STATE BOARD OF EDUCATION OF OHIO
MINUTES
October 2013
Ohio Department of Education
25 South Front Street
Columbus, Ohio 43215

MEMBERS OF THE STATE BOARD OF EDUCATION

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

The State Board convened on Monday, October 7, at the Ohio Department of Education in Columbus.

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

The Board's Capacity Committee met beginning at 9:15 a.m.

The Board's Committee on Urban Education met beginning at 9:30 a.m.

The Board's Achievement Committee met beginning at 9:45 a.m.

State Board Recognition of Ohio Administrators
The State Board recognized the following Ohio administrators at the October meeting:

Ohio's Distinguished Elementary School Principal

- Ms. Cheryl Montag – Ohio Association of Elementary School Administrators Distinguished Principal.

Ohio's Middle Level Principal of the Year

- Rebecca Holthaus – Ohio Association of Secondary School Administrators Middle Level Principal of the Year.

Ohio's High School Principal of the Year

- Dr. Joanie Walker – Ohio Association of Secondary School Administrators High School Principal of the Year.

Ohio's Superintendent of the Year

- Rusty Clifford – Buckeye Association of School Administrators' Superintendent of the Year.

The Betsy M. Cowles Award

The Betsy M. Cowles Award recognizes a woman who exemplifies outstanding administrative leadership in Ohio education.

- Dr. Traci McCaudy – Winner of the Betsy M. Cowles Award, also sponsored by the Buckeye Association of School Administrators

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The State Board recessed for lunch.

The Board's Appointments Committee met beginning at 1 p.m.

President Terhar convened the Business Meeting of the State Board of Education on Monday, October 7, at 1:15 p.m.

President Terhar asked the Recording Secretary to call the roll.

MEMBERS PRESENT

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

NOTE: Ms. Elshoff, Mr. Jones and Mr. Mims entered the room after roll call.

President Terhar called on Vice President Gunlock, who Moved that that the State Board of Education go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(1) to consider

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

Mr. Mims Seconded the motion.

The President called for a roll call vote.

YES VOTES

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

Motion carried.

Higher Education Update by Ohio Board of Regents Chancellor John Carey
Chancellor Carey provided the Board with an update regarding Higher Education.

The Board went into Executive Session at 1:15 p.m.

The Board recessed from Executive Session at 2:35 p.m.

President Terhar recessed the Board meeting at 2:45 p.m.

The Board's Operating Standards Committee met beginning at 2:45 p.m.

The Board's Accountability Committee met beginning at 3:30 p.m.

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

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

The Board's Legislative and Budget Committee met beginning at 9:15 a.m.

President Terhar reconvened the Business meeting of the State Board of Education on Tuesday, October 8, at 9:15 a.m.

President Terhar asked the Recording Secretary to call the roll.

MEMBERS PRESENT

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

NOTE: Mr. Farmer entered the room after roll call.

EX OFFICIO MEMBERS

Senator Peggy Lehner	Representative Gerald Stebelton

The President called on Sarah Fowler, 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 September 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. Rudduck 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 (9); Volume 2

President Terhar announced that Item 8 had been pulled from the Voting Agenda and Item 8.A. had been added to the Consent Agenda.

1. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE PERMANENT KINDERGARTEN TO ELEMENTARY TEACHING CERTIFICATE OF MICHELLE M. KAZMIERCZAK

2. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL HIGH SCHOOL TEACHING LICENSE OF SAMUEL J. PASKEY

3. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE PERMANENT HIGH SCHOOL TEACHING CERTIFICATE OF TIMOTHY G. POPELY

4. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF COREY J. TAPPEL

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

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

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

8. RESOLUTION OF INTENT TO AMEND RULE 3301-51-15 OF THE ADMINISTRATIVE CODE ENTITLED OPERATING STANDARDS FOR IDENTIFYING AND SERVING GIFTED STUDENTS

8.A. RESOLUTION OF INTENT TO CONSIDER APPEAL OF THE DECISION OF THE WEST LIBERTY-SALEM LOCAL SCHOOL DISTRICT, LOGAN COUNTY, REGARDING CREDIT GRANTED FOR A POST SECONDARY ENROLLMENT OPTIONS COURSE.

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

Territory Transfers (0); Volume 2

There were no Territory Transfers in October.

Items 10 through 16 were school personnel resolutions.

Administrative Rules (2); Volume 3

17. RESOLUTION TO AMEND RULE 3301-13-02 OF THE ADMINISTRATIVE CODE ENTITLED ADMINISTERING REQUIRED STATE ASSESSMENTS AT THE DESIGNATED GRADES

18. RESOLUTION TO AMEND RULE 3301-57-01 OF THE ADMINISTRATIVE CODE ENTITLED RULES FOR ADMINISTERING THE CHILD ABUSE DETECTION

IN-SERVICE TRAINING PROGRAM

Miscellaneous Resolutions (1); Volume 4

19. RESOLUTION TO APPOINT MEMBER OF THE STATE LIBRARY BOARD

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 Students:
The Committee discussed OAC 3301-51-15, Operating Standards for Gifted students and proposed amendments. The rule addresses elements such as identification, placement, written education plans, services and accountability. The committee also discussed suggested changes presented by Mrs. Elshoff. The rule is under review as part of JCARR's five year review process. Final adoption is scheduled for February 2014.

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

The Committee is expected to move forward to the full State Board of Education a Resolution of Intent to adopt the amended rules at the November meeting. Final adoption is scheduled for March 2014.

New English Language Proficiency (ELP) Standards for English Language Learners (ELL):
Due to time constraints, the Committee will receive an update on the ELP Standards at the November meeting.

Reading Competencies:
The Committee received an update on the development process for the reading competencies. Within the Third Grade Reading Guarantee legislation, the State Board is required to adopt reading competencies by December 31, 2013. Reading competencies will communicate what teachers should know and be able to do to provide reading instruction and intervention to students.

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:

Discuss rules 3301-20-01 and 3301-73-01 to -27, Professional Conduct Rules:
The Committee discussed proposed revisions to the Professional Conduct rules, which are due for a five year review. The rules cover various topics associated with the educator disciplinary

process. The existing rules have been revised and updated, and a new rule, 3301-73-27, was drafted to consolidate all references to time limits scattered throughout the existing rules into one rule.

The Committee voted to recommend approval of the proposed changes to the Full Board. There will be an intent resolution for these proposed amended rules on the State Board voting agenda in November.

Discuss Score-Setting Recommendations for New Pearson Licensure Assessments – The Ohio Assessments for Educators (OAE):

The Committee reviewed and discussed the recommendations of the Ohio Educator Standards Board (ESB) regarding the setting of passing scores for 12 new Ohio Assessments for Educators (OAE) licensure exams.

The Committee voted to recommend to the full State Board the adoption of the proposed assessments and corresponding ESB-recommended passing scores, while specifying that the passing scores would be reviewed again after there is data available on the performance of Ohio licensure candidates on the new exams, at which time the State Board may make adjustments to the passing scores. An adopt resolution for the new assessments and passing scores will be on the State Board voting agenda in November.

Discuss rules 3301-44-01 to -09, Postsecondary Enrollment Options:

The Committee discussed proposed revisions to rules 3301-44-01 to -09, concerning Postsecondary Enrollment Options (PSEO). The proposed revisions to the rules align them with amendments to ORC section 3365 contained in H.B. 59. The rules will be brought back to the Committee in November following further revision and clarification of rule language.

Discuss Proposed Changes to rule 3301-35-05, Faculty and Staff Focus, and rule 3301-35-12, Chartered Nonpublic Schools:

The Committee discussed proposed amendments to rules 3301-35-05 and 3301-35-12 to add language, recommended by Committee member Stephanie Dodd, about nondiscrimination in regards to sexual orientation when making hiring decisions. Department Chief Legal Counsel P.R. Casey reported that, as he had anticipated, JCARR declined to take a position regarding statutory authority of the Board to adopt proposed rule amendments when the rules had not yet made their way through the State Board's rule revision process.

The Committee did not vote on the proposed amendments, as Ms. Dodd's motion to approve did not receive a second. Thereafter, Chairman Gunlock clarified that since these rules are part of OAC chapter 3301-35 (the school operating standards), and there is a newly-created State Board Operating Standards Committee that will be reviewing and recommending changes to this chapter, the new Committee is the most suitable arena for considering amendments to these rules, versus handling them separately and outside of that process.

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 continued to discuss a new name. The committee will continue this discussion next month as well as reviewing the purpose of the Committee.

Department staff reviewed the work of the Quaglia Institute on Student Aspirations. This work suggests that student engagement and future orientation are strongly tied to student motivation. Student motivation leads to improved student performance.

Department staff noted that in some cases, low performing schools lack investment from the community. Florida has a mentorship program that might be worth further study. Local and state government employees are allowed one hour of leave per week in order to serve as mentors in schools. The Committee will explore the mentoring opportunities.

Next month the Committee will hear more from the Quaglia Institute about the data behind their work with the hope that this information will better inform the committee in moving forward.

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:

Ms. Phillips 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 Board, and the legislative language needed for the graduation rule.

In November, the graduation requirements proposal is scheduled to be presented to the Committee and full board meeting.

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:

Update on Status of K-3:
Tina Thomas-Manning reported that on October 2, Department staff presented to the Ohio Senate and House an update the Report Card, gave a briefing on proposed Rules and calculations for the K-3 component, and explained the change in definition of Gifted/Value Added component. The Senate requested that the team return with more and deeper data examples. Department Staff are preparing for that meeting and are continuing to move through the process toward filing Rules with JCARR. The Rules should be ready for December approval.

Follow-up Data Reports:
Chris Woolard, Director, Office of Accountability, gave a presentation to address specific questions that were posed at the last full Board meeting.
Typology used?

- A statistical construct
- Small town districts tend to have a slightly larger populations, more diversity, higher education achievement for parents, and less reliance on agricultural property as a tax base than rural district

What data would have looked like last year against the 80% bar?

- The most notable change is in the "A" range
- At 75% - 52% of districts and 51% of schools would receive an "A"
- At 80% - 32% of districts and 38% of schools would receive an "A"

Why did 55 districts receive no grade for Gifted/Value Added?

- In order to receive a Gifted/Value Added grade, at least 6 students must be identified as gifted in a single subject/grade level combination
- Only 6 traditional districts reported fewer than 10 students identified as gifted

AMOs - Why do high schools in traditional public districts perform better than their middle school/ junior high school and elementary school counterparts?

- Graduation rate, not necessarily as many subgroups
- The graduation rate bar (79% for F)
- Fewer subgroups

Prepared for Success Component:

Kevin Duff, Policy Staff, gave a high-level overview of the 6 and possibly 7 ungraded measures that will be used to determine the Prepared for Success component beginning on the 2013-14 report card.

- Percentage of students in a district or building participating in advanced placement (or AP) classes and the percentage of those students who received a score of three or better on an AP exam
- Number of a district's or school's students who have earned at least three college credits through dual enrollment programs
- Percentage of students in a district or school who have taken a national standardized test used for college admission determinations and the percentage of those students who are determined to be remediation-free
- Percentage of the district's or the school's students who receive industry credentials
- Percentage of students in a district or school who are participating in an international baccalaureate program, and the percentage of those students who receive a score of four or better on the corresponding exam
- Percentage of the district's or school's students who receive an honors diploma
- The 2015 LRC will report the results of the college and career-ready assessment selected by the superintendent and Chancellor of the Board of Regents.

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:

Sharon Jennings, Deputy Chief Legal Counsel, provided a PowerPoint presentation regarding an overview of the rules process and procedures.

Kevin Duff provided a proposed timeline for completing the revision process. The timeline for completion of the process would be approximately six months with possible implementation by next school year.

BOARD PRESENTATIONS AND DISCUSSION FROM THE LEGISLATIVE AND BUDGET COMMITTEE
Chair: Bryan Williams, Co-Chair: C. Todd Jones
Mr. Williams gave a report from the Legislative and Budget Committee meeting focusing on the following issues:

Chair Williams discussed the implementation of the Medicaid Schools Program.

The Committee received an update on the phase in of the new school funding formulas.

Jennifer Hogue provided an update on state legislation.

Jeremy Marks provided a federal update and discussed the impact of the shutdown on the Department and school districts.

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 recommended the State Board approve Mr. Steven Wood to be appointed to the State Library Board for a full term beginning on January 1, 2014.

Superintendent Report
Superintendent Ross updated the Board on the following Items:

- Third Grade Reading Guarantee
- Straight A Fund

PUBLIC PARTICIPATION ON ACTION ITEMS

1) Mr. Tony Cochren, State Advisory Panel for Exceptional Children (SAPEC). Mr. Cochren spoke to the Board regarding students with disabilities and SAPEC.

2) Mrs. Karen Brownlee, Cincinnati. Mrs. Brownlee spoke to the Board regarding the gifted education administrative rule.

3) Mrs. Rebecca Bennett and Sarah and Charlotte Bennett, Chardon. Mrs. Bennett spoke to the Board regarding the gifted education administrative rule.

4) Dr. Eugene Sanders, Superintendent and CEO, Sandusky City Schools. Dr. Sanders spoke to the Board regarding Gifted Operating Standards and the gifted education administrative rule.

5) Mrs. Angela Grimm, President, Lakota LEADS, Liberty Township. Mrs. Grimm spoke to the Board regarding the gifted education administrative rule.

6) Mrs. Sally Roberts, Vandalia. Mrs. Roberts spoke to the Board regarding the gifted education administrative rule.

7) Mrs. Karen Rohde, President, Greater Cleveland Coordinators of the Gifted, Strongsville. Mrs. Rohde spoke to the Board regarding the gifted education administrative rule.

8) Dr. Colleen Boyle, Supervisor, Gifted Education for Columbus City Schools, Columbus. Dr. Boyle spoke to the Board regarding the gifted education administrative rule.

9) Mr. William Koran, Superintendent, Medina City Schools ESC. Mr. Koran spoke to the Board regarding the gifted education administrative rule.

10) Mrs. Ann C. Van De Walk, Orange City School District. Mrs. Van De Walk spoke to the Board regarding the social and emotional needs of gifted children.

11) Mrs. Brenda Gift, ESC of Lake Erie West. Mrs. Gift spoke to the Board regarding the gifted education administrative rule.

12) Dr. Michael Triplett, N8 Medical, New Albany. Dr. Triplett spoke to the Board regarding gifted education standards.

13) Dr. Nancy Wingenbach, Chagrin Falls. Dr. Wingenbach spoke to the Board regarding the gifted education administrative rule.

14) Mr. Jiambin and Lucas Huang, Dublin. Mr. Huang and Lucas spoke to the Board regarding the gifted education administrative rule.

15) Mrs. Cynthia Coleman, New Albany. Mrs. Coleman spoke to the Board regarding the gifted education administrative rule.

This concludes Public Participation on Action Items.

PUBLIC PARTICIPATION ON NONACTION ITEMS

There was no Public Participation on Nonaction Items.

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

President Terhar reminded Board members that Item 8 had been removed from the Voting Agenda and Item 8.A. had been added to the Consent Agenda.

President Terhar, presented the following recommendations (Items 1-9) on the Consent Agenda:

1. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE PERMANENT KINDERGARTEN TO ELEMENTARY TEACHING CERTIFICATE OF MICHELLE M. KAZMIERCZAK

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

WHEREAS Michelle M. Kazmierczak holds a permanent kindergarten to elementary teaching certificate issued in 2003; and

WHEREAS on September 6, 2013, the Ohio Department of Education received a voluntary surrender form from Michelle M. Kazmierczak, which authorizes the State Board to enter an order permanently revoking her permanent kindergarten to elementary teaching certificate issued in 2003 based upon Ms. Kazmierczak disseminating inappropriate material to a juvenile; and

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

WHEREAS Michelle M. Kazmierczak has waived her right to a hearing and authorizes the State Board of Education to enter an order permanently revoking her permanent kindergarten to elementary teaching certificate issued in 2003: 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** Michelle M. Kazmierczak's permanent kindergarten to elementary teaching certificate issued in 2003 based upon Ms. Kazmierczak disseminating inappropriate material to a juvenile. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Michelle M. Kazmierczak 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. Kazmierczak of this action.

2. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL HIGH SCHOOL TEACHING LICENSE OF SAMUEL J. PASKEY

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

WHEREAS Samuel J. Paskey holds a five-year professional high school teaching license issued in 2009; and

WHEREAS on August 23, 2013, the Ohio Department of Education received a voluntary surrender form from Samuel J. Paskey, which authorizes the State Board to enter an order permanently revoking his five-year professional high

school teaching license issued in 2009 based upon Mr. Paskey's conviction in the Chardon Municipal Court for three misdemeanor counts of criminal mischief; and

WHEREAS the form specifies that Samuel J. Paskey is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Samuel J. Paskey has waived his right to a hearing and authorizes the State Board of Education to enter an order permanently revoking his five-year professional high school teaching license 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** Samuel J. Paskey's five-year professional high school teaching license issued in 2009 based upon Mr. Paskey's conviction in the Chardon Municipal Court for three misdemeanor counts of criminal mischief. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Samuel J. Paskey 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. Paskey of this action.

3. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE PERMANENT HIGH SCHOOL TEACHING CERTIFICATE OF TIMOTHY G. POPELY

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

WHEREAS Timothy G. Popely holds a permanent high school teaching certificate issued in 2001; and

WHEREAS on August 27, 2013, the Ohio Department of Education received a voluntary surrender form from Timothy G. Popely, which authorizes the State Board to enter an order permanently revoking his permanent high school teaching certificate issued in 2001 based upon Mr. Popely's 2012 conviction in the Cuyahoga County Court of Common Pleas for one felony count of drug possession and 2005 conviction in the Lakewood Municipal Court for one misdemeanor count of drug abuse; and

WHEREAS the form specifies that Timothy G. Popely is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Timothy G. Popely has waived his right to a hearing and authorizes the State Board of Education to enter an order permanently revoking his permanent high school teaching certificate issued in 2001: 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) and Ohio Revised Code 3319.311(F), hereby **REVOKES** Timothy G. Popely's permanent high school teaching certificate issued in 2001 based upon Mr. Popely's 2012 conviction in the Cuyahoga County Court of Common Pleas for one felony count of drug possession and 2005

conviction in the Lakewood Municipal Court for one misdemeanor count of drug abuse. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Timothy G. Popely 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. Popely of this action.

4. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF COREY J. TAPPEL

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

WHEREAS Corey J. Tappel holds a three-year pupil activity permit issued in 2012; and

WHEREAS on September 9, 2013, the Ohio Department of Education received a voluntary surrender form from Corey J. Tappel, which authorizes the State Board to enter an order permanently revoking his three-year pupil activity permit issued in 2012 based upon Mr. Tappel's 2013 conviction in the Huron County Juvenile Court for one misdemeanor count of contributing to the delinquency or unruliness of a minor; and

WHEREAS the form specifies that Corey J. Tappel is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Corey J. Tappel has waived his right to a hearing and authorizes the State Board of Education to enter an order permanently revoking his three-year pupil activity permit 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** Corey J. Tappel's three-year pupil activity permit issued in 2012 based upon Mr. Tappel's 2013 conviction in the Huron County Juvenile Court for one misdemeanor count of contributing to the delinquency or unruliness of a minor. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Corey J. Tappel 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. Tappel of this action.

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

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

WHEREAS Section 3317.18 of the Revised Code authorizes the Department of Education to adopt rules regarding the withholding and depositing of payments under Chapter 3317. of the Revised Code to secure payment of debt charges on school district securities; and

WHEREAS Rule 3301-8-01 of the Administrative Code establishes criteria for the evaluation and approval or denial of school district requests for withholding and limits on the obligation for the purpose of paying debt charges or reimbursing credit enhancement facilities of funds otherwise to be paid to school districts under Chapter 3317. of the Revised Code; and

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

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

WHEREAS the Capacity Committee, during its September 2013 meeting, approved of the proposed changes to the rule: Therefore, Be It

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

FURTHER RESOLVED, That the Superintendent of Public Instruction be, and he hereby is, directed to file with the Secretary of State, Legislative Service Commission, and the Joint Committee on Agency Rule Review the full text of the proposed rule to be amended and the same be made available upon request, without charge, to all persons affected by said rule; and, Be It

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

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

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

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

WHEREAS Section 3319.223 of the Revised Code establishes the Ohio teacher residency program as a four-year, entry-level program for classroom teachers and

prescribes components of the Ohio teacher residency program including mentoring and measures of appropriate progression through the program; and

WHEREAS Rule 3301-24-04 of the Administrative Code outlines the various components and requirements of the residency program, including passing a resident educator performance-based assessment as one of the requirements to qualify for a professional educator license; and

WHEREAS Rule 3301-24-04 of the Administrative Code is proposed to be updated in order to clarify various aspects of the residency program, including the addition of a one-year interim license, to be utilized in cases where a resident educator has failed to pass one or more portions of the performance-based assessment and their resident educator license has expired; and

WHEREAS the Capacity Committee, at its September 2013 meeting, unanimously voted to recommend adoption of the proposed rule changes to the State Board of Education: Therefore, Be It

RESOLVED, That the State Board of Education hereby declares its intent to amend Rule 3301-24-04 of the Administrative Code that is attached hereto and incorporated herein by this reference; and, Be It

FURTHER RESOLVED, That the Superintendent of Public Instruction be, and he hereby is, directed to file with the Secretary of State, Legislative Service Commission, and the Joint Committee on Agency Rule Review the full text of the proposed rule to be amended and the same be made available upon request, without charge, to all persons affected by said rule; and, Be It

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

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

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

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

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

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

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

WHEREAS the Capacity Committee, at its September 2013 meeting, unanimously voted to recommend adoption of the proposed rule changes to the State Board of Education: Therefore, Be It

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

FURTHER RESOLVED, That the Superintendent of Public Instruction be, and he hereby is, directed to file with the Secretary of State, Legislative Service Commission, and the Joint Committee on Agency Rule Review the full text of the proposed rule to be amended and the same be made available upon request, without charge, to all persons affected by said rule; and, Be It

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

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

8.A. RESOLUTION OF INTENT TO CONSIDER APPEAL OF THE DECISION OF THE WEST LIBERTY-SALEM LOCAL SCHOOL DISTRICT, LOGAN COUNTY, REGARDING CREDIT GRANTED FOR A POST SECONDARY ENROLLMENT OPTIONS COURSE.

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

WHEREAS Section 3365.05 of the Ohio Revised Code provides for a student to be granted credit for a course completed at a college pursuant to the Post-Secondary Enrollment Options Program; and

WHEREAS Section 3365.05 further provides that if there is a dispute between a school district and a student regarding high school credits granted for a course,

the student may appeal the decision of the school district to the state board of education; and

WHEREAS the parent has filed an appeal from a decision made by the West Liberty-Salem Local School District, Logan County, regarding the credit awarded his daughter for a Post-Secondary Enrollment Options course; Therefore, Be It

RESOLVED, that the State Board of Education does hereby declare its intent to consider the appeal of the parent from the decision of the West Liberty-Salem Local School District, Logan County, regarding the awarding of credit for a Post-Secondary Enrollment Options course, and to notify the district and the parent of their opportunity for a hearing, to be held in accordance with Chapter 119 of the Ohio Revised Code; and, Be It

FURTHER RESOLVED, that the Superintendent of Public Instruction be, and he hereby is, directed to appoint a hearing examiner, establish the date, time and place, and give notice of such hearing, should a hearing be requested.

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

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

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

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

WHEREAS the Capacity Committee, during its September 2013 meeting, voted to approve the proposed rescission of Rule 3301-71-01 of the Administrative Code: Therefore, Be It

RESOLVED, That the State Board of Education hereby declares its intent to rescind Rule 3301-71-01 of the Administrative Code, which is attached hereto and incorporated herein by this reference; and, Be It

FURTHER RESOLVED, That the Superintendent of Public Instruction be, and he hereby is, directed to file with the Secretary of State, Legislative Service Commission, and the Joint Committee on Agency Rule Review, the full text of the proposed rule to be amended and the same be made available upon request, without charge, to all persons affected by the rule; and, Be It

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

revision or refiling of the rule will be brought before the State Board of Education for review and consideration; and, Be It

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

It was Moved by Mr. Mehaffie and Seconded by Ms. Oakar that the Consent Agenda (Items 1 -7, 8.A, 9) be approved.

President Terhar called for a roll call vote.

YES VOTES

Stephanie Dodd	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

Motion carried.

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

10. RESOLUTION TO DENY PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT APPLICATION OF SANTIAGO R. ANGUIANO (AKA JIM S. ANGUIANO)

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

WHEREAS Santiago R. Anguiano (aka Jim S. Anguiano) has applied for a three-year pupil activity permit; and

WHEREAS on July 19, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Santiago R. Anguiano 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), and (B)(2)(b) and Rule 3301-20-01(E) of the Ohio Administrative Code. The notice was based upon Mr. Anguiano's 2003 conviction in the Darke County Common Pleas Court for one felony count of driving under the influence of alcohol or drugs (DUI), 2003 conviction in the Darke County Municipal Court for one misdemeanor count of domestic violence, 2003 conviction in the Darke County Municipal Court for one misdemeanor count of DUI, 2003 conviction in a separate case in the Darke County Municipal Court for one misdemeanor count of DUI, 2001 conviction in the Darke County Municipal Court for one misdemeanor count of obstructing official business, 1999 conviction in the Darke County Municipal Court for one

misdemeanor count of DUI, 1998 conviction in the Darke County Municipal Court for one misdemeanor count of open container, 1998 conviction in the Darke County Municipal Court for one misdemeanor count of DUI, 1995 conviction in the Wyandotte County District Court for one misdemeanor count of DUI, and 1994 conviction in the Stanton County District Court for one misdemeanor count of open container and one misdemeanor count of littering; and

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

WHEREAS Santiago R. Anguiano 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 Darke County Common Pleas Court, Darke County Municipal Court, Stanton County District Court, and Wyandotte County District 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; and

WHEREAS Mr. Anguiano is not eligible for licensure by the State Board of Education since he cannot meet the rehabilitation criteria established by Rule 3301-20-01 of the Ohio Administrative Code because he has been convicted of a felony offense and a violent offense: 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)(b) and Rule 3301-20-01(E) of the Ohio Administrative Code, hereby **DENIES** Santiago R. Anguiano's application for a three-year pupil activity permit based upon Mr. Anguiano's 2003 conviction in the Darke County Common Pleas Court for one felony count of driving under the influence of alcohol or drugs (DUI), 2003 conviction in the Darke County Municipal Court for one misdemeanor count of domestic violence, 2003 conviction in the Darke County Municipal Court for one misdemeanor count of DUI, 2003 conviction in a separate case in the Darke County Municipal Court for one misdemeanor count of DUI, 2001 conviction in the Darke County Municipal Court for one misdemeanor count of obstructing official business, 1999 conviction in the Darke County Municipal Court for one misdemeanor count of DUI, 1998 conviction in the Darke County Municipal Court for one misdemeanor count of open container, 1998 conviction in the Darke County Municipal Court for one misdemeanor count of DUI, 1995 conviction in the Wyandotte County District Court for one misdemeanor count of DUI, and 1994 conviction in the Stanton County District Court for one misdemeanor count of open container and one misdemeanor count of littering. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Santiago R. Anguiano 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. Anguiano of this action.

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

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

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

11. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE TWO-YEAR PROVISIONAL CAREER TECHNICAL LICENSE OF CATHERINE D. BREHM

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

WHEREAS Catherine D. Brehm held a two-year provisional career technical license issued in 2011; and

WHEREAS on December 11, 2012, the Acting Superintendent of Public Instruction, on behalf of the State Board of Education, notified Catherine D. Brehm of its intent to determine whether to limit, suspend, revoke, or permanently revoke her two-year provisional career technical license issued in 2011 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Brehm making an inappropriate comment about a male student in front of a class of high school students and Ms. Brehm later meeting with the male student and attempting to make the student feel guilty and/or implying that he could be in trouble for reporting and/or discussing her comment; and

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

WHEREAS a hearing was held on June 19, 2013; and

WHEREAS Ms. Brehm was not present at the hearing nor was she represented by counsel; and

WHEREAS the hearing officer recommends that Ms. Brehm's license be revoked and she be permanently ineligible to apply for any license issued by the State Board. The hearing officer's recommendation is based upon Ms. Brehm's conduct being wholly unbecoming a teacher's position and the lack of any mitigating evidence in the record or evidence explaining the context of Ms. Brehm's actions leading to the conclusion that Ms. Brehm is incapable of tending to the needs of her students: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Catherine D. Brehm's two-year provisional career technical license issued in 2011 based upon Ms. Brehm making an inappropriate comment about a male student in front of a class of high school students and Ms. Brehm later meeting with the male student and attempting to make the student feel guilty and/or implying that he could be in trouble for reporting and/or discussing her comment. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Catherine D. Brehm 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. Brehm of this action.

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

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

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

12. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE THE FIVE-YEAR PROFESSIONAL CAREER TECHNICAL LICENSE OF EDLENA J. CARMON (AKA EDLENA J. JONES)

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

WHEREAS Edlena J. Carmon (aka Edlena J. Jones) holds a five-year professional career technical license issued in 2010; and

WHEREAS on March 8, 2013, the Acting Superintendent of Public Instruction, on behalf of the State Board of Education, notified Edlena J. Carmon of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional career technical teaching license issued in 2010 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Carmon, on or about March 21, 2012, dispensing her personal prescription medication to a student without authorization or having knowledge of the student's medical history; and

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

WHEREAS a hearing was held on June 25, 2013; and

WHEREAS Ms. Carmon was not present at the hearing nor was she represented by counsel; and

WHEREAS the hearing officer recommends that Ms. Carmon's license be revoked and she be ineligible to apply for any license issued by the State Board for a period of three years. The hearing officer's recommendation is based upon Ms. Carmon acting hastily and rashly, without considering other options or following procedures set forth by the school district's medication policy. In mitigation, Ms. Carmon, against the advice of her building faculty representative, reported the incident to the building principal, and she admitted that she was wrong: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Edlena J. Carmon's five-year professional career technical teaching license issued in 2010 based upon Ms. Carmon, on or about March 21, 2012, dispensing her personal prescription medication to a student without authorization or having knowledge of the student's medical history. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Edlena J. Carmon be ineligible to apply for any license issued by the State Board of Education until on or after October 8, 2016; and, Be It Further

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

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

Ms. Jacobs Moved to amend the resolution by Substitution. Ms. Oakar Seconded the motion. She presented the following resolution;

Mr. Gunlock stated he had a concern that Ms. Carmon did not request a hearing in this matter although he did commend her actions regarding the situation.

Ms. Oakar stated she would support the proposed amendment felt that Ms. Carmon did not merit a three-year suspension.

Ms. Fowler noted the record stated Ms. Carmon had planned on leaving the teaching profession and also the student's mother supported the action taken by Ms. Carmon.

RESOLUTION TO ACCEPT THE REPORT BUT TO MODIFY THE RECOMMENDATION OF THE HEARING OFFICER TO SUSPEND THE FIVE-YEAR PROFESSIONAL CAREER TECHNICAL LICENSE OF EDLENA J. CARMON (AKA EDLENA J. JONES)

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

WHEREAS Edlena J. Carmon (aka Edlena J. Jones) holds a five-year professional career technical license issued in 2010; and

WHEREAS on March 8, 2013, the Acting Superintendent of Public Instruction, on behalf of the State Board of Education, notified Edlena J. Carmon of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional career technical teaching license issued in 2010 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Carmon, on or about March 21, 2012, dispensing her personal prescription medication to a student without authorization or having knowledge of the student's medical history; and

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

WHEREAS a hearing was held on June 25, 2013; and

WHEREAS Ms. Carmon was not present at the hearing nor was she represented by counsel; and

WHEREAS the hearing officer recommends that Ms. Carmon's license be revoked and she be ineligible to apply for any license issued by the State Board for a period of three years. The hearing officer's recommendation is based upon Ms. Carmon acting hastily and rashly, without considering other options or following procedures set forth by the school district's medication policy. In mitigation, Ms. Carmon, against the advice of her building faculty representative, reported the incident to the building principal, and she admitted that she was wrong:

WHEREAS the State Board of Education considered the hearing officer's report and recommendation; and

WHEREAS the State Board accepts the hearing officer's report but modifies the proposed recommendation to revoke Ms. Carmon's five-year professional career technical teaching license issued in 2010 and make her ineligible to apply for any license issued by the State Board for three years; and

WHEREAS the State Board of Education finds that Ms. Carmon's conduct of dispensing her personal prescription medication to a student without authorization or having knowledge of the student's medical history warrants disciplinary action. However, it is not persuaded that a revocation of Ms. Carmon's license and a prohibition from applying for any license for three years is an appropriate sanction in this matter. After considering the mitigating factors identified by the hearing officer in this case, the State Board finds that Ms. Carmon's license should be suspended for a period of one year. These findings are

based upon Ms. Carmon's misconduct being mitigated by her error in judgment occurring in a difficult situation, her good intentions in trying to assist a student in a situation which she perceived as a medical emergency, and her honesty in self-disclosing the incident to the building principal: Therefore, Be It

RESOLVED that the State Board accepts the hearing officer's report but modifies the proposed recommendation to revoke Ms. Carmon's five-year professional career technical teaching license issued in 2010 and make her ineligible to apply for any license issued by the State Board for three years; and, Be It Further

RESOLVED that the State Board of Education finds that Ms. Carmon's conduct of dispensing her personal prescription medication to a student without authorization or having knowledge of the student's medical history warrants disciplinary action. However, it is not persuaded that a revocation of Ms. Carmon's license and a prohibition from applying for any license for three years is an appropriate sanction in this matter. After considering the mitigating factors identified by the hearing officer in this case, the State Board finds that Ms. Carmon's license should be suspended for a period of one year. These findings are based upon Ms. Carmon's misconduct being mitigated by her error in judgment occurring in a difficult situation, her good intentions in trying to assist a student in a situation which she perceived as a medical emergency, and her honesty in self-disclosing the incident to the building principal; and, Be It Further

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **SUSPENDS** Edlena J. Carmon's five-year professional career technical teaching license issued in 2010 based upon Ms. Carmon, on or about March 21, 2012, dispensing her personal prescription medication to a student without authorization or having knowledge of the student's medical history. Further, the State Board orders that Edlena J. Carmon be ineligible to apply for any license issued by the State Board of Education until on or after October 8, 2014; and, Be It Further

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

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

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Joe Farmer
Sarah Fowler	Ann Jacobs
Kathleen McGervey	Jeffrey Mims
Mary Rose Oakar	Debe Terhar

NO VOTES

Thomas Gunlock	Darryl D. Mehaffie
Ron Rudduck	Mark Smith
Bryan C. Williams	

ABSTAIN

Tess Elshoff	C. Todd Jones

Motion carried.

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

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Joe Farmer
Sarah Fowler	Thomas Gunlock
Ann Jacobs	Kathleen McGervey
Jeffrey Mims	Mary Rose Oakar
Debe Terhar	Bryan C. Williams

NO VOTES

Darryl D. Mehaffie	Mark Smith

ABSTAIN

Tess Elshoff	C. Todd Jones
Ron Rudduck	

Motion carried.

Dr. Smith stated that he was supportive of the actions taken by Ms. Jacobs. He further stated he had issues with overruling the Hearing Officer.

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

13. RESOLUTION TO DENY PERMANENTLY THE ONE-YEAR SUBSTITUTE TEACHING LICENSE APPLICATION OF JONATHAN A. CONNORS

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

> WHEREAS Jonathan A. Connors has applied for a one-year substitute teaching license; and
>
> WHEREAS on August 6, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Jonathan A. Connors 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), (B)(2)(b), (B)(2)(c), and (B)(2)(d). The notice was based upon Mr. Connors' 2013 conviction in the Vandalia Municipal Court for one misdemeanor count of assault, 2004 conviction in the Douglas County Superior Court for one misdemeanor count of possession of less than one ounce of marijuana, 1994 conviction in the Montgomery County Municipal Court for one misdemeanor count of unauthorized use of property, and failure to disclose his 2004 conviction on his pending application; and
>
> WHEREAS the notice informed Mr. Connors 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 would proceed to deny or permanently deny his application for a one-year substitute teaching license; and

WHEREAS Jonathan A. Connors 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 Vandalia Municipal Court, Douglas County Superior Court, and Montgomery County Municipal Court, and certified police records from the Montgomery County Sheriff's Office, Douglas County Sheriff's Office, and Madison Township Police Department; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(b), (B)(2)(c), and (B)(2)(d), hereby **DENIES** Jonathan A. Connors' application for a one-year substitute teaching license based upon Mr. Connors' 2013 conviction in the Vandalia Municipal Court for one misdemeanor count of assault, 2004 conviction in the Douglas County Superior Court for one misdemeanor count of possession of less than one ounce of marijuana, 1994 conviction in the Montgomery County Municipal Court for one misdemeanor count of unauthorized use of property, and failure to disclose his 2004 conviction on his pending application. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Jonathan A. Connors 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. Connors of this action.

It was Moved by Mrs. Cain and Seconded by Ms. Fowler that the above recommendation (Item 13) be approved.

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

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

14. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL KINDERGARTEN TO ELEMENTARY TEACHING LICENSE AND FIVE-YEAR PROFESSIONAL EDUCATION OF THE HANDICAPPED TEACHING LICENSE OF CHRISTOPHER T. HUNT

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

WHEREAS Christopher T. Hunt holds a five-year professional kindergarten to elementary teaching license issued in 2011 and five-year professional education of the handicapped teaching license issued in 2011; and

WHEREAS on March 20, 2013, the Acting Superintendent of Public Instruction, on behalf of the State Board of Education, notified Christopher T. Hunt of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional kindergarten to elementary teaching license issued in 2011 and five-year professional education of the handicapped teaching license issued in 2011 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Hunt during the 2011-2012 school year having inappropriate physical interactions with students and making disparaging or inappropriate comments to students; and

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

WHEREAS a hearing was held on July 22, 2013; and

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

WHEREAS the hearing officer recommends that Mr. Hunt'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. Hunt engaging in abusive, aggressive, demeaning, and malicious conduct toward seventh grade students: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Christopher T. Hunt's five-year professional kindergarten to elementary teaching license issued in 2011 and five-year professional education of the handicapped teaching license issued in 2011 based upon Mr. Hunt during the 2011-2012 school year having inappropriate physical interactions with students and making disparaging or inappropriate comments to students. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Christopher T. Hunt 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. Hunt of this action.

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

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Tess Elshoff
Joe Farmer	Sarah Fowler
Thomas Gunlock	Ann Jacobs
Kathleen McGervey	Darryl D. Mehaffie
Jeffrey Mims	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 FIVE-YEAR PROFESSIONAL SPECIAL ALL GRADES TEACHING LICENSE OF MATTHEW E. ROSEBERRY

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

WHEREAS Matthew E. Roseberry holds a five-year professional special all grades teaching license issued in 2010; and

WHEREAS on December 14, 2012, the Acting Superintendent of Public Instruction, on behalf of the State Board of Education, notified Matthew E. Roseberry of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional special all grades teaching license issued in 2010 pursuant to Ohio Revised Code 3319.31(B)(1), *[Confidential information – redacted in accordance with Ohio law]*. The notice was based upon Mr. Roseberry's following misconduct: Mr. Roseberry, on or about March 5, 2012, appeared to be intoxicated while working at a school. When confronted about his behavior, Mr. Roseberry became confrontational, refused to take a sobriety test, and abandoned his position. After Mr. Roseberry left the building, the principal retrieved the bottle from which Mr. Roseberry was drinking, tasted the liquid, and found it contained vodka; *[Confidential information – redacted in accordance with Ohio law]*; and Mr. Roseberry was previously disciplined by the State Board of Education in 2009 when he entered into a Consent Agreement based upon his multiple misdemeanor convictions from 1996 through 2008; and

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

WHEREAS a hearing was held on June 24, 2013; and

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

WHEREAS the hearing officer recommends that Mr. Roseberry's license be revoked and he be permanently ineligible to apply for any license issued by the State Board. The hearing officer's recommendation is based upon Mr. Roseberry having a definite problem with alcohol and failing to take advantage of the opportunity the State Board previously afforded him to rehabilitate his conduct. The school children of Ohio deserve a better role model than Mr. Roseberry, and when he decided to abandon his position and the special needs student he was assigned to in March 2012, he abandoned any hope of being thought of as worthy of a professional teaching license: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), *[Confidential information – redacted in accordance with Ohio law]*, hereby **REVOKES** Matthew E. Roseberry's five-year professional special all grades teaching license issued in 2010 based upon Mr. Roseberry's following misconduct: Mr. Roseberry, on or about March 5, 2012, appeared to be intoxicated while working at a school. When confronted about his behavior, Mr. Roseberry became confrontational, refused to take a sobriety test, and abandoned his position. After Mr. Roseberry left the building, the principal retrieved the bottle from which Mr. Roseberry was drinking, tasted the liquid, and found it contained vodka; *[Confidential information – redacted in accordance with Ohio law]*; and Mr. Roseberry was previously disciplined by the State Board of Education in 2009 when he entered into a Consent Agreement based upon his multiple misdemeanor convictions from 1996 through 2008. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Matthew E. Roseberry 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. Roseberry of this action.

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

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Tess Elshoff
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

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 THE THREE-YEAR PUPIL ACTIVITY PERMIT AND FIVE-YEAR PROFESSIONAL SPECIAL ALL GRADES TEACHING LICENSE OF JEFFREY M. SPENCELEY

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

WHEREAS Jeffrey M. Spenceley holds a three-year pupil activity permit issued in 2011 and held a five-year professional special all grades teaching license issued in 2008; and

WHEREAS on October 10, 2012, the Acting Superintendent of Public Instruction, on behalf of the State Board of Education, notified Jeffrey M. Spenceley of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2011 and five-year professional special all grades teaching license issued in 2008 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Spenceley's 2012 conviction in the Hamilton County Municipal Court for one misdemeanor count of operating a motor vehicle while under the influence of alcohol or drugs (OVI), 2010 conviction in the Fairfield City Municipal Court for one misdemeanor count of OVI, 2001 conviction in the Hamilton County Municipal Court for one misdemeanor count of OVI, 1998 conviction in the Hamilton County Municipal Court for one misdemeanor count of OVI, and previous disciplinary action in 2009 when he was issued a Letter of Admonishment by the State Board based upon his 1997 conviction for one misdemeanor count of trash in the yard, 1995 conviction for one misdemeanor count of theft and one misdemeanor count of underage consumption, and 1994 conviction for one misdemeanor count of underage possession of alcohol, one misdemeanor count of disorderly conduct, and one misdemeanor count of criminal mischief; and

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

WHEREAS a hearing was held on May 13, 2013; and

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

WHEREAS the hearing officer recommends that Mr. Spenceley’s permit and license be revoked and he be ineligible to apply for any license issued by the State Board for a period of two years and that provided upon reapplication Mr. Spenceley meets the following conditions: he has no intervening criminal convictions or instances of unbecoming behavior; he presents satisfactory documentation from an alcohol treatment practitioner that he is not alcohol

dependent or abusing alcohol; he present satisfactory documentation of continuous participation in a drug and alcohol rehabilitation program such as AA or the church-sponsored alcohol recovery program he currently attends; and he demonstrates compliance with any educational requirements for licensure, the State Board's order, and the criteria set forth in Ohio Administrative Code Rule 3301-73-24. The hearing officer's recommendation is based upon Mr. Spenceley having an ongoing problem with alcohol, but in mitigation, he has taken positive steps by recognizing his problem, confronting his abuse, successfully completing an intensive alcohol treatment program and aftercare program, and making concrete changes to his lifestyle: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Jeffrey M. Spenceley's three-year pupil activity permit issued in 2011 and five-year professional special all grades teaching license issued in 2008 based upon Mr. Spenceley's 2012 conviction in the Hamilton County Municipal Court for one misdemeanor count of operating a motor vehicle while under the influence of alcohol or drugs (OVI), 2010 conviction in the Fairfield City Municipal Court for one misdemeanor count of OVI, 2001 conviction in the Hamilton County Municipal Court for one misdemeanor count of OVI, 1998 conviction in the Hamilton County Municipal Court for one misdemeanor count of OVI, and previous disciplinary action in 2009 when he was issued a Letter of Admonishment by the State Board based upon his 1997 conviction for one misdemeanor count of trash in the yard, 1995 conviction for one misdemeanor count of theft and one misdemeanor count of underage consumption, and 1994 conviction for one misdemeanor count of underage possession of alcohol, one misdemeanor count of disorderly conduct, and one misdemeanor count of criminal mischief. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Jeffrey M. Spenceley be ineligible to apply for any license issued by the State Board of Education until on or after October 8, 2015 and provided that upon reapplication Mr. Spenceley meets the following conditions: he has no intervening criminal convictions or instances of unbecoming behavior; he presents satisfactory documentation from an alcohol treatment practitioner that he is not alcohol dependent or abusing alcohol; he present satisfactory documentation of continuous participation in a drug and alcohol rehabilitation program such as AA or the church-sponsored alcohol recovery program he currently attends; and he demonstrates compliance with any educational requirements for licensure, the State Board's order, and the criteria set forth in Ohio Administrative Code Rule 3301-73-24; and, Be It Further

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

It was Moved by Mr. Collins 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	Tess Elshoff
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	

Motion carried.

Mr. Jones presented the following recommendation (Item 17):

17. RESOLUTION TO AMEND RULE 3301-13-02 OF THE ADMINISTRATIVE CODE ENTITLED ADMINISTERING REQUIRED STATE ASSESSMENTS AT THE DESIGNATED GRADES

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

WHEREAS Section 3301.0710 of the Revised Code requires the State Board of Education to adopt rules establishing a statewide program to assess student achievement; and

WHEREAS Rule 3301-13-02 of the Administrative Code, entitled *Administering required state assessments at the designated grades*, requires participating schools to administer annually the alternate assessment at all grade levels and content areas to students with significant cognitive disability not later than the first day of April of the school year during which the test is administered; and

WHEREAS the latest Alternate Assessment for Students with Significant Cognitive Disabilities (AASCD) requires a longer administration period than what is currently provided for in Rule 3301-13-02 of the Administrative Code; and

WHEREAS the proposed change to Rule 3301-13-02 of the Administrative Code would replace the deadline by which the AASCD shall be administered with language stating that the date shall be established by the Superintendent of Public Instruction, in order to accommodate the longer administration period required by the latest assessment; and

WHEREAS the Achievement Committee, during its June 2013 meeting, voted to recommend adoption of the proposed change to the State Board of Education; and

WHEREAS the State Board of Education, at its June 2013 meeting, adopted a Resolution of Intent to amend Rule 3301-13-02 of the Administrative Code; and

WHEREAS on September 9, 2013, the State Board of Education held a public hearing concerning the proposed amending of Rule 3301-13-02 of the Administrative Code; and

WHEREAS September 23, 2013, the Joint Committee on Agency Rule Review held a hearing on Rule 3301-13-02 of the Administrative Code, during which the committee took no action on the rule: Therefore, Be It

RESOLVED, That the State Board of Education hereby amends Rule 3301-13-02 of the Administrative Code, which is attached hereto and incorporated herein by this reference; and, Be It

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

It was Moved by Mr. Jones that the above recommendation (Item 17) be approved.

President Terhar called for a roll call vote.

YES VOTES

Stephanie Dodd	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

Motion carried.

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

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

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

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

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

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

- Prevention of teen dating violence;
- Youth suicide awareness and prevention; and

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

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

WHEREAS the Capacity Committee, during its July 2013 meeting, approved the proposed amendments to Rule 3301-57-01 of the Administrative Code; and

WHEREAS the State Board of Education, at its July 2013 meeting, adopted a Resolution of Intent to amend Rule 3301-57-01 of the Administrative Code; and

WHEREAS on September 9, 2013, the State Board of Education held a public hearing concerning the proposed amending of Rule 3301-57-01 of the Administrative Code; and

WHEREAS September 23, 2013, the Joint Committee on Agency Rule Review held a hearing on Rule 3301-57-01 of the Administrative Code, during which the committee took no action on the rule: Therefore, Be It

RESOLVED, That the State Board of Education hereby amends Rule 3301-57-01 of the Administrative Code, which is attached hereto and incorporated herein by this reference; and, Be It

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

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

President Terhar called for a roll call vote.

YES VOTES

Stephanie Dodd	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

Motion carried.

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

19. RESOLUTION TO APPOINT MEMBER OF THE STATE LIBRARY BOARD

The Board Appointments Committee **RECOMMENDS** that the State Board of Education **APPROVE** the following Resolution:

> WHEREAS the five-year term of current State Library Board President, Stephen Wood, expires on December 31, 2013, and
>
> WHEREAS Ohio Revised Code 3375.01 charges the State Board of Education with appointing members of the State Library Board; and
>
> WHEREAS the State Library Board has submitted the names of two candidates to the State Board of Education for the position in accordance with the Board's policy on appointments to the State Library Board: and
>
> WHEREAS Mr. Wood has done an admirable job and was elected to a two year term as President at the June 2013 meeting of the State Library Board, and the State Library Board is currently in the midst of the process of reviewing the boundaries of all libraries in Ohio pursuant to a legislative directive: and
>
> WHEREAS the State Library Board recommends Mr. Wood to be reappointed for a full term on the State Library Board for the reasons stated above: and
>
> WHEREAS the State Board of Education Appointments Committee has reviewed the qualifications of Mr. Wood and the recommendation received from the State Library Board and recommends the following individual be appointed to the State Library Board for a full term beginning on January 1, 2014. Therefore, Be It
>
> RESOLVED, that Mr. Stephen Wood be appointed to the State Library Board for a full term, which will begin on January 1, 2014.

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

President Terhar called for a roll call vote.

YES VOTES

Stephanie Dodd	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

Motion carried.

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

Ms. Fowler stated that she was putting the Board on notice that she intended to bring forward a resolution in November regarding the suggested reading list.

Ms. McGervey stated she would also be bringing forth a resolution in November regarding the suggested reading list.

Miscellaneous Business

Mrs. Dodd updated the Board on the Ohio State School for the Blind Advisory Group. The school is in the process of updating their five-year strategic plan. The school is also looking at how best to serve their students in the area of testing.

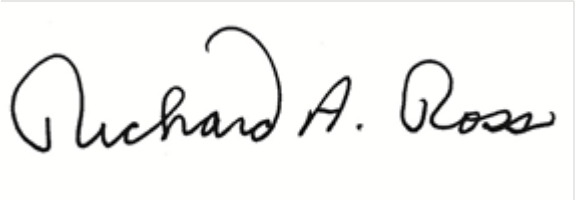
Ms. McGervey Moved to adjourn the meeting. Ms. Fowler Seconded the motion.

The President requested a voice vote.

Motion carried.

President Terhar adjourned the meeting at 3:15 p.m. The next regularly scheduled meeting of the State Board of Education is November 11-12, 2013.

ATTEST:



Debe Terhar
President
State Board of Education

Dr. Richard A. Ross
Superintendent of Public Instruction

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