STATE BOARD OF EDUCATION OF OHIO
MINUTES
May 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

Mr. Mims was absent on Monday.

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

The Board's Capacity and Committee on Urban Education met beginning at 8:30 a.m.

The Board's Achievement met beginning at 9:30 a.m.

National Association of State Boards of Education Project (NASBE):
Ms. Whitney Meagher and Ms. Rachelle Chiang (NASBE) had presented to the Achievement Committee earlier today.

In 2012, the State Board of Education of Ohio received a grant of $15,000 from the National Association State Boards of Education for technical assistance for state policy development and implementation.

The goal of Ohio's three-year project is the development of three proposed elements for the State Board's consideration:

- A model nutrition policy.
- A model physical activity policy.
- Recommendations regarding the adoption of health education guidance and policy.

In the first year of this grant, the Department, along with the Ohio Department of Health, convened a state-wide stakeholder meeting to introduce the projects and begin working in three project groups.

Mike Collins is the State Board of Education liaison for this project. Barbara Boone and Jackie Sharp are lead staff.

President Terhar stated she would like to have Ms. Meagher and Ms. Chiang present to the full Board later this year.

Full Board presentation on Career-Technical Education (CTE) Report Card
Kathy Shibley, Senior Executive Director, and Emily Passias, Data Administration Manger, led this presentation. Highlights from the presentation:

Why We Care about Quality Career-Technical Education (CTE):
- Relevance
- Motivation
- Persistence
- Academic performance
- Earnings

ORC 3313.90:
- All high school students must have opportunity to prepare for an occupation
- Delivered through career-technical planning districts (91)

Of 91 Career-Technical Planning Districts:
- 49 are Joint Vocational School Districts representing 556 districts
- 42 are single districts or groups of contracted districts

Legislative Charge:
- Create career-technical (CTE) report card collaboratively
- State Board of Education approval
- Submit to Governor's Office and General Assembly leadership
- No Administrative Code rules required
- SB 316 initial directive
- HB 555 additional directives (December, 2012)

Ohio is the only state with a state CTE report card that:
- Goes beyond the federal Perkins Performance Report
- Includes comparative grades

Collaboration Partners:
- Ohio Department of Education
- Ohio Association of City Career-Technical Schools
- Ohio Association of Career Technical Superintendents
- Ohio Association for Career and Technical Education

- Ohio Board of Regents
- Governor's Office of Workforce Transformation

CTE Report Card Rollout Timeline:
2012-2013:

- 4 and 5 Year Graduation Rates – Graded
- Industry Credentials – Report Only
- Technical Skill Attainment – Report Only
- Post-program Placement – Graded
- Federal Measures Met – Report Only
- Dual Enrollment – Report Only

2013-2014 – Draft: Add

- Honors Diploma – Report Only
- National Standardized Test
- Participation – Report Only
- College Remediation-Free – Report Only
- Ohio Graduation Test (OGT) Remediation Rates – To be discussed

2014-2015 – Draft:

Add:

- CTE-specific AMOs – Report Only
- Students Assessed for Technical Skill - Graded
- College and Career Ready Assessments – Report Only
- Attendance – Report Only
- Work-Based Learning – Report Only
- CTSO participation – Report Only

Add Grades for:

- Industry Credentials
- Technical Skill Attainment

Add Component Grades:

- Achievement
- Graduation
- Post-program Outcomes
- Add Overall Designation

Timeline for CTE Report Card:

- May – State Board of Education approval of 2013 Report Card
- Sept. 1 – First Report Card
- July – February (FY14) - Collaborate on final proposal for 2014 and 2015 including benchmarks for grading and overall designation
- March – May 2014 – State Board of Education approval of 2014 and 2015 Report Card

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The State Board recessed for lunch.

Chapter 119 Hearing

May 13, 2013
1 p.m.

Hearing Regarding the Amending, Rescinding and Adoption of Rules

The adoption of Rules 3301-28-01 to -06 regarding local report card measures;
The rescission of Rules 3301-58-01 to -03 regarding the value-added progress dimension;
The amending of Rule 3301-52-01entitled Appropriate uses of early child education screening and assessment information;
The adoption of Rule 3301-102-01 to -07 entitled Community schools and sponsors;
The adoption of Rule 3301-102-08 entitled Standards for measuring sponsor compliance with applicable laws and rules; and
The adoption of Rule 3301-102-10 entitled Dropout prevention and recovery academic performance rating and report card system.

MEMBERS PRESENT

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

MEMBERS ABSENT

Michael Collins	Jeffrey Mims

NOTE: Mrs. Dodd, Mrs. Elshoff and Ms. Jacobs entered the room after roll call.

President Terhar stated the Board would proceed with the public hearing on the following rule actions: adoption of Rules 3301-28-01 to -06 regarding Local report card measures; the rescission of Rules 3301-58-01 to -03 regarding the Value-added progress dimension; the amending of Rule 3301-52-01entitled Appropriate uses of early child education screening and assessment information; the adoption of Rule 3301-102-01 to -07 entitled Community schools and sponsors; the adoption of Rule 3301-102-08 entitled Standards for measuring sponsor compliance with applicable laws and rules; and the adoption of Rule 3301-102-10 entitled Dropout prevention and recovery academic performance rating and report card system.

The President called on Assistant Attorney General, Holly LeClair Welch. Ms. Welch called on P.R. Casey, Chief Legal Counsel for the Ohio Department of Education.

Mr. Casey presented the following Board Exhibits:

Board Exhibit 1 is the public notice that appears in the Register of Ohio and references the proposed rule action subject to this hearing;

Board Exhibit 2 through 6 would be true and accurate copies of the Resolutions of Intent adopted by the State Board of Education declaring its intent to amend, rescind, and adopt the rules subject to this public hearing;

Board Exhibit 7 would be true and accurate copies of the rules subject to this hearing that were originally filed with Joint Committee on Agency Rule Review (JCARR), Legislative Service Commission (LSC), and the Secretary of State on April 8, 2013.

Mr. Casey explained the rules had been made available to all persons affected by the rules.

President Terhar stated that testimony would be received, either orally or in writing, for or against, the amendment of the rules that are under consideration. Anyone who wished to testify must complete the registration sheet. All testimony would be limited to no more than five minutes. If additional time is needed, consideration would be given to a reasonable extension. Any written testimony would be marked as Group Exhibit 8.

President Terhar announced that the Board would now receive testimony on the proposed adoption of Rules 3301-28-01 to -06 regarding Local report card measures and the rescission of Rules 3301-58-01 to -03 regarding the Value-added progress dimension.

PUBLIC TESTIMONY ON THE PROPOSED ADOPTION ADOPTION OF RULES 3301-28-01 TO -06 REGARDING LOCAL REPORT CARD MEASURES AND THE RESCISSION OF RULES 3301-58-01 TO -03 REGARDING THE VALUE-ADDED PROGRESS DIMENSION.

There were no requests.

PUBLIC TESTIMONY ON THE PROPOSED AMENDING OF RULE 3301-52-01 ENTITLED APPROPRIATE USES OF EARLY CHILD EDUCATION SCREENING AND ASSESSMENT INFORMATION.

There were no requests.

PUBLIC TESTIMONY ON THE PROPOSED ADOPTION OF RULE 3301-102-01 TO -07 ENTITLED COMMUNITY SCHOOLS AND SPONSORS; THE ADOPTION OF RULE 3301-102-08 ENTITLED STANDARDS FOR MEASURING SPONSOR COMPLIANCE WITH APPLICABLE LAWS AND RULES; AND THE ADOPTION OF RULE 3301-102-10 ENTITLED DROPOUT PREVENTION AND RECOVERY ACADEMIC PERFORMANCE RATING AND REPORT CARD SYSTEM.

There were no requests.

President Terhar called on Ms. Welch, who submitted into evidence State Board Exhibits 1 through 7.

The President stated that the exhibits were so received. As there was no more testimony, she declared the public hearing closed at 1:10 p.m.

Full Board Ethics Training
Presenter: Jennifer Hardin, Ohio Ethics Commission

The State Board of Education received required biennial ethics training from the Ohio Ethics Commission.

The Board took a brief recess.

President Terhar convened the Business Meeting of the State Board of Education on Monday, May 13, at 2:50 p.m.

President Terhar asked the Recording Secretary to call the roll.

MEMBERS PRESENT

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

EX OFFICIO MEMBERS

Senator Peggy Lehner	Representative Gerald Stebelton

MEMBERS ABSENT
Jeffrey Mims

NOTE: Mrs. Bennett, Mr. Collins, Mr. Jones, Ms. McGervey and Ms. Oakar 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.

Mrs. Elshoff Seconded the motion.

The President called for a roll call vote.

YES VOTES

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

Motion carried.

The Board went into Executive Session at 2:50 p.m.

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

President Terhar recessed the Board meeting at 4 p.m. Following the Board meeting, the Board's Accountability Committee met.

President Terhar reconvened the meeting of the State Board of Education on Tuesday, May 14, at 8:30 a.m.

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

Full Board Hearing on School Safety

Promoting safe school environments is a priority of the State Board of Education. During the May meeting, the Board held a hearing on school safety and heard from state and local law enforcement officials, as well as policy makers to discuss best practices and promote collaboration to keep Ohio schools safe.

Presenters:

- Rick Baron, Executive Director, Ohio Homeland Security, Ohio Department of Public Safety;
- Kenneth R. Hinkle, Chief, Obetz Police Department & President, Ohio Association of Chiefs of Police;
- Mike DeWine, Ohio Attorney General;
- Joseph Bergant, II, Superintendent, Chardon Local Schools;
- Tom Charles, Director, Ohio Department of Public Safety; and
- Senator Frank LaRose, Ohio Senate.

During his remarks, Attorney General DeWine shared that he recently sent a training video to every school district in Ohio to provide administrators, teachers and school employees with knowledge should they ever face a school shooting crisis. The video, entitled "School Shootings: How to be Aware, Prepare, and be a First Responder in a Crisis," is an extension of in-person training offered to educators around the state since January through the Attorney General's Ohio Peace Officer Training Academy.

The State Board strongly encourages districts regularly:

1. Ask local law enforcement and firefighter personnel to review your emergency response plan;
2. Review and practice your school's emergency response/safety plan;
3. Communicate with students, staff and families regarding your emergency response/safety plan;
4. Reassure students and parents that schools are safe places;
5. Take any threat seriously. Notify local authorities immediately;
6. Review and update your school's policies and procedures; and
7. Ensure that your school buildings are secure.

The State Board recessed for lunch. During lunch, the Board's Appointments Committee met to discuss several vacancies on the Educator Standards Board.

President Terhar reconvened the Business meeting of the State Board of Education on Tuesday, May 14, at 1:10 p.m.

President Terhar asked the Recording Secretary to call the roll.

MEMBERS PRESENT

Angela Thi Bennett	Deborah Cain
Michael Collins	Stephanie Dodd
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

The President called on Bryan Williams, who welcomed Board members and guests, and led the Board in the Pledge of Allegiance.

PUBLIC PARTICIPATION ON ACTION ITEMS

There was no Public Participation on Action Items.

PUBLIC PARTICIPATION ON NONACTION ITEMS

1) Rob and Katey Porter. Mr. and Mrs. Porter spoke to the Board regarding the Ohio School for the Deaf.

This concludes Public Participation on Nonaction Items.

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

Ms. Fowler stated that on page 22, it references Mrs. Terhar as Vice President and should be changed to Mr. Gunlock.

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

Motion carried unanimously.

EXECUTIVE COMMITTEE RETREAT DISCUSSION
Chair: Debe Terhar, Vice Chair: Tom Gunlock

The Executive Committee discussed and approved a motion to hold a regular business meeting and not a planning retreat in July, 2013.

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:

Career Connections is a joint initiative among the Governor's Office of Workforce Transformation, the Board of Regents and the Ohio Department of Education. Senate Bill 316 requires career connections learning strategies be embedded in the Department's model curricula. The goal is to give K-12 students opportunities to become more aware of career opportunities, learn of their interests, talents and abilities, explore careers and make academic and career plans for their future.

The Offices of Career-Technical Education and Curriculum and Assessment are working collaboratively to meet the requirement of SB316. Staff is working with regional work groups consisting of teachers, curriculum experts, and school counselors. The work of the regional work

groups includes developing strategies that support infusing career- based learning experiences with academic content. The Committee will review a final draft of the learning strategies at the May 2012 meeting. Adoption is scheduled for June 2013.

NASBE Grant:

In 2012 the State Board of Education received a grant from the National Association of State Boards of Education to be used for technical assistance for state policy development and implementation. The goal of the grant is to develop policies for: (a) wellness with a nutrition focus; (b) physical education; and (c) health education.

The Department has partnered with the Ohio Department of Health, Department of Adolescent Health and the State Board of Education to create the Health Advisory Council. The Council has formed subcommittees in each of the three areas (wellness, physical education, health). Upon conclusion of their work in April 2014, guidance and policy documents will be shared with the State Board of Education for recommended action.

Rule 3301-51-15, Gifted Children, Education Services:

This rule is up for review based on the 5-year review cycle. The rule encompasses all aspects of gifted education in Ohio including: identification, placement, written education plans, continuum of services, coordinators, funding and accountability. Proposed revisions include:

- Requirement for two whole grade screenings for gifted education.
- Requirement for a district to employ a gifted coordinator when providing gifted services.
- Specifies that the standards apply regardless of funding.

The Committee will receive an update on the amended rule at their July 2013 meeting. Final adoption is scheduled for December 2013.

Rule 3301-13-02, Administering Required State Assessments at the Designated Grades:

This rule encompasses one area of the assessment system—Alternate Assessment for Students with Significant Cognitive Disabilities. The rule has been amended in order to allow for a change of the date for the administration of the alternate assessments.

The Committee will move forward a resolution of intent to adopt the amended rule at their June 2013 meeting. Final adoption is scheduled for October 2013.

Committee Discussion:

In April, the Committee discussed college and career readiness and provided feedback on a definition of readiness for college and careers. This month, the committee reviewed the revised definition. The committee also discussed proposed changes to the graduation requirements.

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:

Update regarding Proposed Amendments to the Operator Contract for the SEED School of Cincinnati:

Staff and representatives from The SEED Foundation updated the Committee on the proposed revisions to the operator contract for the SEED School of Cincinnati. Committee members were given the opportunity to ask questions about the lease and purchase options as proposed by The SEED Foundation. The update also included information regarding the Ohio School Facilities

Commission (OSFC) project and proposed legislative clarifications. Proposed operator contract amendments, together with the SEED School of Cincinnati's Board of Trustees By-laws, will be presented for discussion and approval during the Capacity Committee's June meeting and will also go to the full Board for a vote in June.

Discuss ESC/School District Expenditures:

Staff presented the Committee with information related to Educational Service Centers (ESCs) contracts with their "client" districts (i.e. City, Local and Exempted Village School Districts). An investigation of the improper handling of funds is currently underway by the Ohio Auditor of State regarding an issue between the Medina City School District and the Medina County ESC. Excess funds unused by the district were being held by the ESC for the district's future use. Staff indicated that the Ohio Educational Service Center Association (OESCA) has introduced proposed legislation in HB 59 regarding the proper handling of client district excess funds by an ESC.

Discuss Score-Setting Recommendations for Ohio Assessments for Educators (OAE):

Staff from the Evaluation Systems Group of Pearson, along with Department staff, presented the Committee with the recommendations of the Ohio Educator Standards Board (ESB) regarding the setting of passing scores for the new licensure assessments- the Ohio Assessments for Educators (OAE). Beginning in September 2013, the new Ohio Assessments for Educators will replace the Praxis II content area and pedagogy exams that Ohio educator licensure candidates must currently pass as a requirement to obtain licensure. The Committee voted to recommend the ESB-recommended passing scores to the Full Board (with the exception of one assessment) with the understanding that OAE pass rates will be reviewed at the April 2014 meeting of the Capacity Committee and on a continuing basis thereafter, using data on the performance of Ohio licensure candidates on the new assessments to help inform future score setting decisions/score adjustments. These new assessments and passing scores will go to the full Board for a vote in June.

Discuss Career-Technical education Report Card for 2012-13:

Staff presented the Committee with the proposed Career-Technical Education (CTE) Report Card for 2012-13 which includes revisions based on recommendations made by the Committee at the April 2013 meeting of the Capacity Committee. The proposed report card includes seven measures, three of which will be graded measures with the remaining four being 'report only'. Committee members were given the opportunity to ask questions and seek clarification about the data used in the 2012-13 CTE Report Card. The Committee voted to recommend approval of the proposed CTE Report Card for 2012-13 to the Full Board.

Vice President Gunlock announced the Capacity Committee will hold a special meeting on May 29, 2013, at the Department of Education.

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:

In collaboration with Deb Tully, Director of Professional Issues at the Ohio Federation of Teachers and Randy Flora, Director of Education Policy Research & Member Advocacy at the Ohio Education Association, the Committee will conduct a focus group with approximately 20 teachers from the HB555 schools. The Committee reviewed the protocol and questions in

preparation for the Focus Group on Monday, May 20, 2013. A Focus Group is also planned with teachers representing the HB555 Community schools.

Utilizing an Appreciative Inquiry approach, the Committee discussed the strengths of the State, the State Board of Education, the Ohio Department of Education and Ohio's school buildings. Together with Department staff and guests attending the meeting, the Committee generated a list of strengths and successful collaborative efforts and opportunities. The Committee will share this information, as well as the Appreciative Inquiry process, with the Full Board as part of the HB555 presentation in June.

The Committee reviewed their charge relative to HB555: *Not later than August 31, 2013, the state board of education shall submit to the General Assembly under section 101.68 of the Revised Code recommendations for a comprehensive statewide plan to intervene directly in and improve the performance of persistently poor performing schools and school districts.* The Committee considered the goals of HB555 and determined collaboration with other State Board Committee work groups is indicated to ensure a comprehensive statewide plan. The Committee revised their DRAFT PowerPoint in preparation for the Full Board presentation at the June 2013 meeting.

Finally, on May 22, 2013, Committee members will meet with students in South Euclid-Lyndhurst City Schools at part of the Ohio My Voice Initiative. As a Demonstration Site, students in the district are working together with teachers and administrators on school improvement plans. South Euclid-Lyndhurst City Schools has 3 school buildings on the HB555 list.

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:

Mr. Gunlock stated the K-3 Literacy discussion would be postponed till the May 29 meeting of the Committee.

The Committee discussed other non-graded measures of the report card.

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:

The Committee received an update and discussed amendments on HB 59, the FY 2014-15 biennial budget.

BOARD PRESENTATIONS AND DISCUSSION FROM THE APPOINTMENTS COMMITTEE
Chair: Joe Farmer, Co-Chair: Deb Cain
Mr. Farmer gave a report from the Appointments Committee meeting focusing on the following issues:

The Committee voted to approve the following individuals to the Educator Standards Board:

Cynthia Lombardo	Teacher, Chartered, nonpublic Catholic Conference of Ohio (CCO)
Jennifer Denny	Principal, (OAESA) Elementary
Dustin Miller	Principal, OASSA (Middle)
Karie McCrate	Principal, OASSA (High School)
Danielle Sherritt	Teacher, OEA (Middle)
Karen Carney	Teacher, OEA (Elementary)
Amy Poole	Teacher, OEA (Elementary)
Jeffrey Cooney	Teacher, OFT (Secondary)
Sandra Orth	Teacher, OFT (Elementary)
Venezuela Robinson	Parent, Ohio PTA
Kathy Goins	School Board, OSBA

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

President Terhar announced that a motion to direct the Department to place Rule 3301-102-08 of the Administrative Code in "To Be Refiled" status, would be added to the Consent Agenda.

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 TEACHING LICENSE OF MICHAEL C. WEAVER (VOLUME 2, PAGE 4)

Items 2 through 7 were school personnel resolutions.

Administrative Rules (1); Volume 3

8. RESOLUTION TO ADOPT RULE 3301-102-09 OF THE ADMINISTRATIVE CODE ENTITLED APPROVING APPLICATIONS FOR NEW INTERNET- OR COMPUTER-BASED COMMUNITY SCHOOLS (VOLUME 3, PAGE 164)

Miscellaneous Resolutions (5); Volume 4

9. RESOLUTION OF APPOINTMENT TO THE EDUCATOR STANDARDS BOARD (VOLUME 4, PAGE 4) (APPOINTMENTS COMMITTEE)

10. RESOLUTION TO ADOPT THE OHIO TEACHER EVALUATION SYSTEM (OTES) FRAMEWORK FOR TEACHERS EMPLOYED BY STATE AGENCIES (VOLUME 4, PAGE

137) (CAPACITY COMMITTEE)

11. RESOLUTION TO APPROVE A FINAL LIST OF STATES WITH TEACHER LICENSURE STANDARDS THAT ARE INADEQUATE TO ENSURE THAT A PERSON WHO WAS MOST RECENTLY LICENSED AND TAUGHT IN THAT STATE IS QUALIFIED FOR A PROFESSIONAL LICENSE IN OHIO PURSUANT TO OHIO REVISED CODE SECTION 3319.228 (VOLUME 4, PAGE 141) (CAPACITY COMMITTEE)

12. RESOLUTION APPROVING A REPORT CARD FOR CAREER-TECHNICAL PLANNING DISTRICTS, INCLUDING JOINT VOCATIONAL SCHOOL DISTRICTS, AS REFERENCED IN R.C. 3302.033, FOR THE 2012/2013 SCHOOL YEAR (VOLUME 4, PAGE 143) (CAPACITY COMMITTEE)

13. RESOLUTION TO CONFIRM THE CLYDE-GREEN SPRINGS EXEMPTED VILLAGE SCHOOL DISTRICT BOARD OF EDUCATION'S DETERMINATION OF IMPRACTICAL TRANSPORTATION OF CERTAIN STUDENTS ATTENDING IMMACULATE CONCEPTION SCHOOL IN BELLEVUE, HURON COUNTY, OHIO (VOLUME 4, PAGE 145)

Items for Consideration for Next Month

There were no Items for Consideration for Next Month.

President Terhar called on Superintendent Ross for his report.

Superintendent Ross updated the Board on the following topics:

- Dr. Ross attended and spoke at four of the five recent Buckeye Association of School Administrators (BASA) meetings.
- Weekly opportunities for staff to meet with Dr. Ross.
- Ribbon cutting at the Skills USA competition.
- Initiation of the Schools of Honor program at Hamilton Elementary and Intermediate schools.
- Meeting with superintendents of Darke County Schools.
- Meeting with the commissioner of the Ohio High School Athletic Association (OHSAA).
- Testimony Dr. Ross will be providing regarding the Straight A Fund.
- Schools affected by data collection issues.

Following Dr. Ross' update, Mr. Christopher Woolard, Interim Director, Office of Accountability, and Mr. Michael Carmack, Director, Department ITO – Enterprise Applications office, provided Board members with a preview of the inter-active local report card.

This concludes the Superintendent's report.

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

President Terhar presented the following recommendations (Items 1 and 1.5) on the Consent Agenda:

1. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL COMPREHENSIVE TEACHING LICENSE OF MICHAEL C. WEAVER

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

WHEREAS Michael C. Weaver holds a five-year professional comprehensive teaching license issued in 2010; and

WHEREAS on April 19, 2013, the Ohio Department of Education received a voluntary surrender form from Michael C. Weaver, which authorizes the State Board to enter an order permanently revoking his five-year professional comprehensive teaching license issued in 2010 based upon Mr. Weaver's 2013 guilty plea to a felony in the Montgomery County Common Pleas Court; and

WHEREAS the form specifies that Michael C. Weaver is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Michael C. Weaver 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 teaching license issued in 2010: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(a) and Ohio Revised Code 3319.311(F), hereby **REVOKES** Michael C. Weaver's five-year professional comprehensive teaching license issued in 2010 based upon Mr. Weaver's 2013 guilty plea to a felony in the Montgomery County Common Pleas Court. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Michael C. Weaver 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. Weaver of this action.

1.5. MOTION TO DIRECT THE DEPARTMENT OF EDUCATION TO PLACE RULE 3301-102-08 OF THE ADMINISTRATIVE CODE IN 'TO BE REFILED' STATUS WITH THE JOINT COMMITTEE ON AGENCY RULE REVIEW, LEGISLATIVE SERVICE COMMISSION, AND SECRETARY OF STATE

The State Board of Education hereby directs the Ohio Department of Education to place Rule 3301-102-08 of the Administrative Code, entitled *Standards for measuring sponsor compliance with applicable laws and rules*, promulgated pursuant to House Bill 555 of the 129th General Assembly, in 'To Be Refiled' status with the Joint Committee on Agency Rule Review, Legislative Service Commission, and Secretary of State.

It was Moved by Mr. Collins and Seconded by Mr. Mehaffie that the Consent Agenda (Items 1 and 1.5) be approved.

President Terhar called for a roll call vote.

YES VOTES

Angela Thi Bennett	Deborah Cain
Michael Collins	Stephanie Dodd
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.

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

2. RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF RANDY J. DEAN

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

WHEREAS Randy J. Dean held a three-year pupil activity permit issued in 2009; and

WHEREAS on March 1, 2013, the Acting Superintendent of Public Instruction, on behalf of the State Board of Education, notified Randy J. Dean of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2009 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Dean's 2011 conviction in the Warren County Court for one misdemeanor count of offenses involving underage persons. The victims of the offenses were students; and

WHEREAS the notice informed Mr. Dean that if he fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2009; and

WHEREAS Randy J. Dean did not request a hearing in accordance with Section 119.07 of the Revised Code; and

WHEREAS the State Board of Education has reviewed the affidavit of the Director of the Office of Professional Conduct, Notice of the State Board of Education's Intended Action and Opportunity for a Hearing, certified court

records from the Warren County Court, and certified records from the Clearcreek Township Police Department; and

WHEREAS Ohio Administrative Code Rule 3301-73-05 authorizes the State Board of Education to impose disciplinary action against any licenses held or applied for without holding an administrative hearing if the applicant and/or license holder fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Randy J. Dean's three-year pupil activity permit issued in 2009 based upon Mr. Dean's 2011 conviction in the Warren County Court for one misdemeanor count of offenses involving underage persons. The victims of the offenses were students. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Randy J. Dean 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. Dean of this action.

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

President Terhar called for a roll call vote.

YES VOTES

Angela Thi Bennett	Deborah Cain
Michael Collins	Stephanie Dodd
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.

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 FOUR-YEAR EDUCATIONAL AIDE PERMIT OF DANNY K. DUKES

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

WHEREAS Danny K. Dukes held a four-year educational aide permit issued in 2007; and

WHEREAS on October 2, 2012, the Acting Superintendent of Public Instruction, on behalf of the State Board of Education, notified Danny K. Dukes of its intent to determine whether to limit, suspend, revoke, or permanently revoke his four-year educational aide permit issued in 2007 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(a). The notice was based upon Mr. Dukes' 2011 conviction in the Cuyahoga County Common Pleas Court for one felony count of aggravated vehicular assault, three misdemeanor counts of criminal damaging, and one misdemeanor count of driving while under the influence of alcohol or drugs, 2007 conviction in the Bedford Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol or drugs, 2003 conviction in the Cleveland Municipal Court for one minor misdemeanor count of noise in motor vehicles, 2009 disciplinary action by the Cleveland Metropolitan School District for using poor judgment and inappropriate behavior towards a student that resulted in a three-day suspension, and involvement in an incident with another student in 2010 that resulted in the Cuyahoga County Department of Children Services indicating child abuse; and

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

WHEREAS a hearing was held on February 12, 2013; and

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

WHEREAS the hearing officer recommends that Mr. Dukes' 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 Mr. Dukes' actions and behavior not being good examples for students or the community, and his actions and behavior demonstrating that he has not learned from his earlier misdemeanor convictions as he progressed to committing a felony offense that injured another person: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(a), hereby **REVOKES** Danny K. Dukes' four-year educational aide permit issued in 2007 based upon Mr. Dukes' 2011 conviction in the Cuyahoga County Common Pleas Court for one felony count of aggravated vehicular assault, three misdemeanor counts of criminal damaging, and one misdemeanor count of driving while under the influence of alcohol or drugs, 2007 conviction in the Bedford Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol or drugs, 2003 conviction in the Cleveland Municipal Court for one minor misdemeanor count of noise in motor vehicles, 2009 disciplinary action by the Cleveland Metropolitan School District for using poor judgment and inappropriate behavior towards a student that resulted in a three-day suspension, and involvement in an incident with another student in 2010 that resulted in the Cuyahoga County Department of Children Services indicating child abuse. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Danny K. Dukes 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. Dukes of this action.

It was Moved by Ms. Jacobs and Seconded by Ms. Fowler that the above recommendation (Item 3) be approved.

President Terhar called for a roll call vote.

YES VOTES

Angela Thi Bennett	Deborah Cain
Michael Collins	Stephanie Dodd
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.

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 ADMONISH MOHAMMAD EBEID

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

WHEREAS Mohammad Ebeid holds a five-year professional career technical teaching license issued in 2010; and

WHEREAS on August 9, 2012, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Mohammad Ebeid of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional career technical teaching license issued in 2010 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(b). The notice was based upon Mr. Ebeid's 2011 conviction in the Cleveland Municipal Court for one minor misdemeanor count of consumption, sale, or possession of liquor, 2012 conviction in the Cleveland Municipal Court for one misdemeanor count of unlawful restraint and one misdemeanor count of menacing, and 2012 conviction in the Cleveland Municipal Court for one misdemeanor count of aggravated menacing; and

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

WHEREAS a hearing was held on January 29, 2013; and

WHEREAS Mr. Ebeid was present at the hearing but was not represented by counsel; and

WHEREAS the hearing officer recommends that Mr. Ebeid be admonished by the State Board of Education. The hearing officer's recommendation is based upon Mr. Ebeid's 2012 misdemeanor convictions stemming from child custody proceedings: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and 3319.31(B)(2)(b), hereby **ADMONISHES** Mohammad Ebeid for his 2011 conviction in the Cleveland Municipal Court for one minor misdemeanor count of consumption, sale, or possession of liquor, 2012 conviction in the Cleveland Municipal Court for one misdemeanor count of unlawful restraint and one misdemeanor count of menacing, and 2012 conviction in the Cleveland Municipal Court for one misdemeanor count of aggravated menacing; and, Be It Further

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

It was Moved by Mr. Mehaffie and Seconded by Mrs. Bennett that the above recommendation (Item 4) be approved.

President Terhar called for a roll call vote.

YES VOTES

Angela Thi Bennett	Deborah Cain
Michael Collins	Stephanie Dodd
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.

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

5. RESOLUTION TO REVOKE PERMANENTLY THE TWO-YEAR PROVISIONAL CAREER TECHNICAL TEACHING LICENSE OF DOMINIC J. FRACCHIONE

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

WHEREAS Dominic J. Fracchione held a two-year provisional career technical teaching license issued in 2010; and

WHEREAS on February 11, 2013, the Acting Superintendent of Public Instruction, on behalf of the State Board of Education, notified Dominic J. Fracchione of its intent to determine whether to limit, suspend, revoke, or permanently revoke his two-year provisional career technical teaching license issued in 2010 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (B)(2)(b), and (B)(2)(d). The notice was based upon Mr. Fracchione's 2011 conviction in the Lorain County Common Pleas Court for one felony count of possession of cocaine, two misdemeanor counts of DUI (driving under the influence), and one misdemeanor count of possession of drug abuse paraphernalia, 2006 conviction in the Elyria Municipal Court for one misdemeanor count of Excess BAC (blood alcohol content), 2005 conviction in the Lorain Municipal Court for one misdemeanor count of disorderly conduct/persisting, 2004 conviction in the Lorain Municipal Court for one misdemeanor count of domestic violence, 2003 conviction in the Lorain Municipal Court for one misdemeanor count of DUI (driving under the influence), 2003 conviction in a separate case in the Lorain Municipal Court for one misdemeanor count of disorderly conduct/persisting, 1997 conviction in the Sandusky Municipal Court for one misdemeanor count of OMVI (operating a motor vehicle while intoxicated), 1992 conviction in the Lorain Municipal Court for one misdemeanor count of disorderly conduct-intoxicated, and failure to disclose his 1992, 2003, and 2005 convictions on his previously issued application; and

WHEREAS the notice informed Mr. Fracchione that if he fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke his two-year provisional career technical teaching license issued in 2010; and

WHEREAS Dominic J. Fracchione did not request a hearing in accordance with Section 119.07 of the Revised Code; and

WHEREAS the State Board of Education has reviewed the affidavit of the Director of the Office of Professional Conduct, Notice of the State Board of Education's Intended Action and Opportunity for a Hearing, and certified court records from the Lorain County Common Pleas Court, Elyria Municipal Court, Lorain Municipal Court, and Sandusky Municipal Court; and

WHEREAS Ohio Administrative Code Rule 3301-73-05 authorizes the State Board of Education to impose disciplinary action against any licenses held or applied for without holding an administrative hearing if the applicant and/or license holder fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code: 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), and (B)(2)(d), hereby **REVOKES** Dominic J. Fracchione's two-year provisional career technical teaching license issued in 2010 based upon Mr. Fracchione's 2011 conviction in the Lorain County Common Pleas Court for one felony count of possession of cocaine, two misdemeanor counts of DUI (driving under the influence), and one misdemeanor count of possession of drug abuse paraphernalia, 2006 conviction in the Elyria Municipal Court for one misdemeanor count of Excess BAC (blood alcohol content), 2005 conviction in the Lorain Municipal Court for one misdemeanor count of disorderly conduct/persisting, 2004 conviction in the Lorain Municipal Court for one

misdemeanor count of domestic violence, 2003 conviction in the Lorain Municipal Court for one misdemeanor count of DUI (driving under the influence), 2003 conviction in a separate case in the Lorain Municipal Court for one misdemeanor count of disorderly conduct/persisting, 1997 conviction in the Sandusky Municipal Court for one misdemeanor count of OMVI (operating a motor vehicle while intoxicated), 1992 conviction in the Lorain Municipal Court for one misdemeanor count of disorderly conduct-intoxicated, and failure to disclose his 1992, 2003, and 2005 convictions on his previously issued application. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Dominic J. Fracchione 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. Fracchione of this action.

It was Moved by Mrs. Bennett and Seconded by Mr. Jones that the above recommendation (Item 5) be approved.

President Terhar called for a roll call vote.

YES VOTES

Angela Thi Bennett	Deborah Cain
Michael Collins	Stephanie Dodd
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.

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 ONE-YEAR SUPPLEMENTAL INTERVENTION SPECIALIST TEACHING LICENSE, FIVE-YEAR PROFESSIONAL ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE, AND THREE-YEAR PUPIL ACTIVITY PERMIT OF CLAYTON J. HUSTON

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

WHEREAS Clayton J. Huston held a one-year supplemental intervention specialist teaching license issued in 2011 and holds a five-year professional adolescence to young adult teaching license issued in 2009 and three-year pupil activity permit issued in 2011; and

WHEREAS on July 2, 2012, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Clayton J. Huston of its intent to determine whether to limit, suspend, revoke, or permanently revoke his one-year supplemental intervention specialist teaching license issued in 2011, five-year professional adolescence to young adult teaching license issued in 2009, and three-year pupil activity permit issued in 2011 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Huston's 2012 conviction in the Bryan Municipal Court for one misdemeanor count of disorderly conduct and one misdemeanor count of criminal trespass, 2012 conviction in a separate case in the Bryan Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol or drugs and one minor misdemeanor count of failure to control, and resignation from his employing school district in June 2012 after he received a notice of a disciplinary hearing to address violations of board policy, improper use of sick leave, and substance abuse concerns; and

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

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

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

WHEREAS the hearing officer recommends that Mr. Huston's licenses 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 Mr. Huston's severe alcoholism which has mentally and physically impaired him and directly interfered with his classroom and coaching responsibilities to the detriment of students: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Clayton J. Huston's one-year supplemental intervention specialist teaching license issued in 2011, five-year professional adolescence to young adult teaching license issued in 2009, and three-year pupil activity permit issued in 2011 based upon Mr. Huston's 2012 conviction in the Bryan Municipal Court for one misdemeanor count of disorderly conduct and one misdemeanor count of criminal trespass, 2012 conviction in a separate case in the Bryan Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol or drugs and one minor misdemeanor count of failure to control, and resignation from his employing school district in June 2012 after he received a notice of a disciplinary hearing to address violations of board policy, improper use of sick leave, and substance abuse concerns. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Clayton J. Huston 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. Huston of this action.

It was Moved by Mr. Williams and Seconded by Mr. Mehaffie that the above recommendation (Item 6) be approved.

President Terhar called for a roll call vote.

YES VOTES

Angela Thi Bennett	Deborah Cain
Michael Collins	Stephanie Dodd
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.

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 EDUCATIONAL AIDE PERMIT APPLICATION OF ANDRE R. WASHINGTON

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

WHEREAS Andre R. Washington has applied for a one-year educational aide permit; and

WHEREAS on September 25, 2012, the Acting Superintendent of Public Instruction, on behalf of the State Board of Education, notified Andre R. Washington of its intent to deny or permanently deny his application for a one-year educational aide permit pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Washington's following unbecoming conduct: 2012 no contest plea in the Rocky River Municipal Court to one misdemeanor count of criminal damaging and subsequent participation in the Court's diversion program; 2010 guilty plea in the Cleveland Municipal Court for one misdemeanor count of resisting arrest; previous disciplinary action in October 2009 when the State Board revoked his license and denied his application based upon his 2003 conviction for disorderly conduct, failure to disclose his 2003 conviction on two licensure applications, and active arrest warrants in two cases in Louisiana; and failure to disclose his 2003 and 2010 convictions on his pending application; and

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

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

WHEREAS Mr. Washington was present at the hearing but was not represented by counsel; and

WHEREAS the hearing officer recommends that Mr. Washington's pending application be denied and he be permanently ineligible to apply for any license issued by the State Board. The hearing officer's recommendation is based upon the repeated instances of criminal conduct by Mr. Washington, the sporadic disclosure of his convictions to the State Board, and the absence of mitigating evidence persuading the hearing officer that Mr. Washington has attained a level of self-control or maturity necessary to hold a state of Ohio educational aide permit: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **DENIES** Andre R. Washington's application for a one-year educational aide permit based upon Mr. Washington's following unbecoming conduct: 2012 no contest plea in the Rocky River Municipal Court to one misdemeanor count of criminal damaging and subsequent participation in the Court's diversion program; 2010 guilty plea in the Cleveland Municipal Court for one misdemeanor count of resisting arrest; previous disciplinary action in October 2009 when the State Board revoked his license and denied his application based upon his 2003 conviction for disorderly conduct, failure to disclose his 2003 conviction on two licensure applications, and active arrest warrants in two cases in Louisiana; and failure to disclose his 2003 and 2010 convictions on his pending application. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Andre R. Washington 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. Washington of this action.

It was Moved by Mrs. Cain and Seconded by Mr. Mims that the above recommendation (Item 7) be approved.

President Terhar called for a roll call vote.

YES VOTES

Angela Thi Bennett	Deborah Cain
Michael Collins	Stephanie Dodd
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.

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

8. RESOLUTION TO ADOPT RULE 3301-102-09 OF THE ADMINISTRATIVE CODE ENTITLED APPROVING APPLICATIONS FOR NEW INTERNET- OR COMPUTER-BASED COMMUNITY SCHOOLS

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

WHEREAS Section 3314.013 of the Revised Code as enacted by House Bill 555 of the 129th General Assembly requires the State Board of Education to adopt rules for the purpose of prescribing measures to determine experience and quality of applicants for new internet- or computer-based community school that shall include the following elements:

- The sponsor's experience with online schools;
- The operator's experience with online schools;
- The sponsor's and operator's previous record for student performance;
- A preference for operators with previous experience in Ohio.

WHEREAS Rule 3301-102-09 of the Administrative Code defines such terms as internet- or computer-based community school, online school, and e-school; prescribes measures for determining the experience and quality of applicants to develop new internet- or computer-based community schools; and establishes that the application, directions for completion and submission, as well as the review, selection and notification processes shall be posted on the department's website along with a list of applications received and their review and outcome status; and

WHEREAS Section 3314.013 of the Revised Code requires the State Board to adopt the rule so that it can be made effective not later than the sixty-first day after the effective date of the legislation, which would be May 22, 2013; and

WHEREAS stakeholder input was solicited through various means, including web-postings, an interactive online stakeholder feedback session, and various internal and external meetings and conference calls; and

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

WHEREAS the State Board of Education, at its January 2013 meeting, adopted a Resolution of Intent to adopt Rule 3301-102-09 of the Administrative Code; and

WHEREAS on April 8, 2013, the State Board of Education held a public hearing concerning proposed Rule 3301-102-09 of the Administrative Code; and

WHEREAS on April 29, 2013, the Joint Committee on Agency Rule Review held a hearing regarding Rule 3301-102-09 of the Administrative Code, during which the committee took no action on the rule: Therefore, Be It

RESOLVED, That the State Board of Education hereby adopts Rule 3301-102-09 of the Administrative Code that is attached 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 adopted rule 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 8) be approved.

President Terhar called for a roll call vote.

YES VOTES

Angela Thi Bennett	Deborah Cain
Michael Collins	Stephanie Dodd
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.

Mr. Farmer presented the following recommendation (Item 9):

9. RESOLUTION OF APPOINTMENT TO THE EDUCATOR STANDARDS BOARD

The Board Appointments Team **RECOMMENDS** that the State Board of Education **ADOPT** the following Resolution:

WHEREAS, Ohio Revised Code Section 3319.60 provides for the creation of an Educator Standards Board charged with bringing to the State Board of Education recommendations on standards for teachers and principals, professional development and other educator-related items; and

WHEREAS, Ohio Revised Code Section 3319.60 directed the State Board of Education to appoint to the Educator Standards Board ten public school teachers, one non-public school teacher, five administrators, one school board member and one parent representative; and

WHEREAS, eleven appointed members have reached the end of their term and/or have resigned from the Educator Standards Board; and

WHEREAS, the designated stakeholder groups have nominated two individuals for each open seat on the Educator Standards Board; and

WHEREAS, the Board Appointments Team has reviewed the nominations for said Board: Therefore, Be It

RESOLVED, That the State Board of Education hereby appoints the following individuals to the Educator Standards Board for a two-year term, commencing July 1, 2013:

Cynthia Lombardo	Teacher, Chartered, nonpublic Catholic Conference of Ohio (CCO)
Jennifer Denny	Principal, (OAESA) Elementary
Dustin Miller	Principal, OASSA (Middle)
Karie McCrate	Principal, OASSA (High School)
Danielle Sherritt	Teacher, OEA (Middle)
Karen Carney	Teacher, OEA (Elementary)
Amy Poole	Teacher, OEA (Elementary)
Jeffrey Cooney	Teacher, OFT (Secondary)
Sandra Orth	Teacher, OFT (Elementary)
Venezuela Robinson	Parent, Ohio PTA
Kathy Goins	School Board, OSBA

It was Moved by Mr. Farmer that the above recommendation (Item 9) be approved.

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

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

10. RESOLUTION TO ADOPT THE OHIO TEACHER EVALUATION SYSTEM (OTES) FRAMEWORK FOR TEACHERS EMPLOYED BY STATE AGENCIES

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

WHEREAS Ohio Revised Code (ORC) Section 3319.112(E) requires the State Board of Education, in consultation with state agencies that employ teachers, to, not later than June 30, 2013, develop a standards-based framework for the evaluation of teachers employed by those agencies; and

WHEREAS ORC Section 3319.61 requires the Educator Standards Board to develop model teacher evaluation instruments and processes; and

WHEREAS the Educator Standards Board appointed a committee, whose membership included representatives from the state agencies that employ teachers, to recommend a teacher evaluation framework for teachers employed by state agencies; and

WHEREAS the committee convened several meetings and at its February 2013 committee meeting, the committee passed a resolution to recommend to the Educator Standards Board the adoption of a recommendation to the State Board of Education the Ohio Teacher Evaluation System Framework for Teachers Employed by State Agencies, a copy of which is attached hereto and incorporated by reference; and

WHEREAS at its February 2013 business meeting, the Educator Standards Board passed a resolution to recommend to the State Board of Education the adoption of the Ohio Teacher Evaluation System Framework for Teachers Employed by State Agencies, as recommend by its committee, in accordance with ORC 3319.112(E); and

WHEREAS the Capacity Committee, at its April 2013 meeting, voted to recommend to the full Board the adoption of a resolution adopting the Ohio Teacher Evaluation System Framework for Teachers Employed by State Agencies as recommend by the Educator Standards Board: Therefore, Be It

RESOLVED, That the State Board of Education hereby adopts the Ohio Teacher Evaluation System Framework for Teachers Employed by State Agencies in accordance with ORC Section 3319.112(E); Therefore, Be It

FURTHER RESOLVED, That the Ohio State School for the Deaf, the Ohio State School for the Blind, and the Ohio Department of Youth Services shall each adopt a standards-based teacher evaluation policy that conforms with this framework in accordance with ORC Section 3319.112(E). Each respective policy shall become operative at the expiration of any collective bargaining agreement covering teachers employed by these state agencies that is in effect on September 24, 2012, and shall be included in any renewal or extension of such an agreement.

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

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

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

11. RESOLUTION TO APPROVE A FINAL LIST OF STATES WITH TEACHER LICENSURE STANDARDS THAT ARE INADEQUATE TO ENSURE THAT A PERSON WHO WAS MOST RECENTLY LICENSED AND TAUGHT IN THAT STATE IS QUALIFIED FOR A PROFESSIONAL LICENSE IN OHIO PURSUANT TO OHIO REVISED CODE SECTION 3319.228

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

WHEREAS Ohio Revised Code (ORC) Section 3319.228 requires that, not later than July 1, 2013, the State Board of Education approve a final list of states with standards for teacher licensure that are inadequate to ensure that a person who was most recently licensed in and who taught for the past five years in that state, is qualified for a professional educator license in Ohio; and

WHEREAS ORC Section 3319.228 required the Superintendent of Public Instruction to develop, not later than July 1, 2012, a preliminary list of such states; and

WHEREAS ORC Section 3319.228 required that the Superintendent establish a panel of experts to evaluate the teacher licensure standards of each state on the preliminary list, and to recommend to the State Board, by April 1, 2013, whether the list should be approved without changes, or that specified states be removed from the list prior to approval; and

WHEREAS ORC Section 3319.228 also required each person selected by the Superintendent to be a member of the panel to be approved by the State Board of Education; and

WHEREAS the State Board of Education, at its November 2012 business meeting, approved Mark A. Hartman, Senior Director of Client Engagement and Ohio Portfolio Manager, Battelle for Kids, and Kathleen L. Paliokas, Program Director, Interstate Teacher Assessment and Support Consortium (INTASC), Council of Chief State School Officers, to serve on the panel of experts; and

WHEREAS the State Board of Education, at its December 2012 business meeting, approved Craig E. Burford, Executive Director, the Ohio Education Service Center Association, to also serve on the panel of experts; and

WHEREAS the panel of experts reviewed evidence that states on the preliminary list provided in order to refute Ohio's findings regarding the adequacy of their teacher licensure standards, and the panel subsequently provided their recommendations to the Department regarding composition of the final list; and

WHEREAS the Capacity Committee, at its April 2013 meeting, reviewed the recommendations of the panel of experts regarding composition of the final list, namely that two states (South Dakota and Oregon) be removed from the list, and that the final list be composed of Alaska, Montana, Nebraska, North Dakota and Wyoming; and

WHEREAS the Capacity Committee, at its April 2013 meeting, voted to recommend to the full Board that the final list of states consist of the states recommended by the panel of experts:
Therefore, Be It

RESOLVED, That the State Board of Education hereby approves, as the final list of states with standards for teacher licensure that are inadequate to ensure that a person who was most recently licensed in and who taught for the past five years in that state, is qualified for a professional educator license in Ohio, the states of Alaska, Montana, Nebraska, North Dakota and Wyoming.

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

President Terhar called for a roll call vote.

YES VOTES

Angela Thi Bennett	Deborah Cain
Michael Collins	Stephanie Dodd
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.

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

Mr. Gunlock requested emergency consideration for Item 12 on behalf of the Capacity Committee. Board leadership granted emergency consideration.

12. RESOLUTION APPROVING A REPORT CARD FOR CAREER-TECHNICAL PLANNING DISTRICTS, INCLUDING JOINT VOCATIONAL SCHOOL DISTRICTS, AS REFERENCED IN R.C. 3302.033, FOR THE 2012/2013 SCHOOL YEAR

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

WHEREAS R.C. 3302.033 requires the State Board of Education, in consultation with the Chancellor of the Board of Regents, any office within the office of the

governor concerning workforce development, the Ohio Association of Career and Technical Education, the Ohio Association of City Career-Technical Schools, and the Ohio Association of Career Technical Superintendents, to approve a report card for career-technical planning districts, including joint vocational school districts; and

WHEREAS the Ohio Department of Education is required to issue report cards for career technical planning districts, including joint vocational school districts, as referenced in R.C. 3302.033, annually beginning with the 2012-2013 school year; and

WHEREAS the Office of Career-Technical Education created a work group with representatives from the Board of Regents, the Office of Workforce Transformation, the Ohio Association of Career and Technical Education, the Ohio Association of City Career-Technical Schools, the Ohio Association of Career Technical Superintendents, and the Ohio Department of Education; and

WHEREAS the workgroup met in January and February 2013; and

WHEREAS the Office of Career-Technical Education used the feedback from the workgroup to develop a CTE Report Card proposal, which was circulated to the workgroup members, discussed at the Ohio Career-Technical Administrator's conference, and otherwise distributed for the purpose of gathering feedback; and

WHEREAS the feedback from this process was utilized for the purpose of creating a proposed CTE Report Card for use during the 2012/2013 school year only, as outlined in the attached document, which is hereby incorporated herein; and

WHEREAS the Capacity Committee, at its May 13, 2013 meeting, voted to recommend the proposed CTE Report Card for the 2012/2013 school year; and

WHEREAS the State Board of Education is required to submit details of the approved report card to the governor, the speaker of the house of representatives, the president of the senate, and the chairpersons of the standing committees principally responsible for education policy:
Therefore, Be It

RESOLVED, that the State Board of Education hereby approves the proposed CTE Report Card for the 2012/2013 school year, and directs that it be submitted to the Governor and the General Assembly, in accordance with the requirements of R.C. 3302.033.

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

Ms. Fowler stated she had spoken with Superintendent Jerome Brockway of the Ashtabula career-technical center (A-Tech), and Mr. Brockway requested the CTE report card reflect the things they can do, not things they have no control over or the ability to impact or change.

President Terhar called for a roll call vote.

YES VOTES

Angela Thi Bennett	Deborah Cain
Michael Collins	Stephanie Dodd
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.

President Terhar presented the following recommendation (Item 13):

13. RESOLUTION TO CONFIRM THE CLYDE-GREEN SPRINGS EXEMPTED VILLAGE SCHOOL DISTRICT BOARD OF EDUCATION'S DETERMINATION OF IMPRACTICAL TRANSPORTATION OF CERTAIN STUDENTS ATTENDING IMMACULATE CONCEPTION SCHOOL IN BELLEVUE, HURON COUNTY, OHIO

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

WHEREAS Sections 3327.01 and 3327.02 of the Revised Code authorize a city, local, or exempted village board of education to make a determination that transporting certain school-age residents is unnecessary, unreasonable, or impractical; and

WHEREAS such a determination is not effective until confirmed by the State Board of Education; and

WHEREAS in compliance with procedures adopted by the State Board of Education on July 12, 1982, regarding payment in lieu of transportation, the Clyde-Green Springs Exempted Village School District Board of Education has requested that the State Board of Education confirm the school district's determination that it is impractical to transport certain school-age residents to Immaculate Conception School in Bellevue, Huron County, Ohio; and

WHEREAS on October 10, 2012, the State Board of Education resolved its intent to consider the confirmation of the Clyde-Green Springs Exempted Village School District Board of Education's determination and notified the parties of their right to a hearing; and

WHEREAS a hearing was held on the matter before a duly appointed hearing officer; and

WHEREAS the hearing officer has issued a report and recommendation that the State Board of Education confirm the determination of the Clyde-Green Springs Exempted Village School District Board of Education that such transportation is impractical on March 20, 2013; and

WHEREAS no timely objections to the hearing officer's report and recommendation were filed by the parties; and

WHEREAS attached hereto and incorporated by reference for consideration is the hearing officer's report and recommendation; and

WHEREAS the State Board of Education has duly considered the report and recommendation of the hearing officer: Therefore, Be It

RESOLVED, that the State Board of Education approves the recommendation of the hearing officer and does hereby confirm the determination of the Clyde-Green Springs Exempted Village School District Board of Education that transportation is impractical for certain students who attend Immaculate Conception School in Bellevue, Huron County, Ohio; and Be It

FURTHER RESOLVED that the Superintendent of Public Instruction be, and he hereby is, directed to notify the Clyde-Green Springs Exempted Village School District, the parents, and counsel of record, if applicable, of this action.

It was Moved by Mr. Collins and Seconded by Mr. Mehaffie that the above recommendation (Item 13) be approved.

President Terhar called for a roll call vote.

YES VOTES

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

NO VOTES

Kathleen McGervey	Debe Terhar

Motion carried.

<u>Non-Resolutions</u>
New Business

Mrs. Dodd announced that at the June meeting of the Board, she would bring forth proposed changes to Administrative Rules 3301-35-05 and 3301-35-12. President Terhar then referred both items to the Capacity Committee.

Mrs. Elshoff read to the Board a thank-you note from students who had presented to the Board.

Mr. Mehaffie thanked Dr. Ross for meeting with the superintendents of Darke County.

President Terhar presented the following recommendation (Item 14):

Emergency consideration was requested and granted by Board leadership for Item 14.

14. MOTION THAT THE STATE BOARD OF EDUCATION HOLD A REGULAR BUSINESS MEETING AND NOT A PLANNING RETREAT IN JULY 2013

I **MOVE** that the State Board of Education hold a regular business meeting and not a planning retreat in July 2013.

It was Moved by President Terhar that the above recommendation (Item 14) be approved.

President Terhar called for a voice vote.

Motion carried.

Ms. Fowler Moved to adjourn the meeting. Mr. Mims Seconded the motion.

The President requested a voice vote.

Motion carried.

President Terhar adjourned the meeting at 3:15 p.m. The next regularly scheduled meeting of the State Board of Education is June 10-11, 2013.

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.