Minutes of the July 2016 Meeting of the State Board of Education of Ohio

STATE BOARD OF EDUCATION OF OHIO
MINUTES
July 2016
Ohio Department of Education
25 South Front Street
Columbus, Ohio 43215

MEMBERS OF THE STATE BOARD OF EDUCATION

Melanie P. Bolender Pat Bruns
Michael Collins Stephanie Dodd
Tess Elshoff Joe Farmer
Cathye Flory Sarah Fowler
Thomas Gunlock Nancy P. Hollister
Ann Jacobs C. Todd Jones
Kathleen McGervey Mary Rose Oakar
Roslyn Painter-Goffi Frank Pettigrew
Ron Rudduck Rebecca Vazquez-Skillings
A.J. Wagner

EX OFFICIO MEMBERS
Senator Peggy Lehner Representative Andrew Brenner

SECRETARY
Paolo DeMaria
Superintendent of Public Instruction

Ms. Jacobs was absent from the meeting.

The State Board convened on Monday, July 11, at the Ohio Department of Education in Columbus.

The Board’s Achievement and Capacity Committees met beginning at 8:00 a.m.

Following the Achievement and Capacity Committees, The Board’s Accountability Committee and Urban & Rural Renewal Committee met.

Following the Accountability Committee and Urban & Rural Renewal Committee, the Board’s Work Group on Professional Development met.
Minutes of the July 2016 Meeting of the State Board of Education of Ohio

The State Board recessed for lunch.

President Gunlock convened the Business meeting of the State Board of Education on Monday, July 11, at 1:00 p.m.

President Gunlock asked the Recording Secretary to call the roll.

MEMBERS PRESENT
Melanie P. Bolender
Michael Collins
Tess Elshoff
Cathye Flory
Thomas Gunlock
Mary Rose Oakar
Frank Pettigrew
Rebecca Vazquez-Skillings
Pat Bruns
Stephanie Dodd
Joe Farmer
Sarah Fowler
Nancy P. Hollister
Kathleen McGervey
Roslyn Painter-Goffi
Ron Rudduck
A.J. Wagner

EX OFFICIO MEMBERS
Senator Peggy Lehner
Representative Andrew Brenner

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

Swearing In of Mr. Paolo DeMaria as State Superintendent of Public Instruction

OATH OF OFFICE

At 1 p.m., Supreme Court Justice, Justice Judith L. French, The Supreme Court of Ohio, administered the Oath of Office to Mr. Paolo DeMaria, as the 38th Superintendent of Public Instruction for Ohio.

Report of the Superintendent of Public Instruction
Superintendent DeMaria and key staff members provided Board members with updates on the following topics:
• Overview of initial thoughts regarding education in Ohio and moving forward
Minutes of the July 2016 Meeting of the State Board of Education of Ohio

Straight A Fund Presentation
Introduction: Dr. Susan Zelman
Presenters:
- Milford Schools: Mary Welsh Schlueter, consortium with Cincinnati Public Schools
- Cleveland Heights – University Heights: Katrina Hicks & Catherine Rosemary
- Noble Local School District: Chris Keylor, partnership with Ohio Valley ESC

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

President Gunlock stated that Items 1, 15 and 18 had been removed from the Voting Agenda.

Consent Agenda (1); Volume 2
1. RESOLUTION OF INTENT TO AMEND RULE 3301-23-41 OF THE ADMINISTRATIVE CODE ENTITLED TWELVE HOUR OR FORTY HOUR TEMPORARY TEACHING PERMIT FOR QUALIFIED NONLICENSED INDIVIDUALS

Administrative Rules (1); Volume 3
2. RESOLUTION TO ADOPT RULE 3301-16-06 OF THE ADMINISTRATIVE CODE ENTITLED RETAKING OF END-OF-COURSE EXAMINATIONS
3. RESOLUTION TO ADOPT RULE 3301-16-07 OF THE ADMINISTRATIVE CODE ENTITLED END-OF-COURSE EXAMINATION IN SCIENCE

Territory Transfers (0); Volume 2
There were no Territory Transfers for adoption in July.

Items 4 through 14 were school personnel resolutions.

Miscellaneous Resolutions (5); Volume 4
15. RESOLUTION OF APPOINTMENT TO THE EDUCATOR STANDARDS BOARD
16. RESOLUTION TO ADOPT A QUALIFYING SCORE FOR THE NEW DANCE OHIO ASSESSMENTS FOR EDUCATORS (OAE) LICENSURE TESTS
17. RESOLUTION TO ADOPT A QUALIFYING SCORE FOR THE NEW FOUNDATIONS OF READING OHIO ASSESSMENTS FOR EDUCATORS (OAE) LICENSURE TESTS
18. RESOLUTION REGARDING STUDENT'S RIGHT TO PARTICIPATE IN THE COLLEGE CREDIT PLUS PROGRAM PURSUANT TO R.C. 3365.03(A)(1)(A) (NORTH ROYALTON CITY SCHOOL DISTRICT).
19. RESOLUTION TO REFILE RULE 3301-102-08 OF THE ADMINISTRATIVE CODE ENTITLED STANDARDS FOR MEASURING SPONSOR COMPLIANCE WITH APPLICABLE LAWS AND RULES
EXECUTIVE SESSION

President Gunlock called on Vice President Elshoff, who Moved 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.

Ms. Bruns Seconded the motion.

The President called for a roll call vote.

YES VOTES
Melanie P. Bolender
Michael Collins
Tess Elshoff
Cathye Flory
Thomas Gunlock
Kathleen McGervey
Roslyn Painter-Goffi
Ron Rudduck
A.J. Wagner

Pat Bruns
Stephanie Dodd
Joe Farmer
Nancy P. Hollister
C. Todd Jones
Mary Rose Oakar
Frank Pettigrew
Rebecca Vazquez-Skillings

Motion carried.

NOTE: Mrs. Vazquez-Skillings entered the room after roll call.

The Board went into Executive Session at 4:35 p.m.

The Board recessed from Executive Session at 5:40 p.m.

President Gunlock recessed the State Board Business meeting at 5:40 p.m.

President Gunlock recessed the Board meeting at 5:40 p.m.
President Gunlock reconvened the meeting of the State Board of Education on Tuesday, July 12, at 8:00 a.m.

The Board’s Standards & Graduation Requirements Committee met beginning at 8:30 a.m.

President Gunlock reconvened the Business meeting of the State Board of Education on Tuesday, July 12, at 10:05 a.m.

President Gunlock asked the Recording Secretary to call the roll.

MEMBERS PRESENT
Melanie P. Bolender
Michael Collins
Tess Elshoff
Cathy Flory
Nancy P. Hollister
C. Todd Jones
Mary Rose Oakar
Frank Pettigrew
Rebecca Vazquez-Skillings
Pat Bruns
Stephanie Dodd
Joe Farmer
Sarah Fowler
Thomas Gunlock
Kathleen McGervey
Roslyn Painter-Goffi
Ron Rudduck
A.J. Wagner

EX OFFICIO MEMBERS
Senator Peggy Lehner
Representative Andrew Brenner

MEMBERS ABSENT
Ann Jacobs

President Gunlock called for the approval of the Minutes of the June 2016 meeting. He asked if there were any corrections to the Minutes.

Ms. Fowler provided recommended corrections to the minutes which were incorporated and distributed to Board members prior to approval of the June minutes.

It was Moved by Ms. Oakar and Seconded by Mr. Collins that the Minutes be approved as amended. The President called for a voice vote.

Motion carried unanimously.

BOARD PRESENTATIONS AND DISCUSSION FROM THE ACHIEVEMENT COMMITTEE
Chair: Rebecca Vazquez-Skillings, Vice Chair: Todd Jones
Mrs. Vazquez-Skillings gave a report from the Achievement Committee meeting focusing on the following issues:
Minutes of the July 2016 Meeting of the State Board of Education of Ohio

Educational Choice Scholarship (EdChoice) Program (3301-11-01 to 15):
ODE Staff presented a rule draft in accordance with the five-year rule review. These rules will be posted for public comment through July 29th and are expected to be brought back to the committee for possible approval in September.

Approval of Nonpublic Schools (3301-39-01 to 03):
ODE Staff presented a rule draft in accordance with the five-year rule review. These rules will be posted for public comment through July 29th and are expected to be brought back to the committee for possible approval in September.

Gifted Rule:
ODE staff presented a summary of feedback received through public comment and board presentations. A draft rule is expected to be distributed to the committee in August with possible approval by the committee in September.

Kindergarten Readiness Assessment Results:
ODE Staff presented statewide results from the first year of administration of Ohio’s Kindergarten Readiness Assessment in fall 2014. The new assessment is comprehensive and includes academic, social, emotional and physical areas of development. Results showed that performance gaps are evident as children enter school. The state is investing in high quality preschool services. ODE staff will provide additional analyses with these early childhood education investments in the near future.

HB2 Performance Standards for Community Schools Primarily Serving Students with Disabilities:
ODE Staff presented an update on the requirements in House Bill 2 for the State Board of Education to make recommendations on 1) performance standards for community schools primarily serving students with disabilities; and 2) the feasibility of removing the exemption from closure for those schools. ODE Staff presented action steps and tentatively expects to present recommendations to the committee in September.

Update on Assessment:
ODE staff updated the committee on:
- Testing Windows for summer 2016 and the 2016-17 school year including communication to all superintendents that spring 2017 tests will be on line with exceptions for accommodations for certain student populations and for a demonstrated lack of technology capacity.
- Plans for initial administration of the nationally standardized assessment (SAT/ACT) is scheduled for spring 2017 and ODE is communicating to districts on choosing which test to administer to their students.
- Plans for initial administration of the Work Keys assessment to high school students during 2016-17 school year and communication to districts on becoming testing sites and expectations for providing to students who elect to take this test.

BOARD PRESENTATIONS AND DISCUSSION FROM THE CAPACITY COMMITTEE
Chair: Frank Pettigrew, Vice Chair: Sarah Fowler
Dr. Pettigrew gave a report from the Capacity Committee meeting focusing on the following issues:

- The Committee discussed rule 3301-102-08, Standards for Measuring Sponsor Compliance with Applicable Laws. The Department is seeking to re-file this rule with the Joint Commission on Agency Rule Review (JCARR) after it identified a need to revise the deadline for submitting documents for the 2015-2016 evaluation process and not require a plan for submitting documents for this evaluation only. The committee voted to recommend approval of the revised rule to be re-filed by the Full Board this month (July 2016).
The Committee discussed the new Ohio Assessments for Educators (OAE) test: Foundations of Reading (OAE 090). Department staff sought to clarify with the Committee that the resolution to adopt this new test and associated qualifying score indicates that OAE 090 will be used effective July 1, 2017, to assess all educators seeking initial licensure in grades PreK-3 and 4-9 as well intervention specialist and early childhood intervention specialist. The Full Board will be voting this month (July 2016) on the resolution to adopt the new test (OAE 090) and associated qualifying scores.

The Committee reviewed and discussed pass rate data for the Biology (OAE 007) Ohio Assessments for Educators test. The Committee voted 5-2 to maintain the current qualifying scores for OAE 007. No further Board action is required.

The Committee discussed the new Ohio Assessments for Educators (OAE) tests and associated qualifying scores for the middle childhood education licenses (English Language Arts, Mathematics, Science and Social Studies). Committee Members voted to table a vote on the Expert Panel and Educator Standards Board recommendations for the tests and qualifying scores until its September 2016 meeting. The Full Board will also be asked to vote on the Capacity Committee’s recommendation at its September 2016 meeting.

BOARD PRESENTATIONS AND DISCUSSION FROM THE URBAN AND RURAL RENEWAL COMMITTEE
Chair: Mary Rose Oakar, Vice Chair: Tess Elshoff
Ms. Oakar gave a report from the Urban and Rural Renewal Committee meeting focusing on the following issues:

- The Committee heard presentations from ODE staff on English Learners and Migrant Education on Ohio. Ohio has approximately 50,00 English learners

- Mr. Ed Kennedy, ESL Coordinator at Southwestern City Schools talked about English learners in his district. Franklin County has highest number of English learners in the state. The district has 15,000 English learners and the majority of them are born in the US.

- Mr. Jose Salinas Director of the Ohio Migrant Education Center talked about the center. The center is funded through Title I C and offers free in-service training to educators about techniques for educating migrant students. The center uses recruiters to canvas the state and identify students eligible for educational services. It also hosts health fairs for migrant families. The center has also worked to become certified to administer Texas state assessments (many of the children migrate between Texas and Ohio)

- Putnam Co. ESC Superintendent Jan Osborn talked about his ESC’s Summer Migrant Program. The program offers a full day summer program for 30 days. Attendance, language barriers and trust are major challenges. They plan a program not knowing how many students they will have or how long they will stay in the program.

- Next month the Committee will hear presentations on juvenile delinquency and military dependents.
BOARD PRESENTATIONS AND DISCUSSION FROM THE ACCOUNTABILITY COMMITTEE
Chair: Melanie Bolender, Vice Chair: Mike Collins
Mrs. Bolender gave a report from the Accountability Committee meeting focusing on the following issues:

High Performing Educational Service Centers (ESCs): Facilitated by Aaron Rausch
Brian Bontempo of the Lake County ESC and Frank DePalma of the Montgomery County ESC presented to the accountability committee about their work. They specifically discussed the work they do in partnership with the state, their involvement with significant state initiatives like the Straight A Fund and OTES, as well as the unique fee-for-service services they provide at the request of school districts that align to specific state priorities such as school improvement, early childhood education, special education, and college and career readiness.

New Skills for Youth Grant: Discuss New Skills for Youth Grant: Facilitated by Dr. Emily Passias, who provided information on the New Skills for Youth Grant. A $75 million, five-year global initiative from JP Morgan Chase & Co. and CCSSO and was awarded to SEA's in May, 2016, twenty-four states were awarded $100,000 including Ohio and are eligible to apply for stage two of the grant.
- Designed to expand options
- Provide high standards for quality and
- Align with workforce needs

One focus of the grant is having career-focused accountability systems. Staff is currently working on identifying measures that predict career readiness, and will share results and recommendations in the fall.

BOARD PRESENTATIONS AND DISCUSSION FROM THE STANDARDS AND GRADUATION REQUIREMENTS COMMITTEE
Chair: Todd Jones, Vice Chair: Roslyn Painter-Goffi
Mr. Jones gave a report from the Standards and Graduation Requirements Committee meeting focusing on the following issues:

Graduation Requirements Communications Plan:
ODE staff provided an explanation of the tools and methods that the department developed and distributed to districts and schools about the new Graduation Requirements. Updated tools are provided for districts and schools for the 2016-2017 school year, which include a short animated video, a handout for students and families and a PowerPoint that schools can customize.

Proposed Honors Diploma Rules:
ODE staff continued June's discussion of public comment on the proposed Honors Diplomas rules and discussed next steps. Staff will continue gathering information on proposed world languages requirement within the Career Tech Honors Diploma and share with committee members in September.
Minutes of the July 2016 Meeting of the State Board of Education of Ohio

Update on Standards Review:
Staff shared information on the following:
- Information on the survey tool to collect public feedback on the draft revisions to the mathematics and ELA standards proposed by the working groups to the advisory committees.
- Timeline for incorporating the public feedback for finalizing the standards revision and the timeline for presentation to legislators and state board.
- Timeline for additional work on the supporting materials and the plan for second round of standards revision for the Science, Social Studies and Financial Literacy standards.

PUBLIC PARTICIPATION ON ACTION ITEMS

There was no Public Participation on Action Items.

PUBLIC PARTICIPATION ON NONACTION ITEMS

There was no Public Participation on Nonaction Items.

President Gunlock called on Superintendent DeMaria for his report and recommendations.

Item 1 was removed from the Voting Agenda.

1. RESOLUTION OF INTENT TO AMEND RULE 3301-23-41 OF THE ADMINISTRATIVE CODE ENTITLED TWELVE HOUR OR FORTY HOUR TEMPORARY TEACHING PERMIT FOR QUALIFIED NONLICENSED INDIVIDUALS

Mrs. Vazquez-Skillings presented the following recommendation (Item 2):

2. RESOLUTION TO ADOPT RULE 3301-16-06 OF THE ADMINISTRATIVE CODE ENTITLED RETAKING OF END-OF-COURSE EXAMINATIONS

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

Section 3301.0728 of the Revised Code requires the State Board of Education to adopt rules to implement the provisions of that section;

During its March 2016 meeting, the Achievement Committee reviewed the proposed rule and approved its content;
The State Board of Education, at its April 2016 meeting, adopted a Resolution of Intent to adopt the rule subject to this resolution;

On June 13, 2016, the State Board of Education held a public hearing concerning the proposed adoption of the rule subject to this resolution; and

During its July 11, 2016 meeting, the Joint Committee on Agency Rule Review took no action on the proposed adoption of the rule subject to this resolution: Therefore, Be It

RESOLVED, That the State Board of Education hereby adopts Rule 3301-16-06 of the Administrative Code, which is attached hereto and incorporated herein by this reference; and, Be It

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

It was Moved by Mrs. Vazquez-Skillings that the above recommendation (Item 2) be approved.

President Gunlock called for a roll call vote.

YES VOTES
Melanie P. Bolender
Michael Collins
Tess Elshoff
Cathye Flory
Thomas Gunlock
C. Todd Jones
Mary Rose Oakar
Frank Pettigrew
Rebecca Vazquez-Skillings

Pat Bruns
Stephanie Dodd
Joe Farmer
Sarah Fowler
Nancy P. Hollister
Kathleen McGervey
Roslyn Painter-Goffi
Ron Rudduck

NO VOTES
A.J. Wagner

Motion carried.

Mrs. Vazquez-Skillings presented the following recommendation (Item 3):

3. RESOLUTION TO ADOPT RULE 3301-16-07 OF THE ADMINISTRATIVE CODE ENTITLED END-OF-COURSE EXAMINATION IN SCIENCE

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

WHEREAS Section 3301.0712(B)(8) of the Revised Code requires the State Board of Education, not later than July 1, 2016, to prescribe the requirements for the end-of-course exam in science;
examination in science for students entering the ninth grade for the first time on or after
July 1, 2014, but before July 1, 2015; and

WHEREAS during its April 2016 meeting, the Achievement Committee reviewed the
proposed rule and approved its content;

WHEREAS the State Board of Education, at its April 2016 meeting, adopted a Resolution of
Intent to adopt the rule subject to this resolution; and

WHEREAS on June 13, 2016, the State Board of Education held a public hearing concerning
the proposed adoption of the rule subject to this resolution; and

WHEREAS during its April 4, 2016 meeting, the Joint Committee on Agency Rule Review
took no action on the proposed adoption of the rule subject to this resolution: Therefore, Be
It

RESOLVED, That the State Board of Education hereby adopts Rule 3301-105-01 of the
Administrative Code, which is attached hereto and incorporated herein by this reference;
and, Be It

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

RESOLVED, That the State Board of Education hereby declares its intent to adopt Rule
3301-16-07, of the Administrative Code, which is attached hereto and incorporated herein by
this reference; and, Be It

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

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

FURTHER RESOLVED, That the Interim 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 Mrs. Vazquez-Skillings that the above recommendation (Item 3) be approved.
President Gunlock called for a roll call vote.

YES VOTES
Melanie P. Bolender
Michael Collins
Tess Elshoff
Cathye Flory
Thomas Gunlock
C. Todd Jones
Mary Rose Oakar
Frank Pettigrew
Rebecca Vazquez-Skillings

Pat Bruns
Stephanie Dodd
Joe Farmer
Sarah Fowler
Nancy P. Hollister
Kathleen McGervey
Roslyn Painter-Goffi
Ron Rudduck

NO VOTES
A.J. Wagner

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 4):

**4. RESOLUTION TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL VOCATIONAL EDUCATION TEACHING LICENSE OF DOUGLAS E. ANDERSON**

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

WHEREAS Douglas E. Anderson holds a five-year professional vocational education teaching license issued in 2013; and

WHEREAS on April 26, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Douglas E. Anderson of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional vocational education teaching license issued in 2013 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Anderson engaging in the following conduct that is unbecoming to the teaching profession: or about April 3, 2015, Mr. Anderson was disciplined by the State Board of Education when he entered into a consent agreement based on throwing a metal object in order to get one student's attention and the object striking another student; and despite Mr. Anderson’s agreement to complete eight hours of training on non-physical intervention by March 1, 2016 and the Ohio Department of Education's agreement to extend the due date, Mr. Anderson violated his consent agreement by failing to provide verification of his completed training to the Ohio Department of Education by the final extended due date of March 25, 2016; and

WHEREAS the notice informed Mr. Anderson 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 vocational education teaching license issued in 2013; and

WHEREAS Douglas E. Anderson 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 affidavits of the director and a paralegal of the Office of Professional Conduct, Notice of the State Board of Education’s
Minutes of the July 2016 Meeting of the State Board of Education of Ohio

Intended Action and Opportunity for a Hearing, the consent agreement dated April 3, 2015 between Mr. Anderson and the State Board of Education, and correspondence between the Ohio Department of Education and Mr. Anderson’s attorney; 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 the State Board has considered the factors listed in Rule 3301-73-21 of the Ohio Administrative Code and has considered the Licensure Code of Professional Conduct for Ohio Educators, which contains standards for the teaching profession and provides guidelines for conduct that is unbecoming to the teaching profession: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby REVOKES Douglas E. Anderson’s five-year professional vocational education teaching license issued in 2013 based upon Mr. Anderson engaging in the following conduct that is unbecoming to the teaching profession: or about April 3, 2015, Mr. Anderson was disciplined by the State Board of Education when he entered into a consent agreement based on throwing a metal object in order to get one student's attention and the object striking another student; and despite Mr. Anderson’s agreement to complete eight hours of training on non-physical intervention by March 1, 2016 and the Ohio Department of Education’s agreement to extend the due date, Mr. Anderson violated his consent agreement by failing to provide verification of his completed training to the Ohio Department of Education by the final extended due date of March 25, 2016. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Douglas E. Anderson 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. Anderson of this action.

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

President Gunlock called for a roll call vote.

YES VOTES

Melanie P. Bolender
Michael Collins
Tess Elshoff
Cathye Flory
Thomas Gunlock
C. Todd Jones
Mary Rose Oakar
Frank Pettigrew
Rebecca Vazquez-Skillings
Pat Bruns
Stephanie Dodd
Joe Farmer
Sarah Fowler
Nancy P. Hollister
Kathleen McGervey
Roslyn Painter-Goffi
Ron Rudduck
A.J. Wagner

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

5. **RESOLUTION TO REVOKE PERMANENTLY THE ONE-YEAR SUBSTITUTE GENERAL EDUCATION TEACHING LICENSE OF TORHI V. BEIDLEMAN**

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

WHEREAS Torhi V. Beidleman held a one-year substitute general education teaching license issued in 2015; and

WHEREAS on April 25, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Torhi V. Beidleman of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year substitute general education teaching license issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Beidleman engaging in the following conduct that is unbecoming to the teaching profession: on or about August 18, 2015, Ms. Beidleman was disciplined by the State Board of Education when she entered into a consent agreement based on her 2015 conviction in the Shaker Heights Municipal Court for one misdemeanor count of disorderly conduct and one misdemeanor count of resisting arrest, 2012 conviction in the Cleveland Municipal Court for one minor misdemeanor count of disorderly conduct intoxication, and falsification of the 2014 application that she submitted to the Ohio Department of Education; and despite Ms. Beidleman’s agreement to complete eighty (80) hours of community service by February 13, 2016, she violated her consent agreement by failing to provide verification of her completed community service hours to the Ohio Department of Education by February 13, 2016; and

WHEREAS the notice informed Ms. Beidleman that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke her one-year substitute general education teaching license issued in 2015; and

WHEREAS Torhi V. Beidleman 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 affidavits of the director and a paralegal of the Office of Professional Conduct, Notice of the State Board of Education’s Intended Action and Opportunity for a Hearing, the August 18, 2015 consent agreement between Torhi V. Beidleman and the State Board of Education, and correspondence between the Office of Professional Conduct and Ms. Beidleman; 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 the State Board has considered the factors listed in Rule 3301-73-21 of the Ohio Administrative Code and has considered the Licensure Code of Professional Conduct for Ohio Educators, which contains standards for the teaching profession and provides guidelines for conduct that is unbecoming to the teaching profession: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKE**S Torhi V. Beidleman’s one-year substitute general education teaching license issued in 2015 based upon Ms. Beidleman engaging in the
following conduct that is unbecoming to the teaching profession: on or about August 18, 2015, Ms. Beidleman was disciplined by the State Board of Education when she entered into a consent agreement based on her 2015 conviction in the Shaker Heights Municipal Court for one misdemeanor count of disorderly conduct and one misdemeanor count of resisting arrest, 2012 conviction in the Cleveland Municipal Court for one minor misdemeanor count of disorderly conduct intoxication, and falsification of the 2014 application that she submitted to the Ohio Department of Education; and despite Ms. Beidleman’s agreement to complete eighty (80) hours of community service by February 13, 2016, she violated her consent agreement by failing to provide verification of her completed community service hours to the Ohio Department of Education by February 13, 2016. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Torhi V. Beidleman 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. Beidleman of this action.

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

President Gunlock called for a roll call vote.

YES VOTES
Melanie P. Bolender
Michael Collins
Tess Elshoff
Cathyte Flory
Thomas Gunlock
C. Todd Jones
Mary Rose Oakar
Frank Pettigrew
Rebecca Vazquez-Skillings
Pat Bruns
Stephanie Dodd
Joe Farmer
Sarah Fowler
Nancy P. Hollister
Kathleen McGervey
Roslyn Painter-Goffi
Ron Rudduck
A.J. Wagner

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 6):

6.  RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF JERRY K. BRADY

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

WHEREAS Jerry K. Brady held a three-year pupil activity permit issued in 2012; and

WHEREAS on April 29, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Jerry K. Brady of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Brady’s 2014 conviction in the Ashtabula County Court of Common Pleas, Juvenile Division,
for one minor misdemeanor count of disorderly conduct, which stemmed from his failure to intervene in the assault of one student by another student and failure to go to the aid of the student who was assaulted; and

WHEREAS the notice informed Mr. Brady that if he fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2012; and

WHEREAS Jerry K. Brady did not request a hearing in accordance with Section 119.07 of the Revised Code; and

WHEREAS the State Board of Education has reviewed the affidavit of the director of the Office of Professional Conduct, Notice of the State Board of Education’s Intended Action and Opportunity for a Hearing, certified court records from the Ashtabula County Court of Common Pleas, Juvenile Division, and certified police records from the Ashtabula 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 the State Board has considered the factors listed in Rule 3301-73-21 of the Ohio Administrative Code and has considered the Licensure Code of Professional Conduct for Ohio Educators, which contains standards for the teaching profession and provides guidelines for conduct that is unbecoming to the teaching profession: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby REVOKES Jerry K. Brady’s three-year pupil activity permit issued in 2012 based upon Mr. Brady’s 2014 conviction in the Ashtabula County Court of Common Pleas, Juvenile Division, for one minor misdemeanor count of disorderly conduct, which stemmed from his failure to intervene in the assault of one student by another student and failure to go to the aid of the student who was assaulted. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Jerry K. Brady 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. Brady of this action.

It was Moved by Mrs. Bolender and Seconded by Dr. Pettigrew that the above recommendation (Item 6) be approved.

President Gunlock called for a roll call vote.

YES VOTES
Melanie P. Bolender
Michael Collins
Tess Elshoff
Cathye Flory
Pat Bruns
Stephanie Dodd
Joe Farmer
Sarah Fowler
Minutes of the July 2016 Meeting of the State Board of Education of Ohio

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 7):

7. **RESOLUTION TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL PUPIL SERVICES LICENSE OF CHRISTOPHER S. BROWN**

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

WHEREAS Christopher S. Brown holds a five-year professional pupil services license issued in 2012; and

WHEREAS on March 15, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Christopher S. Brown of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional pupil services license issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(b). The notice was based upon Mr. Brown’s 2014 conviction in the Cleveland Heights Municipal Court for one misdemeanor count of assault, 2014 conviction in the Cleveland Heights Municipal Court for one misdemeanor count of disorderly conduct, and 2014 conviction in the Cleveland Municipal Court for one misdemeanor count of criminal trespassing; and

WHEREAS the notice informed Mr. Brown 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 pupil services license issued in 2012; and

WHEREAS Christopher S. Brown did not request a hearing in accordance with Section 119.07 of the Revised Code; and

WHEREAS the State Board of Education has reviewed the affidavit of the director of the Office of Professional Conduct, Notice of the State Board of Education’s Intended Action and Opportunity for a Hearing, certified court records from the Cleveland Heights Municipal Court and Cleveland Municipal Court, and certified police records from the Cleveland Heights 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; and
WHEREAS the State Board has considered the factors listed in Rule 3301-73-21 of the Ohio Administrative Code and has considered the Licensure Code of Professional Conduct for Ohio Educators, which contains standards for the teaching profession and provides guidelines for conduct that is unbecoming to the teaching profession: 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 Christopher S. Brown’s five-year professional pupil services license issued in 2012 based upon Mr. Brown’s 2014 conviction in the Cleveland Heights Municipal Court for one misdemeanor count of assault, 2014 conviction in the Cleveland Heights Municipal Court for one misdemeanor count of disorderly conduct, and 2014 conviction in the Cleveland Municipal Court for one misdemeanor count of criminal trespassing. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Christopher S. Brown 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. Brown of this action.

It was Moved by Mrs. Flory> and Seconded by Ms. Bruns that the above recommendation (Item 7) be approved.

President Gunlock called for a roll call vote.

YES VOTES
Melanie P. Bolender
Michael Collins
Tess Elshoff
Cathye Flory
Thomas Gunlock
C. Todd Jones
Mary Rose Oakar
Frank Pettigrew
Rebecca Vazquez-Skillings

Pat Bruns
Stephanie Dodd
Joe Farmer
Sarah Fowler
Nancy P. Hollister
Kathleen McGervey
Roslyn Painter-Goffi
Ron Rudduck

NO VOTES
A.J. Wagner

Motion carried.

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

8. RESOLUTION TO REVOKE PERMANENTLY THE PERMANENT NON-TAX TEACHING CERTIFICATE OF ELYSE M. COX

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

WHEREAS Elyse M. Cox holds a permanent non-tax teaching certificate issued in 2011; and
WHEREAS on April 28, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Elyse M. Cox of its intent to determine whether to limit, suspend, revoke, or permanently revoke her permanent non-tax teaching certificate issued in 2011 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(b), (B)(3), and (F). The notice was based upon Ms. Cox’s 2012 guilty plea in the District Court of Montgomery County, Texas, 9th Judicial District, to one misdemeanor count of assault and subsequent entry into a deferred adjudication program. Ms. Cox was originally indicted on one felony count of tampering with a consumer product when she added a chemical to a consumer product to make it probable that the consumer product would cause serious bodily injury; and

WHEREAS the notice informed Ms. Cox 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 permanent non-tax teaching certificate issued in 2011; and

WHEREAS Elyse M. Cox did not request a hearing in accordance with Section 119.07 of the Revised Code; and

WHEREAS the State Board of Education has reviewed the affidavit of the director of the Office of Professional Conduct, Notice of the State Board of Education’s Intended Action and Opportunity for a Hearing, certified court records from the District Court of Montgomery County, Texas, 9th Judicial District, and certified investigation records from the Montgomery County, Texas District Attorney’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 the State Board has considered the factors listed in Rule 3301-73-21 of the Ohio Administrative Code and has considered the Licensure Code of Professional Conduct for Ohio Educators, which contains standards for the teaching profession and provides guidelines for conduct that is unbecoming to the teaching profession: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(b), (B)(3), and (F), hereby REVOKES Elyse M. Cox’s permanent non-tax teaching certificate issued in 2011 based upon Ms. Cox’s 2012 guilty plea in the District Court of Montgomery County, Texas, 9th Judicial District, to one misdemeanor count of assault and subsequent entry into a deferred adjudication program. Ms. Cox was originally indicted on one felony count of tampering with a consumer product when she added a chemical to a consumer product to make it probable that the consumer product would cause serious bodily injury. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Elyse M. Cox 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. Cox of this action.

It was Moved by Ms. Fowler and Seconded by Mrs. Bolender that the above recommendation (Item 8) be approved.
President Gunlock called for a roll call vote.

**YES VOTES**

Melanie P. Bolender  
Michael Collins  
Tess Elshoff  
Cathye Flory  
Thomas Gunlock  
C. Todd Jones  
Mary Rose Oakar  
Frank Pettigrew  
Rebecca Vazquez-Skillings

Pat Bruns  
Stephanie Dodd  
Joe Farmer  
Sarah Fowler  
Nancy P. Hollister  
Kathleen McGervey  
Roslyn Painter-Goffi  
Ron Rudduck  
A.J. Wagner

Motion carried.

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

9. **RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF JASSON V. FERRIGNO**

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

WHEREAS Jasson V. Ferrigno holds a three-year pupil activity permit issued in 2015; and

WHEREAS on April 15, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Jasson V. Ferrigno of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Ferrigno engaging in the following conduct that is unbecoming to the teaching profession: on or about May 18, 2015, Mr. Ferrigno was disciplined by the State Board of Education when he entered into a consent agreement based on his 2014 conviction in the Miamisburg Municipal Court for one misdemeanor count of disorderly conduct; and despite Mr. Ferrigno’s agreement to complete forty hours of community service by August 16, 2015 and the Ohio Department of Education’s agreement to extend the due date, Mr. Ferrigno violated his consent agreement by failing to provide verification of his completed community service by the final extended due date of February 15, 2016; and

WHEREAS the notice informed Mr. Ferrigno that if he fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2015; and

WHEREAS Jasson V. Ferrigno did not request a hearing in accordance with Section 119.07 of the Revised Code; and
WHEREAS the State Board of Education has reviewed affidavits from the director and a paralegal of the Office of Professional Conduct, Notice of the State Board of Education’s Intended Action and Opportunity for a Hearing, the consent agreement between Mr. Ferrigno and the State Board of Education, and correspondence between Mr. Ferrigno and the Office of Professional Conduct; 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 the State Board has considered the factors listed in Rule 3301-73-21 of the Ohio Administrative Code and has considered the Licensure Code of Professional Conduct for Ohio Educators, which contains standards for the teaching profession and provides guidelines for conduct that is unbecoming to the teaching profession: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby REVOKE Jasson V. Ferrigno’s three-year pupil activity permit issued in 2015 based upon Mr. Ferrigno engaging in the following conduct that is unbecoming to the teaching profession: on or about May 18, 2015, Mr. Ferrigno was disciplined by the State Board of Education when he entered into a consent agreement based on his 2014 conviction in the Miamisburg Municipal Court for one misdemeanor count of disorderly conduct; and despite Mr. Ferrigno’s agreement to complete forty hours of community service by August 16, 2015 and the Ohio Department of Education’s agreement to extend the due date, Mr. Ferrigno violated his consent agreement by failing to provide verification of his completed community service by the final extended due date of February 15, 2016. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Jasson V. Ferrigno 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. Ferrigno of this action.

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

President Gunlock called for a roll call vote.

YES VOTES
Melanie P. Bolender               Pat Bruns
Michael Collins                 Stephanie Dodd
Tess Elshoff                     Joe Farmer
Cathye Flory                    Sarah Fowler
Thomas Gunlock                   Nancy P. Hollister
C. Todd Jones                    Kathleen McGervey
Mary Rose Oakar                  Roslyn Painter-Goffi
Frank Pettigrew                  Ron Rudduck
Rebecca Vazquez-Skillings        A.J. Wagner

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 10):
RESOLUTION TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL INTERVENTION SPECIALIST TEACHING LICENSE OF NICOLE M. JOHNSON

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

WHEREAS Nicole M. Johnson holds a five-year professional intervention specialist teaching license issued in 2012; and

WHEREAS on April 18, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Nicole M. Johnson of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional intervention specialist teaching license issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (B)(2)(d), and (B)(3). The notice was based upon Ms. Johnson's 2015 guilty plea in the Madison County Court of Common Pleas to one felony count of possession of drugs and subsequent entry into an intervention in lieu of conviction program; and

WHEREAS the notice informed Ms. Johnson 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 intervention specialist teaching license issued in 2012; and

WHEREAS Nicole M. 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, certified court records from the Madison County Court of Common Pleas, and certified police records from the West Jefferson 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; and

WHEREAS the State Board has considered the factors listed in Rule 3301-73-21 of the Ohio Administrative Code and has considered the Licensure Code of Professional Conduct for Ohio Educators, which contains standards for the teaching profession and provides guidelines for conduct that is unbecoming to the teaching profession: 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 REVOКES Nicole M. Johnson’s five-year professional intervention specialist teaching license issued in 2012 based upon Ms. Johnson's 2015 guilty plea in the Madison County Court of Common Pleas to one felony count of possession of drugs and subsequent entry into an intervention in lieu of conviction program. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Nicole M. 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 Ms. Johnson of this action.

It was Moved by Ms. Fowler and Seconded by Mr. Collins that the above recommendation (Item 10) be approved.
President Gunlock called for a roll call vote.

YES VOTES
Melanie P. Bolender
Michael Collins
Tess Elshoff
Cathye Flory
Thomas Gunlock
C. Todd Jones
Mary Rose Oakar
Frank Pettigrew
Rebecca Vazquez-Skillings

Pat Bruns
Stephanie Dodd
Joe Farmer
Sarah Fowler
Nancy P. Hollister
Kathleen McGervey
Roslyn Painter-Goffi
Ron Rudduck

NO VOTES
A.J. Wagner

Motion carried.

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

11. RESOLUTION TO REVOKE THE ONE-YEAR EDUCATIONAL AIDE PERMIT OF KARRIE Y. PILETIC

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

WHEREAS Karrie Y. Piletic held a one-year educational aide permit issued in 2015; and

WHEREAS on April 26, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Karrie Y. Piletic of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year educational aide permit issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(e). The notice was based upon Ms. Piletic's 2014 conviction in the Parma Municipal Court for one misdemeanor count of petit theft, 2013 conviction in the Brooklyn Mayor's Court for one misdemeanor count of driving or physical control while under the influence (DUI), and her failure to disclose her 2014 conviction on the 2014 and 2015 applications that she submitted to the Ohio Department of Education; and

WHEREAS the notice informed Ms. Piletic that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke her one-year educational aide permit issued in 2015; and

WHEREAS Karrie Y. Piletic did not request a hearing in accordance with Section 119.07 of the Revised Code; and

WHEREAS the State Board of Education has reviewed the affidavit of the director of the Office of Professional Conduct, Notice of the State Board of Education’s Intended Action and Opportunity for a Hearing, certified court records from the Parma Municipal Court, court records from the Brooklyn Mayor's Court, certified police records from the Brooklyn Police
Department, and the 2014 and 2015 applications that Ms. Piletic submitted to the Ohio Department of Education; 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 the State Board has considered the factors listed in Rule 3301-73-21 of the Ohio Administrative Code and has considered the Licensure Code of Professional Conduct for Ohio Educators, which contains standards for the teaching profession and provides guidelines for conduct that is unbecoming to the teaching profession: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(e), hereby REVOKES Karrie Y. Piletic’s one-year educational aide permit issued in 2015 based upon Ms. Piletic’s 2014 conviction in the Parma Municipal Court for one misdemeanor count of petit theft, 2013 conviction in the Brooklyn Mayor’s Court for one misdemeanor count of driving or physical control while under the influence (DUI), and her failure to disclose her 2014 conviction on the 2014 and 2015 applications that she submitted to the Ohio Department of Education. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Karrie Y. Piletic shall be ineligible to apply for any license issued by the State Board of Education until on or after July 11, 2019; and, Be It Further

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

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

President Gunlock called for a roll call vote.

YES VOTES
Melanie P. Bolender
Michael Collins
Tess Elshoff
Cathye Flory
Thomas Gunlock
C. Todd Jones
Mary Rose Oakar
Frank Pettigrew
Rebecca Vazquez-Skillings
Pat Bruns
Stephanie Dodd
Joe Farmer
Sarah Fowler
Nancy P. Hollister
Kathleen McGervey
Roslyn Painter-Goffi
Ron Rudduck
A.J. Wagner

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 12):
12. **RESOLUTION TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL HIGH SCHOOL TEACHING LICENSE OF BYRON E. PRATT**

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

WHEREAS Byron E. Pratt holds a five-year professional high school teaching license issued in 2012; and

WHEREAS on April 22, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Byron E. Pratt of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional high school teaching license issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(3). The notice was based upon Mr. Pratt's 2014 conviction in the Cuyahoga County Court of Common Pleas for one felony count of attempted trafficking in or illegal use of food stamps and subsequent violation of his community control when he tested positive for alcohol, 2013 conviction in the Cuyahoga County Court of Common Pleas for one misdemeanor count of disorderly conduct, 2012 conviction in the Shaker Heights Municipal Court for two misdemeanor counts of disorderly conduct, 2012 conviction, in a separate case, in the Shaker Heights Municipal Court for one misdemeanor count of disorderly conduct, 2010 conviction in the Cleveland Municipal Court for one minor misdemeanor count of disorderly conduct intoxication, 2010 conviction in the Cleveland Municipal Court for one misdemeanor count of criminal trespass, 2009 no contest plea in the Shaker Heights Municipal Court to one misdemeanor count of possessing certain weapons at or about public places and subsequent entry into a first offender program, 2008 conviction in the Shaker Heights Municipal Court for one misdemeanor count of open container, 2003 conviction in the Bedford Municipal Court for one misdemeanor count of driving while under the influence (DUI) and subsequent 2008 conviction in the Bedford Municipal Court for one misdemeanor count of contempt of court stemming from a probation violation, 2000 conviction in the Garfield Heights Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol (OVI), 1997 conviction in the Bedford Municipal Court for one misdemeanor count of driving while under the influence (DUI), and failure to disclose his 2003, 2008, 2010, and 2012 criminal convictions on the 2012 application that he submitted to the Ohio Department of Education; and

WHEREAS the notice informed Mr. Pratt 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 2012; and

WHEREAS Byron E. Pratt did not request a hearing in accordance with Section 119.07 of the Revised Code; and

WHEREAS the State Board of Education has reviewed the affidavit of the director of the Office of Professional Conduct, Notice of the State Board of Education’s Intended Action and Opportunity for a Hearing, certified court records from the Cuyahoga County Court of Common Pleas, Shaker Heights Municipal Court, Cleveland Municipal Court, Bedford Municipal Court, and Garfield Heights Municipal Court, and certified police records from the Cleveland Police Department and Highland Hills 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; and
WHEREAS the State Board has considered the factors listed in Rule 3301-73-21 of the Ohio Administrative Code and has considered the Licensure Code of Professional Conduct for Ohio Educators, which contains standards for the teaching profession and provides guidelines for conduct that is unbecoming to the teaching profession: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(3), hereby REVOLES Byron E. Pratt’s five-year professional high school teaching license issued in 2012 based upon Mr. Pratt’s 2014 conviction in the Cuyahoga County Court of Common Pleas for one felony count of attempted trafficking in or illegal use of food stamps and subsequent violation of his community control when he tested positive for alcohol, 2013 conviction in the Cuyahoga County Court of Common Pleas for one misdemeanor count of disorderly conduct, 2012 conviction in the Shaker Heights Municipal Court for two misdemeanor counts of disorderly conduct, 2012 conviction, in a separate case, in the Shaker Heights Municipal Court for one misdemeanor count of disorderly conduct, 2010 conviction in the Cleveland Municipal Court for one minor misdemeanor count of disorderly conduct intoxication, 2010 conviction in the Cleveland Municipal Court for one misdemeanor count of criminal trespass, 2009 no contest plea in the Shaker Heights Municipal Court to one misdemeanor count of possessing certain weapons at or about public places and subsequent entry into a first offender program, 2008 conviction in the Shaker Heights Municipal Court for one misdemeanor count of open container, 2003 conviction in the Bedford Municipal Court for one misdemeanor count of driving while under the influence (DUI) and subsequent 2008 conviction in the Bedford Municipal Court for one misdemeanor count of contempt of court stemming from a probation violation, 2000 conviction in the Garfield Heights Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol (OVI), 1997 conviction in the Bedford Municipal Court for one misdemeanor count of driving while under the influence (DUI), and failure to disclose his 2003, 2008, 2010, and 2012 criminal convictions on the 2012 application that he submitted to the Ohio Department of Education. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Byron E. Pratt 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. Pratt of this action.

It was Moved by Mrs. Bolender and Seconded by Mr. Collins that the above recommendation (Item 12) be approved.

President Gunlock called for a roll call vote.

YES VOTES
Melanie P. Bolender
Michael Collins
Tess Elshoff
Cathye Flory
Thomas Gunlock
C. Todd Jones
Mary Rose Oakar
Frank Pettigrew
Rebecca Vazquez-Skillings
Pat Bruns
Stephanie Dodd
Joe Farmer
Sarah Fowler
Nancy P. Hollister
Kathleen McGervey
Roslyn Painter-Goffi
Ron Rudduck
A.J. Wagner

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 SUSPEND THE PERMANENT HIGH SCHOOL TEACHING CERTIFICATE OF WAYNE W. WHITEHEAD**

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

WHEREAS Wayne W. Whitehead holds a permanent high school teaching certificate issued in 1981; and

WHEREAS on October 27, 2015, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Wayne W. Whitehead of its intent to determine whether to limit, suspend, revoke, or permanently revoke his permanent high school teaching certificate issued in 1981 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Whitehead engaging in conduct that is unbecoming to the teaching profession when on or about January 24 and 27, 2014, Mr. Whitehead approached a student and asked if the student could put him in touch with somebody that could sell him a handgun; and

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

WHEREAS a hearing was held on April 5, 2016; and

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

WHEREAS the hearing officer recommends that Mr. Whitehead's teaching certificate be suspended for a period of no less than four years from the date of the State Board of Education's final order. Further, it is recommended that Mr. Whitehead not be permitted to reapply for reinstatement during the suspension period and, upon expiration of the suspension period, he must provide verification to the Ohio Department of Education that he has successfully completed, at his own cost, classes or continuing education units in the areas of teacher/student boundaries, appropriate conduct and/or interactions with or involving students, diversity and/or anti-discrimination training, and any other appropriate classes identified by the State Board of Education to address the hearing officer's findings. Mr. Whitehead must demonstrate continued compliance with any general continuing education requirements for the maintenance of his teaching certificate during the suspension period, as well as satisfy any other conditions imposed by the State Board of Education. The hearing officer's recommendation is based upon Mr. Whitehead acting in an inappropriate and ill-advised manner when he requested that a student put him in touch with somebody who could sell him a handgun and such misconduct reflecting negatively upon the teaching profession; and

WHEREAS the State Board has considered the factors listed in Rule 3301-73-21 of the Ohio Administrative Code and has considered the *Licensure Code of Professional Conduct for Ohio Educators*, which contains standards for the teaching profession and provides guidelines for conduct that is unbecoming to the teaching profession: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **SUSPENDS** Wayne W. Whitehead's permanent high school teaching certificate for a period of no less than four years from the date of the State Board of Education's final order.
certificate issued in 1981 with the suspension beginning on July 12, 2016 and ending on July 12, 2020 provided that Mr. Whitehead submits to the Ohio Department of Education, prior to July 12, 2020, verification that he has successfully completed, at his own cost, at least eight hours of classes or continuing education units in the areas of teacher/student boundaries, appropriate conduct and/or interactions with or involving students, and diversity and/or anti-discrimination training. All trainings must be pre-approved by the Ohio Department of Education. If Mr. Whitehead fails to provide this verification prior to July 12, 2020, the suspension of his permanent certificate will continue indefinitely until he has submitted the required verification to the Ohio Department of Education. The suspension is based upon Mr. Whitehead engaging in conduct that is unbecoming to the teaching profession when on or about January 24 and 27, 2014, he approached a student and asked if the student could put him in touch with somebody that could sell him a handgun. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(1)(e), orders that Wayne W. Whitehead be ineligible to apply for any license until on or after the suspension of his permanent certificate has ended; and, Be It Further

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

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

Mrs. Flory Moved to Amend the resolution by Substitution. She recommended that Mr. Whitehead receive an admonishment. Mr. Collins Seconded the motion. After discussion, with consent from Mr. Collins, Ms. Flory withdrew her motion to Amend.

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

YES VOTES
Melanie P. Bolender
Michael Collins
Tess Elshoff
Sarah Fowler
Nancy P. Hollister
Kathleen McGervey
Roslyn Painter-Goffi
Ron Rudduck

Pat Bruns
Stephanie Dodd
Joe Farmer
Thomas Gunlock
C. Todd Jones
Mary Rose Oakar
Frank Pettigrew
Rebecca Vazquez-Skillings

NO VOTES
Cathye Flory
A.J. Wagner

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 DENY PERMANENTLY THE ONE-YEAR SUBSTITUTE TEACHING LICENSE APPLICATION OF DAVID WILLIAMS
I RECOMMEND that the State Board of Education ADOPT the following Resolution:

WHEREAS David Williams has applied for a one-year substitute teaching license; and

WHEREAS on November 23, 2015, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified David Williams of its intent to deny or permanently deny his application for a one-year substitute teaching license pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (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. Williams' 2001 conviction in the Hamilton County Court of Common Pleas for one felony count of domestic violence, 1995 conviction in the Hamilton County Municipal Court for one misdemeanor count of domestic violence, 1995 conviction in the Hamilton County Municipal Court for one misdemeanor count of disorderly conduct, 1982 conviction in the Madison County, Kentucky Circuit Court for one felony count of theft by unlawful taking, 1979 conviction in the Madison County, Kentucky Circuit Court for one felony count of theft by unlawful taking, and failure to disclose his 1995, 1982, and 1979 criminal convictions on the pending application that he submitted to the Ohio Department of Education; and

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

WHEREAS a hearing was held on April 5, 2016; and

WHEREAS Mr. Williams was not present at the hearing or represented by counsel, but he did submit his contentions in writing; and

WHEREAS the hearing officer recommends that Mr. Williams' pending application be denied and he be permanently ineligible to apply for any license issued by the State Board of Education. The hearing officer's recommendation is based upon Mr. Williams not being able to meet the rehabilitation criteria established by Rule 3301-20-01(E) of the Ohio Administrative Code because he has more than two convictions for felony and violent offenses; and

WHEREAS the State Board has considered the factors listed in Rule 3301-73-21 of the Ohio Administrative Code and has considered the Licensure Code of Professional Conduct for Ohio Educators, which contains standards for the teaching profession and provides guidelines for conduct that is unbecoming to the teaching profession. Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (B)(2)(b), (B)(2)(c), and (F) and Rule 3301-20-01(E) of the Ohio Administrative Code, hereby DENIES David Williams' application for a one-year substitute teaching license based upon Mr. Williams' 2001 conviction in the Hamilton County Court of Common Pleas for one felony count of domestic violence, 1995 conviction in the Hamilton County Municipal Court for one misdemeanor count of domestic violence, 1982 conviction in the Madison County, Kentucky Circuit Court for one felony count of theft by unlawful taking, and failure to disclose his 1995, 1982, and 1979 criminal convictions on the pending application that he submitted to the Ohio Department of Education. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders David Williams be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

RESOLVED, That the State Superintendent of Public Instruction be, and he hereby is, directed to notify Mr. Williams of this action.
It was Moved by Mrs. Bolender and Seconded by Ms. Fowler that the above recommendation (Item 14) be approved.

President Gunlock called for a roll call vote.

YES VOTES
Melanie P. Bolender
Michael Collins
Tess Elshoff
Cathye Flory
Thomas Gunlock
C. Todd Jones
Mary Rose Oakar
Frank Pettigrew
Rebecca Vazquez-Skillings

Pat Bruns
Stephanie Dodd
Joe Farmer
Sarah Fowler
Nancy P. Hollister
Kathleen McGervey
Roslyn Painter-Goffi
Ron Rudduck

NO VOTES
A.J. Wagner

Motion carried.

Item 15 was removed from the Voting Agenda.

15. RESOLUTION OF APPOINTMENT TO THE EDUCATOR STANDARDS BOARD

Dr. Pettigrew presented the following recommendation (Item 16):

16. RESOLUTION TO ADOPT A QUALIFYING SCORE FOR THE NEW DANCE OHIO ASSESSMENTS FOR EDUCATORS (OAE) LICENSURE TESTS

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

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

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

Successful completion of examinations prescribed by the State Board of Education has been an element of licensure administrative rules and a prerequisite for obtaining educator licensure since 1987;
In the summer of 2012 the Ohio Department of Education issued a Request for Proposals (RFP) to select a vendor through a competitive bidding process in order to fulfill Ohio’s ongoing needs for educator assessments and associated services;

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

The Evaluation Systems Group of Pearson proceeded to customize the new Ohio Assessments for Educators (OAE), including conducting test validation and standard setting studies in April 2013, June 2013, September 2013, February 2014, and April 2014 with committees of participating Ohio P-12 educators and higher education representatives in each respective licensure area;

The State Board adopted 28 new OAE licensure assessments (32 tests) at its June 2013 meeting, which began to be administered in September 2013, and also adopted an additional 11 new OAE licensure assessments (12 tests) at its November 2013 meeting, which began to be administered in January 2014;

The Evaluation Systems Group of Pearson proceeded to customize a new Ohio Assessment for Educators (OAE) for the area of Dance (OAE #011), including conducting test validation, standard setting and linking studies in January 2016 with committees of participating Ohio licensed dance teachers and higher education faculty;

At its May 2, 2016 meeting, the Ohio Educator Standards Board Licensure Committee reviewed the new Dance test (OAE #011) and expert panel recommended raw qualifying scores for the test, and at its May 3, 2016 business meeting the Educator Standards Board recommended that the State Board of Education adopt the test and panel recommended raw qualifying score; and

At its June 13, 2016 meeting, the Capacity Committee reviewed the recommendation of the Educator Standards Board regarding the adoption of the new Dance test and the panel recommended raw qualifying score for the new assessment, and voted to recommend to the State Board of Education the adoption of the test and the panel recommended raw qualifying score for the new assessment as indicated: Therefore, Be It

RESOLVED, That the State Board of Education hereby adopts the new Dance test (OAE #011) and the panel recommended raw qualifying score for the new Ohio Assessment for Educators Dance test and establishes the raw qualifying score with a raw score of 59 out of 80 (69%) as a requirement for licensure applicants in the respective licensure area (Dance Education P-12).

It was Moved by Dr. Pettigrew that the above recommendation (Item 16) be approved.

President Gunlock called for a roll call vote.

YES VOTES
Melanie P. Bolender               Pat Bruns
Michael Collins                  Stephanie Dodd
Tess Elshoff                     Joe Farmer
Minutes of the July 2016 Meeting of the State Board of Education of Ohio

Cathye Flory  Sarah Fowler
Thomas Gunlock  Nancy P. Hollister
C. Todd Jones  Kathleen McGervey
Mary Rose Oakar  Roslyn Painter-Goffi
Frank Pettigrew  Ron Rudduck
Rebecca Vazquez-Skillings

NO VOTES
A.J. Wagner

Motion carried.

Dr. Pettigrew presented the following recommendation (Item 17):

17. **RESOLUTION TO ADOPT A QUALIFYING SCORE FOR THE NEW FOUNDATIONS OF READING OHIO ASSESSMENTS FOR EDUCATORS (OAE) LICENSURE TESTS**

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

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

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

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

In the summer of 2012 the Ohio Department of Education issued a Request for Proposals (RFP) to select a vendor through a competitive bidding process in order to fulfill Ohio’s ongoing needs for educator assessments and associated services;

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

The Evaluation Systems Group of Pearson proceeded to customize the new Ohio Assessments for Educators (OAE), including conducting test validation and standard setting studies in April 2013, June 2013, September 2013, February 2014, and April 2014 with committees of participating Ohio P-12 educators and higher education representatives in each respective licensure area;

The State Board adopted 28 new OAE licensure assessments (32 tests) at its June 2013 meeting, which began to be administered in September 2013, and also adopted an additional 11 new OAE licensure assessments (12 tests) at its November 2013 meeting, which began to be administered in January 2014;
The Evaluation Systems Group of Pearson, in response to the requirement outlined in Revised Code section 3319.233, proceeded to customize a new Ohio Assessment for Educators (OAE), Foundations of Reading (OAE #090), including conducting test validation, standard setting and linking studies in April 2016 with committees of participating Ohio licensed teachers in the areas of early childhood education, middle childhood education and early childhood intervention specialist and higher education faculty;

At its May 2, 2016 meeting, the Ohio Educator Standards Board Licensure Committee reviewed the new Foundations of Reading test (OAE #090) and expert panel recommended raw qualifying scores for the test, and at its May 3, 2016 business meeting the Educator Standards Board recommended that the State Board of Education adopt the test and panel recommended raw qualifying score; and

At its June 13, 2016 and July 11, 2016 meetings the Capacity Committee reviewed the recommendation of the Educator Standards Board regarding the adoption of the new Foundations of Reading test and the panel recommended raw qualifying score for the new assessment, and voted to recommend to the State Board of Education the adoption of the test and the panel recommended raw qualifying score for the new assessment as indicated: Therefore, Be It

RESOLVED, That the State Board of Education hereby adopts the new Foundations of Reading test (OAE #090) and the panel recommended raw qualifying score for the new Ohio Assessment for Educators Foundations of Reading test and establishes the raw qualifying score with a raw score of 59 out of 85 (69%) and 11 out of 16 on constructed response items as a requirement for licensure applicants in respective licensure areas (all educators licensed for grades PreK-3, 4-9, intervention specialist and early childhood intervention specialist).

It was Moved by Dr. Pettigrew that the above recommendation (Item 17) be approved.

President Gunlock called for a roll call vote.

YES VOTES
Melanie P. Bolender  Pat Bruns
Michael Collins  Stephanie Dodd
Tess Elshoff  Joe Farmer
Cathye Flory  Sarah Fowler
Thomas Gunlock  Nancy P. Hollister
C. Todd Jones  Kathleen McGervey
Mary Rose Oakar  Roslyn Painter-Goffi
Frank Pettigrew  Ron Rudduck
Rebecca Vazquez-Skillings

NO VOTES
A.J. Wagner

Motion carried.

Item 18 was removed from the Voting Agenda.
18. COLLEGE CREDIT PLUS

Dr. Pettigrew presented the following recommendation (Item 19):

19. **RESOLUTION TO REFILE RULE 3301-102-08 OF THE ADMINISTRATIVE CODE ENTITLED STANDARDS FOR MEASURING SPONSOR COMPLIANCE WITH APPLICABLE LAWS AND RULES**

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

Section 3314.016 of the Revised Code authorizes the State Board of Education to adopt rules regarding standards for measuring sponsor compliance with applicable laws and rules;

House Bill 2 of the 131st General Assembly amended the provisions of Section 3314.016 regarding standards for measuring sponsor compliance with all applicable laws and rules; and

Proposed Rule 3301-102-08 of the Administrative Code establishes standards for measuring sponsor compliance with all applicable laws and rules in accordance with Section 3314.016 as amended by House Bill 2 of the 131st General Assembly;

The proposed amendments to Rule 3301-102-08 of the Administrative Code were reviewed by the Capacity Committee during its December 2015 meeting;

The Capacity Committee, during its January 2016 meeting, voted to recommend the proposed rescission and adoption of the rule to the State Board of Education;

The State Board of Education, during its January 2016 meeting, approved a Resolution of Intent to adopt Rule 3301-102-08 of the Administrative Code;

The Ohio Department of Education, on June 29, 2016, originally filed Rule 3301-102-08 with the Joint Committee on Agency Rule Review (JCARR), Legislative Service Commission (LSC), and the Secretary of State;

Rule 3301-102-08 includes a deadline of June 30, 2016 for sponsors to certify compliance to the Department. For the 2015/2016 year only, the department recommends extending this deadline to July 25, 2016; and

During its July 2016 meeting, the Capacity Committee reviewed the recommendations made by the department and agreed upon further amendments to proposed Rule 3301-102-08 of the Administrative Code, which are reflected in the attached version of the rule and incorporated herein by this reference; Therefore, Be It

RESOLVED, That the State Board of Education hereby directs the department to refile Rule 3301-102-08 of the Administrative Code with JCARR, LSC, and the Secretary of State.

It was Moved by Dr. Pettigrew that the above recommendation (Item 19) be approved.
President Gunlock called for a roll call vote.

YES VOTES
Melanie P. Bolender  Pat Bruns
Michael Collins  Stephanie Dodd
Tess Elshoff  Joe Farmer
Cathye Flory  Sarah Fowler
Thomas Gunlock  Nancy P. Hollister
C. Todd Jones  Kathleen McGervey
Mary Rose Oakar  Roslyn Painter-Goffi
Frank Pettigrew  Ron Rudduck
Rebecca Vazquez-Skillings  A.J. Wagner

Motion carried.

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

20.  RESOLUTION APPROVING PAY RAISE FOR ASSOCIATE SUPERINTENDENTS

Dr. Lonny Rivera and Jennifer Felker serve as Associate Superintendents of Public Instruction for the Ohio Department of Education;

The State Board of Education sets the pay of Assistant Superintendents in accordance with R.C. 3301.13;

The current state budget provides for a 2.5% salary increase for exempt State of Ohio employees effective June 26, 2016; and

Dr. Lonny Rivera and Jennifer Felker meet all of the requirements to receive the salary increase; Therefore, Be It

RESOLVED That Dr. Lonny Rivera and Jennifer Felker receive a 2.5% salary increase in accordance with the terms that apply to all other exempt Ohio Department of Education employees receiving the salary increase.

It was Moved by Mrs. Bolender and Seconded by Mr. Collins that the above recommendation (Item 20) be approved.

President Gunlock called for a roll call vote.

YES VOTES
Melanie P. Bolender  Pat Bruns
Michael Collins  Stephanie Dodd
Tess Elshoff  Joe Farmer
Cathye Flory  Sarah Fowler
Thomas Gunlock  Nancy P. Hollister
C. Todd Jones  Kathleen McGervey
Mary Rose Oakar  Roslyn Painter-Goffi
Mr. Gunlock presented the following recommendation (Item 21):

21. **RESOLUTION APPROVING EVALUATION AND PERFORMANCE BONUS/MERIT PAY FOR THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Paolo A. DeMaria was unanimously appointed as the State Superintendent of Public Instruction on May 11, 2016 and the State Board of Education agreed to pay a performance bonus/merit pay in an amount not to exceed $20,000.

RESOLVED, that Paolo A. DeMaria shall receive an evaluation in accordance with the process outlined in Exhibit A and that his performance bonus/merit pay shall be based on the results of such evaluation.

It was Moved by Mr. Collins and Seconded by Mrs. Flory that the above recommendation (Item 21) be approved.

Mr. Wagner stated that he would like to see as part of the evaluation, the average score of schools around the state as well as the average value-added score.

Mrs. Painter-Goffi also stated her dislike of using test scores as the single indicator of student success on a teacher evaluation form. She also stated she would prefer if this indicator were removed entirely.

Mr. Jones stated he stands with the Obama administration that it is appropriate to try to move toward a system where we judge on the basis of performance, recognizing that not all things that are important can be measured and not all things measured are important. He further stated he did not agree associating Mr. Wagner's recommendation.

Mrs. Dodd stated she believes this is a starting point of an evaluation.

Ms. Fowler thanked the Superintendent for a well put-together document.

President Gunlock called for a roll call vote.

**YES VOTES**
- Melanie P. Bolender
- Michael Collins
- Tess Elshoff
- Cathye Flory
- Thomas Gunlock
- C. Todd Jones
- Mary Rose Oakar
- Frank Pettigrew
- Rebecca Vazquez-Skillings

**Pat Bruns**
- Stephanie Dodd
- Joe Farmer
- Sarah Fowler
- Nancy P. Hollister
- Kathleen McGervey
- Roslyn Painter-Goffi
- Ron Rudduck

**NO VOTES**
Minutes of the July 2016 Meeting of the State Board of Education of Ohio

A.J. Wagner

Motion carried.

Non-Resolutions
New Business

Ms. Oakar stated she would be sending a communication from a 3rd Grade Reading Proctor to the Board President and Superintendent for review.

Ms. Bruns stated at the next meeting of the Board, she would bring forth a resolution regarding sponsor performance evaluations.

Old Business

Ms. Flory thanked Department staff who assisted her in the development of a resolution regarding student suspension that was sent electronically to Board members. President Gunlock stated he was assigning the topic to the Capacity Committee for further review.

Ms. Bruns requested an update regarding the Academic Distress Work Group’s recommendations presented to the Board at the June meeting. President Gunlock responded they would be forwarded to the Urban and Rural Renewal Committee for further consideration.

Ms. Fowler asked for the status of the resolution she brought forth at the June meeting regarding notice to local school boards. President Gunlock responded the Department was in communication with the Attorney General’s office. Ms. McGervey recommended follow-up communication to school districts indicating the Department is not promoting the “Dear Colleague” letter.

The State Board recessed for lunch.

FULL BOARD ETHICS TRAINING
Presenter: Paul M. Nick, Esq., Executive Director, Ohio Ethics Commission

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

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

The President requested a voice vote.

Motion carried.
Minutes of the July 2016 Meeting of the State Board of Education of Ohio

President Gunlock adjourned the meeting at 2:30 p.m. The next regularly scheduled meeting of the State Board of Education is September 14-15, 2016.

ATTEST:

[Signatures]

Tom Gunlock  Paolo DeMaria
President  Superintendent of Public Instruction
State Board of Education

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.