

**Minutes of the July 2013 Meeting of the State Board of Education of Ohio**

**STATE BOARD OF EDUCATION OF OHIO  
MINUTES**

July 2013  
Ohio Department of Education  
25 South Front Street  
Columbus, Ohio 43215

**MEMBERS OF THE STATE BOARD OF EDUCATION**

Angela Thi Bennett  
Michael Collins  
Tess Elshoff  
Sarah Fowler  
Ann Jacobs  
Kathleen McGervey  
Jeffrey Mims  
Mark Smith  
Bryan C. Williams

Deborah Cain  
Stephanie Dodd  
Joe Farmer  
Thomas Gunlock  
C. Todd Jones  
Darryl D. Mehaffie  
Mary Rose Oakar  
Debe Terhar

**EX OFFICIO MEMBERS**

Senator Peggy Lehner

Representative Gerald Stebelton

**SECRETARY**

Dr. Richard A. Ross  
Superintendent of Public Instruction

Mrs. Dodd was absent from the meeting.

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The State Board convened on Monday, July 8, at the Ohio Department of Education in Columbus.

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The Board's Accountability Committee met beginning at 8:30 a.m.

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The Board's Capacity Committee met beginning at 9 a.m.

The Board's Achievement Committee and Committee on Urban Education met beginning at 10 a.m.

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The State Board recessed for lunch.

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**Minutes of the July 2013 Meeting of the State Board of Education of Ohio**

President Terhar convened the Business Meeting of the State Board of Education on Monday, July 8, at 1 p.m.

President Terhar asked the Recording Secretary to call the roll.

**MEMBERS PRESENT**

Angela Thi Bennett	Deborah Cain
Michael Collins	Tess Elshoff
Joe Farmer	Sarah Fowler
Thomas Gunlock	Ann Jacobs
C. Todd Jones	Kathleen McGervey
Darryl D. Mehaffie	Jeffrey Mims
Mary Rose Oakar	Mark Smith
Debe Terhar	Bryan C. Williams

**EX OFFICIO MEMBERS**

Senator Peggy Lehner	Representative Gerald Stebelton
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**MEMBERS ABSENT**

Stephanie Dodd

NOTE: Mrs. Bennett and Mrs. Elshoff 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.

Mr. Mims Seconded the motion.

The President called for a roll call vote.

**YES VOTES**

Angela Thi Bennett	Deborah Cain
Michael Collins	Tess Elshoff
Joe Farmer	Sarah Fowler
Thomas Gunlock	Ann Jacobs
C. Todd Jones	Kathleen McGervey
Darryl D. Mehaffie	Jeffrey Mims
Mary Rose Oakar	Mark Smith
Debe Terhar	Bryan C. Williams

Motion carried.

The Board went into Executive Session at 1 p.m.

The Board recessed from Executive Session at 2:10 p.m.

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

President Terhar announced that Item 2 would be voted on separately.

#### Consent Agenda (3); Volume 2

1. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL PHYSICAL THERAPIST LICENSE OF DEBRA A. COPELAND (VOLUME 2, PAGE 4)
2. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE OF CHRISTINE M. SOLICH (VOLUME 2, PAGE 7)
3. RESOLUTION OF INTENT TO AMEND RULE 3301-57-01 OF THE ADMINISTRATIVE CODE ENTITLED RULES FOR ADMINISTERING THE CHILD ABUSE DETECTION IN-SERVICE TRAINING PROGRAM (VOLUME 2, PAGE 10)

Items 4 through 7 were school personnel resolutions.

#### Administrative Rules (1); Volume 3

7. RESOLUTION TO AMEND RULES 3301-51-10, 3301-83-09, -10, -16, -17, -21, AND -22 AND TO ADOPT RULE 3301-83-24 OF THE ADMINISTRATIVE CODE REGARDING PUPIL TRANSPORTATION OPERATION AND SAFETY (VOLUME 3, PAGE 178) (CAPACITY COMMITTEE)

#### Miscellaneous Resolutions (2); Volume 4

8. RESOLUTION TO ADOPT PRAXIS TEST #5203, TEACHING READING: ELEMENTARY EDUCATION AND AN ASSOCIATED PASSING SCORE AS THE RIGOROUS TEST OF PRINCIPLES OF SCIENTIFICALLY RESEARCH-BASED READING INSTRUCTION REQUIRED BY ORC 3313.608(H) (VOLUME 4, PAGE 4) (CAPACITY COMMITTEE)
9. RESOLUTION TO ADOPT RECOMMENDATIONS FOR A COMPREHENSIVE STATEWIDE PLAN TO INTERVENE DIRECTLY IN AND IMPROVE THE PERFORMANCE OF PERSISTENTLY POOR PERFORMING SCHOOLS AND SCHOOL DISTRICTS (VOLUME 4, PAGE 19) (URBAN EDUCATION COMMITTEE)

President Terhar announced that during New Business a motion regarding the NASBE Voting Delegate would be brought forth.

#### Items for Consideration for Next Month

There were no Items for Consideration for Next Month.

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### BOARD PRESENTATIONS AND DISCUSSION FROM THE ACCOUNTABILITY COMMITTEE

Chair: Tom Gunlock, Co-Chair: Bryan Williams

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

#### **Report Card Review:**

Tina Thomas-Manning announced that Department staff will present the K-3 Literacy component and supporting data to the committee in August.

Mike Carmack and Chris Woolard presented the 2013-14 report card. Beginning with the Progress page, Chris pointed out the narrative text, the addition of a brief description about each student group, and a bubble chart indicating where each grade is in relation to the other. Mrs. Terhar noted that a light grid would be helpful under the bubble chart. The Gap Closing page provides a high-level overview, looking at Reading, Math and Graduation Rate. Colored bar charts indicate how each group is performing against others. Mrs. Terhar inquired as to simplifying the color-coding in order to make the page more user-friendly. The Achievement page shows performance indexes and indicators, with district comparison data going back five years, with the ability to drill down by grade level and review trends over time. The Graduation Rate component will allow comparisons with similar districts and the capability to analyze trends over time. A district overview page shows demographics, superintendent information, and other important data such as enrollment, student mobility, teacher data, and other information that does not fit naturally somewhere else. Chris explained that this year's report card will include a link for more information on the measures that are not on this report card. A clickable button for financial data will be included in next year's report card. Parent focus groups have expressed approval of the design, and educator feedback from the field points to excitement with data-comparison capabilities. Tina Thomas-Manning and committee members commended Chris, Mike and their teams for the work they have done.

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### 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:

#### **Career Connections:**

The Committee approved proposed changes to a portion of the Career Connections Learning Strategies for English Language Arts Grade 5. The Committee carried a motion revising the original text from "Students will research these careers and create multimedia presentations, of an argumentative nature, that encourages boys and girls to consider non-traditional careers" to "Students will research these careers and create multimedia presentations supported by facts and details that either inform or present an opinion of traditional and/or non-traditional careers."

#### **Operating Standards for Children with Disabilities:**

The Committee discussed proposed amendments to Rules 3301-51-01 to -11 and 3301-51-21. The intent of these operating standards is to ensure children with disabilities have equal access to and the opportunity for full participation in education, independent living and economic self-sufficiency. This rule is now under review as part of JCARR's five year review process. Revisions have been made to reflect changes in Federal law as well as to more closely align Ohio's standards for special education with Federal law.

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The Committee will continue their discussion on the amendments at their October 2013 meeting. The Committee is expected to move forward to the full State Board of Education a Resolution of Intent to adopt the amended rules at the November meeting.

### **Operating Standards for Gifted Rule:**

The Committee discussed proposed amendments to Rule 3301-51-15. The rules encompass all aspects of gifted education in Ohio including: identification, placement, written education plans, continuum of services, coordinators, funding and accountability. This rule is now under review as part of JCARR's five year review process. Revisions have been made to provide further clarification on gifted education in the State of Ohio.

The Committee will continue their discussion on the amendments at their September 2013 meeting. The Committee is expected to move forward to the full State Board of Education a Resolution of Intent to adopt the amended rule at the October meeting.

### **Restraint and Seclusion:**

The Committee received an update on the development of tools and resources to support districts in the implementation of the new rule and policy. The Restraint and Seclusion policy was adopted by the State Board in January 2013, and the Restraint and Seclusion rule was adopted by the State Board in April 2013 following the JCARR process. Guidance documents include a sample policy that districts can chose to adopt, a resource guide and sample reporting forms.

### **Committee Discussion:**

The committee engaged in a discussion on cursive writing and its presence in Ohio's and other state standards. The committee discussed different approaches to expose students to cursive writing. The Committee will continue their discussion at the September 2013 meeting.

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## **BOARD PRESENTATIONS AND DISCUSSION FROM THE CAPACITY COMMITTEE**

Chair: Tom Gunlock, Vice Chair: Bryan Williams

Mr. Williams gave a report from the Capacity Committee meeting focusing on the following issues:

### **Discuss Score Setting Recommendations for the Reading Instruction Test Required by the Third Grade Reading Guarantee Law as an Option to Establish Teacher Qualifications:**

The State Board is required by the Third Grade Reading Guarantee Law (Ohio Revised Code section 3313.608) to approve a reading instruction test, along with an associated passing score, for the purpose of establishing the passing of this test as one option for teachers to demonstrate that they meet the teacher qualification provisions of this law in order to teach reading to third grade students who are not on track in reading or who have been retained pursuant to the law. The State Board has received a recommendation from the Ohio Educator Standards Board regarding which test to use for this purpose (Praxis test #5203, Teaching Reading: Elementary Education), as well as a recommended passing score (162 on a 100-200 scale). Educational Testing Service gave a presentation to the Committee providing information about the development of the test and the score setting process. The Committee voted to recommend to the full Board approval of the passing score recommended by the Educator Standards Board at their June 18, 2013 meeting. There is an adopt resolution for this test and associated passing score on the State Board voting agenda this month.

### **Discuss rule 3301-57-01, Administering the Child Abuse Detection Training Program:**

Staff presented the Committee with proposed changes to Ohio Administrative Code rule 3301-57-01, Rules for Administering the Child Abuse Detection In-Service Training Program, which is scheduled for a five-year review. The underlying statute, 3319.073, has been changed four times since the last rule review, thus the Department is recommending that the rule be amended to reflect these

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changes. Changes have included the addition of the following topics to the training program: Teen Dating Violence Prevention Education, Cyber-Bullying, Youth Suicide Awareness & Prevention, and Human Trafficking. This month the proposed amended rule was brought back to the Capacity Committee for discussion. The Committee voted to recommend approval of the proposed amended rule to the Full Board. There is an intent resolution for this rule on the consent agenda this month.

### **Presentation by the Ohio Education Research Center (OERC) on External Evaluation of the Ohio Teacher Evaluation System (OTES) and Student Growth Measures:**

The Ohio Education Research Center is leading a comprehensive effort to study the implementation and impact of the OTES (Ohio Teacher Evaluation) and OPES (Ohio Principal Evaluation) Systems. Several studies are underway that provide both formative and summative findings. This includes the overall implementation study of student growth measures. Separate, but related, studies include the evaluation of the Linkage process, the evaluation of Student Learning Objectives implementation, the study of the mini-grant expansion of Value-Added into non-tested grades and subjects, as well as separate related case studies including one focusing on “The Impact of the Relationship between OTES and OPES on Principal and Teacher Evaluations”.

Researchers from Ohio University and Wright State University presented their preliminary findings from year one of the studies on student growth measures and the impact of the OTES and OPES systems. They indicated that feedback from Local Education Agencies (LEAs) has been positive, as they feel that OTES and OPES are helpful for growth while allowing for increased collaboration between teachers and administrators. However, many LEAs still believe that time demands are unrealistic and that time is taken from students.

OERC researchers will provide the Committee with an additional report utilizing data obtained through the Electronic Teacher and Principal Evaluation System soon.

### **Discuss the Resident Educator Summative Assessment (RESA):**

Staff presented the Committee with information regarding the Resident Educator Summative Assessment (RESA) which is proposed to be the required performance-based assessment for teachers who are participating in the Resident Educator Program (Ohio’s beginning teacher residency program). According to Ohio Administrative Code rule 3301-24-04, Teacher Residency, passing a resident educator performance-based assessment is one requirement to qualify for a professional educator license at the conclusion of the Resident Educator Program. The Committee will again discuss this matter in September and make a recommendation to the full Board regarding the adoption of the RESA as the required performance-based assessment for resident educators, along with a completion standard, and there will be an adopt resolution on the voting agenda in September. The setting of an official passing score will be deferred until there is data to analyze regarding the performance of resident educators on the RESA.

### **Discuss Operating Standards Revisions (OAC chapter 3301-35):**

Staff presented an overview of the operating standards (Ohio Administrative Code chapter 3301-35). The overview included a discussion of the purpose of the operating standards, historical context, relationship to statute and recent changes by the budget bill (HB 59). The discussion also provided an introduction to each rule and how the rules apply to different types of schools (traditional public schools, community schools, chartered nonpublic schools, and nonchartered nonpublic schools). Chairman Gunlock advised the Committee that a hearing will be held at the September State Board meeting where members will hear testimony from the public regarding the pros and cons of revising and in some cases eliminating parts of the operating standards in order to give traditional public school districts increased flexibility in their operations.

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### BOARD PRESENTATIONS AND DISCUSSION FROM THE COMMITTEE ON URBAN EDUCATION

Chair: Angela Thi-Bennett, Vice Chair: Mike Collins

Mrs. Bennett gave a report from the Committee on Urban Education meeting focusing on the following issues:

Ms. Thompson reviewed the ESEA Waiver and HB555 recommendations chart which outlines Ohio's System of Differentiated Interventions and Supports. The chart, including comprehensive definitions, will be presented as documentation for the Resolution and will serve as the document for submission to the General Assembly. The Committee members were in agreement.

Dr. Michael Corso, Chief Academic Officer at the Quaglia Institute for Student Aspirations (QISA) was the guest presenter at the meeting to share the status of the implementation of the Ohio My Voice™ Initiative and the connection of this work to the continued work of the Committee relative to HB555 and non-academic barriers to student learning and achievement.

The Ohio My Voice Initiative is a partnership of the QISA, the Pearson Foundation (PF), the charitable division of Pearson, and the Ohio Department of Education (ODE) as part of Race to the Top (RttT). Grounded in QISA's work helping schools improve the conditions that support students' aspirations, the partnership seeks to advance the future hopes and dreams of all Ohio students while inspiring them in the present to reach those dreams. Dr. Corso presented the Aspirations/My Voice framework, including an overview of the My Voice™ surveys, the Guiding Principles and Conditions. The 2012-2013 SY was the second year of a three-year effort.

Dr. Corso referenced a recent quantitative survey that Gallup conducted on behalf of Microsoft Partners in Learning and the Pearson Foundation, *21st Century Skills and the Workplace*. While the complete report will be provided to the Committee and Full Board, Gallup cited the work of the Quaglia Institute through Aspirations/My Voice: *"In addition to developing sound 21st century skills, research spearheaded by the Quaglia Institute finds that student aspirations are key indicators of student success. Student self-worth, engaged learning, and a sense of purpose are critical components for student success in reaching their potential. Several of these conditions were measured in this study to determine if student aspirations are indeed correlated with the development of 21st century skills and higher work quality later in life."*

Consistent with the findings in the Gallup report, the Committee discussed their desire to consider multiple measures of determining student achievement and success.

Dr. Corso shared the work of Peter Senge on Systems Theory/systemic change to emphasize the importance of changing the *structural level* of the school system to truly realize school improvement. The work of changing systems is occurring in the seven (7) Ohio My Voice Demonstration Sites. He also shared the connection of the Aspirations/My Voice framework with the OTES and how the Demonstration Sites are using the i Know My Class survey to improve teaching and learning. Finally, Michael shared data from Ohio's students; the data will be provided to the Committee and Full Board.

The meeting concluded with a discussion of next steps, including a follow up with Dr. Corso.

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In response to questions raised by our constituents, the State Board of Education held a three-hour hearing on data collection this month and invited legal experts to give testimony on practice and protections nationally and within our state.

After receiving an overview on Ohio's Education Management Information System (EMIS) and Instructional Improvement System (IIS), Kent D. Talbert, Esq., Talbert & Eitel, PLLC, Former General Counsel, U.S. Department of Education, gave the Board the federal perspective on educational records and privacy, including a primer on the Family Educational Rights and Privacy Act, commonly known as FERPA.

Next, Department of Education attorneys P.R. Casey and Sharon Jennings presented on legal protections governing the use of EMIS data and student information by the state. Finally, Laura Anthony, Esq., Bricker & Eckler; and Scott Peters, Esq., Britton, Smith, Peters, and Kalail, Co, L.P.A. gave a summary of legal protections of student information for local school districts.

The information presented by these five highly-skilled attorneys confirmed that current Ohio law related to the confidentiality of student data is strong, aligns with federal statute, and in some cases, is even more stringent as Ohio law prohibits the reporting of student names through EMIS.

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President Terhar recessed the Board meeting at 5 p.m.

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The Board's Graduation Committee met beginning at 5 p.m.

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President Terhar reconvened the meeting of the State Board of Education on Tuesday, July 9, at 8:30 a.m.

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The Board's Legislative and Budget Committee met beginning at 8:30 a.m.

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### **State Board Performance Audit Presentation**

The Board received a presentation from Donna Jackson, Director, Office of Internal Audits, regarding the State Performance Audit conducted by the Auditor of State's office.

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### **Full Board Budget Presentation**

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The Board received a presentation regarding the FY 2014-2015 Department of Education budget from Kelly Weir, Executive Director, Office of Legislative Services and Budgetary Planning.

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The State Board recessed for lunch.

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President Terhar reconvened the Business meeting of the State Board of Education on Tuesday, July 9, at 1 p.m.

President Terhar asked the Recording Secretary to call the roll.

**MEMBERS PRESENT**

Angela Thi Bennett	Deborah Cain
Michael Collins	Joe Farmer
Sarah Fowler	Thomas Gunlock
Ann Jacobs	C. Todd Jones
Kathleen McGervey	Darryl D. Mehaffie
Jeffrey Mims	Mary Rose Oakar
Mark Smith	Debe Terhar
Bryan C. Williams	

**EX OFFICIO MEMBERS**

Senator Peggy Lehner	Representative Gerald Stebelton
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**MEMBERS ABSENT**

Stephanie Dodd	Tess Elshoff
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The President called on Ann Jacobs, who welcomed Board members and guests, and led the Board in the Pledge of Allegiance.

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**PUBLIC PARTICIPATION ON NONACTION ITEMS**

1) Mr. Carmelito Olaes, Hudson, Ohio. Mr. Olaes spoke to the Board regarding his experience with the Office of Exceptional Children.

This concludes Public Participation on Nonaction Items.

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**PUBLIC PARTICIPATION ON ACTION ITEMS**

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There was no Public Participation on Action Items.

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

There were no corrections.

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

Motion carried unanimously.

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### **BOARD PRESENTATIONS AND DISCUSSION FROM THE LEGISLATIVE AND BUDGET COMMITTEE**

Chair: Bryan Williams, Co-Chair: C. Todd Jones

Mr. Williams gave a report from the Legislative and Budget Committee meeting focusing on the following issues:

Jennifer Hogue, Liaison Officer, Office of Legislative Services and Budgetary Planning, provided an update on HB 167 (the Columbus Schools Plan) and HB 14 (records transfer for certain students).

Mark Smith, Office of Exceptional Children, gave an update on the Medicaid Schools Plan.

Jeremy Marks, Liaison Officer, Office of Legislative Services and Budgetary Planning, presented a federal update, highlighting provisions of the Sequester and ESEA legislation.

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### **BOARD PRESENTATIONS AND DISCUSSION FROM THE GRADUATION COMMITTEE**

Chair: C. Todd Jones

Mr. Jones gave a report from the Graduation Committee meeting focusing on the following issues:

#### **Graduation Requirements:**

The committee began with a report from Ms. Thomas-Manning and Dr. Ross providing an overview of the current state of Ohio's graduation requirements and assessments to obtain diplomas. Chair Jones established the goals and expectations of the Graduation committee and stated the committee would create a proposal that would outline the graduation requirements which includes the assessments. Ms. Phillips provided an overview of cross-state efforts with regards to graduation requirements. Ms. Phillips then discussed specific efforts in Ohio and outlined a proposed plan developed by the Department. Finally, Ms. Jones opened up the discussion to any and all committee members and interested stakeholders for suggestions and ideas with regards to the issue of impending changes to graduation requirements. The next meeting was set for July 23<sup>rd</sup>, 2013.

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President Terhar called on Superintendent Ross for his report.

Superintendent Ross updated the Board on the following topics:

- Third Grade Reading Guarantee
- Meetings with the OEA and OFT
- Meetings with legislators regarding the FY 2014-2015 State budget
- Speaking engagement at the Central Ohio Superintendents Association
- Speaking engagement at OSU to the Executive Principals Leadership Cohort Five and Six
- First meeting of the Superintendent Advisory Group
- Miami University Town Hall Meeting with Secretary of Education, Arne Duncan
- Interview with Channel Ten regarding the Third Grade Reading Guarantee
- Meeting with ESC Superintendents
- Budget press conference with the Governor Kasich and bill signing
- Sequistor conference call with school district treasurers and media
- Filling of Department leadership vacancies
- Budget bill responsibility matrix regarding the Ohio Graduation Test (OGT)
- Prospective MBR issues

This concludes the Superintendent's report.

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

President Terhar presented the following recommendations (Items 1 and 3) on the Consent Agenda:

1. **RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL PHYSICAL THERAPIST LICENSE OF DEBRA A. COPELAND**

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

WHEREAS Debra A. Copeland holds a five-year professional physical therapist license issued in 2012; and

WHEREAS on June 17, 2013, the Ohio Department of Education received a voluntary surrender form from Debra A. Copeland, which authorizes the State Board to enter an order permanently revoking her five-year professional physical therapist license issued in 2012 based upon Ms. Copeland's pending charges in the Jefferson County Common Pleas Court for three felony counts of endangering children; and

WHEREAS the form specifies that Debra A. Copeland is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Debra A. Copeland has waived her right to a hearing and authorizes the State Board of Education to enter an order permanently revoking her five-year professional physical therapist 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** Debra A.

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Copeland's five-year professional physical therapist license issued in 2012 based upon Ms. Copeland's pending charges in the Jefferson County Common Pleas Court for three felony counts of endangering children. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Debra A. Copeland 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. Copeland of this action.

### 3. **RESOLUTION OF INTENT TO AMEND RULE 3301-57-01 OF THE ADMINISTRATIVE CODE ENTITLED RULES FOR ADMINISTERING THE CHILD ABUSE DETECTION IN-SERVICE TRAINING PROGRAM**

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

WHEREAS Rule 3301-57-01 of the Administrative Code, which requires school districts to administer a child-abuse detection in-service training program in compliance with procedures established in Section 3319.073 of the Revised Code, is proposed to be amended pursuant to the requirements of five-year rule review; and

WHEREAS Section 3319.073 of the Revised Code establishes that the board of education of each city and exempted village school district and the governing board of each educational service center shall provide for an in-service training program that addresses the following topics:

- Prevention of child abuse, violence, and substance abuse;
- Promotion of positive youth development;
- School safety and violence prevention;
- Harassment, intimidation, or bullying policy;
- Prevention of teen dating violence;
- Youth suicide awareness and prevention; and

WHEREAS Division (F)(2) of Section 249.10 of House Bill 119 of the 127<sup>th</sup> General Assembly establishes that a school district may apply to the Ohio Department of Education for a grant to cover costs associated with the provision of the in-service training program that is required by Section 3319.073 of the Revised Code, in accordance with rules to be adopted by the department; and

WHEREAS the proposed changes to Rule 3301-57-01 of the Administrative Code would replace "child-abuse detection" with "in-service" to reflect that additional topics are required to be included in the training program as required by Section 3319.073 of the Revised Code; and

WHEREAS the Capacity Committee, during its July 2013 meeting, approved the proposed amendments to Rule 3301-57-01 of the Administrative Code: Therefore, Be It

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RESOLVED, That the State Board of Education hereby declares its intent to amend Rule 3301-57-01 of the Administrative Code, which 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 file with the Secretary of State, Legislative Service Commission, and the Joint Committee on Agency Rule Review, the full text of the proposed rule to be amended and the same be made available upon request, without charge, to all persons affected by the rule; and, Be It

FURTHER RESOLVED, That the Department of Education, Office of Legal Counsel, is hereby authorized to revise or refile the rule to address issues determined to be of a non-substantive nature, including grammatical problems and other technical issues inherent to the content of the rule and accompanying forms; but that substantive issues related to rule content ultimately requiring revision or refiling of the rule will be brought before the State Board of Education for review and consideration; and, Be It

FURTHER RESOLVED, That the Superintendent of Public Instruction be, and he hereby is, directed to give proper notice under the provisions of Chapter 119. of the Revised Code of the holding of a hearing on said rule; that public notice be given in the Register of Ohio; and that said notice contain a general statement of the subject matter to which the rule relates.

It was Moved by Mr. Collins and Seconded by Mr. Gunlock that the Consent Agenda (Items 1 and 3) be approved.

President Terhar called for a roll call vote.

**YES VOTES**

Angela Thi Bennett  
Michael Collins  
Sarah Fowler  
Ann Jacobs  
Kathleen McGervey  
Jeffrey Mims  
Mark Smith  
Bryan C. Williams

Deborah Cain  
Joe Farmer  
Thomas Gunlock  
C. Todd Jones  
Darryl D. Mehaffie  
Mary Rose Oakar  
Debe Terhar

Motion carried.

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Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 2):

- 2. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE OF CHRISTINE M. SOLICH**

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

WHEREAS Christine M. Solich holds a five-year professional adolescence to young adult teaching license issued in 2011; and

WHEREAS on June 18, 2013, the Ohio Department of Education received a voluntary surrender form from Christine M. Solich, which authorizes the State Board to enter an order permanently revoking her five-year professional adolescence to young adult teaching license issued in 2011 based upon Ms. Solich's plans to not complete the requirements of her previous Consent Agreement due to her desire not to return to the classroom; and

WHEREAS the form specifies that Christine M. Solich is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Christine M. Solich has waived her right to a hearing and authorizes the State Board of Education to enter an order permanently revoking her five-year professional adolescence to young adult teaching license issued in 2011: 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** Christine M. Solich's five-year professional adolescence to young adult teaching license issued in 2011 based upon Ms. Solich's plans to not complete the requirements of her previous Consent Agreement due to her desire not to return to the classroom. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Christine M. Solich 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. Solich of this action.

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

President Terhar called for a roll call vote.

### YES VOTES

Angela Thi Bennett  
Michael Collins  
Sarah Fowler  
Ann Jacobs  
Darryl D. Mehaffie  
Mary Rose Oakar  
Debe Terhar

Deborah Cain  
Joe Farmer  
Thomas Gunlock  
Kathleen McGervey  
Jeffrey Mims  
Mark Smith  
Bryan C. Williams

### ABSTAIN

C. Todd Jones

Motion carried.

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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 SUSPEND THE FIVE-YEAR PROFESSIONAL COMPREHENSIVE TEACHING LICENSE OF SAMUEL R. BOOTH**

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

WHEREAS Samuel R. Booth holds a five-year professional comprehensive teaching license issued in 2009; and

WHEREAS on November 20, 2012, the Acting Superintendent of Public Instruction, on behalf of the State Board of Education, notified Samuel R. Booth of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional comprehensive teaching license issued in 2009 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Booth engaging in the following unbecoming conduct: Mr. Booth tapped a student's breast area with a paper he was holding on or about October 6, 2011; Mr. Booth knelt down close to another student's ear to speak to her while she was watching a video, placed his hand along the student's bra strap, and inappropriately rubbed her back on or about October 3, 2011; Mr. Booth's foot made contact with the second student's buttock area on or about September 30, 2011; and Mr. Booth made an inappropriate comment at a student award assembly on or about May 2011 for which he received a written reprimand from his employing school district; and

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

WHEREAS a hearing was held on April 9, 2013; and

WHEREAS Mr. Booth was present at the hearing and was represented by counsel; and

WHEREAS the hearing officer recommends that Mr. Booth's five-year comprehensive teaching license issued in 2009 be indefinitely suspended for a minimum of seven days with the indefinite suspension to be lifted upon Mr. Booth completing a training regarding professional boundaries as determined by the State Board of Education. The hearing officer also recommends that Mr. Booth serve a two-year probationary period after his license is reinstated with the probationary period to include the Ohio Department of Education obtaining quarterly reports from Mr. Booth's employing school regarding his professional conduct and any student-teacher boundary issues. The hearing officer's recommendation is based upon Mr. Booth's limited physical contact with two students and his lack of awareness of proper boundaries between a teacher and a student constituting conduct unbecoming a teacher; and

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

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RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **SUSPENDS** Samuel R. Booth's five-year professional comprehensive teaching license issued in 2009 for a minimum of seven days from July 9, 2013 through July 15, 2013 with the suspension to continue after July 15, 2013 until Mr. Booth completes a course, approved by the Ohio Department of Education, on maintaining professional boundaries. The State Board further orders that upon Mr. Booth's license being reinstated, he shall serve a two-year probationary period to be monitored by the Ohio Department of Education, which shall include the Ohio Department of Education obtaining quarterly reports from Mr. Booth's employing school regarding his professional conduct and any student-teacher boundary issues. The suspension is based upon Mr. Booth engaging in the following unbecoming conduct: Mr. Booth tapped a student's breast area with a paper he was holding on or about October 6, 2011; Mr. Booth's foot made contact with a second student's buttock area on or about September 30, 2011; and Mr. Booth made an inappropriate comment at a student award assembly on or about May 2011 for which he received a written reprimand from his employing school district. Further, the State Board orders that Samuel R. Booth may not reapply for any license issued by the State Board of Education until he has completed the required professional boundary training; and, Be It Further

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

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

President Terhar called for a roll call vote.

**YES VOTES**

Angela Thi Bennett  
Michael Collins  
Sarah Fowler  
Ann Jacobs  
Darryl D. Mehaffie  
Mary Rose Oakar  
Debe Terhar

Deborah Cain  
Joe Farmer  
Thomas Gunlock  
Kathleen McGervey  
Jeffrey Mims  
Mark Smith  
Bryan C. Williams

**ABSTAIN**

C. Todd Jones

Motion carried.

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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 REVOKE PERMANENTLY THE FOUR-**

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**YEAR ADOLESCENCE TO YOUNG ADULT RESIDENT EDUCATOR  
LICENSE OF ROBERT E. SUPINGER**

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

WHEREAS Robert E. Supinger holds a four-year adolescence to young adult resident educator license issued in 2011; and

WHEREAS on December 14, 2012, the Acting Superintendent of Public Instruction, on behalf of the State Board of Education, notified Robert E. Supinger of its intent to determine whether to limit, suspend, revoke, or permanently revoke his four-year adolescence to young adult resident educator license issued in 2011 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Supinger engaging in an inappropriate relationship with a student on or about the 2011-2012 school year when he sent non-school related text messages to the student, took the student to a park and went for a walk, took the student to a movie and dinner, took the student to his house to meet his parents, and kissed and hugged the student; and

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

WHEREAS a hearing was held on May 6, 2013; and

WHEREAS Mr. Supinger was not present at the hearing nor was he represented by counsel; and

WHEREAS the hearing officer recommends that Mr. Supinger's four-year adolescence to young adult resident educator license be revoked and he be permanently ineligible to apply for any license issued by the State Board. The hearing officer's recommendation is based upon the significant detrimental impact to the school community if Mr. Supinger's licensure continues and a lack of sufficient evidence in the record to conclude that Mr. Supinger is not at risk to repeat his behavior should he remain in the classroom: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Robert E. Supinger's four-year adolescence to young adult resident educator license issued in 2011 based upon Mr. Supinger engaging in an inappropriate relationship with a student on or about the 2011-2012 school year when he sent non-school related text messages to the student, took the student to a park and went for a walk, took the student to a movie and dinner, took the student to his house to meet his parents, and kissed and hugged the student. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Robert E. Supinger 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. Supinger of this action.

It was Moved by Mrs. Cain and Seconded by Ms. Fowler that the above recommendation (Item 5) be approved.

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President Terhar called for a roll call vote.

**YES VOTES**

Angela Thi Bennett  
Michael Collins  
Sarah Fowler  
Ann Jacobs  
Kathleen McGervey  
Jeffrey Mims  
Mark Smith  
Bryan C. Williams

Deborah Cain  
Joe Farmer  
Thomas Gunlock  
C. Todd Jones  
Darryl D. Mehaffie  
Mary Rose Oakar  
Debe Terhar

Motion carried.

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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 DENY SHERRY ORTH'S MOTION FOR ATTORNEY FEES**

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

WHEREAS Sherry Orth holds a five-year professional prekindergarten teaching license issued in 2008; and

WHEREAS on April 12, 2011, the State Board of Education adopted a resolution permanently revoking the five-year professional prekindergarten teaching license of Sherry Orth; and

WHEREAS Sherry Orth appealed the State Board's order permanently revoking her five-year professional prekindergarten teaching license to the Franklin County Court of Common Pleas in Case Number 11-CV-005897; and

WHEREAS on February 15, 2012, the Franklin County Court of Common Pleas affirmed the State Board's order that permanently revoked the five-year professional prekindergarten teaching license of Sherry Orth; and

WHEREAS on February 23, 2012, Sherry Orth appealed this decision to the Tenth District Court of Appeals in Case Number 12-AP-000155; and

WHEREAS on September 28, 2012, the Tenth District Court of Appeals rendered a decision sustaining Ms. Orth's first assignment of error in toto and her fourth and fifth assignments of error in part and vacating the judgment of the Franklin County Court of Common Pleas; and

WHEREAS the Tenth District Court of Appeals remanded the matter to the State Board of Education for further proceedings in accordance with its decision; and

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WHEREAS on November 13, 2012, the State Board vacated its April 12, 2011 order which permanently revoked Ms. Orth's five-year professional prekindergarten teaching license and remanded the case to the administrative hearing officer for further proceedings in accordance with the decision of the Tenth District Court of Appeals; and

WHEREAS on March 12, 2013, the State Board of Education suspended Sherry Orth's five-year professional prekindergarten license from November 6, 2009 through March 12, 2013 based on her accidentally inflicting scratches on an out-of-control preschool student when she repeatedly dragged the student across the ground toward her; and

WHEREAS the State Board's order dated March 12, 2013 was entered into its journal on March 14, 2013; and

WHEREAS on April 29, 2013, Sherry Orth filed a Motion for Fees pursuant to Ohio Revised Code 119.092; and

WHEREAS on May 8, 2013, the Ohio Department of Education filed a Memorandum in Opposition to Sherry Orth's Motion for Fees and a Motion to Dismiss Ms. Orth's Motion for Fees; and

WHEREAS the hearing officer recommends that Ms. Orth's motion for attorney fees be denied based upon Ms. Orth's motion not being filed within 30 days of the date that the State Board's March 12, 2013 order was journalized as required by statute (R.C. 119.092), and the State Board being substantially justified in initiating the matter in controversy; and

WHEREAS on June 13, 2013, Ms. Orth filed objections to the hearing officer's report and recommendation; and

WHEREAS the State Board of Education has considered the hearing officer's report and recommendation and the objections filed by Ms. Orth; and

WHEREAS the State Board adopts the hearing officer's report and recommendation: Therefore, Be It

RESOLVED That the State Board of Education adopts the hearing officer's report and recommendation; and, Be It Further

RESOLVED That the State Board of Education, pursuant to Ohio Revised Code 119.092(B)(2), hereby **DENIES** Sherry Orth's motion for attorney fees based on Ms. Orth's motion not being filed within 30 days of the date that the State Board's March 12, 2013 order was journalized as required by statute (R.C. 119.092), and the State Board being substantially justified in initiating the matter in controversy; and, Be It Further

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

It was Moved by Ms. Jacobs and Seconded by Mr. Collins that the above recommendation (Item 6) be approved.

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President Terhar called for a roll call vote.

### YES VOTES

Angela Thi Bennett  
Michael Collins  
Sarah Fowler  
Ann Jacobs  
Kathleen McGervey  
Jeffrey Mims  
Mark Smith  
Bryan C. Williams

Deborah Cain  
Joe Farmer  
Thomas Gunlock  
C. Todd Jones  
Darryl D. Mehaffie  
Mary Rose Oakar  
Debe Terhar

Motion carried.

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Mr. Gunlock presented the following recommendation (Item 7):

**7. RESOLUTION TO AMEND RULES 3301-51-10, 3301-83-09, -10, -16, -17, -21, AND -22 AND TO ADOPT RULE 3301-83-24 OF THE ADMINISTRATIVE CODE REGARDING PUPIL TRANSPORTATION OPERATION AND SAFETY**

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

WHEREAS Section 4511.76 of the Revised Code requires the State Board of Education, by and with the advice of the director of public safety, to adopt and enforce rules relating to the operation of all vehicles used for pupil transportation; and

WHEREAS Section 3327.10 of the Revised Code authorizes the State Board of Education to adopt rules regarding qualifications of school bus drivers; and

WHEREAS Rules 3301-51-10, 3301-83-09, -10, -16, -17, -21, and -22 of the Administrative Code regarding pupil transportation operation and safety are proposed to be amended pursuant to the requirements of five-year rule review; and

WHEREAS the proposed amendments to the rules would

- Allow for alternative pick-up and drop-off locations as appropriate based upon the individual needs of the child;
- Add “The dangers of trespassing in railroad right of way and other dangerous areas” as part of the safety-instruction program;
- Clarify definitions used throughout Chapter 3301-83 of the Administrative Code;
- Replace “county boards of mental retardation and developmental disabilities” with “county boards of developmental disabilities” and “individualized habilitation” with “behavioral support” in regards to student plans;

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- Clarify the issuance and revocation process as part of the personnel training program;
- Raise the School Vehicle Accident reporting threshold from five-hundred to one-thousand dollars pursuant to Ohio law;
- Clarify the non-routine transportation of students, specific components; and necessary for a trip permit, and the costs associated with non-routine trips.

WHEREAS proposed new Rule 3301-83-24 of the Administrative Code would clarify when fees may be acceptable for the purposes of student transportation; and

WHEREAS the Common Sense Initiative Office reviewed the rules pursuant to its mandate regarding any potential adverse impact administrative rules may have on private business and recommended that the rules, pending approval by the State Board of Education, be filed with the Joint Committee on Agency Rule Review; and

WHEREAS the Capacity Committee, during its April 2013 meeting, voted to recommend adoption of the rules proposed to be amended and adopted to the State Board of Education; and

WHEREAS on June 10, 2013, the State Board of Education held a public hearing concerning the proposed amending and adoption of the rules subject to this resolution; and

WHEREAS on July 8, 2013, the Joint Committee on Agency Rule Review held a hearing regarding the proposed rule actions subject to this resolution during which the committee took no action on the rules: Therefore, Be It RESOLVED, That the State Board of Education hereby amends Rules 3301-51-10, 3301-83-09, -10, -16, -17, -21, and -22 and adopts Rule 3301-83-24 of the Administrative Code that are 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 and adopting the rules by filing with the Secretary of State, Legislative Service Commission, and the Joint Committee on Agency Rule Review, the full text of the rules to be amended and adopted and that the same be made available on request, without charge, to all persons affected by the rules.

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

President Terhar called for a roll call vote.

### YES VOTES

Angela Thi Bennett  
Michael Collins  
Sarah Fowler  
Ann Jacobs  
Kathleen McGervey

Deborah Cain  
Joe Farmer  
Thomas Gunlock  
C. Todd Jones  
Darryl D. Mehaffie

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Jeffrey Mims  
Mark Smith  
Bryan C. Williams

Mary Rose Oakar  
Debe Terhar

Motion carried.

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Emergency consideration was requested by the Capacity Committee for Item 8 and granted by Board leadership.

Mr. Gunlock presented the following recommendation (Item 8):

8. **RESOLUTION TO ADOPT PRAXIS TEST #5203, TEACHING READING: ELEMENTARY EDUCATION AND AN ASSOCIATED PASSING SCORE AS THE RIGOROUS TEST OF PRINCIPLES OF SCIENTIFICALLY RESEARCH-BASED READING INSTRUCTION REQUIRED BY ORC 3313.608(H)**

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

WHEREAS Ohio's Third Grade Reading Guarantee is a program to identify students not on track in reading from kindergarten through third grade and to provide them with help and support to ensure that those students are on track for reading success by the end of third grade; and

WHEREAS Section 3313.608 of the Revised Code establishes teacher qualifications for third grade teachers who teach reading to students identified as not on track in reading or to students who have been retained by the Third Grade Reading Guarantee; and

WHEREAS Section 3313.608 of the Revised Code requires the State Board of Education to approve a rigorous test of principles of scientifically research-based reading instruction, along with an associated passing score, for the purpose of establishing this test as one option for teachers to demonstrate that they meet the teacher qualifications required in law; and

WHEREAS in the spring of 2013 the Ohio Department of Education issued a Request for Proposals (RFP) to select a vendor through a competitive bidding process in order to fulfill Ohio's need for a rigorous test of principles of scientifically research-based reading instruction; and

WHEREAS Educational Testing Service (ETS) was awarded the contract to provide the rigorous test of principles of scientifically research-based reading instruction required by Section 3313.608 of the Revised Code; and

WHEREAS at its June 2013 meeting the Ohio Educator Standards Board reviewed the test specifications of ETS Praxis test #5203, Teaching Reading: Elementary Education as well as the multi-state standard setting technical report for this test, which recommended a passing score of 162 on a 100-200 scale for this test; and

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WHEREAS at its June 2013 meeting the Ohio Educator Standards Board passed a resolution to recommend to the State Board of Education the adoption of Praxis test #5203, Teaching Reading: Elementary Education as the required rigorous test of principles of scientifically research-based reading instruction, along with the nationally-recommended passing score of 162, and also to establish that they would review Ohio-specific test-taker performance data on the test in the spring of 2014 for the purpose of possibly recommending a revision to the passing score; and

WHEREAS at its July 2013 meeting the Capacity Committee reviewed the recommendations of the Educator Standards Board regarding the adoption of this test for the specified purpose, and voted to recommend to the State Board of Education the adoption of Praxis test #5203, Teaching Reading: Elementary Education as the required rigorous test of principles of scientifically research-based reading instruction, along with a required passing score of 162: Therefore, Be It

RESOLVED, That the State Board of Education hereby approves Praxis test #5203, Teaching Reading: Elementary Education, as well as a required passing score of 162 or higher, as the rigorous test of principles of scientifically research-based reading instruction 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.

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

Dr. Smith stated that he is fine with the cut-off score this year, but the Board needs to evaluate this issue because he does not want to settle for mediocrity in this area. Mr. Gunlock stated this issue would be revisited in 2014.

President Terhar called for a roll call vote.

### YES VOTES

Angela Thi Bennett  
Michael Collins  
Sarah Fowler  
Ann Jacobs  
Kathleen McGervey  
Jeffrey Mims  
Mark Smith  
Bryan C. Williams

Deborah Cain  
Joe Farmer  
Thomas Gunlock  
C. Todd Jones  
Darryl D. Mehaffie  
Mary Rose Oakar  
Debe Terhar

Motion carried.

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Mrs. Bennett presented the following recommendation (Item 9):

- 9. RESOLUTION TO ADOPT RECOMMENDATIONS FOR A COMPREHENSIVE STATEWIDE PLAN TO INTERVENE DIRECTLY IN AND IMPROVE THE PERFORMANCE OF PERSISTENTLY POOR PERFORMING SCHOOLS AND SCHOOL DISTRICTS**

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

WHEREAS H.B. 555 includes a requirement that the State Board of Education submit recommendations to the General Assembly by August 31, 2013 for a comprehensive statewide plan to intervene directly in and improve the performance of poor performing schools and school districts; and

WHEREAS H.B. 555 defines “persistently poor performing schools and school districts;” and

WHEREAS using data from the 2011-2012 Local Report Card, there are a total of 966 school buildings with a total estimated enrollment of 523,215 students that meet the bill’s definition of persistently poor performing schools and school districts; and

WHEREAS of the 966 schools, fifty-six percent (56%) are geographically located in non-urban regions in the State of Ohio; and

WHEREAS of the 966 schools, sixty-one percent (61%) are rated Continuous Improvement and above; and

WHEREAS of the 966 schools, eighty-one Percent (81%) have greater than fifty (50%) of their student population identified as Economically Disadvantaged; and

WHEREAS of the 966 schools, seventy-five percent (75%) have greater than fourteen (14%) of their student population identified as Students with Disabilities; and

WHEREAS the Committee on Urban Education met with multiple internal and external, traditional and non-traditional education stakeholders; collected survey data from and conducted focus groups with educators in schools meeting the definition of persistently poor performing schools and school districts; and

WHEREAS the Committee on Urban Education identified the need to address non-academic barriers to student learning and achievement as a critical and central component of the comprehensive statewide plan to intervene directly in and improve the performance of persistently poor performing schools and school districts; and

WHEREAS the Committee on Urban Education presented to the State Board of Education the results of the surveys, meetings and focus groups with education stakeholders relative to persistently poor performing schools and school districts during its June 2013 meeting; and

WHEREAS the Committee on Urban Education presented to the State Board of Education a series of recommendations during the June 2013 meeting to: (1) Continue the interventions and supports set forth in Ohio’s ESEA Flexibility Waiver; (2) Extend the interventions & support to any persistently poor performing school and school district; and (3) Continue the Committee’s work to expand the review and impact of non-academic barriers to student learning and achievement and to identify effective practices in Ohio’s schools to overcome these barriers: Therefore, Be It

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RESOLVED, that the State Board of Education hereby adopts the recommendations of the Committee on Urban Education as part of a comprehensive statewide plan to intervene directly in and improve the performance of persistently poor performing schools and school, a copy of which is attached hereto and incorporated herein; and, Be It

FURTHER RESOLVED, that the State Board of Education hereby directs the State Superintendent of Public Instruction to submit the recommendations of the Committee on Urban Education to the General Assembly in accordance with the process described in section 101.68 of the Revised Code.

It was Moved by Mrs. Bennett that the above recommendation (Item 9) be approved.

President Terhar called for a roll call vote.

**YES VOTES**

Angela Thi Bennett	Deborah Cain
Michael Collins	Joe Farmer
Thomas Gunlock	Ann Jacobs
C. Todd Jones	Darryl D. Mehaffie
Jeffrey Mims	Mary Rose Oakar
Mark Smith	Debe Terhar
Bryan C. Williams	

**NO VOTES**

Sarah Fowler

**ABSTAIN**

Kathleen McGervey

Motion carried.

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**Resolutions**  
**New Business**

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

- 10. MOTION THAT THE STATE BOARD OF EDUCATION OF OHIO NAME DEBORAH CAIN AS THE VOTING DELEGATE AT THE NASBE CONVENTION**

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

President Terhar called for a voice vote.

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Motion carried.

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**Non-Resolutions**  
**Miscellaneous Business**

Dr. Ross introduced Mr. Doug Lowery as the Interim Superintendent of the Ohio School for the Deaf.

Mr. Mims stated that he wanted to recognize the attire of Mr. Jones.

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Mr. Mims Moved to adjourn the meeting. Mrs. Bennett Seconded the motion.

The President requested a voice vote.

Motion carried.

President Terhar adjourned the meeting at 2:15 p.m. The next regularly scheduled meeting of the State Board of Education is September 9-10, 2013.

ATTEST:



Debe Terhar  
President  
State Board of Education



Dr. Richard A. Ross  
Superintendent of Public Instruction

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**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.