STATE BOARD OF EDUCATION OF OHIO
MINUTES
November 2013
OSBA Capital Conference
Columbus, Ohio

MEMBERS OF THE STATE BOARD OF EDUCATION

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

EX OFFICIO MEMBERS
Senator Peggy Lehner
Representative Gerald Stebelton

SECRETARY
Dr. Richard A. Ross
Superintendent of Public Instruction

Mrs. Elshoff was absent on Tuesday.

The State Board convened on Monday, November 11, at the OSBA Capital Conference in Columbus.

Capital Conference Ohio Education Update by State Superintendent Dr. Richard A. Ross

State Superintendent Ross provided an education update to the Ohio School Boards Association (OSBA) Capital Conference.

The Board's Achievement, Capacity and Committee on Urban Education met beginning at 10:30 a.m.

The State Board recessed for lunch.

The Board's Appointment's Committee met during lunch to discuss an appointment to the Educator Standards Board.

The Board's Graduation Requirements Committee met beginning at 1:00 p.m.

State Board Breakout Sessions

The State Board conducted breakout sessions focusing on Urban, Rural and Suburban school district issues beginning at 2 p.m.

The Board took a brief recess.

Chapter 119 Hearing

November 11, 2013
3:30 p.m.

Hearing Regarding the Amending, Rescinding and Adoption of Rules

Amending of Rule 3301-28-06 of the Administrative Code, Value-added progress dimension, and the adoption of Rule 3301-28-07 of the Administrative Code, Kindergarten through third grade literacy improvement.

MEMBERS PRESENT

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

MEMBERS ABSENT

Michael Collins	Stephanie Dodd
Ann Jacobs	Jeffrey Mims
Bryan Williams	

NOTE: Mrs. Cain and Mr. Rudduck entered the room after roll call.

President Terhar stated the Board would proceed with the public hearing on the following rule actions: Amending of Rule 3301-28-06 of the Administrative Code, Value-added progress dimension, and the adoption of Rule 3301-28-07 of the Administrative Code, Kindergarten through third grade literacy improvement.

The President called on Rebecca Albers from the Attorney General's office, and legal representative of the department. Ms. Albers 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 would be a true and accurate copy of the Resolution of Intent adopted by the State Board of Education declaring its intent to amend and to adopt the rules subject to this public hearing;

Board Exhibit 3 would be a true and accurate copy of the rules subject to this public hearing that were originally filed with Joint Committee on Agency Rule Review (JCARR), Legislative Service Commission (LSC), and the Secretary of State on October 4, 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 4.

President Terhar announced that the Board would now receive testimony on the proposed amending of Rule 3301-28-06 of the Administrative Code, Value-added progress dimension, and the adoption of Rule 3301-28-07 of the Administrative Code, Kindergarten through third grade literacy improvement.

PUBLIC TESTIMONY ON THE PROPOSED AMENDING OF RULE 3301-28-06 OF THE ADMINISTRATIVE CODE, VALUE-ADDED PROGRESS DIMENSION, AND THE ADOPTION OF RULE 3301-28-07 OF THE ADMINISTRATIVE CODE, KINDERGARTEN THROUGH THIRD GRADE LITERACY IMPROVEMENT.

There were no requests.

President Terhar called on Ms. Albers, who submitted into evidence State Board Exhibits 1 through 3.

The President stated that the exhibits were so received. As there was no more testimony, she declared the public hearing closed at 3:40 p.m.

President Terhar convened the Business Meeting of the State Board of Education on Monday, November 11, at 3:45 p.m.

President Terhar asked the Recording Secretary to call the roll.

Minutes of the November 2013 Meeting of the State Board of Education of Ohio

MEMBERS PRESENT

Deborah Cain	Stephanie Dodd
Tess Elshoff	Joe Farmer
Sarah Fowler	Thomas Gunlock
C. Todd Jones	Kathleen McGervey
Darryl D. Mehaffie	Jeffrey Mims
Mary Rose Oakar	Ron Rudduck
Mark Smith	Debe Terhar
Bryan C. Williams	

EX OFFICIO MEMBERS

Senator Peggy Lehner	Representative Gerald Stebelton

MEMBERS ABSENT

Michael Collins	Ann Jacobs

NOTE: Mr. Mims and Mr. Williams 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. Mehaffie Seconded the motion.

The President called for a roll call vote.

YES VOTES

Deborah Cain	Stephanie Dodd
Tess Elshoff	Joe Farmer
Sarah Fowler	Thomas Gunlock
C. Todd Jones	Kathleen McGervey
Darryl D. Mehaffie	Jeffrey Mims
Mary Rose Oakar	Ron Rudduck
Mark Smith	Debe Terhar
Bryan C. Williams	

Motion carried.

The Board went into Executive Session at 3:45 p.m.

The Board recessed from Executive Session at 5 p.m.

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

The Board's Graduation Requirements Committee met beginning at 8 a.m.

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

President Terhar reconvened the Business meeting of the State Board of Education on Tuesday, November 12, at 9:30 a.m.

President Terhar asked the Recording Secretary to call the roll.

MEMBERS PRESENT

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

EX OFFICIO MEMBERS

Senator Peggy Lehner	Representative Gerald Stebelton

MEMBERS ABSENT

Tess Elshoff

NOTE: Mrs. Dodd, Ms. Jacobs, Mr. Rudduck and Mr. Williams entered the room after roll call.

Motion carried.

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

President Terhar called for the approval of the Minutes of the October 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. Collins that the Minutes be approved as presented. The President called for a voice vote.

Motion carried unanimously.

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

Consent Agenda (5); Volume 2

1. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FOUR-YEAR EDUCATIONAL AIDE PERMIT OF VICTORIA S. HAACK (AKA VICTORIA S. JONES) (VOLUME 2, PAGE 4)

2. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE ONE-YEAR SUBSTITUTE TEACHING LICENSE OF KIMBERLY H. KNAUFF (VOLUME 2, PAGE 7)

3. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF CHRISTINE M. ZAPPONE (VOLUME 2, PAGE 10)

4. RESOLUTION OF INTENT TO AMEND RULES 3301-44-01 TO 3301-44-09 OF THE ADMINISTRATIVE CODE REGARDING POST-SECONDARY ENROLLMENT OPTIONS (VOLUME 2, PAGE 12)

5. RESOLUTION OF INTENT TO AMEND RULES 3301-20-01, 3301-73-02 TO -06, 73-09 TO -17, AND 73-19 TO -26 OF THE ADMINISTRATIVE CODE AND TO ADOPT RULE 3301-73-27 OF THE ADMINISTRATIVE CODE REGARDING THE EDUCATOR DISCIPLINARY PROCESS (VOLUME 2, PAGE 33)

Territory Transfers (0); Volume 2
There were no Territory Transfers in November.

Items 6 through 17 were school personnel resolutions.

Administrative Rules (0); Volume 3
There were no Administrative Rules in November.

Miscellaneous Resolutions (2); Volume 4

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

19. RESOLUTION TO ADOPT TWELVE ADDITIONAL NEW OHIO ASSESSMENTS FOR EDUCATORS (OAE) AND ASSOCIATED QUALIFYING SCORES FOR VARIOUS OHIO LICENSURE AREAS (VOLUME 4, PAGE 20) (CAPACITY COMMITTEE)

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:

Operating Standards for Gifted Rule:

The Committee discussed proposed amendments to Rule 3301-51-15, Operating Standards for Gifted Rule. The rule addresses elements such as identification, placement, written education plans, services and accountability. The committee engaged in an extended discussion focused on revisions made to the rule since the October 2013 Achievement Committee meeting based on feedback received. The Committee is expected to move forward to the full State Board of Education a Resolution of Intent to adopt the amended rule at their December 2013 meeting.

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

Administrative Rules 3301-44-01 to -09, Postsecondary Enrollment Options:

The Committee heard a presentation from staff regarding various aspects of Dual Enrollment programs including the Postsecondary Enrollment Options (PSEO) program, and how they work.

Staff also presented changes to these rules that had been requested by Committee members when the proposed rules were reviewed at the October Capacity Committee meeting. The rules had originally been proposed to be amended in order to align them with H.B. 59. The Committee voted to recommend to the full Board the adoption of the proposed rule changes. There is an intent resolution for these rules on the State Board voting agenda this month.

Discuss proposed new rules 3301-25-10, One-Year Instructional Assistant Permit, and 3301-25-11, Renewal of One-Year Instructional Assistant Permit:

The Committee discussed two proposed new rules for an instructional assistant permit. These new permits will be issued at the request of registered private providers under the Autism Scholarship Program to enable individuals to provide instructional assistant services to participants in this program. Those services include the supervision of children and assistance with instructional tasks.

The qualifications to obtain this permit are specified in statute, and the law also requires the State Board to adopt rule language addressing how registered private providers will demonstrate the necessary training and supervision of instructional assistant permit holders who are providing instructional assistant services in the home of a child.

This was just a first look at these proposed rules, since they still need to complete review by the Autism Scholarship Program Advisory Group and other stakeholders as well as the CSI (Common Sense Initiative) office. The proposed rules will be brought back to the Committee in February for further discussion and recommendation to the full Board.

Discuss rescinding of rule 3301-24-10, Alternative Educator License:

The Committee discussed rule 3301-24-10, concerning the two year alternative educator license, which was Ohio's former alternative teaching license. The rule needs to be rescinded since it is no longer aligned with statute. The law has changed concerning alternative teacher licensure, and presently requires alternative licensure candidates to obtain a four year alternative resident

educator license and to complete Ohio's four year teacher residency program. The State Board has already adopted rules for various types of alternative resident educator licenses, which have superseded rule 3301-24-10. The Committee voted to recommend to the full Board the rescinding of rule 3301-24-10.

BOARD PRESENTATIONS AND DISCUSSION FROM THE COMMITTEE ON URBAN EDUCATION

Chair: Dr. Mark Smith, Vice Chair: Mike Collins

Dr. Smith gave a report from the Committee on Urban Education meeting focusing on the following issues:

The Committee was encouraged by Dr. Smith to put a plan in motion that will address low performing schools in Rural and Urban Districts. Dr. Smith suggests that the committee consider:

- District high performing assistance teams
- School partner programs- low with high performing
- "Incentivize" a high performing team - curricular specialists, teacher training specialist and high performing principal to support low performing schools
- Involve retired high performing Principals, and Teacher to assist and support
  Build a community support system with local business and social and civic organizations to get involved
- Assist schools with resource utilization and acquisition of resources from the community
- Assist with mentoring of teacher faculty and principals
- Goal aspirations program for students
- Parental and community involvement program

Committee members shared their responses and as a consensus were on board with Dr. Smith list of focus areas for the committee to address and support these low performing schools.

Dr. Smith urged the committee to agree upon a name change. "The Urban and Rural Renewal Committee" name was suggested by Dr. Smith. The committee members shared their responses and were in agreement to the name change for the committee.

Dr. Michael Corso, Chief Academic Officer – Quaglia Institute for Student Aspirations (QISA), presented to the Committee members.

Dr. Michael Corso presentation focused on the Year 2 My Voice Ohio Report. Highlighted data was specific to:

1. Ohio Teachers focus groups and survey responses - The data points suggested that 64% of the educators who took the survey last year responded that they were "excited about my career in education". Two years ago 68% of teachers responded that they were "excited about my career in education".
2. Ohio Students survey responses. The data suggest that students in Ohio Dr. Corso shared the results and odds analysis as a result of the My Voice Ohio Survey data, which suggests that increasing student engagement and improving student's experience of teacher support in Ohio has the biggest impact on motivating students to be academically successful.
3. Non-White and White students survey responses – The Impact Index data revealed gaps between Non-White and White students response related to teachers support. Non-White students in the state feel less support by their teachers than White

students. Based off the data the QISA team has hired additional staff to begin addressing these issues. Dr. Rhonda Knight, professor at Muskingum College who teaches courses on Culturally Relevant Pedagogy (CRP), will be doing professional develop at the demonstration site for staff, along with a series of webinars. Also, R.E.A.C.H. Communications is now an addition to the SUSO conference. R.E.A.C.H. is a compilation of speakers who address (CRP) though art are music.

Updates on the Stand Up, Speak Out (SUSO) conferences. (Middle school leadership conferences led by the (QISA) Field Specialist and trained high school students.) Participating schools leave with a concrete action plan for positive change to their schools teaching and learning environment. SUSO conferences have been held so far in Youngstown and in Maysville, Ohio.

Department staff led a committee discussion on Citizen Schools and their work with project based learning using community partnerships. Also, an update on the Florida Mentorship Partnership was given regarding the state's current status.

In order to help guide the work of the committee, Dr. Smith asked committee members for comprehensive goals and ideas. He encouraged the committee to organize their ideas for the next meeting.

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:

Mr. Jones provided an overview of the components within the graduation requirements proposal which include: course and assessment requirements, measures of academic achievement, endorsements and reward systems, and a transition plan. Additionally, the committee discussed alternative ways students can demonstrate proficiency, the role of the Diploma Endorsement Council, and the requirements for nonpublic schools exempted from end of course exams. The committee approved the proposal based on modifications made to the nonpublic schools section and also approved to move to the full board an emergency resolution approve the graduation requirements proposal.

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:

The Committee will meet at the conclusion of today's meeting. Topics of discussion will include the Gifted Indicator and Dashboard which is scheduled for a vote in December. The Committee will be updated on the financial page that will be added to the report-card, and the Committee will also discuss the CTE report-card.

BOARD PRESENTATIONS AND DISCUSSION FROM THE OPERATING STANDARDS COMMITTEE
Chair: Ron Rudduck, Co-Chair: Daryl Mehaffie
Mr. Rudduck gave a report from the Operating Standards Committee meeting focusing on the following issues:

The Committee continued its discussion regarding Leadership and Governance, Continuous Improvement and Strategic Planning and Student and Stakeholder Focus.

The Committee discussed the development of a webpage for ease of stakeholder input.

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 discussed and recommended that Mr. Jeffrey Brown, Superintendent, Buckeye Association of School Administrators be appointed to the Educator Standards Board for the remainder of the term, which will expire on June 30, 2014.

President Terhar called on Superintendent Ross for his report.

Superintendent Ross updated the Board on the following items:

- Capital Budget Meetings
- Start Talking substance abuse collaborative
- Third Grade Reading Guarantee
- Early Childhood Expansion Grants
- School visits in Toledo and other counties
- Schools of Promise award winners
- Visit to Akron Early College
- Meeting with Philanthropy Ohio and Dyslexic Achievement Gap Conference
- Fall Conference of Ohio Association of Secondary Schools Administrators
- Meeting with Fordham Board of Directors
- Race to the Top annual statewide conference

This concludes the Superintendent's report.

PUBLIC PARTICIPATION ON ACTION ITEMS

1) Mr. Dan Dodd, Hebron. Ohio Association of Independent Schools. Mr. Dodd spoke to the Board regarding graduation standards and their impact on independent schools.

2) Mr. Larry Keough, Columbus. Catholic Conference of Ohio. Mr. Keough spoke to the Board regarding graduation requirements and their impact on independent schools.

This concludes Public Participation on Action Items.

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

President Terhar presented the following recommendations (Items 1-5) on the Consent Agenda:

1. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FOUR-YEAR EDUCATIONAL AIDE PERMIT OF VICTORIA S. HAACK (AKA VICTORIA S. JONES)

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

WHEREAS Victoria S. Haack (aka Victoria S. Jones) held a four-year educational aide permit issued in 2009; and

WHEREAS on May 6, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Victoria S. Haack of its intent to determine whether to limit, suspend, revoke, or permanently revoke her four-year educational aide permit issued in 2009 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Haack, during the 2011-2012 school year, interacting inappropriately with a student with disabilities on several occasions when she engaged in the following conduct: grabbed the student's face; yanked the student's headphones off of his head; grabbed the student by the arm/wrist and jerked him into line; released her hold and/or moved away from the student which resulted in the student falling down on three occasions; and yelled and threatened the student while he was standing in the lunch line; and

WHEREAS on October 3, 2013, the Ohio Department of Education received a voluntary surrender form from Victoria S. Haack, which authorizes the State Board to enter an order permanently revoking her four-year educational aide permit issued in 2009 based upon Ms. Haack's inappropriate interactions with students with disabilities; and

WHEREAS the form specifies that Victoria S. Haack is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Victoria S. Haack has waived her right to a hearing and authorizes the State Board of Education to enter an order permanently revoking her four-year educational aide permit issued in 2009: 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** Victoria S. Haack's four-year educational aide permit issued in 2009 based upon Ms. Haack's inappropriate interactions with students with disabilities. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Victoria S. Haack 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. Haack of this action.

2. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE ONE-YEAR SUBSTITUTE TEACHING LICENSE OF KIMBERLY H. KNAUFF

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

WHEREAS Kimberly H. Knauff held a one-year substitute teaching license issued in 2012; and

WHEREAS on September 16, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Kimberly H. Knauff of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year substitute teaching license issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Knauff's Chemical Dependency Counselor Assistant (CDCA) certification being revoked by the Ohio Chemical Dependency Professionals Board on or about May 2012 because she engaged in an inappropriate relationship with a student while employed as a clinical specialist, and her failure to disclose the revocation of her CDCA certificate on the application which she previously submitted to the Ohio Department of Education; and

WHEREAS on October 17, 2013, the Ohio Department of Education received a voluntary surrender form from Kimberly H. Knauff, which authorizes the State Board to enter an order permanently revoking her one-year substitute teaching license issued in 2012 based upon Ms. Knauff's 2012 revocation of her Chemical Dependency Counselor Assistant certification due to her failure to maintain an appropriate, professional relationship with a client; and

WHEREAS the form specifies that Kimberly H. Knauff is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Kimberly H. Knauff has waived her right to a hearing and authorizes the State Board of Education to enter an order permanently revoking her one-year substitute teaching license issued in 2012: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and Ohio Revised Code 3319.311(F), hereby **REVOKES** Kimberly H. Knauff's one-year substitute teaching license issued in 2012 based upon Ms. Knauff's 2012 revocation of her Chemical Dependency Counselor Assistant certification due to her failure to maintain an appropriate, professional relationship with a client. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Kimberly H. Knauff 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. Knauff of this action.

3. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF CHRISTINE M. ZAPPONE

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

WHEREAS Christine M. Zappone holds a three-year pupil activity permit issued in 2011; and

WHEREAS on October 21, 2013, the Ohio Department of Education received a voluntary surrender form from Christine M. Zappone, which authorizes the State Board to enter an order permanently revoking her three-year pupil activity permit issued in 2011 based upon Ms. Zappone's failure to maintain appropriate, professional boundaries with a student; and

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

WHEREAS Christine M. Zappone has waived her right to a hearing and authorizes the State Board of Education to enter an order permanently revoking her three-year pupil activity permit 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. Zappone's three-year pupil activity permit issued in 2011 based upon Ms. Zappone's failure to maintain appropriate, professional boundaries with a student. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Christine M. Zappone 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. Zappone of this action.

4. RESOLUTION OF INTENT TO AMEND RULES 3301-44-01 TO 3301-44-09 OF THE ADMINISTRATIVE CODE REGARDING POST-SECONDARY ENROLLMENT OPTIONS

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

WHEREAS Section 3365.02 of the Revised Code requires the State Board of Education to adopt rules governing *Post-secondary enrollment options,* which are promulgated in Chapter 3301-44 of the Administrative Code; and

WHEREAS House Bill 59 of the 130th General Assembly made changes to Chapter 3365. of the Revised Code that

- Allows students excused from compulsory attendance law for the purpose of home instruction under section 3321.04 of the Revised Code to participate in the program;
- Requires the Ohio Department of Education to compile a list of institutions that participate in the program or in other dual enrollment programs as defined in section 3313.6013 of the Revised Code;
- Requires that student participation be based solely on the college's placement standards; and
- Clarifies that the department shall not reimburse a college for remedial course; and

WHEREAS the proposed amendments to Rules 3301-44-01 to 3301-44-09 of the Administrative Code reflect the changes brought about by House Bill 59 of the 130th General Assembly that are described in this resolution; and

WHEREAS the proposed amendments to the rules were approved by the Capacity Committee during its November 2013 meeting: Therefore, Be It

RESOLVED, That the State Board of Education hereby declares its intent to amend Rules 3301-44-01 to 3301-44-09 of the Administrative Code, which 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 file with the Secretary of State, Legislative Service Commission, and the Joint Committee on Agency Rule Review, the full text of the proposed rules to be amended and the same be made available upon request, without charge, to all persons affected by the rules; and, Be It

FURTHER RESOLVED, That the Department of Education, Office of Legal Counsel, is hereby authorized to revise or refile the rules to address issues determined to be of a non-substantive nature, including grammatical problems and other technical issues inherent to the content of the rules and accompanying forms; but that substantive issues related to rule content ultimately requiring revision or refiling of the rules 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 rules; 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 rules relate.

5. RESOLUTION OF INTENT TO AMEND RULES 3301-20-01, 3301-73-02 TO -06, 73-09 TO -17, AND 73-19 TO -26 OF THE ADMINISTRATIVE CODE AND TO ADOPT RULE 3301-73-27 OF THE ADMINISTRATIVE CODE REGARDING THE EDUCATOR DISCIPLINARY PROCESS

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

WHEREAS Section 3319.39 of the Revised Code requires the State Board of Education to adopt rules specifying the circumstances under which a board or governing authority may hire a person who has been convicted of certain offenses but who meets standards in regard to rehabilitation; and

WHEREAS Section 3319.31 of the Revised Code authorizes the State Board of Education to adopt rules regarding investigation of educator misconduct and the denial, limitation, suspension, or revocation of any license issued by the State Board of Education; and

WHEREAS the rules subject to this resolution regarding the educator disciplinary process are proposed to be amended pursuant to the requirements of five-year rule review; and

WHEREAS the proposed amendments to the rules would

- Streamline the rules by adding definitions to replace often-repeated language and phrases;
- Simplify the rules by using applicable statutory cites instead of repeating statutory language verbatim;
- Clarify that confidential information will be redacted from public records;
- Update the procedure for using pre-hearing conferences to schedule hearing dates and to discuss other hearing-related matters;
- Adopt the current practice of allowing witnesses to testify by video, telephonic, or other electronic means in certain circumstances;
- Reflect the current procedure for resolving a case prior to an administrative hearing through the negotiation of a letter of admonishment;
- Adopt the current procedure regarding motions to strike objections when the objections contain additional evidence not submitted during the administrative hearing; and
- Clarify the procedure for evaluating applications after a prior disciplinary action.

WHEREAS proposed new Rule 3301-73-27 of the Administrative Code details time limits involved in the educator disciplinary process and addresses computation of time; and

WHEREAS the Capacity Committee, during its October 2013 meeting, voted to recommend the rules proposed to be amended and adopted to the State Board of Education: Therefore, Be It

RESOLVED, That the State Board of Education hereby declares its intent to amend and adopt the rules subject to this resolution, which 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 file with the Secretary of State, Legislative Service Commission, and the Joint Committee on Agency Rule Review, the full text of the proposed rules to be amended and adopted and that the same be made available upon request, without charge, to all persons affected by the rules; and, Be It

FURTHER RESOLVED, That the Department of Education, Office of Legal Counsel, is hereby authorized to revise or re-file the rules to address issues determined to be of a non-substantive nature, including grammatical problems and other technical issues inherent to the content of the rules and accompanying forms, but that substantive issues related to rule content ultimately requiring revision or re-filing of the rules 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 rules; 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 rules relate.

It was Moved by Mr. Gunlock and Seconded by Mrs. Cain that the Consent Agenda (Items 1 -5) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Joe Farmer
Thomas Gunlock	Ann Jacobs
C. Todd Jones	Kathleen McGervey
Darryl D. Mehaffie	Mary Rose Oakar
Ron Rudduck	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 REVOKE PERMANENTLY THE ONE-YEAR SUBSTITUTE TEACHING LICENSE OF HASANI T. ADAMS

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

WHEREAS Hasani T. Adams held a one-year substitute teaching license issued in 2012; and

WHEREAS on September 11, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Hasani T. Adams of its intent to determine whether to limit, suspend, revoke, or permanently revoke his one-year substitute teaching license issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(d). The notice was based upon Mr. Adams' 2012 conviction in the Greene County Common Pleas Court for one felony count of conspiracy to commit engaging in a pattern of corrupt activity and two felony counts of possession of cocaine, 2007 conviction in the Xenia Municipal

Court for one misdemeanor count of failure to pay city tax, 2004 conviction in the Vandalia Municipal Court for one minor misdemeanor count of drug abuse, 2002 conviction in the Xenia Municipal Court for one minor misdemeanor count of possession of a controlled substance, 2001 conviction in the Xenia Municipal Court for one misdemeanor count of disorderly conduct, and 1997 conviction in Fairborn Municipal Court for one misdemeanor count of criminal trespass; and

WHEREAS the notice informed Mr. Adams 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 one-year substitute teaching license issued in 2012; and

WHEREAS Hasani T. Adams 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 Greene County Common Pleas Court, Xenia Municipal Court, Vandalia Municipal Court, and Fairborn 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), and (B)(2)(d), hereby **REVOKES** Hasani T. Adams' one-year substitute teaching license issued in 2012 based upon Mr. Adams' 2012 conviction in the Greene County Common Pleas Court for one felony count of conspiracy to commit engaging in a pattern of corrupt activity and two felony counts of possession of cocaine, 2007 conviction in the Xenia Municipal Court for one misdemeanor count of failure to pay city tax, 2004 conviction in the Vandalia Municipal Court for one minor misdemeanor count of drug abuse, 2002 conviction in the Xenia Municipal Court for one minor misdemeanor count of possession of a controlled substance, 2001 conviction in the Xenia Municipal Court for one misdemeanor count of disorderly conduct, and 1997 conviction in Fairborn Municipal Court for one misdemeanor count of criminal trespass. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Hasani T. Adams be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

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

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Joe Farmer
Thomas Gunlock	Ann Jacobs
C. Todd Jones	Kathleen McGervey
Darryl D. Mehaffie	Mary Rose Oakar
Ron Rudduck	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 REVOKE PERMANENTLY THE FOUR-YEAR EDUCATIONAL AIDE PERMIT OF ANN L. ANDREWS

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

WHEREAS Ann L. Andrews holds a four-year educational aide permit issued in 2010; and

WHEREAS on August 27, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Ann L. Andrews of its intent to determine whether to limit, suspend, revoke, or permanently revoke her four-year educational aide permit issued in 2010 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Andrews' 2013 conviction in the Stow Municipal Court for one misdemeanor count of criminal trespass which stemmed from Ms. Andrews refusing to leave the property of the Twinsburg City School District; and

WHEREAS the notice informed Ms. Andrews that if she 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 her four-year educational aide permit issued in 2010; and

WHEREAS Ann L. Andrews 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 records from the Stow Municipal Court and Twinsburg 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** Ann L. Andrews' four-year educational aide permit issued in 2010 based upon Ms. Andrews' 2013 conviction in the Stow Municipal Court for one misdemeanor count of criminal trespass which stemmed from Ms. Andrews refusing to leave the property of the Twinsburg City School District. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Ann L. Andrews 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. Andrews of this action.

It was Moved by Ms. McGervey and Seconded by Mrs. Dodd that the above recommendation (Item 7) be approved.

Ms. Oakar stated that she would be voting No on this resolution due to the nature of Ms. Andrew's position and possibly not having representation at the hearing.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain
Stephanie Dodd
Thomas Gunlock
C. Todd Jones
Darryl D. Mehaffie
Mark Smith
Bryan C. Williams
Michael Collins
Joe Farmer
Ann Jacobs
Kathleen McGervey
Ron Rudduck
Debe Terhar

NO VOTES

Mary Rose Oakar

Motion carried.

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

8. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY PERMANENTLY THE FIVE-YEAR PROFESSIONAL MULTI-AGE TEACHING LICENSE APPLICATION OF SCOTT D. BALLARD

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

WHEREAS Scott D. Ballard has applied for a five-year professional multi-age teaching license; and

WHEREAS on February 4, 2013, the Acting State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Scott D. Ballard of its intent to deny or permanently deny his application for a five-year professional

multi-age teaching license pursuant to Ohio Revised Code 3319.31(B)(1) and (F). The notice was based upon Mr. Ballard on or about November 2009 agreeing to surrender his New York teaching certificate and to permanently waive his right to re-apply for a teaching certificate in New York after the New York State Education Department on or about July 2009 filed a Notice of Substantial Question of Moral Character seeking professional discipline against Mr. Ballard based upon allegations that he engaged in inappropriate behavior with female students/former students; and

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

WHEREAS a hearing was held on May 20-22, 2013; and

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

WHEREAS the hearing officer recommends that Mr. Ballard's license be denied and he be permanently ineligible to apply for any license issued by the State Board of Education. The hearing officer's recommendation is based upon the significant discipline resulting from the New York charges and the egregious nature of the underlying charges and conduct; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and (F), hereby **DENIES** Scott D. Ballard's application for a five-year professional multi-age teaching license based upon Mr. Ballard on or about November 2009 agreeing to surrender his New York teaching certificate and to permanently waive his right to re-apply for a teaching certificate in New York after the New York State Education Department on or about July 2009 filed a Notice of Substantial Question of Moral Character seeking professional discipline against Mr. Ballard based upon allegations that he engaged in inappropriate behavior with female students/former students. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Scott D. Ballard 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. Ballard of this action.

It was Moved by Ms. McGervey and Seconded by Mr. Rudduck that the above recommendation (Item 8) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Joe Farmer	Thomas Gunlock
C. Todd Jones	Kathleen McGervey

Darryl D. Mehaffie
Ron Rudduck
Bryan C. Williams
Mary Rose Oakar
Debe Terhar

NO VOTES
Stephanie Dodd
Mark Smith
Ann Jacobs

Motion carried.

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

9. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT AND ONE-YEAR SUBSTITUTE TEACHING LICENSE OF DARRICK A. BECKWITH

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

WHEREAS Darrick A. Beckwith holds a three-year pupil activity permit issued in 2012 and held a one-year substitute teaching license issued in 2012; and

WHEREAS on July 9, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Darrick A. Beckwith of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2012 and one-year substitute teaching license issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Beckwith violating the terms of his Consent Agreement, which he entered into with the State Board of Education in November 2012, when he failed to complete 40 hours of community service by March 1, 2013; and

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

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

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

WHEREAS the hearing officer recommends that Mr. Beckwith's licenses be revoked and he be permanently ineligible to apply for any license issued by the State Board of Education. The hearing officer's recommendation is based upon Mr. Beckwith's five misdemeanor convictions from 2001 to 2006, his failure to disclose his convictions of his application for a one-year substitute teaching license, and his failure to meet his obligations under the Consent Agreement, which he entered into with the State Board of Education: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Darrick A. Beckwith's three-year pupil activity permit issued in 2012 and one-year substitute teaching license issued in 2012

based upon Mr. Beckwith violating the terms of his Consent Agreement, which he entered into with the State Board of Education in November 2012, when he failed to complete 40 hours of community service by March 1, 2013. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Darrick A. Beckwith 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. Beckwith of this action.

It was Moved by Ms. Jacobs and Seconded by Mrs. Dodd that the above recommendation (Item 9) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Joe Farmer
Sarah Fowler	Thomas Gunlock
Ann Jacobs	Kathleen McGervey
Darryl D. Mehaffie	Mary Rose Oakar
Ron Rudduck	Mark Smith
Debe Terhar	Bryan C. Williams

ABSTAIN
C. Todd Jones

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 10):

10. RESOLUTION TO DENY THE ONE-YEAR EDUCATIONAL AIDE PERMIT APPLICATION OF EMILY A. EVANS

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

WHEREAS Emily A. Evans has applied for a one-year educational aide permit; and

WHEREAS on August 30, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Emily A. Evans of its intent to deny or permanently deny her application for a one-year educational aide permit pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Evans' 2012 conviction in the Franklin County Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol/drugs (OVI), 2011 conviction in the Franklin County Municipal Court for one misdemeanor count of OVI, and 2009 conviction in the Franklin County Municipal Court for one misdemeanor count of disorderly conduct; and

WHEREAS the notice informed Ms. Evans that if she 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 deny or permanently deny her application for a one-year educational aide permit; and

WHEREAS Emily A. Evans 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 Franklin County Municipal Court, and police records from the Reynoldsburg Police Department and Minerva Park 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 **DENIES** Emily A. Evans' application for a one-year educational aide permit based upon Ms. Evans' 2012 conviction in the Franklin County Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol/drugs (OVI), 2011 conviction in the Franklin County Municipal Court for one misdemeanor count of OVI, and 2009 conviction in the Franklin County Municipal Court for one misdemeanor count of disorderly conduct. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(a), orders Emily A. Evans ineligible to apply for any license issued by the State Board of Education until on or after November 12, 2018; and, Be It Further

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

It was Moved by Ms. McGervey and Seconded by Mrs. Dodd that the above recommendation (Item 10) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain
Stephanie Dodd
Sarah Fowler
Ann Jacobs
Darryl D. Mehaffie
Ron Rudduck
Debe Terhar
Michael Collins
Joe Farmer
Thomas Gunlock
Kathleen McGervey
Mary Rose Oakar
Mark Smith
Bryan C. Williams

ABSTAIN

C. Todd Jones

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 11):

11. RESOLUTION TO DENY PERMANENTLY THE FOUR-YEAR ADULT EDUCATION PERMIT APPLICATION OF THOMAS G. GULCH

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

WHEREAS Thomas G. Gulch has applied for a four-year adult education permit; and

WHEREAS on August 21, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Thomas G. Gulch of its intent to deny or permanently deny his application for a four-year adult education permit pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(b), and (F). The notice was based upon Mr. Gulch's 2009 conviction in the Perrysburg Municipal Court for one misdemeanor count of domestic violence and 2003 admission to a St. Marys Police Department detective that he had sexual intercourse with a fourteen-year-old girl; and

WHEREAS the notice informed Mr. Gulch 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 deny or permanently deny his application for a four-year adult education permit; and

WHEREAS Thomas G. Gulch 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 records from the Perrysburg Municipal Court and St. Marys 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), (B)(2)(b), and (F), hereby **DENIES** Thomas G. Gulch's application for a four-year adult education permit based upon Mr. Gulch's 2009 conviction in the Perrysburg Municipal Court for one misdemeanor count of domestic violence and 2003 admission to a St. Marys Police Department detective that he had sexual intercourse with a fourteen-year-old girl. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Thomas G. Gulch 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. Gulch of this action.

It was Moved by Mr. Mehaffie and Seconded by Ms. McGervey that the above recommendation (Item 11) be approved.

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 12):

12. RESOLUTION TO REVOKE PERMANENTLY THE ONE-YEAR EDUCATIONAL AIDE PERMIT OF ADRIAN M. INGRAM

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

WHEREAS Adrian M. Ingram held a one-year educational aide permit issued in 2012; and

WHEREAS on August 28, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Adrian M. Ingram of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year educational aide permit issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(b). The notice was based upon Ms. Ingram's 2013 conviction in the Cuyahoga County Court of Common Pleas for one misdemeanor count of domestic violence and one misdemeanor count of endangering children; and

WHEREAS the notice informed Ms. Ingram that if she 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 her one-year educational aide permit issued in 2012; and

WHEREAS Ms. Ingram requested a hearing in this matter, but her hearing request was not made in accordance with Ohio Revised Code 119.06; and

WHEREAS the Ohio Department of Education notified Ms. Ingram by letter that it would not honor her hearing request because the request was not timely submitted; 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 records from the Cuyahoga County Court of Common Pleas and Cleveland 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) and (B)(2)(b), hereby **REVOKES** Adrian M. Ingram's one-year educational aide permit issued in 2012 based upon Ms. Ingram's 2013 conviction in the Cuyahoga County Court of Common Pleas for one misdemeanor count of domestic violence and one misdemeanor count of endangering children. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Adrian M. Ingram 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. Ingram of this action.

It was Moved by Ms. McGervey and Seconded by Dr. Smith that the above recommendation (Item 12) be approved.

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 13):

13. RESOLUTION TO DENY PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT APPLICATION OF FRANK L. MILLER

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

WHEREAS Frank L. Miller has applied for a three-year pupil activity permit; and

WHEREAS on August 21, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Frank L. Miller of its intent to deny or permanently deny his application for a three-year pupil activity permit pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (B)(2)(b), and (B)(2)(c). The notice was based upon Mr. Miller's 1971 conviction in the Akron Municipal Court for one misdemeanor count of intoxication, 1969 conviction in the Akron Municipal Court for one misdemeanor count of intoxication, 1964 conviction in the Akron Municipal Court for one misdemeanor count of intoxication, 1960 conviction in the Akron Municipal Court for one misdemeanor count of malicious destruction of property, 1960 conviction in the Akron Municipal Court for one misdemeanor count of intoxication, 1959 conviction in the Akron Municipal Court for one misdemeanor count of intoxication, 1959 conviction in the Akron Municipal Court for one misdemeanor count of disorderly conduct by assault, 1956 conviction in the Akron Municipal Court for one misdemeanor count of assault and battery, 1956 conviction in the Summit County Court of Common Pleas for one felony count of operating a vehicle without the owner's consent, 1956 conviction in the Akron Municipal Court for one misdemeanor count of assault and battery, 1955 conviction in the Akron Municipal Court for one misdemeanor count of intoxication, and failure to disclose his misdemeanor convictions on his pending application; and

WHEREAS the notice informed Mr. Miller 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 deny or permanently deny his application for a three-year pupil activity permit; and

WHEREAS Frank L. Miller 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 Akron Municipal Court and Summit County Court of Common Pleas, and Mr. Miller's pending application; 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)(c), hereby **DENIES** Frank L. Miller's application for a three-year pupil activity permit based upon Mr. Miller's 1971 conviction in the Akron Municipal Court for one misdemeanor count of intoxication, 1969 conviction in the Akron Municipal Court for one misdemeanor count of intoxication, 1964 conviction in the Akron Municipal Court for one

misdemeanor count of intoxication, 1960 conviction in the Akron Municipal Court for one misdemeanor count of malicious destruction of property, 1960 conviction in the Akron Municipal Court for one misdemeanor count of intoxication, 1959 conviction in the Akron Municipal Court for one misdemeanor count of intoxication, 1959 conviction in the Akron Municipal Court for one misdemeanor count of disorderly conduct by assault, 1956 conviction in the Akron Municipal Court for one misdemeanor count of assault and battery, 1956 conviction in the Summit County Court of Common Pleas for one felony count of operating a vehicle without the owner's consent, 1956 conviction in the Akron Municipal Court for one misdemeanor count of assault and battery, 1955 conviction in the Akron Municipal Court for one misdemeanor count of intoxication, and failure to disclose his misdemeanor convictions on his pending application. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Frank L. Miller 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. Miller of this action.

It was Moved by Ms. McGervey and Seconded by Dr. Smith that the above recommendation (Item 13) be approved.

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 14):

14. RESOLUTION TO DENY PERMANENTLY THE ONE-YEAR SUBSTITUTE TEACHING LICENSE APPLICATION OF JOSE G. ROSALES

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

WHEREAS Jose G. Rosales has applied for a one-year substitute teaching license; and

WHEREAS on August 21, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Jose G. Rosales of its intent to

deny or permanently deny his application for a one-year substitute teaching license pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Rosales' 2012 conviction in the Sylvania Municipal Court for one misdemeanor count of reckless operation, 2006 conviction in the Bowling Green Municipal Court for one misdemeanor count of disorderly conduct, 2005 conviction in the Toledo Municipal Court for one misdemeanor count of driving while under the influence of alcohol/drugs (DUI), 2005 conviction in the Toledo Municipal Court for one misdemeanor count of failure to comply with an order or signal of a police officer, 2000 conviction in the Perrysburg Municipal Court for one misdemeanor count of operating a motor vehicle while under the influence of alcohol and/or drugs (OMVI), 2000 conviction in the Bowling Green Municipal Court for one misdemeanor count of obstructing official business, and 2000 conviction in the Perrysburg Municipal Court for one misdemeanor count of disorderly conduct; and

WHEREAS the notice informed Mr. Rosales 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 deny or permanently deny his application for a one-year substitute teaching license; and

WHEREAS Jose G. Rosales 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 Sylvania Municipal Court, Bowling Green Municipal Court, Toledo Municipal Court, and Perrysburg Municipal Court, and police records from the Bowling Green Police Department and Toledo 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 **DENIES** Jose G. Rosales' application for a one-year substitute teaching license based upon Mr. Rosales' 2012 conviction in the Sylvania Municipal Court for one misdemeanor count of reckless operation, 2006 conviction in the Bowling Green Municipal Court for one misdemeanor count of disorderly conduct, 2005 conviction in the Toledo Municipal Court for one misdemeanor count of driving while under the influence of alcohol/drugs (DUI), 2005 conviction in the Toledo Municipal Court for one misdemeanor count of failure to comply with an order or signal of a police officer, 2000 conviction in the Perrysburg Municipal Court for one misdemeanor count of operating a motor vehicle while under the influence of alcohol and/or drugs (OMVI), 2000 conviction in the Bowling Green Municipal Court for one misdemeanor count of obstructing official business, and 2000 conviction in the Perrysburg Municipal Court for one misdemeanor count of disorderly conduct. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Jose G. Rosales 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. Rosales of this action.

It was Moved by Mr. Mehaffie and Seconded by Mrs. Dodd that the above recommendation (Item 14) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Joe Farmer
Sarah Fowler	Thomas Gunlock
Ann Jacobs	Kathleen McGervey
Darryl D. Mehaffie	Mary Rose Oakar
Ron Rudduck	Mark Smith
Debe Terhar	Bryan C. Williams

ABSTAIN
C. Todd Jones

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 15):

15. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE PERMANENT SPECIAL ALL-GRADES TEACHING CERTIFICATE AND THREE-YEAR PUPIL ACTIVITY PERMIT OF MICHAEL J. SACCOMEN

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

WHEREAS Michael J. Saccomen holds a permanent special all-grades teaching certificate issued in 1990 and three-year pupil activity permit issued in 2011; and

WHEREAS on March 14, 2013, the Acting State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Michael J. Saccomen of its intent to determine whether to limit, suspend, revoke, or permanently revoke his permanent special all-grades teaching certificate issued in 1990 and three-year pupil activity permit issued in 2011 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Saccomen engaging in the following misconduct: on or about November 18, 2011, Mr. Saccomen used inappropriate interventions to redirect a student when he poked the student in the chest with his finger and slapped the student in the face; on or about May 1995 after having been previously warned about using physical discipline, Mr. Saccomen grabbed a male student who was being disrespectful, pushed the student to the floor, and used the student to wipe up the student's spit from the floor; on or about January 1987, Mr. Saccomen pushed a male student against the wall for failing to follow Mr. Saccomen's directives; on or about the 1986-1987

school year, Mr. Saccomen pushed a male student against a wall in response to the student's non-compliant and disruptive behavior; and on or about April 1984, Mr. Saccomen pushed a male student against a locker after a confrontation with the student about a restroom pass; and

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

WHEREAS a hearing was held on July 31, 2013; and

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

WHEREAS the hearing officer recommends that Mr. Saccomen's licenses be revoked and he be permanently ineligible to apply for any license issued by the State Board of Education. The hearing officer's recommendation is based upon Mr. Saccomen's conduct being egregious and repetitive in nature and this pattern of conduct exhibiting an uncontrolled temper that placed students at risk with no evidence that it will not happen again: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Michael J. Saccomen's permanent special all-grades teaching certificate issued in 1990 and three-year pupil activity permit issued in 2011 based upon Mr. Saccomen engaging in the following misconduct: on or about November 18, 2011, Mr. Saccomen used inappropriate interventions to redirect a student when he poked the student in the chest with his finger and slapped the student in the face; on or about May 1995 after having been previously warned about using physical discipline, Mr. Saccomen grabbed a male student who was being disrespectful, pushed the student to the floor, and used the student to wipe up the student's spit from the floor; on or about January 1987, Mr. Saccomen pushed a male student against the wall for failing to follow Mr. Saccomen's directives; on or about the 1986-1987 school year, Mr. Saccomen pushed a male student against a wall in response to the student's non-compliant and disruptive behavior; and on or about April 1984, Mr. Saccomen pushed a male student against a locker after a confrontation with the student about a restroom pass. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Michael J. Saccomen 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. Saccomen of this action.

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

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Joe Farmer
Sarah Fowler	Thomas Gunlock
Ann Jacobs	Kathleen McGervey

Darryl D. Mehaffie
Ron Rudduck
Debe Terhar
Mary Rose Oakar
Mark Smith
Bryan C. Williams

ABSTAIN
C. Todd Jones

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 16):

16. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL ELEMENTARY TEACHING LICENSE OF LEE W. SMITH

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

WHEREAS Lee W. Smith holds a five-year professional elementary teaching license issued in 2009; and

WHEREAS on March 20, 2013, the Acting State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Lee W. Smith of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional elementary teaching license issued in 2009 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Smith violating the terms of his Consent Agreement, which he entered into with the State Board of Education in October 2011, when he failed to complete three hours of training on non-physical intervention; and

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

WHEREAS a hearing was held on July 30, 2013; and

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

WHEREAS the hearing officer recommends that Mr. Smith's license be revoked and he be permanently ineligible to apply for any license issued by the State Board of Education. The hearing officer's recommendation is based upon Mr. Smith's continued presence in the classroom being contrary to the safety and welfare of the school community because he failed to take the non-physical intervention training that would have helped him address his history of using inappropriate physical interventions: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Lee W. Smith's five-year professional elementary teaching license issued in 2009 based upon Mr. Smith violating the terms of his Consent Agreement, which he entered into with the State Board of

Education in October 2011, when he failed to complete three hours of training on non-physical intervention. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Lee W. Smith 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. Smith of this action.

It was Moved by Ms. Fowler and Seconded by Ms. Jacobs that the above recommendation (Item 16) be approved.

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 17):

17. RESOLUTION TO DENY PERMANENTLY THE ONE-YEAR EDUCATIONAL AIDE PERMIT APPLICATION OF ALEXANDRIA M. WILLIAMS

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

WHEREAS Alexandria M. Williams has applied for a one-year educational aide permit; and

WHEREAS on August 6, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Alexandria M. Williams of its intent to deny or permanently deny her application for a one-year educational aid permit pursuant to Ohio Revised Code 3319.31(B)(1) and (F). The notice was based upon Ms. Williams' 2012 conviction in the Hamilton County Municipal Court for one misdemeanor count of criminal damaging, 2012 conviction in the Hamilton County Municipal Court for one misdemeanor count of probation violation; [confidential information, redacted in accordance with Ohio law], and failure to disclose [confidential information, redacted in accordance with Ohio law] on her pending application; and

WHEREAS the notice informed Ms. Williams that if she 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 deny or permanently deny her application for a one-year educational aid permit; and

WHEREAS Alexandria M. Williams 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 records from the Hamilton County Municipal Court and Springdale Police Department, [confidential information, redacted in accordance with Ohio law]; and Ms. Williams' pending application; 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) and (F), hereby **DENIES** Alexandria M. Williams's application for a one-year educational aide permit based upon Ms. Williams' 2012 conviction in the Hamilton County Municipal Court for one misdemeanor count of criminal damaging, 2012 conviction in the Hamilton County Municipal Court for one misdemeanor count of probation violation; [confidential information, redacted in accordance with Ohio law], and failure to disclose [confidential information, redacted in accordance with Ohio law] on her pending application. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Alexandria M. Williams 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. Williams of this action.

It was Moved by Ms. McGervey and Seconded by Mr. Collins that the above recommendation (Item 17) be approved.

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

Mr. Farmer presented the following recommendation (Item 18):

18. 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 Standard 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, one appointed member has resigned; 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 the remainder of the term, which will expire on June 30, 2014.
>
> Jeffrey Brown - Superintendent, Buckeye Association of School Administrators

It was Moved by Mr. Farmer that the above recommendation (Item 18) be approved.

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

Mr. Gunlock presented the following recommendation (Item 19):

19. RESOLUTION TO ADOPT TWELVE ADDITIONAL NEW OHIO ASSESSMENTS FOR EDUCATORS (OAE) AND ASSOCIATED QUALIFYING SCORES FOR VARIOUS OHIO LICENSURE AREAS

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

WHEREAS Section 3301.07 of the Ohio Revised Code requires the State Board of Education to formulate and prescribe minimum standards for the licensing of teachers, administrators and other professional personnel according to their training and qualifications; and

WHEREAS Section 3319.22 of the Ohio Revised Code requires the State Board of Education to adopt rules establishing the standards and requirements for obtaining educator licenses; and

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

WHEREAS the Praxis II licensure examinations provided by Educational Testing Service have previously been and are currently a requirement for obtaining some types of Ohio educator licenses; and

WHEREAS in the summer of 2012 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 ongoing needs for educator assessments and associated services; and

WHEREAS the Evaluation Systems Group of Pearson was awarded the contract to provide the testing for licensure areas with the exception of world languages, the testing of which was awarded to the current provider of those exams, which is Language Testing International/The American Council on the Teaching of Foreign Languages; and

WHEREAS the Evaluation Systems Group of Pearson proceeded to customize the new Ohio Assessments for Educators (OAE), including, for this set of 12 assessments, conducting test validation and standard setting studies in April 2013, June 2013, and September 2013 with committees including 113 participating Ohio K-12 educators and higher education representatives; and

WHEREAS, at its September 23, 2013 meeting the Ohio Educator Standards Board Licensure Committee reviewed the data from the test validation and standard setting studies that resulted in panel-recommended passing scores for the twelve assessments, and at its September 24, 2013 business meeting the Educator Standards Board voted to recommend to the State Board of Education, for each of the assessments reviewed, whether to set the passing score at the panel recommended passing score or to make an adjustment to the recommended

passing score, and also to review the data on Ohio educator licensure candidate performance on the assessments in approximately one year; and

WHEREAS, at its October 7, 2013 meeting the Capacity Committee reviewed the recommendations of the Educator Standards Board regarding the setting of passing scores for the twelve new OAE assessments, and voted to recommend to the State Board of Education the adoption of the new assessments and passing scores for the related licensure areas, either at the panel-recommended passing score; panel-recommended passing score plus one Standard Error of Measurement (+1 SEM); or panel-recommended passing score minus one Standard Error of Measurement (−1 SEM); with all raw passing scores to be converted to a uniform scaled passing score that is appropriate for use across all assessment areas with different raw passing scores, different assessment lengths, and different assessment designs; and

WHEREAS the following constitutes the Capacity Committee-recommended list of new OAE assessments, associated licensure areas, and passing scores; and

(At Panel-Recommended Passing Score)

Code	Ohio Assessments for Educators (OAE)	Ohio Educator Licensure Area	Recommended scaled passing score
010	Computer Information Science	Multi-age Computer Information Science	220 out of 300
014	Earth and Space Science	Adolescence to Young Adult Earth Sciences; Adolescence to Young Adult Life Sciences/Earth Sciences; Adolescence to Young Adult Earth Sciences/Physics; Adolescence to Young Adult Earth Sciences/Chemistry	220 out of 300
021	English to Speakers of Other Languages	Multi-age TESOL (Teaching English to Speakers of Other Languages); TESOL (Teaching English to Speakers of Other Languages) endorsement	220 out of 300
024	Integrated Science	Adolescence to Young Adult Integrated Science	220 out of 300
035	Physics	Adolescence to Young Adult Physical Sciences: Physics; Adolescence to Young Adult Physical Sciences (Chemistry & Physics); Adolescence to Young Adult Life Sciences/Physics; Adolescence to Young Adult Earth Sciences/Physics	220 out of 300
048	Theater	Multi-age Drama/Theater	220 out of 300

(At panel-recommended passing score plus one Standard Error of Measurement- + 1 SEM)

Code	Ohio Assessments for Educators (OAE)	Ohio Educator Licensure Area	Recommended scaled passing score
026	Marketing	Career-Technical (Baccalaureate) Marketing	220 out of 300
040	School Counselor	Professional Pupil Services School Counselor	220 out of 300
041	School Library Media Specialist	Multi-age Library/Media	220 out of 300

(At panel-recommended passing score minus one Standard Error of Measurement- − 1 SEM)

Code	Ohio Assessments for	Ohio Educator Licensure Area	Recommended

	Educators (OAE)		**scaled passing score**
009	Chemistry	Adolescence to Young Adult Physical Sciences: Chemistry; Adolescence to Young Adult Physical Sciences (Chemistry & Physics); Adolescence to Young Adult Life Sciences/Chemistry; Adolescence to Young Adult Earth Sciences/Chemistry	220 out of 300
036	Prekindergarten (I)	Prekindergarten Associate; Prekindergarten endorsement	220 out of 300
037	Prekindergarten (II)	Prekindergarten Associate; Prekindergarten endorsement	220 out of 300

WHEREAS the Capacity Committee, at its October 7, 2013 meeting, also recommended that Ohio licensure candidate pass rates on the new assessments be reviewed in approximately one year and on a continuing basis thereafter, and that Ohio test-taker performance data be used to inform future passing score setting decisions and adjustments: Therefore, Be It

RESOLVED, That the State Board of Education hereby **ADOPTS** the indicated Ohio Assessments for Educators and establishes the associated passing scores as a requirement for licensure applicants in the respective licensure areas beginning January 1, 2014.

It was Moved by Mr. Gunlock that the above recommendation (Item 19) be approved.

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

<u>Resolutions</u>
Old Business

Ms. Fowler presented the following recommendation (Item 20):

20. A RESOLUTION, TO ADDRESS CONCERNS RAISED BY A WIDE RANGE OF INTERESTED PARTIES RELATED TO THE CONTENT OF CURRICULUM AND EDUCATIONAL MATERIALS POSTED OR LINKED

TO ON THE OHIO DEPARTMENT OF EDUCATION WEBSITE AND TO SERVE AS AN ONGOING REMINDER OF THE ROLE AND RESPONSIBILITY OF OHIO'S LOCAL BOARDS OF EDUCATION IN RELATION TO THE SELECTION OF CURRICULUM OR EDUCATIONAL RESOURCES FOR THE PUBLIC SCHOOLS WITHIN THEIR JURISDICTION.

WHEREAS, From time to time concerns regarding the content of state model curriculum or educational materials which are posted or linked to on the Ohio Department of Education website are brought before the State Board of Education; and

WHEREAS, a number of concerns have been raised by a wide range of interested parties related to the content of curriculum and educational materials in the Common Core State Standard Appendices, and

WHEREAS, Section 3301.079(B)(3) of the Revised Code regarding adoption of state model curricula provides that "Nothing in this section requires any school district to utilize all or any part of a model curriculum developed under this section"; and

WHEREAS, Section 3313.60 of the Revised Code clearly states that it is the responsibility of the local boards of education in each school district to "prescribe a curriculum for all schools under its control"; be it therefore

RESOLVED, The Ohio State Board of Education affirms the responsibility and statutory authority of Ohio's local boards of education in vetting and approving curriculum and educational materials for the use of the public schools within their district. Based upon ORC 3301.079(B)(3) and ORC 3313.60, the selection and use of any materials found within the Common Core State Standards or Appendices or the adoption of any state model curricula or other educational resource material posted or linked to on the Ohio Department of Education website, is entirely up to the discretion of each local board of education.

FURTHER RESOLVED, That the State Board of Education directs the Superintendent of Public Instruction to place the following disclaimer, in a clearly visible manner on each webpage maintained by or at the direction of the Ohio Department of Education by January 1st, 2014, containing links to the Common Core State Standards or Appendices and on any webpage containing links or posted materials that might appear like curriculum recommendations, such as but not limited to, the state model curricula and resource lists.

"Pursuant to ORC 3301.079(B)(3) and 3313.60, it is the responsibility of Ohio's local boards of education to vet and approve curriculum and educational materials for use in the public schools within their district. The use of any materials posted or linked to on the Ohio Department of Education website, including materials within the Common Core State Standards or Appendices or any state model curricula or other educational resource material, is entirely up to the discretion of each local board of education."

It was Moved by Ms. Fowler and Seconded by Ms. McGervey that the above recommendation (Item 20) be approved.

Ms. Fowler noted additional changes had been made to the Further Resolved paragraph. The resolution would now say State Superintendent of Public Instruction and the date of January 1, 2014 had been added.

Ms. Fowler stated she was bringing forth this resolution to address a wide number of concerns as a result of feedback she had received in her district.

Mr. Collins questioned whether State Board action was necessary regarding this resolution and dictating to the Department how to put items on the website.

President Terhar called for a roll call vote.

YES VOTES

Stephanie Dodd	Joe Farmer
Sarah Fowler	Thomas Gunlock
C. Todd Jones	Kathleen McGervey
Darryl D. Mehaffie	Mary Rose Oakar
Ron Rudduck	Mark Smith
Debe Terhar	Bryan C. Williams

NO VOTES

Deborah Cain	Michael Collins
Ann Jacobs	

Motion carried.

Resolutions
New Business

Mr. Jones presented the following recommendation (Item 21):

Mr. Jones requested and was granted emergency consideration for Item 21 by Board leadership.

RESOLUTION TO APPROVE OHIO GRADUATION REQUIREMENTS

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

> WHEREAS, Section 3313.61 of the Revised Code grants local boards of education the authority to award diplomas to any student who successfully completes the required curriculum and assessments; and
>
> WHEREAS, Section 3313.603 of the Revised Code establishes the "Ohio Core" curriculum requirements for all students entering ninth grade on or after July 1, 2010; and
>
> WHEREAS, Section 3301.0712 of the Revised Code authorizes the State Board of Education, the Superintendent of Public Instruction, and the Chancellor of the Ohio Board of Regents to develop a system of college and work ready assessments

which includes a series of end of course exams across English language arts, mathematics, science and social studies to assess whether each student upon graduating from high school is ready to enter college or the workforce, which shall replace the Ohio Graduation test as a graduation requirement in the manner prescribed by rule of the state board; and

WHEREAS, the State Board of Education in June 2013 established a Graduation Committee of the Board directed to work with education stakeholders including representatives from the Ohio General Assembly to complete the system of college and work ready assessments and to outline the graduation requirements under the new assessment; and

WHEREAS the Graduation Committee discussed the assessment system and developed a graduation requirements plan at the July, September, and October 2013 meetings; and

WHEREAS the Graduation Committee determined that a series of ten end-of-course examinations, with an option for districts to choose to administer eight assessments, strikes the appropriate balance between academic rigor and an opportunity for students to obtain feedback on their performance and to meet the requirements of the assessment system; and

WHEREAS the Department of Education staff met with educational stakeholders to discuss and receive feedback on the proposed graduation requirements and has received a letter of support from the Buckeye Association of School Administrators, the Ohio School Boards Association, the Ohio Association of School Business Officials, and the Ohio Association of Secondary School Administrators; and

WHEREAS the graduation requirements plan includes course requirements, a series of end of course exams, alternative pathways to proficiency, an endorsement and recognition system, and a transition plan; and

WHEREAS the Graduation Committee approved the attached Graduation Requirements Proposal at its meeting on November 11, 2013; Therefore Be It

RESOLVED, that the Graduation Requirements Proposal, attached hereto and incorporated herein, be approved; and Be It

FURTHER RESOLVED, that the standards for graduation outlined in the attached document will result in high school diplomas being awarded to students who are college and career ready while offering flexibility to students and districts in how this readiness is demonstrated, and Be It

FURTHER RESOLVED, that the State Superintendent of Public Instruction be, and he hereby is, directed to take all steps necessary to implement the Graduation Requirements Proposal, including seeking any necessary legislative changes.

It was Moved by Mr. Jones that the above recommendation (Item 21) be approved.

Mrs. Dodd requested a vote to overrule Board leadership's granting of emergency consideration of Item 21. Ms. McGervey Seconded the motion. Mr. Jones explained that emergency consideration was requested because the Ohio House of Representatives is introducing legislation this week to alter some portions of the state assessment system and the state graduation system. In the context of the work done by the Graduation Committee over the past five months, it would be a loss to the policy making process of this state if we did not provide that input to the legislature as they are considering this information. Mrs. Dodd stated that she did not believe adequate conversations had been held with stakeholders and that graduation standards had not been discussed in the meetings of the Accountability Committee. Mr. Jones shared a letter from the following organizations regarding graduation requirements: Damon Asbury - OSBA, Tom Ash – BASA, David Varda – OASBO, Ken Baker – OASSA, and Julie Davis – OAESA.

Mr. Jones called the question. President Terhar then recognized the following Board members.

Ms. Oakar stated she would be bringing forth a resolution regarding the inclusion of World History in the curriculum.

Mr. Collins noted three organizations that have not been mentioned in this discussion: The OEA, OFT, and the Coalition of Rural and Appalachian Schools.

Mr. Jones noted that he had called the question. Mr. Gunlock Seconded the motion.

President Terhar called for a roll call vote to close debate and then move to a vote regarding emergency consideration.

YES VOTES

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

Motion carried.

President Terhar called for a roll call vote on the motion by Mrs. Dodd to deny emergency consideration.

YES VOTES

Deborah Cain
Stephanie Dodd
Ann Jacobs
Mary Rose Oakar
Michael Collins
Sarah Fowler
Kathleen McGervey

NO VOTES

Joe Farmer
C. Todd Jones
Ron Rudduck
Debe Terhar
Thomas Gunlock
Darryl D. Mehaffie
Mark Smith
Bryan C. Williams

Motion denied.

Ms. Oakar requested the following resolution be added to the graduation requirements. She stated that she wanted the inclusion of World History as a graduation requirement. Mr. Collins Seconded the motion.

RESOLUTION TO REQUIRE WORLD HISTORY AS A GRADUATION REQUIREMENT

WHEREAS, Section 3301.07(D)(1) provides that the State Board of Education shall formulate and prescribe minimum standards to be applied to all secondary and elementary schools in this state, and that such standards shall provide adequately for a number of enumerated subjects, which includes requirements for graduation; and

WHEREAS, Section 3313.61 of the Revised Code grants local boards of education the authority to award diplomas to any student who successfully completes the required curriculum and assessments; and

WHEREAS, Section 3313.603 of the Revised Code establishes the "Ohio Core" curriculum requirements for all students entering ninth grade on or after July 1, 2010; and

WHEREAS, Section 3313.603(C)(6) and (7) of the Revised Code include a requirement that students complete one-half unit of American History, one-half unit of American Government, and two units of social studies as a requirement for graduation; and

WHEREAS, Section 3313.603(C)(8) of the Revised Code includes a requirement that students complete five units of electives in one or any combination of subjects, including social studies courses not otherwise required under division (C) of this section as a requirement for graduation; and

WHEREAS the State Board of Education concludes that it is vital that students, in our increasingly global community, study world history: Therefore Be It

RESOLVED, that the Graduation Requirements Proposal be amended to include the requirement that all students be required to complete one unit of World History as a graduation requirement, to take effect beginning with students entering ninth grade on or after July 1, 2014; and Be It

FURTHER RESOLVED, that a school or school district be permitted to choose to apply that credit towards either the two unit of social studies requirement set forth in Section 3313.603(C)(7) or towards the five unit elective requirement set forth in Section 3313.603(C)(8); and Be It

FURTHER RESOLVED, that the State Superintendent of Public Instruction be, and he hereby is, directed to take all steps necessary to implement this decision, including recommending any necessary amendments to the Operating Standards to incorporate this requirement.

Ms. Fowler Moved to Amend the resolution by Substitution. Mr. Farmer Seconded the motion. She moved to Amend the RESOLVED clause to read as follows:

RESOLVED, that the Graduation Requirements Proposal be amended to include World History as a graduation elective, to take effect beginning with students entering ninth grade on or after July 1, 2014; and Be It

President Terhar called for a roll call vote on the proposed amendment by Ms. Fowler to the RESOLVED clause of Ms. Oakar's proposed resolution.

YES VOTES
Sarah Fowler
Kathleen McGervey
Bryan C. Williams

NO VOTES
Michael Collins
Stephanie Dodd
Joe Farmer
Thomas Gunlock
Ann Jacobs
C. Todd Jones
Darryl D. Mehaffie
Mary Rose Oakar
Ron Rudduck
Mark Smith
Debe Terhar

Motion denied.

President Terhar called for a roll call vote on the proposed resolution by Ms. Oakar to require World History as graduation requirement.

YES VOTES
Michael Collins
Stephanie Dodd
Joe Farmer
Ann Jacobs
Kathleen McGervey
Darryl D. Mehaffie
Jeffrey Mims
Mary Rose Oakar
Ron Rudduck
Mark Smith

NO VOTES
Sarah Fowler
Thomas Gunlock
C. Todd Jones
Debe Terhar
Bryan C. Williams

Motion carried.

President Terhar called for a roll call vote on the original motion by Mr. Jones.

YES VOTES
Joe Farmer
Thomas Gunlock
C. Todd Jones
Darryl D. Mehaffie
Jeffrey Mims
Mary Rose Oakar
Ron Rudduck
Mark Smith
Debe Terhar
Bryan C. Williams

NO VOTES
Michael Collins
Sarah Fowler

Ann Jacobs Kathleen McGervey

ABSTAIN
Stephanie Dodd

Motion carried.

Ms. Fowler stated she could not support an issue when she has not had the opportunity to solicit feedback from her constituents. She further stated that in the future, she hopes there is greater opportunity to receive that feedback.

PUBLIC PARTICIPATION ON NONACTION ITEMS

1) Mrs. Kimberly Curran, Alexandria. Mrs. Curran spoke to the Board regarding the gifted operating standards.

2) Mr. Charles Toland, Hilliard. Mr. Toland spoke to the Board regarding the gifted operating standards.

3) Mrs. Sandra and Sarah McGuire, Lewis Center. Mrs. McGuire and Sarah McGuire spoke to the Board regarding the gifted operating standards.

4) Mrs. Kathy Stanley, Creston. Mrs. Stanley spoke to the Board regarding the gifted operating standards.

5) Mrs. Pat Farrenkopf, Westerville. Mrs. Farrenkopf spoke to the Board regarding the gifted operating standards.

6) Mrs. Sandra Freeman, Paulding. Mrs. Freeman spoke to the Board regarding the gifted operating standards.

7) Mr. Jarrod Weiss, Hillsboro. Mr. Weiss spoke to the Board regarding the Ohio Resident Educator Program.

This concludes Public Participation on Nonaction Items.

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

The President requested a voice vote.

Motion carried.

President Terhar adjourned the meeting at 3 p.m. The next regularly scheduled meeting of the State Board of Education is December 9-10, 2013.

Following the Board meeting, the Board's Accountability Committee met.

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.