Mrs. Bolender and Ms. Jacobs were absent from the meeting. Ms. McGervey was absent on Monday.

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

Chapter 119 Hearing

June 13, 2016
8:00 a.m.

Hearing Regarding the Amending, Rescinding and Adoption of Rules

The adoption of Rule 3301-16-06 of the Administrative Code, Retaking of end-of-course examinations; and the adoption of Rule 3301-16-07 of the Administrative Code, End-of-course examination in science.
MEMBERS PRESENT

Pat Bruns  Tess Elshoff
Sarah Fowler  Thomas Gunlock
C. Todd Jones  Mary Rose Oakar
Frank Pettigrew  Rebecca Vazquez-Skillings

Note: Ms. Bruns and Ms. Oakar entered the room after roll call.

President Gunlock stated the Board would proceed with the public hearing on the following rule actions: The adoption of Rule 3301-16-06 of the Administrative Code, *Retaking of end-of-course examinations*; and the adoption of Rule 3301-16-07 of the Administrative Code, *End-of-course examination in science*.

President Gunlock called on Hannah Stoneburner, from the Office of the Attorney General, Assistant Attorney General, Education section. Ms. Stoneburner called on Sharon Jennings, Deputy Chief Legal Counsel for the Ohio Department of Education.

Ms. Jennings presented the following Board Exhibits:

- Board Exhibit 1 is the public notice that appears in the Register of Ohio and references the proposed rule actions subject to this hearing;
- Board Exhibits 2 and 3 are true and accurate copies of the resolutions adopted by the State Board of Education declaring its intent to adopt the rules subject to this public hearing; and
- Board Exhibit 4 is true and accurate copies of the rules subject to this public hearing that were originally filed with the Joint Committee on Agency Rule Review (JCARR), Legislative Service Commission (LSC), and the Secretary of State on May 13, 2016.

Ms. Jennings explained the rules had been made available to all persons affected by the rules.

President Gunlock 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 Gunlock announced that the Board would now receive testimony on the proposed actions before the Board.

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

There were no requests.

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

President Gunlock stated that the exhibits were so received. As there was no more testimony, he declared the public hearing closed at 8:05 a.m.

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The Board’s Appointments Committee met beginning at 8:05 a.m.

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Following Appointments Committee, The Board’s Achievement and Capacity Committees met beginning at 8:45 a.m.

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

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The State Board recessed for lunch.

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President Gunlock convened the Business meeting of the State Board of Education on Monday, March 13, at 1:00 p.m.

President Gunlock asked the Recording Secretary to call the roll.

MEMBERS PRESENT

Pat Bruns
Stephanie Dodd
Joe Farmer
Sarah Fowler
Nancy P. Hollister
Mary Rose Oakar
Frank Pettigrew
Rebecca Vazquez-Skillings

Michael Collins
Tess Elshoff
Cathye Flory
Thomas Gunlock
C. Todd Jones
Roslyn Painter-Goffi
Ron Rudduck
A.J. Wagner

NOTE: Mr. Collins, Mrs. Vazquez-Skillings and Mr. Wagner entered the room after roll call.
EX OFFICIO MEMBERS
Senator Peggy Lehner
Representative Andrew Brenner

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

President Gunlock called on Board member Gov. Nancy Hollister who requested a moment of silence in recognition of the passing of Gov. George Voinovich. Gov. Hollister also asked Ms. Oakar to also say a few words.

Vice President Elshoff asked for a moment of silence to recognize the individuals who lost their lives in the Orlando, Florida events.

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

President Gunlock announced that Item 19 would be removed from the agenda. Mrs. Dodd requested that Item 3 be pulled from the consent agenda and voted on separately.

Consent Agenda (3); Volume 2

1. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF AARON A. ALVELO (VOLUME 2, PAGE 4)

2. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FOUR-YEAR ALTERNATIVE RESIDENT EDUCATOR TEACHING LICENSE OF NICHOLAS A. VAUGHN (VOLUME 2, PAGE 6)


Administrative Rules (1); Volume 3

4. RESOLUTION TO AMEND RULE 3301-28-04 OF THE ADMINISTRATIVE CODE ENTITLED PERFORMANCE INDICATORS (VOLUME 2, PAGE 40) (ACCOUNTABILITY COMMITTEE)

 Territory Transfers (0); Volume 2
There were no Territory Transfers for adoption in June.
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Items 5 through 18 were school personnel resolutions.

Miscellaneous Resolutions (5); Volume 4

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

20. RESOLUTION TO ADOPT THE REVISED STATE AGENCY TEACHER EVALUATION FRAMEWORK IN ACCORDANCE WITH SECTION 3319.112 OF THE REVISED CODE (VOLUME 4, PAGE 87) (CAPACITY COMMITTEE)

21. RESOLUTION TO CONFIRM THE LAKOTA LOCAL SCHOOL DISTRICT BOARD OF EDUCATION'S DETERMINATION OF IMPRACTICAL TRANSPORTATION OF CERTAIN STUDENTS ATTENDING ST. WENDELIN CATHOLIC SCHOOL IN FOSTORIA, SENECA COUNTY, OHIO (VOLUME 4, PAGE 91)

22. RESOLUTION OF INTENT TO AMEND RULES 3301-24-08, 3301-24-25, AND 3301-24-26 OF THE ADMINISTRATIVE CODE, REGARDING LICENSURE RENEWALS (VOLUME 4, PAGE 97) (CAPACITY COMMITTEE)

23. RESOLUTION TO ADOPT A MINIMUM PERFORMANCE FOR THE PERCENTAGE OF DIPLOMAS AWARDED THROUGH THE 22+ ADULT DIPLOMA PROGRAM (ACCOUNTABILITY COMMITTEE)

President Gunlock announced this item was amended in committee to go from July 1 to October 1.

Report of the Interim Superintendent of Public Instruction
Interim Superintendent Rivera and key staff members provided Board members with updates on the following topics:
- Overview of the Office of Professional Conduct
- Update on Every Student Succeeds Act (ESSA)

EXECUTIVE SESSION

Vice President Elshoff called on Mr. Jones, 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.

Mrs. Hollister Seconded the motion.
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The Vice President called for a roll call vote.

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

Motion carried.

The Board went into Executive Session at 2:30 p.m.

The Board recessed from Executive Session at 3:05 p.m.

Vice President Elshoff recessed the State Board Business meeting at 3:05 p.m.

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Vice President Elshoff recessed the Board meeting at 3:05 p.m.

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Following Executive Session, the Board’s Professional Development Work Group met.

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President Gunlock reconvened the meeting of the State Board of Education on Tuesday, June 14, at 8:00 a.m.

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The Board’s Legislative & Budget Committee met beginning at 8:00 a.m.

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Following Legislative & Budget Committee, The Board’s Standards & Graduation Requirements Committee met.

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President Gunlock reconvened the Business meeting of the State Board of Education on Tuesday, June 14, at 10:00 a.m.
President Gunlock asked the Recording Secretary to call the roll.

**MEMBERS PRESENT**

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<td>Pat Bruns</td>
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**NOTE:** Mr. Collins, Mrs. Elshoff and Ms. McGervey entered the room after roll call.

**EX OFFICIO MEMBERS**

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<td>Representative Andrew Brenner</td>
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President Gunlock called for the approval of the Minutes of the May 2016 meeting. He asked if there were any corrections to the Minutes.

There were no corrections.

It was Move[d] by Ms. Fowler and Seconded by Ms. Bruns that the Minutes be approved as presented. 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:

**Discuss Performance Levels for State Testing:**

ODE staff provided the committee with early return data from the online spring tests for mathematics and English/language arts. Performance levels for all tests were approved by the board at the January 2016 meeting. At that time ODE stated it would share early return online data in June with the board for validation of the performance levels. ODE staff recommended adjustments to the performance levels on two tests: geometry and integrated mathematics II. The committee voted to approve the adjusted performance level recommendations. The full board is expected to vote on the adjustments during the board meeting on Tuesday, June 14.
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Five Year Rule Review:
ODE staff presented an overview of the rules for the Educational Choice Scholarship (EdChoice) Program (3301-11-01 to 15) and Approval of Nonpublic Schools (3301-39-01 to 03). The Achievement Committee will review the proposed changes to the rules at the July meeting.

Discuss Gifted Services:
Current definitions of gifted identification practices and gifted services were presented to the Achievement Committee.

Update on Assessment:
ODE staff informed the committee that the summer Grade 3 ELA testing will happen July 11-15 and the high school end of course exam is scheduled for July 18-29. Online test completions vs. paper/pencil are still running approximately 80/20% respectively.

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 rules 3301-2-01 through 3301-2-18 regarding confidential personal information. Rules 3302-2-01 through -13 are being rescinded as the rules primarily restate ODE obligations stated in ORC. In addition, DAS has enacted rules that place these same requirements on all state agencies. Rules 3301-2-14 through 3301-2-18 are being amended to include only those provisions that are required by law. These rules are to be enacted by the Department and thus will not be subject to a vote.

The Committee discussed two new Ohio Assessments for Educators (OAE) tests: Dance (OAE Test 011) and Foundations of Reading (OAE Test 090), and the panel recommended qualifying score for each. The Committee voted to recommend that the Full Board adopt the new tests and the panel recommended qualifying scores at its July meeting.

The Committee reviewed and discussed pass rate data for all current Ohio Assessments for Educators (OAE) tests. The Capacity Committee voted to table a vote on an Educator Standards Board (ESB) recommended adjustment to the qualifying score of the Biology (OAE Test 007) examination until July. The Committee asked that the Department gather additional data for their review prior to a vote on the ESB recommendation.

At a special meeting of the Capacity Committee on June 3, 2016, the Committee discussed the rescission and adoption of rules 3301-102-02 and -03 and the adoption of amended rules 3301-102-04, -05 and -07 regarding community schools and sponsors. After thorough discussion of the rules, the Committee voted unanimously to recommended that the Full Board adopt these rules with minor revisions. A resolution of intent to adopt these rules appears on this month’s (June) voting agenda.

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:

As a part of Ohio’s ESSA plan, we will need to find ways to provide more supports for homeless students and students in foster care. The Committee heard several presentations on the topics.

Foster Care Presentation:
The Committee heard a presentation from Angela Sausser and Mary Watchel, Public Children Services Association of Ohio (PCSAO). The speakers gave an overview of foster care in Ohio. 62% of children in agency custody are school aged and a disproportional percent are African-American.

Compared to kids who are not in foster care, kids who age out of foster care are less likely to:
- be employed
- have a bank account
- have health insurance

Compared to kids who are not in foster care, kids who age out of foster care are more likely to:
- Have been pregnant
- Have been homeless

Specific challenges that affect the education of students in foster care include frequent, sudden moves, the effects of trauma and violence exposure, lack of educational expertise among child protection staff, students are academically behind or came from homes with little support to succeed.

Roger Loy from Montgomery County Job and Family Services talked about their successful efforts to prepare students in foster care for the third grade-reading guarantee. They also have a program to help students transition from middle school to high school and a program to intervene as the guardian of the student when the student is at risk for being suspended or expelled from school.

Homeless Youth Presentation:
Evette Bethel from the Coalition for Homelessness and Housing in Ohio (COHHIO) presented to the Committee.

Intervening with homeless youth is critical - chronically homeless people were often homeless as youth.

Specific populations are more at risk of being homeless as youth. They are:
- Pregnant and parenting youth
- Youth in foster care
- Rural youth
- LGBTQ youth
- Incarcerated youth

Ms. Bethel noted that homeless programs and schools should use trauma informed care and positive development to help improve outcomes for homeless students. More professional development is needed to help educators identify and engage with homeless students.

McKinney-Vento Act:
Susannah Wayland is ODE’s state homeless liaison. She told the Committee about the McKinney-Vento Act.
The act defines homelessness and allows homeless students to go to school either in their district of origin or in the district closest to the current place where they are living (shelter, friend's house etc.). It also assigns a staff person in each district to serve as a liaison to homeless students. The act also sets up a competitive grant for district to assist homeless students.

BOARD PRESENTATIONS AND DISCUSSION FROM THE ACCOUNTABILITY COMMITTEE

Chair: Melanie Bolender, Vice Chair: Mike Collins
Mr. Collins gave a report from the Accountability Committee meeting focusing on the following issues:

Adopting Minimum Performance Levels for Adult 22+ Diploma Programs:
Facilitated by Dr. Steve Gratz
Adults, ages 22 and older, without a high school diploma or certificate of equivalency are eligible for Adult (22+) High School Diploma Program. The program allows adults a maximum of two fiscal years to meet the graduation requirements set by the state when the adult learner entered the ninth grade. Eligible educational service providers include a community school that operates a dropout prevention and recovery program; a city, local or exempted village school district that operates a dropout prevention and recovery program; a joint vocational school district that operates an adult education program; or a community college, university branch, technical college or state community college.

- 141 current providers, 71 current grads, 692 active students
- Columbus State, Lorain Comm. College, and Stark State make up most of the providers

The State Board must set minimum performance standards for providers by July 1 per OAC. The Accountability Committee passed a resolution to set the benchmark by October 1st to allow for more time to collect data.

Educational Service Personnel: Facilitated by Aaron Rausch
Aaron Rausch gave an update on the High-performing ESC rule. The update included the applications materials that are now available online and due by August 31st. Determinations will be made by the end of October. The Accountability Committee saw a presentation from an ESC superintendent who described the history of ESCs and gave an overview of the work of ESCs.

Community Learning Center Rules: Facilitated by Dr. Chris Woolard
Chris Woolard presented an overview of rules for elections for Community Learning Centers. The election rules describe the process to initiate the community learning center and an election to decide to present the plan to the local school board. These are department rules that were prescribed in HB 70 as a path for schools and districts to engage in community partnerships. HB 70 prescribed many of the details for the election process.

BOARD PRESENTATIONS AND DISCUSSION FROM THE ACADEMIC DISTRESS COMMISSION WORK GROUP

Chair: Rebecca Vazquez-Skillings
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Mrs. Vazquez-Skillings gave a report from the Academic Distress Commission Work Group focusing on the following issues:

Mrs. Vazquez-Skillings reviewed with Board members the recommendations of the Work Group.

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:

Update on Standards Review:
ODE staff provided information on the implementation for the nationally standardized test for college readiness (ACT/SAT) and the WorkKeys assessment as part of the work readiness pathway. The ACT/SAT contract was finalized last Friday and is now posted through the Department of Administrative Services (DAS) and the test will be administered to all juniors during spring 2017. The WorkKeys assessment will also be available to students during the 2016-17 school year and additional information will be shared with districts in the coming months.

ODE staff presented preliminary results of public comment survey on proposed changes to Honors Diploma Rules 3301-17-02 and will return in July with additional analyses and any proposed changes to the rules.

ODE staff discussed the status of the current review of the mathematics and English/language arts standards. Advisory and working groups have been meeting and staff will highlight the work of these committees and their progress toward meeting the timeline for completion.

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

The Committee convened to review applications for appointment to the Educator Standards Board for the 2015-2017 and 2016-2018 terms.

Gov. Hollister moved to table action on any appointments to the Educator Standards Board until its July 2016 meeting, pending the development of a revised application. This will allow time for applicants/nominees to complete a new application that will better align with applications for other State of Ohio Boards and Commissions. Department staff will create and distribute the revised application to relevant stakeholder groups for distribution and completion.

Following discussion and a friendly amendment by Ms. Dodd, the Committee voted 5-1 to table action on the appointment of members to the Educator Standards Board until the July (11-12) and/or September (12-13) meetings when the revised applications have been submitted.
BOARD PRESENTATIONS AND DISCUSSION FROM THE LEGISLATIVE & BUDGET COMMITTEE
Chair: Kathleen McGervey, Vice Chair: Todd Jones
Ms. McGervey gave a report from the Legislative & Budget Committee meeting focusing on the following issues:

Jessica Voltolini, ODE Director of Policy and Legislative Affairs, provided an update on state legislation that has passed in recent months.

Ms. Voltolini also provided an update on legislation that is expected to move when the General Assembly returns to session after the November election.

Full Board Presentation on Gifted Standards
Presenters: Dr. John Richard (OASSA), Dr. Julie Davis (OAESA). Brian Bontempo, Superintendent, Lake County Educational Service Center, President, Ohio Educational Service Center Association (OESCA) and Judy Chaffins, Director of Gifted Services, Allen County ESC.

The state Board received a presentation regarding Ohio’s proposed Gifted Operating Standards. Copies of testimony were provided to the Board.

Discussion of Board Goals
Presenter: Colleen Grady, Senior Policy Advisor, Ohio Department of Education.

The Board conducted an initial discussion regarding the requirement of the Board to produce a biennial report, found in O.R.C. section 3301.0717.

ORC 3301.0717
Establishment and submission of education goals by the state board
In addition to the duties imposed on it by law, the state board of education shall establish and submit to the governor and the general assembly a clear and measurable set of goals with specific timetables for their achievement.

In July of each odd-numbered year (beginning in 2003), the state board of education shall submit a report on progress made toward these goals to the governor and the general assembly.

The goals shall be established for programs designed to accomplish:
(A) A reduction in rates of retention in grade;
(B) Reductions in the need for remedial courses;
(C) Reductions in the student dropout rate;
(D) Improvements in scores on standardized tests;
(E) Increases in satisfactory completion of high school achievement tests;
(F) Increases in American college test scores;
(G) Increases in the rate of college entry;
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(H) Reductions in the need for remedial courses for first-year college students.

Next Steps:
1) Review proposed measures
2) ODE provides “baseline” figures
3) Discussion re: measures and goals in July/September

The State Board recessed for lunch.

High School Graduation Presentation: Necessary, but is it Sufficient for 21st Century Jobs?
Presenters:
Thomas Lasley is the Executive Director of Learn to Earn Dayton and Professor and Dean Emeritus of the School of Education and Health Sciences at the University of Dayton. Learn to Earn Dayton and Ready Set Soar are focused on children’s success at six critical moments: children must come to kindergarten ready to learn, they must be reading on grade-level at the end of 3rd grade, they must be proficient in 4th-grade math, they must graduate high school, they must consider their education beyond high school (earning either a college degree or a certificate attesting to their skill), and they must graduate from college within 6 years.

Tim Hopkins has been the Superintendent of Brookville Schools, a semi-rural district in the Dayton area, since February 2000. Mr. Hopkins has been a classroom teacher, assistant high school principal, high school principal, assistant superintendent and superintendent from previous service in four Ohio school districts.

Chad Wyen has been the Superintendent of Mad River Schools since August 2014. Mad River is one of the five highest poverty school districts in Montgomery County. Prior to this position, he had been a 14-year district employee as an intervention specialist, assistant principal, elementary principal, and supervisor of curriculum and special education.

Stephen Dyer is an Education Policy Fellow at Innovation Ohio.

PUBLIC PARTICIPATION ON ACTION ITEMS
1) Ms. Meryl Johnson, Cleveland. Ms. Johnson spoke to the Board regarding cut scores and the school funding system.

2) Mrs. Tina Fiore, Northridge Local Schools. Mrs. Fiore spoke to the Board in opposition to the AIRT test Scale Change.

3) Mrs. Margie Lairson, Northridge Local Schools. Mrs. Lairson spoke to the Board in opposition to the AIRT test Scale Change.
This concludes Public Participation on Action Items.

PUBLIC PARTICIPATION ON NONACTION ITEMS

1) Ms. Krista Hussar, Ohio Association of Comprehensive and Compact Career Technical Schools (CCS) and Director, South Stark Career Academy. Ms. Hussar spoke to the Board regarding proposed changes to the High School Honors Diploma. Ms. Hussar provided a written copy of her testimony.

2) Ms. Angela Thi Bennett, OAK Leadership Institute. Ms. Thi Bennett spoke to the Board regarding the OAK Leadership Institute.

3) Mr. Stephen Dyer, Innovation Ohio and Mr. Matthew Dotson, Ohio Education Association (OEA). Mr. Dyer and Mr. Dotson spoke to the Board regarding House Bill 2.

This concludes Public Participation on Nonaction Items.

President Gunlock called on Interim Superintendent Rivera for his report and recommendations.

President Gunlock presented the following recommendations (Items 1-2) on the Consent Agenda:

1. **RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF AARON A. ALVELO**

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

WHEREAS Aaron A. Alvelo holds a three-year pupil activity permit issued in 2013; and

WHEREAS on May 9, 2016, the Ohio Department of Education received a voluntary surrender form from Aaron A. Alvelo, which authorizes the State Board to enter an order permanently revoking his three-year pupil activity permit issued in 2013 based upon Mr. Alvelo's April 25, 2016 guilty plea in the Fairfield County Common Pleas Court to one felony count of theft; and

WHEREAS the form specifies that Aaron A. Alvelo is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Aaron A. Alvelo has waived his right to a hearing and authorizes the State Board of Education to enter an order permanently revoking his three-year pupil activity permit issued in 2013: 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 REOVKES Aaron A. Alvelo's three-year pupil activity permit issued in 2013 based upon Mr. Alvelo's
April 25, 2016 guilty plea in the Fairfield County Common Pleas Court to one felony count of theft. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Aaron A. Alvelo be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

2. **RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FOUR-YEAR ALTERNATIVE RESIDENT EDUCATOR TEACHING LICENSE OF NICHOLAS A. VAUGHN**

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

WHEREAS Nicholas A. Vaughn holds a four-year alternative resident educator teaching license issued in 2013; and

WHEREAS on April 21, 2016, the Ohio Department of Education received a voluntary surrender form from Nicholas A. Vaughn, which authorizes the State Board to enter an order permanently revoking his four-year alternative resident educator teaching license issued in 2013 based upon Mr. Vaughn's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

WHEREAS the form specifies that Nicholas A. Vaughn is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Nicholas A. Vaughn has waived his right to a hearing and authorizes the State Board of Education to enter an order permanently revoking his four-year alternative resident educator teaching license issued in 2013; 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** Nicholas A. Vaughn's four-year alternative resident educator teaching license issued in 2013 based upon Mr. Vaughn's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Nicholas A. Vaughn be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

It was Moved by Ms. McGervey and Seconded by Mrs. Painter-Goffi that the Consent Agenda (Items 1-2) be approved.
President Gunlock called for a roll call vote.

YES VOTES
Pat Bruns                      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.

Dr. Pettigrew presented the following recommendation (Item 3):


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

Sections 3314.015, 3314.016, and 3314.08 of the Revised Code require the State Board of Education to adopt rules to implement the provisions of those sections;

Am. Sub H.B. 2 of the 131st General Assembly significantly amended the statutes community schools and sponsors;

The proposed new and amended rules reflect those statutory changes; and

During its June 2016 meeting, the Capacity Committee reviewed the proposed changes to the rules and approved their content; Therefore Be It

RESOLVED, That the State Board of Education hereby declares its intent to rescind and adopt Rules 3301-102-02, 3301-102-03, and 3301-102-04 of the Administrative Code, and to Amend Rules 3301-102-05, and 3301-102-07 of the Administrative Code, which are 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 those rules that require review by the Common Sense Initiative office with that office; 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 rules to be rescinded, adopted and amended 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 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 refile of the rules 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 rules; that public notice be given in the Register of Ohio; and that said notice contain a general statement of the subject matter to which the rules relate.

It was Moved by Mrs. Hollister and Seconded by Mrs. Dodd that the above recommendation (Item 3) be approved.

Mrs. Dodd stated she had concerns voting for this item when recent concerns have not yet been addressed.

President Gunlock called for a roll call vote.

YES VOTES
Tess Elshoff
Cathye Flory
Thomas Gunlock
C. Todd Jones
Roslyn Painter-Goffi
Ron Rudduck
Joe Farmer
Sarah Fowler
Nancy P. Hollister
Kathleen McGervey
Frank Pettigrew
Rebecca Vazquez-Skillings

NO VOTES
Stephanie Dodd
Mary Rose Oakar
Pat Bruns
A.J. Wagner

Motion carried.

Mr. Jones presented the following recommendation (Item 4):

4. RESOLUTION TO AMEND RULE 3301-28-04 OF THE ADMINISTRATIVE CODE ENTITLED PERFORMANCE INDICATORS

The Accountability Committee RECOMMENDS that the State Board of Education ADOPT the following Resolution:
Section 3302.02 of the Revised Code requires the State Board of Education to establish a set of performance indicators for school and district report cards based on state assessments;

Rule 3301-28-04 of the Administrative Code establishes the grades for performance indicators that demonstrate what percentage of students in a school district or building scored at least proficient on state assessments, or achieved a prescribed level of performance for other specified goals;

The State Board of Education is required to establish proficiency percentages to meet each indicator that is based on a state assessment for the 2015-2016 school year not later than July 1, 2016;

The State Board of Education is required to establish proficiency percentages to meet each indicator that is based on a state assessment for the 2016-2017 school year and every year after not later than July 1, 2017;

During its February and March 2016 meetings, the Accountability Committee reviewed the recommendations made by the department and agreed upon a set of percentages;

The Accountability Committee during its March 2016 meeting voted to recommend to the State Board of Education that the rule should be amended;

The State Board of Education, at its March 2016 meeting, adopted a Resolution of Intent to amend the rule subject to this resolution;

On May 9, 2016, the State Board of Education held a public hearing concerning the proposed amendment of the rule subject to this resolution; and

During its June 6, 2016 meeting, the Joint Committee on Agency Rule Review took no action on the proposed amendment of the rule subject to this resolution. Therefore, Be It

RESOLVED, That the State Board of Education hereby approves the proposed amendments to Rule 3301-28-04 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.

It was Moved by Mr. Jones that the above recommendation (Item 4) be approved.

President Gunlock called for a roll call vote.

YES VOTES
Pat Bruns
Stephanie Dodd
Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 5):

5. **RESOLUTION TO DENY PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT APPLICATION OF HENRY N. ARNETT**

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

WHEREAS Henry N. Arnett has applied for a three-year pupil activity permit; and

WHEREAS on April 11, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Henry N. Arnett 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), and (F). The notice was based upon Mr. Arnett’s 2013 conviction in the Eaton Municipal Court for one misdemeanor count of reckless operation, 2010 conviction in the Miami County Municipal Court for one misdemeanor count of assault, 2008 conviction in the Montgomery County Court for one misdemeanor count of obstructing official business, 1998 conviction in the Miamisburg Municipal Court for one minor misdemeanor count of disorderly conduct, 1994 conviction in the Montgomery County Court for one minor misdemeanor count of disorderly conduct, 1994 conviction in the Montgomery County Court for one minor misdemeanor count of open container, and failure to disclose his convictions on his pending application; and

WHEREAS the notice informed Mr. Arnett 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 Henry N. Arnett 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 Eaton Municipal Court, Miami County Municipal Court,
Montgomery County Court, and Miamisburg Municipal Court, and police records from the Preble County Sheriff’s Office, Miami County Sheriff’s Office, and New Lebanon 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)(b), and (F), hereby DENIES Henry N. Arnett’s application for a three-year pupil activity permit based upon Mr. Arnett’s 2013 conviction in the Eaton Municipal Court for one misdemeanor count of reckless operation, 2010 conviction in the Miami County Municipal Court for one misdemeanor count of assault, 2008 conviction in the Montgomery County Court for one misdemeanor count of obstructing official business, 1998 conviction in the Miamisburg Municipal Court for one minor misdemeanor count of disorderly conduct, 1994 conviction in the Montgomery County Court for one minor misdemeanor count of disorderly conduct, 1994 conviction in the Montgomery County Court for one minor misdemeanor count of open container, and his failure to disclose his convictions on his pending application. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Henry N. Arnett be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

It was Moved by Mr. Farmer and Seconded by Mrs. Painter-Goffi that the above recommendation (Item 5) be approved.

President Gunlock called for a roll call vote.

YES VOTES
Pat Bruns
Tess Elshoff
Cathey Flory
Thomas Gunlock
C. Todd Jones
Mary Rose Oakar
Frank Pettigrew
Rebecca Vazquez-Skillings
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 FIVE-YEAR PROFESSIONAL MIDDLE CHILDHOOD TEACHING LICENSE AND FIVE-YEAR PROFESSIONAL PRINCIPAL LICENSE OF WILLIAM F. BASEL

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

WHEREAS William F. Basel holds a five-year professional middle childhood teaching license issued in 2014 and five-year professional principal license issued in 2014; and

WHEREAS on April 7, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified William F. Basel of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional middle childhood teaching license issued in 2014 and five-year professional principal license issued in 2014 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Basel's 2015 conviction in the Stow Municipal Court for one misdemeanor count of attempted importuning; and

WHEREAS the notice informed Mr. Basel 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 middle childhood teaching license issued in 2014 and five-year professional principal license issued in 2014; and

WHEREAS William F. Basel 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 Stow Municipal Court, and certified police records from the Twinsburg Police Department; and

WHEREAS Ohio Administrative Code Rule 3301-73-05 authorizes the State Board of Education to impose disciplinary action against any licenses held or applied for without holding an administrative hearing if the applicant and/or license holder fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code; 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 REVOLES William F. Basel’s five-year professional middle childhood teaching license issued in 2014 and five-year professional principal license issued in 2014 based upon Mr. Basel’s 2015 conviction in the Stow Municipal Court for one misdemeanor count of attempted importuning. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders William F. Basel be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

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

President Gunlock called for a roll call vote.

YES VOTES
Pat Bruns  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 7):

7. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER AND TO CONTINUE THE SUSPENSION OF THE ONE-YEAR EDUCATIONAL AIDE STUDENT MONITOR PERMIT OF STEPHANIE P. BOWES

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

WHEREAS Stephanie P. Bowes holds a one-year educational aide student monitor permit issued in 2015; and

WHEREAS on September 17, 2015, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Stephanie P. Bowes of the automatic suspension of her license and its intent to determine whether to continue the suspension and/or limit, suspend, revoke, or permanently revoke her one-year educational aide student monitor permit issued in 2015
pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Bowes engaging in conduct that is unbecoming to the teaching profession when she failed to comply with the anger management assessment requirement of her 2015 consent agreement with the State Board of Education; and

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

WHEREAS a hearing was held on March 3, 2016; and

WHEREAS Ms. Bowes was not present at the hearing, nor did counsel represent her; and

WHEREAS the hearing officer recommends that Ms. Bowes’s permit be suspended through its expiration date and that she be prohibited from applying for any license until she fully complies with the terms of her consent agreement with the State Board of Education. The hearing officer’s recommendation is based upon Ms. Bowes voluntarily entering into a consent agreement with the Board of Education and promising in the consent agreement to complete an anger management assessment and her failing to abide by the terms to which she agreed; 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 Stephanie P. Bowes’ one-year educational aide student monitor permit issued in 2015 through its expiration date, June 30, 2016. The suspension is based upon Ms. Bowes engaging in conduct that is unbecoming to the teaching profession when she failed to comply with the anger management assessment requirement of her 2015 consent agreement with the State Board of Education. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(1)(e), orders that Stephanie P. Bowes be ineligible to apply for any license issued by the State Board of Education until on or after June 30, 2016, provided that upon reapplication she submits documentation to the Ohio Department of Education that she has complied fully with the terms of her 2015 consent agreement; and, Be It Further

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

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

President Gunlock called for a roll call vote.

YES VOTES
   Pat Bruns       Stephanie Dodd
Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 8):

8. **RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF STEVEN P. DIETRICH**

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

WHEREAS Steven P. Dietrich holds a three-year pupil activity permit issued in 2014; and

WHEREAS on April 4, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Steven P. Dietrich of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2014 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(b). The notice was based upon Mr. Dietrich's 2015 conviction in the Summit County Common Pleas Court for one felony count of obstructing official business and one misdemeanor count of assault; and

WHEREAS the notice informed Mr. Dietrich 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 2014; and

WHEREAS Steven P. Dietrich 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 Summit County Common Pleas Court, and certified police records from the Springfield Township Police Department; and

WHEREAS Ohio Administrative Code Rule 3301-73-05 authorizes the State Board of Education to impose disciplinary action against any licenses held or applied for without holding an administrative hearing if the applicant and/or license holder fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code; 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)(2)(b), hereby REVOKES Steven P. Dietrich’s three-year pupil activity permit issued in 2014 based upon Mr. Dietrich’s 2015 conviction in the Summit County Common Pleas Court for one felony count of obstructing official business and one misdemeanor count of assault. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Steven P. Dietrich be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

It was Moved by Mrs. Hollister and Seconded by Mrs. Painter-Goffi that the above recommendation (Item 8) be approved.

President Gunlock called for a roll call vote.

YES VOTES

Pat Bruns
Stephanie Dodd
Tess Flory
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 9):

9. RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF MICHAEL T. HURLEY

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

WHEREAS Michael T. Hurley holds a three-year pupil activity permit issued in 2013; and
WHEREAS on March 18, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Michael T. Hurley of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2013 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(b). The notice was based upon Mr. Hurley’s 2014 conviction in the Stow Municipal Court for one misdemeanor count of telecommunications harassment and one misdemeanor count of aggravated menacing; and

WHEREAS the notice informed Mr. Hurley 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 2013; and

WHEREAS Michael T. Hurley did not request a hearing in accordance with Section 119.07 of the Revised Code, but he did submit contentions in writing; and

WHEREAS the State Board of Education has reviewed Mr. Hurley’s contentions in writing; 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 Stow Municipal Court, and certified police records from the Munroe Falls 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 Michael T. Hurley’s three-year pupil activity permit issued in 2013 based upon Mr. Hurley’s 2014 conviction in the Stow Municipal Court for one misdemeanor count of telecommunications harassment and one misdemeanor count of aggravated menacing. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Michael T. Hurley be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

RESOLVED, That the Interim State Superintendent of Public Instruction be, and he hereby is, directed to notify Mr. Hurley of this action.
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It was Moved by Dr. Pettigrew and Seconded by Mrs. Flory that the above recommendation (Item 9) be approved.

President Gunlock called for a roll call vote.

YES VOTES

   Pat Bruns                        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):

10. **RESOLUTION TO MODIFY THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER AND TO REVOKE PERMANENTLY THE FOUR-YEAR EDUCATIONAL AIDE PERMIT OF TAMARA L. HYLAND**

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

WHEREAS Tamara L. Hyland held a four-year educational aide permit issued in 2011; and

WHEREAS on November 9, 2015, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Tamara L. Hyland of its intent to determine whether to limit, suspend, revoke, or permanently revoke her four-year educational aide permit issued in 2011 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Hyland engaging in the following conduct that is unbecoming to the teaching profession: on or about February 21, 2013, she was convicted in the Rocky River Municipal Court of one misdemeanor count of operating a vehicle while intoxicated and was subsequently convicted of a probation violation on or about July 15, 2013 for failing to abstain from alcohol; on or about May 22, 2014, she was observed at school rambling, crying, laughing and having impaired balance and staff noticed a smell of alcohol on her person, which resulted in her receiving a three-day suspension from her employing district for being impaired at school; and on or about November 5, 2014, after she was observed at school smelling of alcohol she completed two alcohol tests, which confirmed she had alcohol in her system; and

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

WHEREAS a hearing was held on March 4, 2016; and
WHEREAS Ms. Hyland was not present at the hearing, nor did counsel represent her; and

WHEREAS the hearing officer recommends that Ms. Hyland’s license be revoked. Further, it is recommended that Ms. Hyland be permanently ineligible to apply for any license issued by the State Board of Education. The hearing officer’s recommendation is based upon Ms. Hyland’s conviction for OVI and her probation violation, in addition to two incidents involving evidence of impairment and the smell of alcohol on or about her person during the school day, representing a serious concern for the safety and well-being of students; 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; and

WHEREAS the State Board modifies conclusion of law numbered 25 in the hearing officer’s report and recommendation by deleting the words “do not” from the sentence so the sentence now reads, “The hearing officer considered all evidence in the record and finds that the aggravating factors set forth above outweigh the mitigating factor set forth above or any other mitigating evidence in the record.”; and

WHEREAS the State Board accepts the remaining portions of the hearing officer’s report and recommendation: Therefore, Be It

RESOLVED, That the State Board modifies conclusion of law numbered 25 in the hearing officer’s report and recommendation by deleting the words “do not” from the sentence so the sentence now reads, “The hearing officer considered all evidence in the record and finds that the aggravating factors set forth above outweigh the mitigating factor set forth above or any other mitigating evidence in the record.”; and, Be it Further

RESOLVED, That the State Board accepts the remaining portions of the hearing officer’s report and recommendation; and, Be It Further

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby REVOLES Tamara L. Hyland’s four-year educational aide permit issued in 2011 based upon Ms. Hyland engaging in the following conduct that is unbecoming to the teaching profession: on or about February 21, 2013, she was convicted in the Rocky River Municipal Court of one misdemeanor count of operating a vehicle while intoxicated and was subsequently convicted of a probation violation on or about July 15, 2013 for failing to abstain from alcohol; on or about May 22, 2014, she was observed at school rambling, crying, laughing and having impaired balance and staff noticed a smell of alcohol on her person, which resulted in her receiving a three-day suspension from her employing district for being impaired at school; and on or about November 5, 2014, after she was observed at school smelling of alcohol she completed two alcohol tests, which confirmed she had alcohol in her system. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Tamara L.
Hyland be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

It was Moved by Mrs. Painter-Goffi and Seconded by Mrs. Flory that the above recommendation (Item 10) be approved.

President Gunlock called for a roll call vote.

YES VOTES
Pat Bruns                      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 11):

11.   RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY PERMANENTLY THE FIVE-YEAR PROFESSIONAL ELEMENTARY TEACHING LICENSE APPLICATION OF PATRICK D. MCCLANAHAN

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

WHEREAS Patrick D. McClanahan has applied for a five-year professional elementary teaching license; and

WHEREAS on November 19, 2015, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Patrick D. McClanahan of its intent to deny or permanently deny his application for a five-year professional elementary teaching license pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. McClanahan engaging in the following conduct that is unbecoming to the teaching profession: on or about February 14, 2014, images of scantily-clad women appeared on his classroom smart board while he was teaching a middle school technology class; on or about February 2014, during a search of the internet history on Mr. McClanahan’s school computer, multiple inappropriate websites were revealed; and Mr. McClanahan was discipline by his employing district on multiple occasions including receiving a three-day unpaid suspension in 2008 for giving a student a
.sock and indicating that it was okay to put it in another student’s mouth/face, receiving a written reprimand in 2011 for making the statement, “Hello Blondie”, to a student, receiving a written reprimand in 2012 for using unprofessional language in reference to students in class, and receiving another written reprimand in 2012 for keeping inaccurate records of attendance and failing to notify administration of the absence of a student for the duration of the entire first quarter of the 2012-2013 school year; and

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

WHEREAS a hearing was held on February 24, 2016; and

WHEREAS Mr. McClanahan was not present at the hearing, nor did counsel represent him; and

WHEREAS the hearing officer recommends that Mr. McClanahan’s pending application be denied. Further, it is recommended that Mr. McClanahan be permanently ineligible to apply for any license issued by the State Board of Education. The hearing officer’s recommendation is based upon Mr. McClanahan’s behavior being widely known within the school and that it led to numerous parental complaints. Mr. McClanahan’s disciplinary record shows that he has a long record of inappropriate behavior and that he was described as a poor teacher with a poor attitude who has a long history of problems; 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 DENIES Patrick D. McClanahan’s application for a five-year professional elementary teaching license based upon Mr. McClanahan engaging in the following conduct that is unbecoming to the teaching profession: on or about February 14, 2014, images of scantily-clad women appeared on his classroom smart board while he was teaching a middle school technology class; on or about February 2014, during a search of the internet history on Mr. McClanahan’s school computer, multiple inappropriate websites were revealed; and Mr. McClanahan was discipline by his employing district on multiple occasions including receiving a three-day unpaid suspension in 2008 for giving a student a sock and indicating that it was okay to put it in another student’s mouth/face, receiving a written reprimand in 2011 for making the statement, “Hello Blondie”, to a student, receiving a written reprimand in 2012 for using unprofessional language in reference to students in class, and receiving another written reprimand in 2012 for keeping inaccurate records of attendance and failing to notify administration of the absence of a student for the duration of the entire first quarter of the 2012-2013 school year. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Patrick D. McClanahan be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further
RESOLVED, That the Interim State Superintendent of Public Instruction be, and he hereby is, directed to notify Mr. McClanahan of this action.

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

President Gunlock called for a roll call vote.

YES VOTES
Pat Bruns  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 12):

12.  RESOLUTION TO DENY PERMANENTLY THE ONE-YEAR SUBSTITUTE GENERAL EDUCATION TEACHING LICENSE APPLICATION OF BENITA F. PARKER

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

WHEREAS Benita F. Parker has applied for a one-year substitute general education teaching license; and

WHEREAS on April 5, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Benita F. Parker of its intent to deny or permanently deny her application for a one-year substitute general education teaching license pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Parker’s 2014 conviction in the Xenia Municipal Court for one misdemeanor count of disorderly conduct, 2013 conviction in the Xenia Municipal Court for one misdemeanor count of telephone harassment, and failure to disclose her convictions on her pending application; and

WHEREAS the notice informed Ms. Parker that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to deny or permanently deny her application for a one-year substitute general education teaching license; and

WHEREAS Benita F. Parker did not request a hearing in accordance with Section 119.07 of the Revised Code; and
WHEREAS the State Board of Education has reviewed the affidavit of the director of the Office of Professional Conduct, Notice of the State Board of Education’s Intended Action and Opportunity for a Hearing, and certified court records from the Xenia 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 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 DENIES Benita F. Parker’s application for a one-year substitute general education teaching license based upon Ms. Parker’s 2014 conviction in the Xenia Municipal Court for one misdemeanor count of disorderly conduct, 2013 conviction in the Xenia Municipal Court for one misdemeanor count of telephone harassment, and failure to disclose her convictions on her pending application. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Benita F. Parker be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

It was Moved by Mrs. Painter-Goffi and Seconded by Dr. Pettigrew that the above recommendation (Item 12) be approved.

President Gunlock called for a roll call vote.

YES VOTES
Pat Bruns                                           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 13):

13. **RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF TIMOTHY R. PARKER**

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

WHEREAS Timothy R. Parker holds a three-year pupil activity permit issued in 2015; and

WHEREAS on March 15, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Timothy R. Parker 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. Parker's 2015 conviction in the Canton Municipal Court for one misdemeanor count of endangering children and one misdemeanor count of operating a vehicle while under the influence (OVI), 2011 conviction in the Portage County Municipal Court for one misdemeanor count of operating a vehicle while under the influence (OVI), and 2003 conviction in the Canton Municipal Court for one misdemeanor count of operating a vehicle while under the influence (OVI); and

WHEREAS the notice informed Mr. Parker 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 Timothy R. Parker 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 Canton Municipal Court and Portage County Municipal Court, and certified police records from the Stark 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** Timothy R. Parker's three-year pupil activity permit.
permit issued in 2015 based upon Mr. Parker's 2015 conviction in the Canton Municipal Court for one misdemeanor count of endangering children and one misdemeanor count of operating a vehicle while under the influence (OVI), 2011 conviction in the Portage County Municipal Court for one misdemeanor count of operating a vehicle while under the influence (OVI), and 2003 conviction in the Canton Municipal Court for one misdemeanor count of operating a vehicle while under the influence (OVI). Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Timothy R. Parker be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

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

President Gunlock called for a roll call vote.

YES VOTES
Pat Bruns
Tess Elshoff
Cathye Flory
Thomas Gunlock
C. Todd Jones
Mary Rose Oakar
Frank Pettigrew
Rebecca Vazquez-Skillings
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 14):

14. RESOLUTION TO REVOKE PERMANENTLY THE FIVE-YEAR SUBSTITUTE GENERAL EDUCATION TEACHING LICENSE OF LORI J. REMY

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

WHEREAS Lori J. Remy holds a five-year substitute general education teaching license issued in 2013; and

WHEREAS on April 15, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Lori J. Remy of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year substitute general education teaching license issued in 2013 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Remy’s 2015
conviction in the Circleville Municipal Court for one misdemeanor count of driving while under an OVI suspension, 2014 conviction in the Circleville Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol or drugs (OVI), 2004 conviction in the Circleville Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol or drugs (OVI), 1997 conviction in the Circleville Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol or drugs (OVI), 1995 conviction in the Circleville Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol or drugs (OVI), and 1995 conviction in a separate case in the Circleville Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol or drugs (OVI); and

WHEREAS the notice informed Ms. Remy 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 substitute general education teaching license issued in 2013; and

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

WHEREAS the State Board of Education has reviewed the affidavit of the director of the Office of Professional Conduct, Notice of the State Board of Education’s Intended Action and Opportunity for a Hearing, and certified court records from the Circleville 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 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 Lori J. Remy’s five-year substitute general education teaching license issued in 2013 based upon Ms. Remy’s 2015 conviction in the Circleville Municipal Court for one misdemeanor count of driving while under an OVI suspension, 2014 conviction in the Circleville Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol or drugs (OVI), 2004 conviction in the Circleville Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol or drugs (OVI), 1997 conviction in the Circleville Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol or drugs (OVI), 1995 conviction in the Circleville Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol or drugs (OVI), and 1995 conviction in a separate case in the Circleville Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol or drugs (OVI); and
of alcohol or drugs (OVI). Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Lori J. Remy be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

It was Moved by Ms. Fowler and Seconded by Mrs. Hollister that the above recommendation (Item 14) be approved.

President Gunlock called for a roll call vote.

YES VOTES
Pat Bruns
Tess Elshoff
Cathye Flory
Thomas Gunlock
C. Todd Jones
Mary Rose Oakar
Frank Pettigrew
Rebecca Vazquez-Skillings

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 15):

15. RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF ANTOINE D. ROBERSON

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

WHEREAS Antoine D. Roberson holds a three-year pupil activity permit issued in 2014; and

WHEREAS on February 26, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Antoine D. Roberson of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2014 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(b). The notice was based upon Mr. Roberson’s 2015 conviction in the Cuyahoga County Common Pleas Court for two misdemeanor counts of aggravated menacing, one misdemeanor count of carrying concealed weapons, and one misdemeanor count of criminal damaging; and

WHEREAS the notice informed Mr. Roberson 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 2014; and

WHEREAS Antoine D. Roberson 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 Common Pleas Court, and certified police records from the Richmond 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 Antoine D. Roberson’s three-year pupil activity permit issued in 2014 based upon Mr. Roberson’s 2015 conviction in the Cuyahoga County Common Pleas Court for two misdemeanor counts of aggravated menacing, one misdemeanor count of carrying concealed weapons, and one misdemeanor count of criminal damaging. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Antoine D. Roberson be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

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

President Gunlock called for a roll call vote.

YES VOTES
Pat Bruns
Joe Farmer
Sarah Fowler
Nancy P. Hollister
Kathleen McGervey
Roslyn Painter-Goffi
Ron Rudder
A.J. Wagner

Stephanie Dodd
Cathye Flory
Thomas Gunlock
C. Todd Jones
Mary Rose Oakar
Frank Pettigrew
Rebecca Vazquez-Skillings
Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 16):

16. **RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF NATHAN S. SKONIECZNY**

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

WHEREAS Nathan S. Skonieczny holds a three-year pupil activity permit issued in 2015; and

WHEREAS on March 28, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Nathan S. Skonieczny 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) and (B)(3). The notice was based upon Mr. Skonieczny's 2015 conviction in the Portage County Municipal Court for one misdemeanor count of disorderly conduct, 2014 conviction in the Portage County Municipal Court for one minor misdemeanor count of disorderly conduct, 2012 guilty plea in the Portage County Municipal Court for one misdemeanor count of underage consumption and subsequent entrance into a diversion program, and failure to disclose his 2014 conviction and 2012 guilty plea on the application that he submitted to the Ohio Department of Education in 2014; and

WHEREAS the notice informed Mr. Skonieczny 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 Nathan S. Skonieczny 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 Portage County Municipal Court, and certified police records from the Kent 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**
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*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)(3), hereby **REVOKE** Nathan S. Skonieczny’s three-year pupil activity permit issued in 2015 based upon Mr. Skonieczny’s 2015 conviction in the Portage County Municipal Court for one misdemeanor count of disorderly conduct, 2014 conviction in the Portage County Municipal Court for one minor misdemeanor count of disorderly conduct, 2012 guilty plea in the Portage County Municipal Court for one misdemeanor count of underage consumption and subsequent entrance into a diversion program, and failure to disclose his 2014 conviction and 2012 guilty plea on the application that he submitted to the Ohio Department of Education in 2014. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Nathan S. Skonieczny be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

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

President Gunlock called for a roll call vote.

YES VOTES
- Pat Bruns
- Joe Farmer
- Sarah Fowler
- Nancy P. Hollister
- Kathleen McGervey
- Frank Pettigrew
- Rebecca Vazquez-Skillings

Stephanie Dodd
- Cathye Flory
- Thomas Gunlock
- C. Todd Jones
- Roslyn Painter-Goffi
- Ron Rudduck

NO VOTES
- Mary Rose Oakar
- A.J. Wagner

Motion carried.

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

17. **RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF VARUN VARMA**

I **RECOMMEND** that the State Board of Education **ADOPT** the following Resolution:
WHEREAS Varun Varma holds a three-year pupil activity permit issued in 2014 with an effective date of 2013; and

WHEREAS on March 31, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Varun Varma of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2014 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(b). The notice was based upon Mr. Varma’s 2015 conviction in the Hamilton County Municipal Court for one misdemeanor count of assault; and

WHEREAS the notice informed Mr. Varma 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 2014; and

WHEREAS Varun Varma 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 Hamilton County Municipal Court, and certified police records from the Cincinnati 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 Varun Varma’s three-year pupil activity permit issued in 2014 based upon Mr. Varma’s 2015 conviction in the Hamilton County Municipal Court for one misdemeanor count of assault. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Mr. Varma be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

It was Moved by Ms. Fowler and Seconded by Mrs. Hollister that the above recommendation (Item 17) be approved.
President Gunlock called for a roll call vote.

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

Stephanie Dodd
Cathye Flory
Thomas Gunlock
C. Todd Jones
Mary Rose Oakar
Frank Pettigrew
Rebecca Vazquez-Skillings

NO VOTES
A.J. Wagner

Motion carried.

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

18. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY THE ONE-YEAR SUBSTITUTE TEACHING LICENSE APPLICATION OF KENNETH F. WILLIAMS, JR.

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

WHEREAS Kenneth F. Williams, Jr. has applied for a one-year substitute teaching license; and

WHEREAS on August 20, 2015, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Kenneth F. Williams, Jr. of its intent to deny or permanently deny his application for a one-year substitute teaching license pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(b), (B)(3), and (F). The notice was based upon Mr. Williams, Jr.’s 1997 conviction in the Fairborn Municipal Court for one misdemeanor count of resisting arrest and one misdemeanor count of disorderly conduct, 2001 conviction in the Kettering Municipal Court for one minor misdemeanor count of disorderly conduct, 2001 conviction in the Kettering Municipal Court for one minor misdemeanor count of disorderly conduct, 2009 conviction in the Springboro Mayor’s Court for one misdemeanor conviction of pointing and discharging firearms and other weapons, 2012 guilty plea in the Warren County Court to one misdemeanor count of violating a temporary protection order, and subsequent entrance into a diversion program, 2012 conviction in the Warren County Court for one misdemeanor count of violating a temporary protection order, and failure to disclose his 2001 and 2009 convictions and his 2012 guilty plea on his pending application; and

WHEREAS Mr. Williams, Jr. requested a hearing regarding the State Board’s intent; and

WHEREAS a hearing was held on March 31, 2016; and
WHEREAS Mr. Williams, Jr. was present at the hearing and was not represented by counsel; and

WHEREAS the hearing officer recommends that Mr. Williams, Jr.'s pending application be denied. Further, it is recommended that prior to reapplying for a license, Mr. Williams, Jr. shall submit evidence of an assessment and successful completion of a fitness to teach evaluation completed by a licensed psychologist or psychiatrist and provide three years of documented counseling for anger management. The hearing officer’s recommendation is based upon Mr. Williams, Jr.’s failure to fully account for his misdemeanor convictions that occurred from January 1997 through September 2012 being both misleading and a concealment of material facts pertaining to his qualification for licensure, with the underlying conduct in the convictions containing elements of threats of physical harm, violence, and, in two of the incidents, the presence of a firearm; 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 DENIES Kenneth F. Williams, Jr.’s application for a one-year substitute teaching license based upon Mr. Williams, Jr.’s 1997 conviction in the Fairborn Municipal Court for one misdemeanor count of resisting arrest and one misdemeanor count of disorderly conduct, 2001 conviction in the Kettering Municipal Court for one minor misdemeanor count of disorderly conduct, 2009 conviction in the Springboro Mayor’s Court for one misdemeanor count of pointing and discharging firearms and other weapons, 2012 guilty plea in the Warren County Court to one misdemeanor count of domestic violence and subsequent entrance into a diversion program, 2012 conviction in the Warren County Court for one misdemeanor count of violating a temporary protection order, and failure to disclose his 2001 and 2009 convictions on his pending application. Further, the State Board, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(a), orders that Kenneth F. Williams, Jr. be ineligible to reapply for any license issued by the State Board of Education until on or after June 14, 2019. Upon reapplication, Mr. Williams Jr. must provide evidence to the Ohio Department of Education that he has completed three years of documented counseling for anger management and he has completed a fitness to teach evaluation, conducted by a licensed psychologist or psychiatrist who is pre-approved by the Ohio Department of Education, and the evaluation deems him fit to teach and that he doesn’t pose a risk to the health, safety, or welfare of students or other in the school community; and, Be It Further

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

It was Moved by Mr. Farmer and Seconded by Mrs. Flory that the above recommendation (Item 18) be approved.
Ms. Fowler Moved to Amend the resolution by substitution. She Moved that Mr. Kenneth F. Williams, Jr. be permanently ineligible to reapply for any license issued by the State Board of Education. Ms. McGervey Seconded the motion. Ms. Fowler stated Mr. Williams had multiple violent offenses which he did not disclose on his application and Mr. Williams had set a pattern of behavior. Ms. McGervey reminded Board members that Mr. Williams had pointed a firearm at individuals and the Board had previously revoked a license for an individual who had thrown a baseball bat at a group of people.

Ms. Oakar asked Ms. Kelly what the recommendation of the Department had been. Ms. Kelly responded the Department recommended that Mr. Williams application be denied and that if he re-applied, he would be required to undergo a fitness-to-teach evaluation and anger management training and would be able to re-apply in three years.

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

YES VOTES
Pat Bruns
Cathye Flory
Thomas Gunlock
C. Todd Jones
Roslyn Painter-Goffi
Ron Rudduck
Joe Farmer
Sarah Fowler
Nancy P. Hollister
Kathleen McGervey
Frank Pettigrew
Rebecca Vazquez-Skillings

NO VOTES
Stephanie Dodd
A.J. Wagner
Mary Rose Oakar

Motion carried.

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

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

NO VOTES
A.J. Wagner

Motion carried.

President Gunlock reminded Board members that Item 19 had been pulled from the Voting Agenda (Resolution of Appointment to the Educator Standards Board).
Dr. Pettigrew presented the following recommendation (Item 20):

20. **RESOLUTION TO ADOPT THE REVISED STATE AGENCY TEACHER EVALUATION FRAMEWORK IN ACCORDANCE WITH SECTION 3319.112 OF THE REVISED CODE**

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

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

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

House Bill 153 of the 129th General Assembly required each school district and state agencies that employ teachers 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

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

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

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

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

The State Board, at its September 2013 meeting, adopted a revised evaluation framework for teachers employed by state agencies that was updated by ODE to align with terminology in House Bill 59; and
Substitute House Bill 362 of the 130th General Assembly initiated a change to Ohio’s student growth levels, replacing the three-scale growth metric with a five-scale growth metric, thereby changing the calculation of the teacher’s final summative rating, requiring a formula-based approach in calculating the final summative rating; and Substitute House Bill 362 offered an optional alternative evaluation framework for calculating ratings assigned for teacher evaluations according to the following:

(1) For the 2014-2015 school year, ratings assigned for teacher evaluation shall include the teacher performance measure, as defined by the department of education, and the student academic growth measure, each accounting for forty-two and one-half percent of each rating, with one of the following components which shall account for fifteen percent of each rating: student surveys, teacher self-evaluations, peer review evaluations, or student portfolios.

(2) For the 2015-2016 school year and any school year thereafter, ratings assigned for teacher evaluation shall include the teacher performance measure, as defined by the department, and the student academic growth, each accounting for an equal percentage ranging from forty-two and one-half to fifty percent of each rating, with one of the following components which shall account for fifteen percent of each rating: student surveys, teacher self-evaluations, peer review evaluations, or student portfolios, resulting in a need to revise the Ohio Teacher Evaluation System Framework previously adopted by the State Board of Education; and

Amended Substitute House Bill 64 of the 131st General Assembly initiated a change that school districts will not use value-added ratings from state tests for the 2014-2015 and 2015-2016 school years as part of educator evaluations or when making decisions regarding dismissal, retention, tenure or compensation for teachers and principals – unless they establish a memorandum of understanding (MOU) to do so, and that those school districts utilizing the alternative framework must now weight teacher performance at 50 percent, student growth at 35 percent and an additional component as 15 percent of the total; and

State agencies did not make updates in response to the legislative changes after September 2013 because of an existing collective bargaining agreement; and

The state agencies can now implement an updated State Agency Evaluation Framework pursuant to a new collective bargaining agreement; and

The Capacity Committee, at its May 2016 meeting, reviewed and recommended for approval an updated State Agency Teacher Evaluation Framework that was revised by ODE in accordance with section 3319.22 of the Revised Code:

RESOLVED, That the State Board of Education hereby adopts an updated State Agency Teacher Evaluation Framework in accordance with section 3319.112 of the Revised Code.

It was Moved by Dr. Pettigrew that the above recommendation (Item 20) be approved.
President Gunlock called for a roll call vote.

YES VOTES
Pat Bruns
Joe Farmer
Sarah Fowler
Nancy P. Hollister
Kathleen McGervey
Frank Pettigrew
Rebecca Vazquez-Skillings

NO VOTES
Mary Rose Oakar
A.J. Wagner

Motion carried.

President Gunlock presented the following recommendation (Item 21):

21. RESOLUTION TO CONFIRM THE LAKOTA LOCAL SCHOOL DISTRICT BOARD OF EDUCATION'S DETERMINATION OF IMPractical TRANSPORTATION OF CERTAIN STUDENTS ATTENDING ST. WENDELIN CATHOLIC SCHOOL IN FOSTORIA, SENeca COUNTY, OHIO

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

Ohio Revised Code 3327.01 and 3327.02 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;

Such a determination is not effective until confirmed by the State Board of Education;

In compliance with procedures adopted by the State Board of Education on July 12, 1982, regarding payment in lieu of transportation, the Lakota Local School District Board of Education has requested that the State Board of Education confirm the school district’s determination that it is impractical to transport certain school-age residents to St. Wendelin Catholic School in Fostoria, Seneca County, Ohio;

On February 9, 2016, the State Board of Education adopted its intent to consider the confirmation of the Lakota Local School District Board of Education’s determination and notified the parties of their right to a hearing;

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

The hearing officer issued the attached report and recommendation on April 27, 2016 that the State Board of Education confirm the determination of the Lakota Local School District Board of Education that such transportation is impractical;
Minutes of the June 2016 Meeting of the State Board of Education of Ohio

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

The State Board of Education has duly considered the report and recommendation of the hearing officer.

NOW, THEREFORE BE IT RESOLVED, that the State Board of Education ADOPTS the recommendation of the hearing officer and does hereby confirm the determination of the Lakota Local School District Board of Education that transportation is impractical for certain students who attend St. Wendelin Catholic School in Fostoria, Seneca County, Ohio; and

FURTHER RESOLVED, that the Superintendent of Public Instruction be, and he hereby is, directed to notify the Lakota Local School District, the parents, and counsel of record, if applicable, of this action.

I certify that the above is a true and correct copy of the action taken by the State Board of Education at its June 14, 2016 meeting.

It was Moved by Ms. Fowler and Seconded by Dr. Pettigrew that the above recommendation (Item 21) be approved.

President Gunlock called for a roll call vote.

YES VOTES
Pat Bruns
Tess Elshoff
Cathye Flory
Thomas Gunlock
C. Todd Jones
Frank Pettigrew
Rebecca Vazquez-Skillings

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

NO VOTES
Kathleen McGervey
Mary Rose Oakar

Motion carried.

Dr. Pettigrew presented the following recommendation (Item 22):

22. RESOLUTION OF INTENT TO AMEND RULES 3301-24-08, 3301-24-25, AND 3301-24-26 OF THE ADMINISTRATIVE CODE, REGARDING LICENSURE RENEWALS

The Capacity Committee RECOMMENDS that the State Board of Education ADOPT the following Resolution:
Section 3319.22(H) of the Revised Code requires the State Board of Education to adopt rules to define consistently high-performing teacher and to exempt those teachers from the requirement to complete additional coursework for the renewal of their licenses and from any requirements prescribed by local professional development committees;

The opportunity for stakeholder input on the definition of consistently high-performing teacher was provided through the Educator Standards Board;

In this case, the Educator Standards Board declined to make a recommendation on the definition of consistently high-performing teacher; and

During its May 2016 meeting, the Capacity Committee reviewed options and approved a definition and the proposed amendments to the rules.

NOW, THEREFORE, BE IT RESOLVED, That the State Board of Education hereby declares its intent to amend Rules 3301-24-08, 3301-24-25, and 3301-24-26 of the Administrative Code; which are 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 rules to be amended, 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 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 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 rules; that public notice be given in the Register of Ohio; and that said notice contain a general statement of the subject matter to which the rules relate.

It was Moved by Dr. Pettigrew that the above recommendation (Item 22) be approved.

President Gunlock called for a roll call vote.

YES VOTES
Tess Elshoff  Joe Farmer
Cathye Flory  Sarah Fowler
Thomas Gunlock  Nancy P. Hollister
C. Todd Jones  Kathleen McGervey
Frank Pettigrew  Ron Rudduck
Rebecca Vazquez-Skillings
Mr. Jones presented the following recommendation (Item 23):

**23. RESOLUTION TO EXTEND THE TIMEFRAME FOR ADOPTING A MINIMUM PERFORMANCE LEVEL FOR THE PERCENTAGE OF DIPLOMAS AWARDED THROUGH THE 22+ ADULT DIPLOMA PROGRAM**

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

Section 3317.231 of the Revised Code authorizes the department of education to adopt rules regarding the administration of the 22+ Adult Diploma Program;

Rule 3301-45-06 provides for measurement of the performance of providers in the 22+ Adult Diploma Program, and in section E of the rule the State Board of Education set a deadline to establish a minimum performance level for providers based upon percentage of diplomas awarded, effective beginning July 1, 2016; and

The Accountability Committee was presented with information on the 22+ Adult Diploma program at its May and June 2016 meetings, and concluded that more data was needed to set a meaningful minimum performance level based upon percentage of diplomas awarded; Therefore, Be It

RESOLVED, that the State Board of Education hereby extends the deadline that it previously set in Rule 3301-45-06(E) from July 1, 2016 to October 1, 2016 in order to allow providers to provide data through the end of the 2015/2016 school year.

It was Moved by Mr. Jones that the above recommendation (Item 23) be approved.
Mrs. Vazquez-Skillings presented the following recommendation (Item 24):

24. **RESOLUTION TO ADJUST PERFORMANCE LEVELS FOR GEOMETRY AND INTEGRATED MATHEMATICS II**

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

Section 3301.0712 requires a system of college and work ready tests, which includes end-of-course tests in specified subjects and requires the state board to determine and designate at least five ranges of scores that demonstrate levels of achievements on these tests;

The State Board of Education in January 2016 previously set performance levels for the 2015-2016 school year on all tests:

The Department has now had the opportunity to review the 2016 spring Ohio testing data, and recommends adjusting the performance levels for two of the tests, Geometry and Integrated Math II;

The Achievement Committee approved the adjustment of the performance levels on these two tests at its meeting in June 2016; and

Emergency consideration of this resolution has been approved by Board leadership because setting these performance levels immediately is necessary to prevent delaying the 2015/2016 report card: Therefore, Be It

RESOLVED, That the State Board of Education hereby adopts adjusted performance levels for 2015/2016 for the tests in Geometry and Integrated Mathematics II, as set forth below:

<table>
<thead>
<tr>
<th>Exam</th>
<th>Limited</th>
<th>Basic</th>
<th>Proficient</th>
<th>Accelerated</th>
<th>Advanced</th>
<th>Proficient or Above Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geometry</td>
<td>22</td>
<td>22</td>
<td>28</td>
<td>35</td>
<td>28</td>
<td>50</td>
</tr>
<tr>
<td>Math 2</td>
<td>39</td>
<td>26</td>
<td>26</td>
<td>39</td>
<td>18</td>
<td>54</td>
</tr>
</tbody>
</table>

%Act. is the percent of students actually scoring in each performance level from the spring 2016 test administration based on early return data.
%Raw Pts. is the percent of raw score points needed to achieve each performance level

It was Moved by Mrs. Vazquez-Skillings that the above recommendation (Item 24) be approved.

Ms. Fowler stated she did not believe the score had been tied to academic competencies to start with.

Ms. McGervey stated she believed this item did need to be revisited and felt it had been rushed.

President Gunlock called for a roll call vote.

YES VOTES
  Pat Bruns
  Joe Farmer
  Nancy P. Hollister
  Kathleen McGervey
  Frank Pettigrew
  Rebecca Vazquez-Skillings
  Tess Elshoff
  Thomas Gunlock
  C. Todd Jones
  Roslyn Painter-Goffi
  Ron Rudduck

NO VOTES
  Stephanie Dodd
  Sarah Fowler
  A.J. Wagner

  Cathye Flory
  Mary Rose Oakar

Motion carried.

Non-Resolutions

Old Business

Mrs. Flory stated that due to the late hour, she would bring forth a resolution regarding out-of-school suspension at the July meeting of the state Board.

Mrs. Dodd requested that the Auditor’s report and Department response be included as an agenda item at the July meeting of the Board. She also requested the external committee list be placed in Volume one of the Board books. She also requested a copy of the Board’s last Annual Report be provided.

New Business

Ms. Fowler presented the following recommendation:

NOTICE TO LOCAL SCHOOL BOARDS

Whereas, on May 13, 2016 the United States Departments of Education and Justice issued a "Dear Colleague Letter On Transgender Students" offering
"significant guidance" regarding "compliance" to education entities receiving federal funding across the nation, including local school districts; and

Whereas, Ohio Attorney General Mike DeWine observed in a letter to the United States Attorney General Loretta Lynch on May 27th, 2016 that "Congress has not enacted a federal decree along the lines the letter advocates", maintained that the "Dear Colleague" letter represented an "unlawful and ill-advised federal decree", and that this discussion is "best left to the decent, commonsense judgment of individuals and communities at the state and local level", therefore

Resolved, that the Ohio State Board of Education directs the Interim Superintendent of Public Instruction to ensure each local school district receives a copy of the Ohio Attorney General's May 27th, 2016 letter to the U.S. Attorney General by June 30, 2016 to enable Ohio's local school boards to make thoughtful, informed, and responsible decisions regarding policies that protect all students utilizing facilities where students may be in stages of undress or vulnerability.

President Gunlock stated he would assign this item to the Executive Committee for further review as well as seeking input from legal counsel.

Mr. Farmer Moved to adjourn the meeting. Mrs. Hollister Seconded the motion.

The President requested a voice vote.

Motion carried.

President Gunlock adjourned the meeting at 6:30 p.m. The next regularly scheduled meeting of the State Board of Education is July 11-12, 2016.

ATTEST:

Tom Gunlock
President
State Board of Education

Dr. Lonny J. Rivera
Interim 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.