and
>
> WHEREAS the State Board finds that sufficient grounds exist to support an appeal of the decision by the Darke County Common Pleas Court: Therefore, Be It
>
> RESOLVED, That the State Board of Education, hereby **APPROVES** the Ohio Department of Education and the Ohio Attorney General's Office, on its behalf, to

file an appeal of the Darke County Common Pleas Court's decision, dated December 26, 2013, that reversed and vacated the State Board's order permanently denying the three-year pupil activity permit application of Santiago R. Anguiano; and, Be It Further

RESOLVED, That the Superintendent of Public Instruction be, and he hereby is, directed to notify Mr. Anguiano of this action.

It was Moved by Mr. Gunlock and Seconded by Mrs. Elshoff that the above recommendation (Item 15) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Tess Elshoff
Sarah Fowler	Thomas Gunlock
Ann Jacobs	C. Todd Jones
Mary Rose Oakar	Ron Rudduck
Mark Smith	Debe Terhar

Motion carried.

Miscellaneous Business

Ms. Oakar requested information be provided regarding the process of sponsoring and approval of Charter schools.

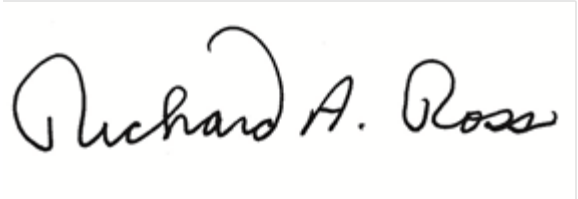
Mr. Collins Moved to adjourn the meeting. Mrs. Dodd Seconded the motion.

The President requested a voice vote.

Motion carried.

President Terhar adjourned the meeting at 3 p.m. The next regularly scheduled meeting of the State Board of Education is February 10-11, 2014.

ATTEST:



Debe Terhar
President
State Board of Education

Dr. Richard A. Ross
Superintendent of Public Instruction

Please note: Copies of the attachments referenced in the Minutes may be obtained by contacting the Office of Board Relations at the Ohio Department of Education at (614) 728-2754.