STATE BOARD OF EDUCATION OF OHIO
MINUTES
September 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

Ms. Oakar was absent from the meeting. Ms. Fowler was absent on Monday. Mr. Farmer and Mr. Mims were absent on Tuesday.

The State Board convened on Monday, September 9, at the Ohio Department of Education in Columbus.

Chapter 119 Hearing

September 9, 2013
8:30 a.m.

Hearing Regarding the Amending, Rescinding and Adoption of Rules

The amending of Rule 3301-13-02 of the Administrative Code, entitled Administering required state assessments at the designated grades; and the amending of Rule 3301-57-01 of the Administrative Code, entitled Administering the in-service training program.

MEMBERS PRESENT
Deborah Cain
Joe Farmer
Kathleen McGervey
Stephanie Dodd
Thomas Gunlock
Darryl D. Mehaffie

Ron Rudduck
Debe Terhar
Mark Smith

President Terhar stated the Board would proceed with the public hearing on the following rule actions: The amending of Rule 3301-13-02 of the Administrative Code, entitled Administering required state assessments at the designated grades; and the amending of Rule 3301-57-01 of the Administrative Code, entitled Administering the in-service training program.

The President called on Lindsay Sestile from the Attorney General's office, and legal representative of the Department. Ms. Sestile 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 Exhibits 2 and 3 would be true and accurate copies of the Resolutions of Intent adopted by the State Board of Education declaring its intent to amend the rules subject to this public hearing;

Board Exhibit 4 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 August 6, 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 5.

President Terhar announced that the Board would now receive testimony on the proposed amending of Rule 3301-13-02 of the Administrative Code, entitled Administering required state assessments at the designated grades.

PUBLIC TESTIMONY ON THE PROPOSED AMENDING OF RULE 3301-13-02 OF THE ADMINISTRATIVE CODE, ENTITLED ADMINISTERING REQUIRED STATE ASSESSMENTS AT THE DESIGNATED GRADES.

There were no requests.

President Terhar announced that the Board would now receive testimony on the proposed amending of Rule 3301-57-01 of the Administrative Code, entitled Administering the in-service training program.

PUBLIC TESTIMONY ON THE PROPOSED AMENDING OF RULE 3301-57-01 OF THE ADMINISTRATIVE CODE, ENTITLED ADMINISTERING THE IN-SERVICE TRAINING PROGRAM.

There were no requests.

President Terhar called on Ms. Sestile, who submitted into evidence State Board Exhibits 1 through 4.

The President stated that the exhibits were so received. As there was no more testimony, she declared the public hearing closed at 8:35 a.m.

The Board's Capacity Committee met beginning at 8:45 a.m.

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

The Board's Committee on Urban Education met beginning at 10:15 a.m.

The Board's Executive Committee met beginning at 11:45 a.m.

The State Board recessed for lunch.

State Board Hearing on Operating Standards for Ohio School Districts and Schools

The State Board of Education held a hearing on Ohio's Operating Standards for School Districts and Schools. During the hearing, the Board heard from education stakeholders who gave their views of the current Operating Standards and how they might be improved.

The State Board received testimony from the following stakeholder groups:

- Ohio School Boards Association;
- Buckeye Association of School Administrators;
- Catholic Conference of Ohio;
- Ohio Education Association;
- Ohio Federation of Teachers; and
- Ohio Alliance for Arts Education.

The Operating Standards are a collection of minimum requirements that districts and schools must follow when managing the district and educating students.

An example of one of the standards is the requirement that principals must have the appropriate license and cannot be assigned to more than two schools. The operating standards are part of Administrative Code and contain a mixture of Administrative Rules created by the State Board of Education, as well as requirements from the Ohio Revised Code.

The Operating Standards have been around in some form for a long time. The first set of standards we could uncover actually date back to 1929. While they were not necessarily requirements, these standards were created to help standardize the elementary schools in rural Ohio and to ensure all students received a certain level of instruction and services. These standards included how heating stoves were to be placed in the classroom, what classes should be offered, and a recommendation that there be more than one classroom in a school house. Ohio's Director of Education would award either a first, second, or third class certificate to the school based on their self-evaluation against the standards. This certificate could be displayed in the school as a way to communicate the school's quality to parents and the community.

In 1983, the standards were revised to shift the focus toward learner outcomes. The revised standards provided some latitude to districts to define their own educational programs. In 2001, the Operating Standards were revised to give more flexibility to districts and were generally streamlined.

Aside from the restraint and seclusion rule that was adopted by the State Board of Education in January of this year, most of the rules in the Operating Standards have not been updated in years.

House Bill 59 (HB 59), the recently passed Budget Bill, contained language that instructs the State Board of Education to formulate Operating Standards in a way that focuses on the needs of individual students.

As a result of the legislation, the State Board plans to revise Ohio's Operating Standards in a way that focuses on student outcomes instead of district inputs. The change in the statute and other laws over the past several years make this an opportune time to revisit the Operating Standards.

President Terhar convened the Business Meeting of the State Board of Education on Monday, September 9, at 3:30 p.m.

President Terhar asked the Recording Secretary to call the roll.

MEMBERS PRESENT

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

EX OFFICIO MEMBERS

Senator Peggy Lehner	Representative Gerald Stebelton

MEMBERS ABSENT

Sarah Fowler	Mary Rose Oakar

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.

Dr. Smith Seconded the motion.

The President called for a roll call vote.

YES VOTES

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

Note: Mr. Collins entered the room after roll call.

Motion carried.

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

President Terhar announced that Item 8.a. would be added to the Consent Agenda. This is a Payment-In-Lieu regarding the Columbia Local School District.

Consent Agenda (8); Volume 2

1. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE OF MERCADES R. BLUE (VOLUME 2, PAGE 4)

2. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE PERMANENT SPECIAL ALL GRADES TEACHING CERTIFICATE OF MICHAEL J. CARNEY (VOLUME 2, PAGE 6)

3. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FOUR-YEAR EDUCATIONAL AIDE PERMIT

OF JODY L. DISTL (VOLUME 2, PAGE 8)

4. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL HIGH SCHOOL TEACHING LICENSE AND PERMANENT NON-TAX TEACHING CERTIFICATE OF ERNEST FORMICHELLI (VOLUME 2, PAGE 10)

5. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL MULTI-AGE TEACHING LICENSE OF KELSEY L. HARTMANN (AKA KELSEY L. BRIDGES) (VOLUME 2, PAGE 13)

6. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE OF THOMAS H. MOUAT JR. (VOLUME 2, PAGE 15)

7. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE TWO-YEAR PROVISIONAL CAREER TECHNICAL TEACHING LICENSE OF JEFFERY S. ROHRER JR. (VOLUME 2, PAGE 17)

8. RESOLUTION OF INTENT TO ADOPT RULE 3301-28-07 OF THE ADMINISTRATIVE CODE REGARDING KINDERGARTEN THROUGH THIRD GRADE LITERACY IMPROVEMENT AND TO AMEND RULE 3301-28-06 OF THE ADMINISTRATIVE CODE REGARDING THE VALUE-ADDED PROGRESS DIMENSION (VOLUME 2, PAGE 19)

Territory Transfers (1); Volume 2

9. RESOLUTION TO APPROVE THE NEGOTIATED AGREEMENT BETWEEN THE COLUMBUS CITY SCHOOL DISTRICT, FRANKLIN COUNTY, AND THE DUBLIN CITY SCHOOL DISTRICT, FRANKLIN COUNTY, TO TRANSFER PROPERTY FROM THE COLUMBUS CITY SCHOOL DISTRICT TO THE DUBLIN CITY SCHOOL DISTRICT (VOLUME 2, PAGE 22)

Items 10 through 19 were school personnel resolutions.

Administrative Rules (0); Volume 3

There were no Administrative Rules for adoption in September.

Miscellaneous Resolutions (4); Volume 4

20. RESOLUTION TO ADOPT THE REVISED OHIO TEACHER EVALUATION SYSTEM (OTES) FRAMEWORK, OHIO PRINCIPAL EVALUATION (OPES) FRAMEWORK, AND STATE AGENCY TEACHER EVALUATION FRAMEWORK TO ALIGN WITH HOUSE BILL 59 (VOLUME 4, PAGE 4) (CAPACITY COMMITTEE)

21. RESOLUTION TO ADOPT THE RESIDENT EDUCATOR SUMMATIVE ASSESSMENT (RESA) AS THE REQUIRED PERFORMANCE-BASED ASSESSMENT FOR THE OHIO RESIDENT EDUCATOR PROGRAM (VOLUME 4, PAGE 12) (CAPACITY COMMITTEE)

22. RESOLUTION TO TERMINATE THE OPERATOR CONTRACT WITH THE SEED FOUNDATION FOR THE OPERATION OF A COLLEGE-PREPARATORY BOARDING SCHOOL UNDER OHIO REVISED CODE (ORC) CHAPTER 3328 (VOLUME 4, PAGE 14) (CAPACITY COMMITTEE)

23. RESOLUTION TO ADOPT AND SPECIFY MEASURES TO BE REPORTED IN ADDITION TO THE MEASURES ON THE REPORT CARD (VOLUME 4, PAGE 46) (ACCOUNTABILITY COMMITTEE)

The Board went into Executive Session at 3:40 p.m.

The Board recessed from Executive Session at 4:30 p.m.

President Terhar recessed the Board meeting at 4:30 p.m.

The Board's Accountability Committee met beginning at 4:30 p.m.

President Terhar reconvened the meeting of the State Board of Education on Tuesday, September 10, at 8:30 a.m.

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

The Board's Legislative and Budget Committee met beginning at 8:45 a.m.

State Board Report Card Presentation
Presenter: Christopher Woolard, Director, Office of Accountability.
Highlights from the presentation:

Measures phased in:
2012-2013 – Up to nine measures
2013-2014 – Up to sixteen measures
2014-2015 – Up to seventeen measures
2015-2016 & Beyond – Up to eighteen measures

New Report Card Based on Letter Grades:

- Report card measures grouped into 6 components in 2015.
- The 6 components make up the overall grade in 2015.

Overall Grade & Components:

Overall Grade – 2015:

- Graduation Rate
- K-3 Literacy
- Prepared for Success
- Achievement
- Progress
- Gap Closing

Report Card Components:

Graduation Rate:

Four Year Graduation Rate:

Grad Rate – Four Year Letter Grade	Grad Rate – Four Year Percentage
A	93% - 100%**
B	89% - 92.9%
C	84% - 88.9%
D	79% - 83.9%
F	< 79%

** Specified in legislation

Five Year Graduation Rate:

Grad Rate – Four Year Letter Grade	Grad Rate – Four Year Percentage
A	95% - 100%**
B	90% - 94.9%
C	85% - 89.9%
D	80% - 84.9%
F	< 80%

** Specified in legislation

Report Card Components:

Achievement:

Performance Index:

Performance Indicators:

State Indicators – Current 75% Proficient Standard:

State Indicators Letter Grade	State Indicators Percentage
A	90% - 100%**
B	80% - 89.9%
C	70% - 79.9%
D	50% - 69.9%
F	<50%

** Specified in legislation

Performance Index:

Performance Index Letter Grade	Performance Index Percentage
A	90% - 100%**
B	80% - 89.9%
C	70% - 79.9%
D	50% - 69.9%
F	<50%

** Specified in legislation

Report Card Components:
Gap Closing:
Annual Measurable Objectives (AMOs):

Gap Closing (Annual Measurable Objectives):

Gap Closing Letter Grade	Gap Closing Index Percentage
A	90% - 100%**
B	80% - 89.9%
C	70% - 79.9%
D	60% - 69.9%
F	<60%

Report Card Components:
Progress:

- Value-Added Overall
- Gifted Students
- Progress with Lowest 20%
- Students with Disabilities

Value-Added:

Value-Added Letter Grade	Value-Added Gain Index
A	>=2.0
B	>=1 and <2
C	>=-1 and <1
D	>=-2 and <-1
F	<-2

Report Card Components:
Prepared for Success:

- College Admission Test
- Dual Enrollment
- Industry Credentials
- Honors Diplomas
- Advanced Placement and International Baccalaureate

Prepared for Success:
2013-2014 – Measures Reported
2014-2015 – Component Graded

K- 3 Literacy:
2013-2014 – Measure Graded
2014-2015 – Component Graded

K-3 Literacy Measure: Measure will determine improvement made in reducing the percentage of students scoring below grade level compared from year to year.

- Starting on the August 2014 Local Report Card
- Includes kindergarten through grade three

Presentation by Dr. Ross on Education Implementation Plan
Dr. Ross gave the Board an overview of the Education Implementation Plan for Ohio and key staff members provided Board members with highlights from various segments of the plan.

Air Camp Presentation
Presenter: Richard V. "Dick" Reynolds, Lieutenant General, United States Air Force (retired), is owner and principal of The VanFleet Group, LLC, an aerospace consulting company. He also serves as an Independent/Outside Director for Apogee Enterprises, Inc.; Barco Federal Systems, LLC; Allison Transmission Holdings, Inc.; and Electronic Warfare Associates-Government Systems Incorporated.

General Reynolds provided the Board with a presentation regarding Air Camp and its benefits for students.

The State Board recessed for lunch.

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

President Terhar asked the Recording Secretary to call the roll.

MEMBERS PRESENT

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

EX OFFICIO MEMBERS

Senator Peggy Lehner	Representative Gerald Stebelton

MEMBERS ABSENT

Joe Farmer	Jeffrey Mims
Mary Rose Oakar	

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

Presentation by Representative Marlene Anielski on Suicide Prevention Initiative

Representative Anielski gave the Board a presentation on her Suicide Prevention Initiative and efforts to place "Ski" boxes in schools.

Presentation by Judge Pat Fischer on Civics Education

Judge Fischer gave the Board a presentation on Civics Education.

PUBLIC PARTICIPATION ON ACTION ITEMS

There was no Public Participation on Action Items.

PUBLIC PARTICIPATION ON NONACTION ITEMS

1) Ms. Ann Sheldon, Executive Director, Ohio Association for Gifted Children. Ms. Sheldon spoke to the Board regarding the Operating Standards for Gifted Education.

2) Ms. Robin, Keegan and Beckham Retzler, Dublin. Ms. Retzler, Keegan and Beckham spoke to the Board regarding the Operating Standards for Gifted Education.

3) Mrs. Angela Grimm, President, Lakota LEADS. Mrs. Grimm spoke to the Board regarding the Operating Standards for Gifted Education.

4) Ms. Joan Ford, Worthington. Ms. Ford spoke to the Board regarding concerns with the Office of Exceptional Children at the Department of Education.

5) Mrs. Alicia Dauer, Dublin. Mrs. Dauer spoke to the Board regarding the Operating Standards for Gifted Education.

6) Mrs. Karen Rumley, Ohio Association for Gifted Children, Gifted Advisory Council.
Ms. Sheldon spoke to the Board regarding the Operating Standards for Gifted Education.

7) Mrs. Ani Mekhjian, Dublin. Mrs. Mekhjian spoke to the Board regarding the Operating Standards for Gifted Education.

This concludes Public Participation on Nonaction Items.

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

There were no corrections.

It was Moved by Ms. Fowler and Seconded by Dr. Smith that the Minutes be approved as presented. The President called for a voice vote.

Motion carried unanimously.

BOARD PRESENTATIONS AND DISCUSSION FROM THE EXECUTIVE COMMITTEE
Chair: Debe Terhar, Co-Chair: Tom Gunlock
Mr. Gunlock gave a report from the Executive Committee meeting focusing on the following issues:

The Committee discussed the timeline for the Superintendent Evaluation survey. The survey will be sent to Board members in November, and the review will be conducted in December.

The Committee recognized Janet Gordon who retired in July. Ms. Gordon worked at the Ohio School for the Deaf for 38 years after working 2 ½ years in traditional public schools early in her career.

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. The rule addresses elements such as identification, placement, written education plans, services and accountability. This rule is now under review as part of JCARR's five year review process. Revisions have been proposed for the current rule. 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 October 2013 meeting.

Financial Literacy:
The Committee received an update on the development of model curriculum for Financial Literacy. The initial draft documents will be posted for public review in late September 2013.

Graduation Requirements:
The Committee received an update on the graduation requirements work and its relationship to Ohio's Next Generation Assessments.

Third Grade Reading Guarantee:

The Committee received an update on the Third Grade Reading Guarantee legislative requirements within Sub. Senate Bill 21, and the Department's communication and outreach efforts.

Early Learning:

The Committee received an update on the development and roll out of implementation guides that will support Ohio's Early Learning and Development Standards (ELDS) for children birth to kindergarten entry. The guides will provide information on designing and implementing meaningful, developmentally appropriate instruction. The guides are currently being revised based on feedback received and will be posted in October 2013.

Committee Discussion:

The committee engaged in a discussion on cursive writing. It was determined that Ms. Elshoff was still researching the topic and would postpone her portion of the discussion for the October 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:

Discuss rule 3301-26-01, Examinations for Educator Licensure:

Staff presented proposed revisions to rule 3301-26-01, Examinations for Educator Licensure, which is due for a five year review. The purpose of the rule is to prescribe Ohio's licensure examination processes, and the rule covers such topics as the types of exams that are required, assurances of exam validity and fairness, administration of examinations, and score reporting. The proposed changes are intended to clarify and update the rule, particularly in relation to the fact that licensure exams have evolved from a paper-based process to a computer-delivered process since the rule was last amended. The Educator Standards Board has recommended to the State Board of Education the adoption of the proposed rule changes. The Committee voted to recommend approval of the proposed rule changes to the Full State Board. There will be a resolution of intent on the consent agenda next month (October).

Discuss rule 3301-24-04, Teacher Residency:

Staff presented proposed changes to rule 3301-24-04, Teacher Residency, which is not up for five year review but is proposed to be amended in order to clarify certain procedures related to Ohio's teacher residency program, called the Resident Educator Program. The rule prescribes components of the residency program including the required performance-based assessment. Proposed changes include the addition of a one-year interim license to be utilized in cases where a person has failed to pass one or more portions of the performance-based assessment and their resident educator license has expired. A one-year interim license previously existed in this rule when Ohio had a one year entry year program, for the same reason. The Educator Standards Board has recommended to the State Board of Education the adoption of the proposed rule changes. The Committee voted to recommend approval of the proposed rule changes to the Full State Board. There will be a resolution of intent on the consent agenda next month (October).

Discuss the Resident Educator Summative Assessment (RESA):

Staff presented information regarding the Resident Educator Summative Assessment (RESA), a performance-based assessment created by Stanford Center for Assessment, Learning & Equity (SCALE) and Teachscape, which is designed for the purpose of resident educators demonstrating their proficiency based on the Ohio Standards for the Teaching Profession. It is intended to serve

as the required performance-based assessment for Ohio's teacher residency program, the Resident Educator Program.

According to Ohio Administrative Code rule 3301-24-04, Teacher Residency, passing a resident educator performance-based assessment is one requirement to qualify for a professional educator license at the conclusion of the Resident Educator Program. Staff presented information on the development and implementation plan for RESA, and requested that the Committee recommend to the full State Board the approval of a resolution to adopt the assessment as a requirement for resident educators who are beginning their third year of the residency program in 2013 – 2014. The Educator Standards Board has recommended to the State Board of Education the adoption of RESA. The Committee voted to recommend to the Full State Board the approval of the Resident Educator Summative Assessment as the required performance-based assessment for the Resident Educator Program. There is an adopt resolution for this item on this month's State Board voting agenda.

Discuss rule 3301-8-01, Payment of Debt Charges and Rule 3301-71-01, Poverty Based Assistance:

Staff presented two rules that are due for a five year review. Rule 3301-8-01, Payment of Debt Charges under the State Credit Enhancement Program, concerns the state credit enhancement program, whereby school districts can receive more favorable bond sale terms by allowing the State, if necessary, to pay to creditors the district's debt service out of foundation funds owed to the district. This is a successful program which has helped hundreds of school districts. Staff recommended one change, due to modifications of the Ohio Revised Code. In section (B)(1), strike "Division (M) of section 3317.022" and replace it with "section 3317.021".

Rule 3301-71-01, Disadvantaged Pupil Impact Aid, provides some definitions for the implementation of one type of state aid for schools. However, the budget bill, Am. Sub. House Bill 59, changed the formula so that this type of aid is no longer given. Aid is now provided to economically disadvantaged pupils through the new school funding formula. The Department has recommended rescinding the rule pursuant to the repeal of section 3317.029 in the budget bill.

The Committee voted to recommend approval of the proposed changes to rule 3301-8-01 and the rescission of rule 3301-71-01 to the Full State Board.

Discuss Updates to the Ohio Teacher Evaluation System (OTES) Framework, Ohio Principal Evaluation System (OPES) and State Agency Teacher Evaluation Framework to Align with House Bill 59:

Staff explained that there is a need to modify the State Board of Education-adopted Ohio Teacher Evaluation System (OTES) Framework, Ohio Principal Evaluation (OPES) Framework, and State Agency Teacher Evaluation Framework due to House Bill 59 changes. HB 59 initiated a change to Ohio's terminology that is used to distinguish between levels of performance and to assign teacher and principal evaluation ratings, replacing the word "proficient" with "skilled". The three frameworks have accordingly been revised to align with the new terminology in HB 59. The Committee voted to recommend to the full State Board the adoption of the three revised frameworks. There is an adopt resolution for this item on this month's State Board voting agenda.

Discuss Termination of the SEED Contract:

Staff updated the Committee that The SEED Foundation has requested to terminate its contract with the State Board of Education that was entered into on July 13, 2012. The contract permits either party to terminate with notice. Staff recommended that the Committee move a resolution forward to the full State Board to accept the request and thus, effect the termination. The

Committee voted to move the resolution, which appears on this month's voting agenda, to the Full State Board for approval.

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

Ms. Stephanie Dodd, State Board of Education Capacity Committee member, presented proposed revisions to rules 3301-35-05 and 3301-35-12. She explained that the proposed amendments would align these rules with Governor Kasich's Executive Order 2011-05K, Establishing an Anti-Discrimination Policy in State Government Employment. Specifically, the proposed amendments would add language about nondiscrimination in regards to sexual orientation when making hiring decisions. The proposed amendments were introduced to the Capacity Committee at their June 2013 meeting. After some discussion, Chairman Gunlock requested that Department legal staff consult with the Joint Committee on Agency Rule Review (JCARR) regarding the proposed amendments.

BOARD PRESENTATIONS AND DISCUSSION FROM THE COMMITTEE ON URBAN EDUCATION

Chair: Mark Smith, Vice Chair: Mike Collins

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

The Committee heard a presentation from Dr. Michael Corso, Chief Academic Officer, Quaglia Institute for Student Aspirations. Dr. Corso works with My Voice-Ohio and the Aspirations Framework which is being piloted in 6 Ohio schools.

Dr. Corso shared a draft of the My Voice Ohio Year Two report which contains:

- Data about the pilot
- Dates when the pilot participants will host an online summit that is open to all districts in Ohio about their work with the Aspirations Framework. Committee members will be provided with the promotional materials about these summits.
- Dates for each participant district's Stand Up, Speak Out conference. The conference is a middle school leadership conference led by QISA Field Specialists and specially trained high school students. Each Demonstration Site will be inviting middle schools in their region to participate in this day of activities and training. Participating schools will leave with a concrete action plan for positive change to their schools teaching and learning environment.

Dr. Corso shared the results an odds analysis created from the My Voice Ohio Survey data which suggests that increasing student engagement and improving student's experience of teacher support in Ohio would have the biggest impact on motivating students to be academically successful.

Dr. Corso announced that a new resource called My Aspirations Action Plan (MAAP) was piloted in the US for the first time in Youngstown and will also be used in the 6 other Ohio Demonstration Sites.

- The online tool, based on social networking and gaming technology, allows students to set goals and personalize their learning in areas research has shown are critical to student success—academics, self-worth, engagement, purpose, and personal/pro-social behaviors.
- Students select an adult Aspirations Advocate and must upload evidence of their working towards each of the goals/challenges they set for themselves. In this regard, MAAP

functions as a digital portfolio. Teachers can also see the student goals, challenges, and evidence with the goal of allowing teachers to better personalize their teaching, develop positive relationships with students, and engage students with learning that is relevant to each student's future and every day life.
- Each school's MAAP is personalized with the school's logo and school name.

The Committee will take the next month to consider a new name that best suits its purpose.

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 received an update on the Report Card launch and to approve the resolution on Additional Measures and to approve the rules on K-3 Literacy Measure and Gifted.

Tina Thomas-Manning gave an update on the August 22nd webinar and launch of the new Report Card. After a few early glitches, Department staff have the interactive system operating at 99.9% efficiency.

The resolution on Additional Measures was voted out of committee.

After much discussion around the "demotions" element of the K-3 Literacy Measure – during which a motion to amend by Mrs. Dodd was voted down - it was voted out of committee, as was Gifted.

Tina Thomas-Manning will share a tentative schedule for upcoming Accountability Committee meetings soon.

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

The Committee discussed and adopted data a resolution for consideration before the full Board.

Kelly Weir discussed the responsibility list, which details the Department of Education, the State Board of Education and the Superintendent's responsibilities from legislation passed in the 130th General Assembly.

The Committee discussed HB 59 Budget Summary prepared by Legislative and Budget Staff.

BOARD PRESENTATIONS AND DISCUSSION FROM THE GRADUATION COMMITTEE
Chair: C. Todd Jones
Mr. Jones gave a report from the Graduation Committee meeting focusing on the following issues:

Graduation Committee:

The Committee was informed that the graduation proposal is moving forward. The department staff is currently working to compare the graduation requirements proposed to accountability measures and career – technical programs to ensure continued alignment and a joint message on readiness remains evident. The committee will have two more meetings, one at the October Board meeting and one at the November Board meeting. In the interim, committee members will receive information for review; and the Graduation Committee chair and Accountability committee chair will continue to meet with Department staff. The proposed plan is scheduled to be presented to the full Board at the November 2013 meeting.

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

President Terhar announced that Item 8 on the Consent Agenda would be voted on separately.

President Terhar, presented the following recommendations (Items 1-7, 8.A.) on the Consent Agenda:

1. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE OF MERCADES R. BLUE

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

WHEREAS Mercades R. Blue holds a five-year professional adolescence to young adult teaching license issued in 2009; and

WHEREAS on July 22, 2013, the Ohio Department of Education received a voluntary surrender form from Mercades R. Blue, which authorizes the State Board to enter an order permanently revoking her five-year professional adolescence to young adult teaching license issued in 2009 based upon allegations that Ms. Blue engaged in an inappropriate relationship with a student; and

WHEREAS the form specifies that Mercades R. Blue is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Mercades R. Blue has waived her right to a hearing and authorizes the State Board of Education to enter an order permanently revoking her five-year professional adolescence to young adult teaching license issued in 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** Mercades R. Blue's five-year professional adolescence to young adult teaching license issued in 2009 based upon allegations that Ms. Blue engaged in an inappropriate relationship with a student. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Mercades R. Blue 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. Blue of this action.

2. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE PERMANENT SPECIAL ALL GRADES TEACHING CERTIFICATE OF MICHAEL J. CARNEY

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

WHEREAS Michael J. Carney holds a permanent special all grades teaching certificate issued in 2003; and

WHEREAS on July 17, 2013, the Ohio Department of Education received a voluntary surrender form from Michael J. Carney, which authorizes the State Board to enter an order permanently revoking his permanent special all grades teaching certificate issued in 2003 based upon allegations that Mr. Carney failed to maintain appropriate student teacher boundaries; and

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

WHEREAS Michael J. Carney has waived his right to a hearing and authorizes the State Board of Education to enter an order permanently revoking his permanent special all grades 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** Michael J. Carney's permanent special all grades teaching certificate issued in 2003 based upon allegations that Mr. Carney failed to maintain appropriate student-teacher boundaries. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Michael J. Carney 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. Carney of this action.

3. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FOUR-YEAR EDUCATIONAL AIDE PERMIT OF JODY L. DISTL

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

WHEREAS Jody L. Distl holds a four-year educational aide permit issued in 2011; and

WHEREAS on August 9, 2013, the Ohio Department of Education received a voluntary surrender form from Jody L. Distl, which authorizes the State Board to enter an order permanently revoking her four-year educational aide permit issued in 2011 based upon Ms. Distl's alleged failure to properly restrain a student; and

WHEREAS the form specifies that Jody L. Distl is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Jody L. Distl 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 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** Jody L. Distl's four-year educational aide permit issued in 2011 based upon Ms. Distl's alleged failure to properly restrain a student. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Jody L. Distl 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. Distl of this action.

4. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL HIGH SCHOOL TEACHING LICENSE AND PERMANENT NON-TAX TEACHING CERTIFICATE OF ERNEST FORMICHELLI

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

WHEREAS Ernest Formichelli holds a five-year professional high school teaching license issued in 2012 and permanent non-tax teaching certificate issued in 1978; and

WHEREAS on July 26, 2013, the Ohio Department of Education received a voluntary surrender form from Ernest Formichelli, which authorizes the State Board to enter an order permanently revoking his five-year professional high school teaching license issued in 2012 and permanent non-tax teaching certificate issued in 1978 based upon Mr. Formichelli's desire to no longer use his teaching credentials with the acknowledgement that the State Board has made no findings of fact in this matter nor completed an investigation; and

WHEREAS the form specifies that Ernest Formichelli is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Ernest Formichelli 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 2012 and permanent non-tax teaching certificate issued in 1978: 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** Ernest Formichelli's five-year professional high school teaching license issued in 2012 and permanent non-tax teaching certificate issued in 1978 based upon Mr. Formichelli's desire to no longer use his teaching credentials with the acknowledgement that the State Board has made no findings of fact in this matter nor completed an investigation. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Ernest Formichelli 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. Formichelli of this action.

5. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL MULTI-AGE TEACHING LICENSE OF KELSEY L. HARTMANN (AKA KELSEY L. BRIDGES)

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

WHEREAS Kelsey L. Hartmann (aka Kelsey L. Bridges) holds a five-year professional multi-age teaching license issued in 2011; and

WHEREAS on August 2, 2013, the Ohio Department of Education received a voluntary surrender form from Kelsey L. Hartmann, which authorizes the State Board to enter an order permanently revoking her five-year professional multi-age teaching license issued in 2011 based upon Ms. Hartmann's pending charges in the Montgomery County Common Pleas Court for three felony counts of sexual battery; and

WHEREAS the form specifies that Kelsey L. Hartmann is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Kelsey L. Hartmann has waived her right to a hearing and authorizes the State Board of Education to enter an order permanently revoking her five-year professional multi-age teaching license issued in 2011: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and Ohio Revised Code 3319.311(F), hereby **REVOKES** Kelsey L. Hartmann's five-year professional multi-age teaching license issued in 2011 based upon Ms. Hartmann's pending charges in the Montgomery County Common Pleas Court for three felony counts of sexual battery. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Kelsey L. Hartmann 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. Hartmann of this action.

6. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE OF THOMAS H. MOUAT JR.

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

WHEREAS Thomas H. Mouat Jr. holds a five-year professional adolescence to young adult teaching license issued in 2010; and

WHEREAS on July 3, 2013, the Ohio Department of Education received a voluntary surrender form from Thomas H. Mouat, which authorizes the State Board to enter an order permanently revoking his five-year professional adolescence to young adult teaching license issued in 2010 based upon Mr. Mouat's inappropriate comments to students; and

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

WHEREAS Thomas H. Mouat has waived his right to a hearing and authorizes the State Board of Education to enter an order permanently revoking his five-year professional adolescence to young adult teaching license issued in 2010: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and Ohio Revised Code 3319.311(F), hereby **REVOKES** Thomas H. Mouat Jr.'s five-year professional adolescence to young adult teaching license issued in 2010 based upon Mr. Mouat's inappropriate comments to students. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Thomas H. Mouat Jr. 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. Mouat of this action.

7. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE TWO-YEAR PROVISIONAL CAREER TECHNICAL TEACHING LICENSE OF JEFFERY S. ROHRER JR.

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

WHEREAS Jeffery S. Rohrer Jr. holds a two-year provisional career technical teaching license issued in 2012; and

WHEREAS on August 12, 2013, the Ohio Department of Education received a voluntary surrender form from Jeffery S. Rohrer, which authorizes the State Board to enter an order permanently revoking his two-year provisional career technical teaching license issued in 2012 based upon Mr. Rohrer's pending charge in the Clark County Municipal Court for one felony count of sexual battery; and

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

WHEREAS Jeffery S. Rohrer has waived his right to a hearing and authorizes the State Board of Education to enter an order permanently revoking his two-year provisional career technical 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** Jeffery S. Rohrer Jr.'s two-year provisional career technical teaching license issued in 2012 based upon Mr. Rohrer's pending charge in the Clark County Municipal Court for one felony count of sexual battery. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Jeffery S. Rohrer Jr. 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. Rohrer of this action.

8.A. RESOLUTION OF INTENT TO CONSIDER CONFIRMATION OF THE COLUMBIA LOCAL SCHOOL DISTRICT'S DETERMINATION OF IMPRACTICAL TRANSPORTATION OF CERTAIN STUDENTS ATTENDING STS. JOSEPH & JOHN SCHOOL, STRONGSVILLE, CUYAHOGA COUNTY, OHIO.

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

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

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

WHEREAS in compliance with procedures adopted by the State Board of Education on July 12, 1982, regarding payment in lieu of transportation, the Columbia Local School District has requested that the State Board of Education confirm the school district's determination that it is impractical to transport certain students to Sts. Joseph & John School in Strongsville, Cuyahoga, Ohio; and

WHEREAS the Lorain County Educational Service Center passed a resolution concurring with the determination of the Columbia Local School District: Therefore, Be It

RESOLVED, that the State Board of Education does hereby declare its intent to consider the request of the Columbia Local School District Board of Education to declare transportation of certain students attending Sts. Joseph & John School in Strongsville, Ohio to be impractical, and to notify said district and other affected parties of their opportunity for a hearing, pursuant to 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.

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

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

President Terhar presented the following recommendation (Item 8):

8. RESOLUTION OF INTENT TO ADOPT RULE 3301-28-07 OF THE ADMINISTRATIVE CODE REGARDING KINDERGARTEN THROUGH THIRD GRADE LITERACY IMPROVEMENT AND TO AMEND RULE 3301-28-06 OF THE ADMINISTRATIVE CODE REGARDING THE VALUE-ADDED PROGRESS DIMENSION

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

WHEREAS Division (B)(3) of Section 3302.03 of the Revised Code, as enacted by House Bill 555 of the 129th General Assembly, requires the State Board of Education, not later than December 31, 2013, to adopt rules that prescribe the methods by which the performance measures established pursuant to Division (B)(1)(f) of Section 3302.03 Revised Code regarding the *Value-Added Progress* measure for student subgroups and Division (B)(1)(g) of Section 3302.03 of the Revised Code regarding the *Kindergarten through Third Grade Literacy Improvement* measure will be assessed and assigned a letter grade, including performance benchmarks for each grade; and

WHEREAS Section 3313.608 of the Revised Code establishes the *Third Grade Reading Guarantee* to emphasize and ensure literacy for all third grade students through annual diagnostics, interventions, reading improvement plans and specially qualified teachers; and

WHEREAS a new measure, entitled *Kindergarten through Third Grade Literacy Improvement,* will determine whether a school district or building is making progress in improving literacy in accordance with the *Third Grade Reading*

Guarantee beginning with the 2013-2014 Local Report Card and will calculate student improvement using reading diagnostic assessments year-to-year and the *Grade Three Reading Ohio Achievement Assessment*; and

WHEREAS the definition of "gifted student" for the disaggregated value-added progress measure is new for the 2013-2014 school year Local Report Card and specifies that all students identified as gifted in superior cognitive ability and specific academic ability fields under Chapter 3324. of the Revised Code be included in the measure; and

WHEREAS the calculation and assignment of letter grade for the gifted student *Value-Added Progress* measure remains unchanged; and

WHEREAS the Accountability Committee met four times over six months to discuss and create the new *Kindergarten through Third Grade Literacy Improvement* measure and the gifted student *Value-Added Progress* measure: Therefore, Be It

RESOLVED, That the State Board of Education hereby declares its intent to adopt proposed Rule 3301-28-07 of the Administrative Code regarding *Kindergarten Through Third Grade Literacy Improvement*, which is attached hereto and incorporated herein by this reference, and to amend existing Rule 3301-28-06 of the Administrative Code entitled *Value-Added Progress Dimension*, 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 rules to be adopted and 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 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 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. Gunlock that the above recommendation (Item 8) be approved.

Mrs. Dodd proposed to amend the resolution by substitution. She proposed the following changes to the rules. Ms. Jacobs Seconded the motion.

3301-28-07 Kindergarten through third grade literacy improvement.

(A) Beginning with the local report card released for the 2013-2014 school year, the local report card shall include a graded performance measure known as kindergarten through third grade literacy improvement or K-3 literacy improvement. This measure shall determine progress made based on the reduction in the percentage of students scoring below grade level, or below proficient, compared from year to year in grades kindergarten through three.

(B)(1) The grade for this measure will be the percentage of the previous year's students in grades kindergarten through third grade that were below proficient in reading who test at or above proficient this year divided by the percent of students in grades kindergarten through three that tested below grade level in the previous year. The calculation shall only include students that were in the school or district in the current year, which is the most recent school year, and the previous school year.

(2) The measure shall utilize the results of the reading diagnostics as required by division (B)(1) of section 3313.608 of the Revised Code and the English language arts assessments administered at the end of the third grade as prescribed under division (A)(1)(a) of section 3301.0710 of the Revised Code.

(a) The improvement in kindergarten literacy shall be measured using the previous year's kindergarten reading diagnostic assessment administered by September 30 as prescribed by division (B)(1) of section 3313.608 of the Revised Code and the current year's first grade reading diagnostic assessment administered by September 30 as prescribed by division (B)(1) of section 3313.608 of the Revised Code.

(b) The improvement in first grade literacy shall be measured using the previous year's first grade reading diagnostic assessment administered by September 30 as prescribed by division (B)(1) of section 3313.608 of the Revised Code and the current year's second grade reading diagnostic assessment administered by September 30 as prescribed by division (B)(1) of section 3313.608 of the Revised Code.

(c) The improvement in second grade literacy shall be measured using the previous year's second grade reading diagnostic assessment administered by September 30 as prescribed by division (B)(1) of section 3313.608 of the Revised Code and the current year's third grade reading diagnostic assessment administered by September 30 as prescribed by division (B)(1) of section 3313.608 of the Revised Code.

(d) The improvement in third grade literacy shall be measured using the current year's third grade reading diagnostic assessment administered by September 30 as prescribed by division (B)(1) of section 3313.608 of the Revised Code and the current year's English language arts assessments administered at the end of the third grade as prescribed under division (A)(1)(a) of section 3301.0710 of the Revised Code.

(3) Schools and districts will receive a demotion for each student who scores below proficient on the English language arts assessments administered at the end of the third grade as prescribed under division (A)(1)(a) of section 3301.0710 of the Revised Code and is not on a reading improvement and monitoring plan as described by division (C) of section 3313.608 of the Revised Code.

(C) The department shall assign a letter grade for the kindergarten through third grade literacy improvement measure using grade ranges calculated each year by:

(1) Dividing the distance between the statewide average value for this measure and a score of 100 in to three equal ranges. These equal ranges will be, in descending order, the "A" grade range, "B" grade range and "C" grade range, with the statewide average value for this measure being the minimum of the "C" grade range.

(2) Designating the "D" grade range as a distance below the statewide average value for this measure equal to the grade ranges in division (C)(1) of this rule.

(3) Designating any score resulting from the measure below the minimum of the "D" grade range as an "F".

(D) No school or district with less than five percent of its kindergarten students scoring below proficient on the reading diagnostic assessment administered by September 30 of the previous year as prescribed by division (B)(1) of section 3313.608 of the Revised Code shall receive a letter grade on the kindergarten through third grade literacy improvement measure.

3301-28-06 Value-added progress dimension.

(A) Beginning with the local report card released for the 2012-2013 school year, the local report card shall include graded performance measures for the value-added progress dimension described in section 3302.021 of the Revised Code. These measures shall include a grade for the progress of students overall, progress of students identified as gifted, progress of students with disabilities, and progress of students whose performance places them in the lowest quintile for achievement on a statewide basis.

(B) The value-added measure uses assessment data from multiple assessments over multiple years to determine if a school district or building is producing student academic progress. A composite of academic progress shall be computed for each school district and building from the progress made in reading and mathematics. This composite shall use up to three years of measured progress data as available.

(C) The department shall assign a letter grade for each value-added performance measure using the following performance benchmarks:

(1) A composite that is at least two standard errors of measure above the mean score shall be designated as an "A";

(2) A composite that is at least one standard error of measure but less than two standard errors of measure above the mean score shall be designated as a "B";

(3) A composite that is less than one standard error of measure above the mean score but greater than or equal to one standard error of measure below the mean score shall be designated as a "C";

(4) A composite that is not greater than one standard error of measure below the mean score but is greater than or equal to two standard errors of measure below the mean score shall be designated as a "D"; and

(5) A composite that is not greater than two standard errors of measure below the mean score shall be designated as an "F."

(D) The mean is determined by Ohio's growth expectation. The standard for Ohio's growth expectation for grades four through eight in reading and mathematics is met when the student group makes one year's growth from one year to the next in relation to the base year statewide distribution.

(E) The students included in the value-added measure for students whose performance places them in the lowest quintile for achievement on a statewide basis shall be determined using an average of the current and previous year's assessments scores in reading and mathematics.

(F) The students included in the value-added measure for students identified as gifted shall include students identified as gifted in superior cognitive ability and specific academic ability fields under Chapter 3324. of the Revised Code.

(F)(G) In accordance with sections 3301.0711, 3301.0714, and 3319.321 of the Revised Code and the Family and Educational Rights and Privacy Act (FERPA) (January 2013), 20 U.S.C. 1232g, individual student test scores and individual student reports shall be made available only to a student's classroom teacher, other appropriate educational personnel, and the student's parent or guardian

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

YES VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Sarah Fowler
Ann Jacobs	

NO VOTES

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

Motion denied.

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

YES VOTES

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

NO VOTES

Deborah Cain	Michael Collins
Stephanie Dodd	Sarah Fowler
Ann Jacobs	

Motion carried.

President Terhar presented the following recommendation (Item 9):

9. RESOLUTION TO APPROVE THE NEGOTIATED AGREEMENT BETWEEN THE COLUMBUS CITY SCHOOL DISTRICT, FRANKLIN COUNTY, AND THE DUBLIN CITY SCHOOL DISTRICT, FRANKLIN COUNTY, TO TRANSFER PROPERTY FROM THE COLUMBUS CITY SCHOOL DISTRICT TO THE DUBLIN CITY SCHOOL DISTRICT.

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

WHEREAS the Columbus City School District filed a proposal with the State Board of Education for the transfer of school district territory from the Columbus City School District, Franklin County, to the Dublin City School District, Franklin County, in accordance with Ohio Revised Code section 3311.24; and

WHEREAS the proposal filed by the Columbus City School District was initiated pursuant to a motion of the Columbus City Board of Education approving the request to transfer property at a specific address to the Dublin City School District; and

WHEREAS the Columbus City School District and the Dublin City School District have negotiated an agreement to transfer the property, such agreement being attached hereto and incorporated herein by this reference; and

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

RESOLVED, That upon consideration of the negotiated agreement, the State Board of Education hereby approves the negotiated agreement indicating that the Columbus City School District and the Dublin City School District agree to a proposed transfer of territory from the Columbus City School District to the Dublin City School District; and, Be It

FURTHER RESOLVED, that the Superintendent of Public Instruction be, and he hereby is, directed to serve a true copy of this resolution on the Boards of Education of the Columbus City School District and the Dublin City School District, and counsel of record, if applicable.

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

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Stephanie Dodd
Sarah Fowler	Thomas Gunlock
Ann Jacobs	C. Todd Jones
Kathleen McGervey	Darryl D. Mehaffie
Ron Rudduck	Mark Smith

Debe Terhar Bryan C. Williams

Motion carried.

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

10. RESOLUTION TO REVOKE THE FIVE-YEAR PROFESSIONAL ELEMENTARY TEACHING LICENSE OF PATRISE L. ELLIOTT (AKA PATRICE CLARK-ELLIOTT)

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

WHEREAS Patrise L. Elliott (aka Patrice Clark-Elliott) holds a five-year professional elementary teaching license issued in 2010; and

WHEREAS on July 8, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Patrise L. Elliott of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional elementary teaching license issued in 2010 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (B)(2)(d), and (B)(3). The notice was based upon Ms. Elliott's 2012 guilty plea in the Warren County Court of Common Pleas to one felony count of aggravated possession of drugs and subsequent acceptance into the court's intervention in lieu of conviction program; and

WHEREAS the notice informed Ms. Elliott 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 five-year professional elementary teaching license issued in 2010; and

WHEREAS Patrise L. Elliott 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 Warren County Court of Common Pleas and Middletown 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)(a), (B)(2)(d), and (B)(3), hereby **REVOKES** Patrise L. Elliott's five-year professional elementary teaching license issued in 2010 based upon Ms. Elliott's 2012 guilty plea in the Warren County Court of Common Pleas for one felony count of aggravated possession of drugs and subsequent acceptance

into the court's intervention in lieu of conviction program. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Patrise L. Elliott may not reapply for any license issued by the State Board of Education until three years after she successfully completes her intervention in lieu of conviction program and that upon reapplication she provides proof of sobriety to the Ohio Department of Education; and, Be It Further

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

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

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Stephanie Dodd
Sarah Fowler	Thomas Gunlock
Ann Jacobs	C. Todd Jones
Kathleen McGervey	Darryl D. Mehaffie
Ron Rudduck	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 PERMANENTLY DENY THE THREE-YEAR PUPIL ACTIVITY PERMIT APPLICATION OF BRIAN J. GOSSETT

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

WHEREAS Brian J. Gossett has applied for a three-year pupil activity permit; and

WHEREAS on May 24, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Brian J. Gossett of its intent to deny or permanently deny his pending application for a three-year pupil activity permit pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(c), and (F) and Rule 3301-20-01(E) of the Ohio Administrative Code. The notice was based upon Mr. Gossett's 2012 conviction in the Allegheny County Common Pleas Court for one summary count of disorderly conduct, 2011 conviction in the Susquehanna County Common Pleas Court for one misdemeanor count of theft by unlawful taking, and 2002 bond forfeiture in the Myrtle Beach Municipal Court for one misdemeanor count of a minor in possession of beer/alcohol; and

WHEREAS the notice informed Mr. Gossett 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 Brian J. Gossett 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 Allegheny County Common Pleas Court, Susquehanna County Common Pleas Court, and Myrtle Beach 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; and

WHEREAS Mr. Gossett is not eligible for licensure by the State Board of Education since he does not meet the rehabilitation criteria established by Rule 3301-20-01 of the Ohio Administrative Code because five years have not elapsed since Mr. Gossett's theft-related conviction in 2011: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(c), and (F) and Rule 3301-20-01(E) of the Ohio Administrative Code, hereby **DENIES** Brian J. Gossett's application for a three-year pupil activity permit based upon Mr. Gossett's 2012 conviction in the Allegheny County Common Pleas Court for one summary count of disorderly conduct, 2011 conviction in the Susquehanna County Common Pleas Court for one misdemeanor count of theft by unlawful taking, and 2002 bond forfeiture in the Myrtle Beach Municipal Court for one misdemeanor count of a minor in possession of beer/alcohol. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Brian J. Gossett 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. Gossett of this action.

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

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Stephanie Dodd
Sarah Fowler	Thomas Gunlock
Ann Jacobs	C. Todd Jones
Kathleen McGervey	Darryl D. Mehaffie
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 ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL SUPERINTENDENT LICENSE, FIVE-YEAR PROFESSIONAL PRINCIPAL LICENSE, AND FIVE-YEAR PROFESSIONAL HIGH SCHOOL TEACHING LICENSE OF DONALD H. HADDOX JR.

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

WHEREAS Donald H. Haddox Jr. held a five-year professional superintendent license issued in 2008, five-year professional principal license issued in 2008, and five-year professional high school teaching license issued in 2008; and

WHEREAS on March 19, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Donald H. Haddox of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional superintendent license issued in 2008, five-year professional principal license issued in 2008, and five-year professional high school teaching license issued in 2008 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(c). The notice was based upon Mr. Haddox's 2012 conviction in the Lucas County Common Pleas Court for two misdemeanor counts of petit theft stemming from Mr. Haddox submitting fraudulent, duplicate reimbursement requests on four occasions from June 2010 to April 2011 to the Toledo City School District, Ohio Department of Education, and Buckeye Association of School Administrators to collect double mileage reimbursements; and

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

WHEREAS a hearing was held on June 27, 2013; and

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

WHEREAS the hearing officer recommends that Mr. Haddox’s five-year professional superintendent license, five-year professional principal license, and five-year professional high school teaching 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. Haddox’s conduct being egregious and exhibiting dishonesty with state funds for his personal gain, and his multiple acts making him a risk to return to the school community, particularly as an administrator; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(c), hereby **REVOKES** Donald H. Haddox Jr.'s five-year professional superintendent license issued in 2008, five-year professional principal license issued in 2008, and five-year professional high school teaching license issued in 2008 based upon Mr. Haddox's 2012 conviction in the Lucas County Common Pleas Court for two misdemeanor counts of petit theft stemming from Mr. Haddox submitting fraudulent, duplicate reimbursement requests on four occasions from June 2010 to April 2011 to the Toledo City School District, Ohio Department of Education, and Buckeye Association of School Administrators to collect double mileage reimbursements. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Donald H. Haddox 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. Haddox of this action.

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

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain
Sarah Fowler
Ann Jacobs
Darryl D. Mehaffie
Mark Smith
Bryan C. Williams
Stephanie Dodd
Thomas Gunlock
Kathleen McGervey
Ron Rudduck
Debe Terhar

ABSTAIN

C. Todd Jones

Motion carried.

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

13. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE THE FIVE-YEAR LONG TERM MULTI-AGE SUBSTITUTE TEACHING LICENSE OF DAVID HARPER (AKA G. DAVID HARPER)

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

WHEREAS David Harper (aka G. David Harper) held a five-year long term multi-age substitute teaching license issued in 2008; and

WHEREAS on December 17, 2012, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified David Harper of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year long term multi-age substitute teaching license issued in 2008 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Harper engaging in unbecoming conduct on or about May 7, 2012 when Mr. Harper yelled in a student's face and smacked the student on his upper back/shoulder area after the student failed to follow Mr. Harper's directives; and

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

WHEREAS a hearing was held on April 16, 2013; and

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

WHEREAS the hearing officer recommends that Mr. Harper's five-year long term multi-age substitute teaching license issued in 2008 be suspended by the State Board for a period of three years. The hearing officer's recommendation is based upon a suspension being the presumptive disciplinary action pursuant to the Licensure Code of Professional Conduct for Ohio Educators and no evidence being offered to mitigate Mr. Harper's unbecoming conduct; and

WHEREAS Mr. Harper's five-year long term multi-age substitute teaching license issued in 2008 expired on June 30, 2013 after the date the hearing officer issued her report and recommendation; and

WHEREAS the State Board of Education considered the hearing officer's recommendation in relation to the expiration of Mr. Harper's license; and

WHEREAS the State Board of Education intends to reconcile the hearing officer's recommendation with the expiration of Mr. Harper's license; and

WHEREAS the State Board of Education, in accordance with Ohio Revised Code 3319.31(B), may suspend, revoke, or limit a license that has been issued to any person or may revoke a license that has been issued to any person and has expired: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** David Harper's five-year long term multi-age substitute teaching license issued in 2008 based upon Mr. Harper engaging in unbecoming conduct on or about May 7, 2012 when Mr. Harper yelled in a student's face and smacked the student on his upper back/shoulder area after the student failed to follow Mr. Harper's directives. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that David Harper may not reapply for any license issued by the State Board of Education until on or after September 10, 2016; and, Be It Further

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

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

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain
Sarah Fowler
Ann Jacobs
Darryl D. Mehaffie
Mark Smith
Bryan C. Williams
Stephanie Dodd
Thomas Gunlock
Kathleen McGervey
Ron Rudduck
Debe Terhar

ABSTAIN

C. Todd Jones

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-ELEMENTARY TEACHING LICENSE AND FIVE-YEAR PROFESSIONAL EDUCATION OF THE HANDICAPPED TEACHING LICENSE OF DARLENE C. HILL

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

WHEREAS Darlene C. Hill holds a five-year professional kindergarten-elementary teaching license issued in 2009 and five-year professional education of the handicapped teaching license issued in 2009; and

WHEREAS on February 26, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Darlene C. Hill of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional kindergarten-elementary teaching license issued in 2009 and five-year professional education of the handicapped teaching license issued in 2009 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Hill, on or about May 14, 2012, grabbing a female student with both arms, pulling the student from her chair, shaking the student, and causing the student to fall to the floor; and

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

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

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

WHEREAS the hearing officer recommends that Ms. Hill's five-year professional kindergarten-elementary teaching license and five-year professional education of the handicapped teaching license be revoked and she be permanently ineligible to apply for any license issued by the State Board of Education. The hearing officer's recommendation is based upon Ms. Hill's egregious conduct when she engaged in a violent act against a young student who she was entrusted to care for during the school day; her actions not setting a good example for other students who witnessed these acts in the classroom; and her lack of remorsefulness: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Darlene C. Hill's five-year professional kindergarten-elementary teaching license issued in 2009 and five-year professional education of the handicapped teaching license issued in 2009 based upon Ms. Hill, on or about May 14, 2012, grabbing a female student with both arms, pulling the student from her chair, shaking the student, and causing the student to fall to the floor. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Darlene C. Hill 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. Hill of this action.

It was Moved by Ms. Jacobs and Seconded by Ms. McGervey that the above recommendation (Item 14) be approved.

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

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

15. RESOLUTION TO DENY PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT APPLICATION OF RICARDO L. JOHNSON

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

WHEREAS Ricardo L. Johnson has applied for a pending application for a three-year pupil activity permit; and

WHEREAS on June 17, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Ricardo L. Johnson 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)(b), (B)(2)(c), and (F) and Rule 3301-20-01(E) of the Ohio Administrative Code. The notice was based upon Mr. Johnson's 2004 conviction in the Hamilton County Common Pleas Court for one misdemeanor count of theft, 2000 bond forfeiture in the Maumee Municipal Court for one misdemeanor count of snagging fish, 1997 conviction in the Hamilton County Municipal Court for one misdemeanor count of assault, 1996 conviction in the Hamilton County Municipal Court for one misdemeanor count of domestic violence, 1990 conviction in the Hamilton County Municipal Court for one misdemeanor count of assault and one misdemeanor count of criminal damaging, 1990 conviction in the Hamilton County Municipal Court for one misdemeanor count of disorderly conduct, and 1989 conviction in the Hamilton County Municipal Court for one misdemeanor count of disorderly conduct; and

WHEREAS the notice informed Mr. Johnson 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 Ricardo L. Johnson 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 Hamilton County Common Pleas Court, Maumee Municipal Court, Hamilton County Municipal Court, and Hamilton County Sheriff's Office; 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. Johnson 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 offenses involving violence and/theft two or more times: 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 (F) and Rule 3301-20-01(E) of the Ohio Administrative Code, hereby **DENIES** Ricardo L. Johnson's application for a three-year pupil activity permit based upon Mr. Johnson's 2004 conviction in the Hamilton County Common Pleas Court for one misdemeanor count of theft, 2000 bond forfeiture in the Maumee Municipal Court for one misdemeanor count of snagging fish, 1997 conviction in the Hamilton County Municipal Court for one misdemeanor count of assault, 1996 conviction in the Hamilton County Municipal Court for one misdemeanor count of domestic violence, 1990 conviction in the

Hamilton County Municipal Court for one misdemeanor count of assault and one misdemeanor count of criminal damaging, 1990 conviction in the Hamilton County Municipal Court for one misdemeanor count of disorderly conduct, and 1989 conviction in the Hamilton 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)(b), orders Ricardo L. Johnson 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. Johnson of this action.

It was Moved by Ms. McGervey and Seconded by Ms. Fowler that the above recommendation (Item 15) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Stephanie Dodd
Sarah Fowler	Thomas Gunlock
Ann Jacobs	C. Todd Jones
Kathleen McGervey	Darryl D. Mehaffie
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 REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL HIGH SCHOOL TEACHING LICENSE, FIVE-YEAR PROFESSIONAL SPECIAL ALL GRADES TEACHING LICENSE, AND THREE-YEAR PUPIL ACTIVITY PERMIT OF GARY E. JONES

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

WHEREAS Gary E. Jones holds a five-year professional high school teaching license issued in 2010, five-year professional special all grades teaching license issued in 2010, and three-year pupil activity permit issued in 2011; and

WHEREAS on July 10, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Gary E. Jones of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five year professional high school teaching license issued in 2010, five-year professional special all grades teaching license issued in 2010, and three-year pupil activity permit issued in 2011 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(b). The notice was based upon Mr. Jones' 2013 conviction in the Allen

County Common Pleas Court for one felony count of attempted sexual battery; and

WHEREAS the notice informed Mr. Jones 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 five-year professional high school teaching license issued in 2010, five-year professional special all grades teaching license issued in 2010, and three-year pupil activity permit issued in 2011; and

WHEREAS Gary E. Jones 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 Allen County Common Pleas 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)(b), hereby **REVOKES** Gary E. Jones' five-year professional high school teaching license issued in 2010, five-year professional special all grades teaching license issued in 2010, and three-year pupil activity permit issued in 2011 based upon Mr. Jones' 2013 conviction in the Allen County Common Pleas Court for one felony count of attempted sexual battery. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Gary E. Jones 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. Jones of this action.

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

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Stephanie Dodd
Sarah Fowler	Thomas Gunlock
Ann Jacobs	C. Todd Jones
Kathleen McGervey	Darryl D. Mehaffie
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 ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FOUR-YEAR EDUCATIONAL AIDE PERMIT OF OLUWAKEMI S. OLADOKUN (AKA OLUWAKEMI S. BARBOUR)

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

WHEREAS Oluwakemi S. Oladokun (aka Oluwakemi S. Barbour) holds a four-year educational aide permit issued in 2010; and

WHEREAS on January 22, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Oluwakemi S. Oladokun 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. Oladokun's 2012 conviction in the Maumee Municipal Court for one misdemeanor count of taking the identity of another, which stemmed from Ms. Oladokun, on or about May 2006, attempting to use the personal information of another district employee to obtain a $700.00 wire transfer and using the financial information of the same district employee to pay Ms. Oladokun's cellular telephone bill; and

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

WHEREAS a hearing was held on May 15, 2013; and

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

WHEREAS the hearing officer recommends that Ms. Oladokun's four-year educational aide permit be revoked and she be permanently ineligible to apply for any license issued by the State Board of Education. The hearing officer's recommendation is based upon Ms. Oladokun's egregious acts, which included taking the identity of another school district employee for the purpose of stealing money, not being truthful about her misconduct for six years, and failing to disclose her outstanding warrants and conviction to the State Board. Ms. Oladokun's misconduct negatively impacted the community and resulted in a misdemeanor conviction: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Oluwakemi S. Oladokun's four-year educational aide permit issued in 2010 based upon Ms. Oladokun's 2012 conviction in the Maumee Municipal Court for one misdemeanor count of taking the identity of another, which stemmed from Ms. Oladokun, on or about May 2006, attempting to use the personal information of another district employee to obtain a $700.00 wire transfer and using the financial information of the same district employee to pay Ms. Oladokun's cellular telephone bill. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b),

orders Oluwakemi S. Oladokun 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. Oladokun of this action.

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

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 18):

18. RESOLUTION TO REVOKE PERMANENTLY THE ONE-YEAR EDUCATIONAL AIDE PERMIT OF EL-MON J. PRIER (AKA ELMON J. PRIER)

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

WHEREAS El-Mon J. Prier (Elmon J. Prier) held a one-year educational aide permit issued in 2012; and

WHEREAS on June 12, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified El-Mon J. Prier of its intent to determine whether to limit, suspend, revoke, or permanently revoke his 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 Mr. Prier's 2013 conviction in the Butler County Common Pleas Court for two felony counts of attempted sexual battery; and

WHEREAS the notice informed Mr. Prier 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 educational aide permit issued in 2012; and

WHEREAS El-Mon J. Prier 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 Butler County Common Pleas 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) and (B)(2)(b), hereby **REVOKES** El-Mon J. Prier's one-year educational aide permit issued in 2012 based upon Mr. Prier's 2013 conviction in the Butler County Common Pleas Court for two felony counts of attempted sexual battery. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders El-Mon J. Prier 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. Prier of this action.

It was Moved by Ms. McGervey and Seconded by Ms. Fowler that the above recommendation (Item 18) be approved.

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 19):

19. RESOLUTION TO REVOKE PERMANENTLY THE PERMANENT HIGH SCHOOL TEACHING CERTIFICATE OF JEFFERY E. RASAWEHR

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

WHEREAS Jeffery E. Rasawehr holds a permanent high school teaching certificate issued in 1995; and

WHEREAS on June 24, 2013, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Jeffery E. Rasawehr of its intent to determine whether to limit, suspend, revoke, or permanently revoke his permanent high school teaching certificate issued in 1995 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Rasawehr's 2013 conviction in the Celina Municipal Court for one minor misdemeanor count of disorderly conduct and two misdemeanor counts of violating a temporary restraining order; and

WHEREAS the notice informed Mr. Rasawehr 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 permanent high school teaching certificate issued in 1995; and

WHEREAS Jeffery E. Rasawehr 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 Celina Municipal Court and Mercer County Sheriff's Office; 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** Jeffery E. Rasawehr's permanent high school teaching certificate issued in 1995 based upon Mr. Rasawehr's 2013 conviction in the Celina Municipal Court for one minor misdemeanor count of disorderly conduct and two misdemeanor counts of violating a temporary restraining order. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Jeffery E. Rasawehr 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. Rasawehr of this action.

It was Moved by Mr. Mehaffie and Seconded by Ms. McGervey that the above recommendation (Item 19) be approved.

President Terhar called for a roll call vote.

YES VOTES

Deborah Cain	Stephanie Dodd
Sarah Fowler	Thomas Gunlock
Ann Jacobs	Kathleen McGervey
Darryl D. Mehaffie	Ron Rudduck
Mark Smith	Debe Terhar

Bryan C. Williams

ABSTAIN
C. Todd Jones

Motion carried.

Mr. Gunlock presented the following recommendation (Item 20):

20. RESOLUTION TO ADOPT THE REVISED OHIO TEACHER EVALUATION SYSTEM (OTES) FRAMEWORK, OHIO PRINCIPAL EVALUATION (OPES) FRAMEWORK, AND STATE AGENCY TEACHER EVALUATION FRAMEWORK TO ALIGN WITH HOUSE BILL 59

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

WHEREAS Section 3319.61 of the Revised Code required the Educator Standards Board to develop model teacher evaluation instruments and processes; and

WHEREAS at its April 2011 business meeting, the Educator Standards Board passed a resolution to recommend to the State Board of Education the adoption of the Ohio Teacher Evaluation System model that they had developed pursuant to section 3319.61 of the Revised Code; and

WHEREAS House Bill 153 of the 129th General Assembly required each school district to adopt a standards-based teacher evaluation policy that conforms with the framework for evaluation of teachers developed under section 3319.112 of the Revised Code; and

WHEREAS House Bill 153 of the 129th General Assembly required the State Board of Education to develop, by December 31, 2011, a standards-based state framework for the evaluation of teachers that is aligned with the standards for teachers adopted under section 3319.61 of the Revised Code, and that provides for multiple evaluation factors, including student academic growth which shall account for fifty percent of each evaluation; and

WHEREAS the State Board of Education, at its November 2011 business meeting, adopted the Ohio Teacher Evaluation System Framework in accordance with section 3319.112 of the Revised Code; and

WHEREAS the State Board of Education also adopted an evaluation framework for principals, and also for teachers employed by state agencies in accordance with section 3319.112 of the Revised Code; and

WHEREAS House Bill 59 of the 130th General Assembly initiated a change to Ohio's terminology that is used to distinguish between levels of performance and to assign teacher and principal evaluation ratings, replacing the word "proficient" with "skilled", and resulting in a need to revise the Ohio Teacher Evaluation System Framework, the Ohio Principal Evaluation Framework, and the State

Agency Teacher Evaluation Framework previously adopted by the State Board of Education; and

WHEREAS the Capacity Committee, at its September 2013 meeting, reviewed and approved the revised Ohio Teacher Evaluation System Framework, Ohio Principal Evaluation Framework, and State Agency Teacher Evaluation Framework that were updated by ODE to align with terminology in House Bill 59: Therefore, Be It

RESOLVED, That the State Board of Education hereby adopts the revised and updated Ohio Teacher Evaluation System Framework, Ohio Principal Evaluation Framework, and State Agency Teacher Evaluation Framework in accordance with section 3319.112 of the Revised Code.

It was Moved by Mr. Gunlock that the above recommendation (Item 20) be approved.

President Terhar called for a roll call vote.

YES VOTES

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

NO VOTES

Sarah Fowler

Motion carried.

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

21. RESOLUTION TO ADOPT THE RESIDENT EDUCATOR SUMMATIVE ASSESSMENT (RESA) AS THE REQUIRED PERFORMANCE-BASED ASSESSMENT FOR THE OHIO RESIDENT EDUCATOR PROGRAM

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

WHEREAS Section 3319.223 of the Revised Code requires classroom teachers to complete a four year teacher residency program that includes mentoring, professional development and measures of appropriate progression through the program; and

WHEREAS Rule 3301-24-04 of the Administrative Code, entitled Teacher Residency, established that resident educators are required to pass a resident

educator performance-based assessment as one of the requirements to qualify for a professional educator license; and

WHEREAS the Ohio Department of Education issued a Request for Proposals (RFP) to select a vendor through a competitive bidding process in order to fulfill Ohio's need for a resident educator performance-based assessment; and

WHEREAS Teachscape was awarded the contract to provide the resident educator performance-based assessment, called the Resident Educator Summative Assessment (RESA); and

WHEREAS resident educators will complete the Resident Educator Summative Assessment beginning in school year 2013-2014; and

WHEREAS the Educator Standards Board has approved a process for evaluating and scoring the assessments; and

WHERAS a copy of the Educator Standards Board approved process for evaluating and scoring the assessments is attached hereto and incorporated herein by reference; and

WHEREAS the Capacity Committee, at its September 2013 meeting, reviewed information related to the proposed Resident Educator Summative Assessment and recommended adoption of this assessment to the State Board of Education: Therefore, Be It

RESOLVED, That the State Board of Education hereby adopts the Resident Educator Summative Assessment as the required performance-based assessment for the Ohio Resident Educator Program.

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

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

Mr. Gunlock presented the following recommendation (Item 22):

22. RESOLUTION TO TERMINATE THE OPERATOR CONTRACT WITH THE SEED FOUNDATION FOR THE OPERATION OF A COLLEGE-

PREPARATORY BOARDING SCHOOL UNDER OHIO REVISED CODE (ORC) CHAPTER 3328

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

WHEREAS the State Board of Education, during its May 2012 business meeting, selected The SEED Foundation as the Operator of a college-preparatory boarding school established under ORC Chapter 3328;

WHEREAS ORC 3338.12 obligated the State Board of Education to enter into a contract with The SEED Foundation as the selected operator of a college-preparatory board school established under ORC Chapter 3328; and

WHEREAS the Board approved and adopted the operator contract negotiated on behalf of the State Board by the Ohio Department of Education during its July 2012 business meeting; and

WHEREAS Section 12.3 of the operator contract authorizes the termination of the operator contract upon mutual agreement in writing; and

WHEREAS in a letter to the State Board of Education dated August 19, 2013, a copy of which is attached hereto and incorporated by reference, The SEED Foundation seeks to terminate the operator contract due to the inability of the school to open: Therefore, Be it

RESOLVED, that the State Board of Education hereby agrees to the mutual termination of the operator contract.

It was Moved by Mr. Gunlock that the above recommendation (Item 22) be approved.

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

Mr. Gunlock presented the following recommendation (Item 23):

23. RESOLUTION TO ADOPT AND SPECIFY MEASURES TO BE REPORTED IN ADDITION TO THE MEASURES ON THE REPORT CARD

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

WHEREAS division (A) of R.C. 3302.034 requires the State Board of Education, not later than December 31, 2013, to adopt and specify measures in addition to those included on the report card; and

WHEREAS these additional measures adopted by the State Board of Education shall be reported on the Ohio Department of Education's website starting with the 2013-2014 school year; and

WHEREAS the new Local Report Card first released in August 2013 is an interactive, online report that allows for other measures to be added when the data are available: Therefore, Be It

RESOLVED, that the State Board of Education hereby adopt the additional measures specified and required by division (A) of R.C. 3302.034 for each school district, each building in a district, each community school established under Chapter 3314., each STEM school established under Chapter 3326., and each college-preparatory boarding school established under Chapter 3328. of the Revised Code, and, Be It

FURTHER RESOLVED, the Ohio Department of Education shall report data for students who have passed over a grade or subject area under an acceleration policy prescribed under section 3324.10 of the Revised Code starting with the 2013-2014 school year, and, Be It

FURTHER RESOLVED, the Ohio Department of Education shall report the number of students who are economically disadvantaged as determined by the department starting with the 2013-2014 school year, and, Be It

FURTHER RESOLVED, the Ohio Department of Education shall report the number of lead teachers employed by each district and each building once the data is available through the education management information system established under section 3301.0714 of the Revised Code starting with the 2013-2014 school year, and, Be It

FURTHER RESOLVED, the Ohio Department of Education shall report the amount of students screened and identified as gifted under Chapter 3324. of the Revised Code starting with the 2013-2014 school year, and, Be It

FURTHER RESOLVED, the Ohio Department of Education shall report postgraduate student outcome data as described under division (E)(2)(d)(ii) of section 3314.017 of the Revised Code starting with the 2013-2014 school year, and, Be It

FURTHER RESOLVED, the Ohio Department of Education shall report the availability of courses in fine arts starting with the 2013-2014 school year, and, Be It

FURTHER RESOLVED, the Ohio Department of Education shall report the participation with other school districts to provide career-technical education services to students starting with the 2013-2014 school year, and, Be It

FURTHER RESOLVED, the Ohio Department of Education shall report the amount of extracurricular services offered to students starting with the 2013-2014 school year, and, Be It

FURTHER RESOLVED, the Ohio Department of Education shall add additional measures to its website and the Local Report Card as directed by the State Board of Education.

It was Moved by Mr. Gunlock that the above recommendation (Item 23) be approved.

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

Resolutions
New Business

Mr. Williams presented the following recommendation (Item 24):

Mr. Williams requested and was granted emergency consideration for Item 24 by Board leadership.

24. A RESOLUTION ESTABLISHING THE OFFICIAL POSITION OF THE STATE BOARD OF EDUCATION REGARDING THE SECURITY AND SHARING OF CONFIDENTIAL STUDENT AND TEACHER DATA IN THE STATE OF OHIO.

WHEREAS, the State Board of Education has the constitutional obligation of overall control and supervision of public education in the state of Ohio; and

WHEREAS, the State Board of Education is required by law to oversee the licensing of teachers in K-12 public education; and

WHEREAS, the enrollment of students and the licensure of teachers in public schools both require the acquisition and maintenance of sensitive, personal information; and

WHEREAS, the Family Educational Rights and Privacy Act (FERPA) prohibits the inappropriate sharing or disclosure of private student data; and

WHEREAS, the State Board of Education policies and procedures and Ohio Department of Education regulations and guidelines currently protect the

security of individual student data and do not allow for the release of identifiable student information; and

WHEREAS, recent changes to federal administrative regulations and Ohio laws have caused confusion and significant concern among Ohio citizens about the security and propriety of protecting student and teacher data; and

WHEREAS, new technologies are being developed and utilized with the goal of enhancing instructional advancement through educational data review and learning analytics, and the use of these technologies are being discussed by members of the Ohio General Assembly; and

WHEREAS, the State Board of Education has significant concerns regarding the requirements of the law regarding the release and interpretation of student and teacher data, including new Ohio laws that may compromise such data; and

WHEREAS, the State Board of Education strongly supports public policies requiring extreme caution and security with student and teacher data;

NOW THEREFORE BE IT RESOLVED, that the State Board of Education with the support of the citizenry of Ohio insists on the proper care and vigilance in the effort to secure and protect sensitive personal data of students and teachers throughout Ohio's K-12 public education system, inclusive of the resources and legislation necessary to ultimately secure and protect the aforementioned data; and

BE IT FURTHER RESOLVED, that the State Board of Education requests of the members of the Ohio General Assembly that they pass and/or revise such laws as are necessary and supported by the State Board that will secure and protect the sensitive personal data of students and teachers as well as working jointly with the State Board of Education to appropriately define the delicate balance between that privacy and the proper transparency and availability of aggregated, non-specific data necessary to provide accountability and oversight of Ohio's K-12 public education system.

It was Moved by Mr. Williams that the above recommendation (Item 24) be approved.

President Terhar called for a roll call vote.

YES VOTES

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

Motion carried.

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

President Terhar asked that Board members consider volunteering to be part of the Operating Standards Committee. She stated that Mr. Williams and Ms. McGervey had already volunteered to be part of the committee.

President Terhar welcomed Ron Rudduck to the State Board.

President Terhar spoke about attending the Jennings Retreat.

Ms. Fowler spoke about attending the NASBE New-member institute.

Mrs. Cain announced that she been appointed to the NASBE Board of Directors for the remainder of this year and 2014.

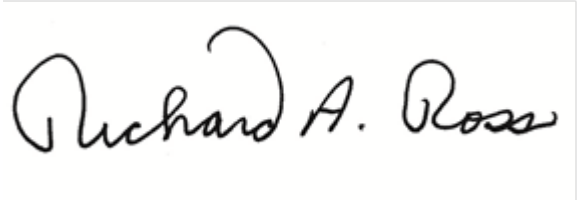
Mr. Fowler Moved to adjourn the meeting. Ms. McGervey Seconded the motion.

The President requested a voice vote.

Motion carried.

President Terhar adjourned the meeting at 4:30 p.m. The next regularly scheduled meeting of the State Board of Education is October 7-8, 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.