

**STATE BOARD OF EDUCATION OF OHIO
MINUTES**

February 2020
Ohio Department of Education
25 South Front Street
Columbus, Ohio 43215

MEMBERS OF THE STATE BOARD OF EDUCATION

Cindy Collins	Stephen Dackin
Stephanie Dodd	Sarah Fowler
John Hagan	Linda Haycock
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Eric Poklar
Mike Toal	Reginald Wilkinson
Lisa Woods	

EX OFFICIO MEMBERS

Senator Peggy Lehner	Representative Don Jones
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SECRETARY

Paolo DeMaria
Superintendent of Public Instruction

The State Board convened on Monday, February 10, at the Ohio Department of Education in Columbus.

Chapter 119 Hearing

February 10, 2020
8:30 a.m.

Hearing Regarding the Amending, Rescinding and Adoption of Rules

President Kohler stated the Board would proceed with the public hearing on the following rule actions:

- The rescission of 3301-20-02 Circumstances upon which individuals with certain convictions may participate in OhioReads program.
- The amendment of 3301-25-01 One-year educational aid permit; 3301-25-03 One-year student monitor educational aide permit; 3301-25-05 Four-year educational aide permit; 3301-25-08 Validity of educational aide permits;

Minutes of the February 2020 Meeting of the State Board of Education of Ohio

- The rescission of 3301-25-02 Renewal of one-year educational aide permit; 3301-25-04 Renewal of the one-year student monitor educational aide permit; 3301-25-07 Renewal of the four-year educational aide permit.
- The amendment of 3301-28-06 Value-added progress dimension.
- The amendment of 3301-83-05 Administration; 3301-83-06 Personnel qualifications; 3301-83-07 School transportation driver physical qualifications rule; 3301-83-08 Pupil transportation management policies; 3301-83-10 Personnel training program; 3301-83-11 School bus inspections; 3301-83-13 School bus routes and stops; 3301-83-20 General rules.

President Kohler called on Mia Yaniko, from the Office of the Attorney General, Chief, Education section. Ms. Yaniko called on Immy Singh, Chief Legal Counsel for the Ohio Department of Education.

Ms. Singh 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 through 7 would be true and accurate copies of the resolutions adopted by the State Board of Education regarding these rules;
- Board Exhibits 8 through 11 would be true and accurate copies of the rules as filed with the Joint Committee on Agency Rule Review (JCARR), Legislative Service Commission (LSC) and the Secretary of State.

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

President Kohler 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 12.

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

PUBLIC TESTIMONY ON THE PROPOSED RULE ACTIONS

There were no requests.

President Kohler called on Ms. Yaniko, who submitted into evidence State Board Exhibits 1 through 11.

President Kohler stated that the exhibits were so received. As there was no more testimony, she declared the public hearing closed at 8:40 a.m.

Ohio Teacher Evaluation System Public Hearing

Section 3319.112 of the Ohio Revised Code requires the Board to revise the standards-based state framework for the evaluation of teachers, otherwise known as the Ohio Teacher Evaluation System or OTES, based on the recommendations of the Educator Standards Board. The Board is tasked with adopting the revised framework not later than May 1, 2020. The Educator Standards Board made their recommendations regarding the revised OTES framework at its December 2019 meeting, and the revised framework is currently being considered by the Teaching, Leading and Learning Committee.

As part of the revision process, section 3319.112 of the Ohio Revised Code also requires the Board to hold at least one public hearing prior to adopting the revised framework. In anticipation of this hearing, public notice was provided, and the full text of the revised framework was made available to the public. Additionally, members of the public have been allowed the opportunity to provide testimony in written form prior to the hearing or in spoken form during the hearing today.

PUBLIC TESTIMONY

- 1) Mrs. Terri Hook, Ohio Federation of Teachers. Mrs. Hook spoke in support of the proposed OTES framework.
- 2) Mrs. Kendra Phelps, Ohio Federation of Teachers. Mrs. Phelps spoke in support of the proposed OTES framework.
- 3) Mr. Scott DiMauro, President, Ohio Education Association and Ms. Kelly Bell, Ohio Education Association, Knox County Career Center. Mr. DiMauro and Ms. Bell spoke in support of the proposed OTES framework.
- 4) Mr. Daniel Reed, Ashland University Adjunct History Professor. Mr. Reed submitted written testimony regarding End of Year tests and evaluation system.

STATE BOARD BUSINESS MEETING

President Kohler convened the Business meeting of the State Board of Education on Monday, February 10, at 9:40 a.m.

President Kohler asked the Recording Secretary to call the roll.

YES VOTES

Cindy Collins	Stephen Dackin
Stephanie Dodd	Sarah Fowler
Linda Haycock	Kirsten Hill
Meryl Johnson	Jenny Kilgore
Laura Kohler	Mark Lamoncha
Martha Manchester	Charlotte McGuire
Antoinette Miranda	Nick Owens
Eric Poklar	Mike Toal

Reginald Wilkinson

Lisa Woods

Motion carried.

EXECUTIVE SESSION

President Kohler called on Vice President McGuire, 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. Manchester Seconded the motion.

The President called for a roll call vote.

YES VOTES

Cindy Collins
Stephanie Dodd
Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Antoinette Miranda
Eric Poklar
Reginald Wilkinson

Stephen Dackin
Sarah Fowler
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
Nick Owens
Mike Toal
Lisa Woods

Motion carried.

The Board went into Executive Session and Quasi-Judicial discussion at 9:40 a.m.

The Board recessed from Executive Session and Quasi-Judicial discussion at 11:10 a.m.

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

Following Executive Session, The Board's Teaching, Leading and Learning and Continuous Improvement Committees met beginning at 11:10 a.m.

The State Board recessed for lunch.

RECONVENE STATE BOARD BUSINESS MEETING

President Kohler reconvened the Business meeting of the State Board of Education on Monday, February 10, at 1:45 p.m.

President Kohler welcomed Board members and guests and led the Board in the Pledge of Allegiance.

Review of Written Reports and Items for Vote

REPORT OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Superintendent DeMaria and key staff provided Board members with updates on the following topics:

Setting the “Competency” Score for Algebra and English II End-of-Course Exams:

Determination of “Competency” Score

- A “Competency” score will be determined for Algebra and ELA II tests
- Determination made by the Department of Education in consultation with Department of Higher Education and Office of Workforce Transformation

Determination of Competency Score - Background

- Current: Five performance levels:

Ohio law specifies that each state assessment have at least five performance levels.

- Current: Four cut scores:

Five performance levels require the identification of four cut scores, one each at the beginning of the Basic, Proficient, Accelerated and Advanced ranges.

Performance Level	Algebra I Range	English Language Arts II Range
<i>Limited</i>	< 682	<679
<i>Basic</i>	682-699	679-699
<i>Proficient</i>	700-724	700-724
<i>Accelerated</i>	725-753	725-741
<i>Advanced</i>	>753	>741

- Performance level descriptors drive cut score setting:
 - Statements of expectations for what students at each of the five levels should know and be able to do.
 - Developed by teams of Ohio teachers and college faculty and reflect the state’s adopted learning standards in the relevant content area.
- Test questions are arrayed and “bookmarked” to establish cut scores.

Determination of Competency Score – Considerations:

- Urgency
- Current performance percentages
- No bright line
- Students with disabilities* included in graduation rate
- Students must earn competency score on both tests

Draft Working Definition of Competency

- For Algebra I:

“Competency” means that the student has a sufficient understanding of, and ability to use mathematics such that he/she can perform or learn most of the required mathematics in a job that generally requires only a high school diploma.

The student can:

- * Use and understand numbers and mathematical concepts;
- * Perform basic arithmetic computations and apply mathematics to construct simple models and solve problems;
- * Understand basic statistics and data representations
- * Reason quantitatively, and communicate precisely in the language of mathematics.

- For ELA II:

“Competency” means that the student has a sufficient ability to read, write and use the English language such that he/she can read and understand most documents, clearly communicate or write basic information, and continue to learn appropriate vocabulary and communication skills as may be required for a job that generally requires only a high school diploma.

Jobs that Generally Require Only A High School Diploma:

- Receptionist/Administrative Asst.
- Customer Service Rep/Salesperson/Cashier
- Truck Driver
- Warehouse/Shipping Worker
- Maintenance Technician
- Groundskeeper
- Personal Care/Home Health Aide
- Food Service/Hospitality Worker
- Job Site/Farm Laborer
- Security Guard

Setting Competency:

- Some assumptions:
 - “Competency” is **not** college ready (College ready is at the “accelerated” level)
 - “Competency” is **not** career ready – although students at this level should be able to engage in on the job training that can lead to advancement.
 - Most students will far exceed – just as they currently do – the bare minimum for graduation
 - Some students will still struggle to complete required credits, which is the largest group of non-graduates.
- **“Virtual” Focus Group:**
 - Identify small number of individuals that supervise jobs that only require a high school diploma
 - Review math questions; “Is this required?”

- Addition and Subtraction
- Multiplications and Divisions
- Ratios, Proportions and Percent
- Scale Drawing and Conversations
- Probability, Graphs and Data
- Reasoning and Problem Solving
- Algebra and Simple Equations
- Request writing samples and texts

Emerging Themes:

- Many positions that only require a high school diploma emphasize basic arithmetic, measurement and numeric relationships, and reasoning skills
 - Addition and Subtraction
 - Multiplication and Division
 - Ratios, Proportions and Percent
 - Scale Drawing and Conversions
 - Reasoning and Problem Solving
- More emphasis on informational text than literary. More description than analysis.
- Appropriate English grammar and usage. Clarity of communicating ideas.

Setting Competency:

- Current Thinking (Not finalized)
 - Algebra will be the “limiting” test, since, on average, students do better on English II than Algebra
 - Set “competency” at 684 for Algebra
 - For the 2019 graduation cohort, 81.65%* of students scored 684 or higher on Algebra
 - Set “competency” at 684 for English
 - For the 2019 graduation cohort, 84.62%* of students scored 684 or higher on English II.

President Kohler recessed the Board meeting at 3:10 p.m.

EXECUTIVE COMMITTEE

President Kohler welcomed the Executive Committee at 3:10 p.m.

President Kohler asked the Recording Secretary to call the roll.

MEMBERS PRESENT

Laura Kohler
Charlotte McGuire
Steve Dackin
Sarah Fowler
John Hagan
Mark Lamoncha

Antoinette Miranda

President Kohler stated the Executive Committee had one item to cover today:

- State Board of Education and State Superintendent Goals Discussion (Possible Vote)

Committee members had been provided the comparison document of Board and Superintendent goals for review.

Goal categories:

- Implement Each Child, Our Future
- Achievement and Growth
- Safety and Wellness
- Stewardship
- Partnerships and Customer Service

After input from Committee members, President Kohler stated the goals document was not ready to be voted on and stated the conversation would continue next month.

President Kohler adjourned the meeting of the Executive Committee at 5:05 p.m.

President Kohler reconvened the meeting of the State Board of Education on Tuesday, February 11, at 8:30 a.m.

The Board's Integrated Student Supports and Assessment & Accountability Committees met beginning at 8:30 a.m.

RECONVENE STATE BOARD BUSINESS MEETING

President Kohler reconvened the Business meeting of the State Board of Education on Tuesday, February 11, at 10:42 a.m.

President Kohler asked the Recording Secretary to call the roll.

MEMBERS PRESENT

Cindy Collins	Stephen Dackin
Stephanie Dodd	Sarah Fowler
John Hagan	Linda Haycock
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Eric Poklar
Mike Toal	Reginald Wilkinson
Lisa Woods	

NOTE: Ms. Fowler, Ms. Johnson and Mr. Poklar entered the room after roll call.

President Kohler called for the approval of the Minutes of the January 2020 meeting. She asked if there were any corrections to the Minutes.

There were no corrections.

It was Moved by Dr. Kilgore and Seconded by Mrs. Hill that the Minutes be approved as presented. The President called for a voice vote.

Motion carried unanimously.

LEGISLATIVE REPORT

Superintendent DeMaria and key staff provided Board members with updates on the following topics:

Senate Bill 120 Conduct performance audits of state higher ed institutions plus: EdChoice:

Timeline of Events:

- October 25, 2019: Senate Bill 120 is favorably reported out of the House Higher Education Committee
- January 30, 2020: Bill is added to the calendar for House Session and amended on the floor
 - House passes the bill 87-5
- January 31, 2020: The Senate concurs in the House amendments with a vote of 23-7
 - Governor DeWine signs the legislation

Traditional EdChoice Changes (1):

Eligibility for Traditional EdChoice is based on the Designated School List, generated annually; funded through a deduction from the student's resident district

- Delays opening date of application window from February 1 to April 1
- Makes no changes to how the EdChoice Designated School List is generated for the 2020-2021 year

Traditional EdChoice Changes (2):

- For newly eligible students: \$10 million is appropriate to be distributed on a first-come, first-served basis for the 2020-2021 school year.
- For continuingly eligible *students*: Funded through the normal mechanism, through a deduction from their school district.
 - This includes students renewing their scholarships AND students who were previously eligible, even if they did not previously take a scholarship.

EdChoice Expansion Changes:

Eligibility for EdChoice Expansion is based on income; funded directly by the state.

- *No changes* were made to the EdChoice Expansion Program.
- The application window for EdChoice Expansion is currently open.

Continuing Conversation:

- Expansion as primary scholarship program
- Eligibility for EdChoice Expansion
- Modifying the EdChoice Designated School List
- Appropriating funds to provide relief to school districts

BOARD PRESENTATIONS AND DISCUSSION FROM THE EXECUTIVE COMMITTEE

Chair: Laura Kohler, Vice Chair: Charlotte McGuire

Mrs. McGuire gave a report from the Executive Committee meeting focusing on the following issues:

Members Present: Laura Kohler (Chair) Charlotte McGuire (Vice Chair) Antoinette Miranda, John Hagan, Sarah Fowler, Stephen Dackin, Mark Lamoncha.

- The Executive Committee discussed the goals of State Superintendent DeMaria and the State Board of Education.
- The Board will continue to discuss the goals of the State Board of Education and the State Superintendent of Public Instruction.

BOARD PRESENTATIONS AND DISCUSSION FROM THE TEACHING, LEADING AND LEARNING COMMITTEE

Chair: Sarah Fowler, Vice Chair: Nick Owens

Mr. Owens gave a report from the Teaching, Leading and Learning Committee meeting focusing on the following issues:

Members Present: Fowler (Chair), Owens (Vice-Chair) Dackin, Haycock, Hill, Johnson, Manchester, Wilkinson.

Ohio Teacher Evaluation System Framework Revision (*Strategies 1 & 2*)

- Department staff provided Members with a brief overview and opportunity to discuss the Educator Standards Board's proposed revised Ohio Teacher Evaluation System (OTES) Framework and High-Quality Student Data (HQSD) definition. The revisions are recommended due to legislative changes contained in Senate Bill 216 of the 132nd General Assembly (SB 216). State Board adoption of a revised framework is required by May 1, 2020.
- Following discussion, Members voted unanimously in favor of recommending adoption of the revised framework and definition to the State Board. A resolution to adopt the revised framework and definition will appear on the State Board's March 2020 voting agenda.

Ohio Learning Standards Revision: World Languages and Cultures (*Strategy 4*)

- Department staff provided Members with a brief overview of the proposed revised Learning Standards for World Languages and Cultures.

- Following discussion, Members voted unanimously in favor of recommending adoption of the revised learning standards to the State Board. A resolution to adopt the revised learning standards will appear on the State Board's March 2020 voting agenda.

OAC 3301-24-18 Resident Educator License (Strategy 1)

- Department staff provided Members with an overview of a revised *OAC 3301-24-18 Resident Educator License*, currently up for five-year review.
- Committee members discussed the proposed revisions, which align with grade band changes set forth in Ohio Revised Code (ORC) 3319.22, and to add a licensure option. Additional amendments were made to ensure compliance with section 121.95 of the Ohio Revised Code.
- Following discussion, Members voted unanimously in favor of recommending adoption of the revised rule, as amended, to the State Board. A resolution to adopt the revised rule will appear on the State Board's March 2020 voting agenda.

OAC 3301-45 Adult High School Diplomas (22+ Program) (Strategy 10)

- Department staff provided Members with an overview of a revised *OAC 3301-45 Adult High School Diplomas*, currently up for five-year review.
- Committee members discussed the proposed revisions and requested additional information related to Ohio's high school equivalency and adult diploma options.
- The revised rules appeared on the February agenda for discussion only and will return to the Committee's agenda in March for a possible vote to recommend adoption by the State Board.

BOARD PRESENTATIONS AND DISCUSSION FROM THE CONTINUOUS IMPROVEMENT COMMITTEE

Chair: Antoinette Miranda, Vice Chair: Mike Toal

Dr. Miranda gave a report from the Continuous Improvement Committee meeting focusing on the following issues:

Members Present: Antoinette Miranda (Chair), Mike Toal (Vice Chair), Stephanie Dodd (member), John Hagan (member), Mark Lamoncha (member), Eric Poklar (Member), Charlotte McGuire (Vice President), and Jenny Kilgore

PURPOSE(S) AND/OR GOAL(S) OF MEETING:

- Review, discuss and vote on Operating Standards 3301-35-01 through 3301-35-10

OPERATING STANDARDS – 3301-35-01 through 3301-35-10 (Possible vote)

- To recap, in April 2019, department staff shared with committee that the Operating Standards were being revised as part of the 5-year rule revision process.
 - Following April, Department staff continued to share the revision process and how the Department planned to garner feedback from stakeholders to inform changes to the rule.
 - During the July 2019 meeting, Department staff informed the committee of plans to hold stakeholder engagement meetings over the course of 3 days. From August 6 – 8, 2019, the Department facilitated three separate meetings, in which 111 major stakeholder associations were invited, however 44 attended. During these meetings, stakeholders provided feedback to the Department's proposed changes to the rules.
 - Following the stakeholder meetings, the Department posted the rules for public comment from Aug. 9 – Sept. 9. Individuals were given the opportunity to provide feedback to the rules via Survey Monkey and the Department also collected feedback on the rules by email.

- With the incorporated suggestions from stakeholders and following the public comment period, Department staff shared proposed changes to the rules with committee members from Sept. 2019 – Jan. 2020. Committee members provided feedback and additional recommendations to the rules. Final versions of the rules were posted for public review from Jan 21 – Feb. 3. During this time, Department staff met with stakeholders who'd previously expressed concerns and responded to any comments received regarding proposed changes to rules.
- During yesterday's committee meeting, the committee discussed the Department's responses to comments collected during the public review period. Department staff also shared actions taken by the Department to address any other expressed concerns regarding proposed changes to the rules.
- During yesterday's meeting, committee members agreed recess to allow the Department and present stakeholders to meet and discuss current language in 3301-35-08 Non-chartered, non-tax supported school. With an agreed revision to language in 3301-35-08, the committee has unanimously voted to move OAC 3301-35-01 through OAC 3301-35-10 out of committee to be considered for a full board vote during the March 2020 State Board meeting.

Items voted on and outcome of vote:

OAC 3301-35-01 through 3301-35-10 has been voted out of committee; this was a unanimous decision.

Will there be a vote or information in front of the full Board at next or upcoming meeting?

The full Board is expected to vote on OAC 3301-35-01 through OAC 3301-35-10 during the March 2020 State Board meeting.

BOARD PRESENTATIONS AND DISCUSSION FROM THE INTEGRATED STUDENT SUPPORTS COMMITTEE

Chair: Charlotte McGuire, Vice Chair: Martha Manchester

Mrs. McGuire gave a report from the Integrated Student Supports Committee meeting focusing on the following issues:

Members Present: Charlotte McGuire, Committee Chair, Martha Manchester, Committee Vice Chair, Cindy Collins, Kirsten Hill, Meryl Johnson, Mark Lamoncha, Antoinette Miranda and Reginald Wilkinson.

3301-13-10 Standard to Develop a Plan for any Accommodation for or an Excuse from Statewide Tests for Students with Disabilities in Chartered Nonpublic Schools:

- Staff presented an overview of nonpublic schools and programs, funding and the difference between an individualized education program and an individualized service plan for students with disabilities. Staff also discussed the different requirements for services for students with disabilities depending on the type of school or scholarship.
- Staff presented proposed revisions to Ohio Administrative Code 3301-13-10 Standard to Develop a Plan for any Accommodation for or an Excuse from Statewide Tests for Students with Disabilities in Chartered Nonpublic Schools. This rule is related to students with disabilities in chartered nonpublic schools receiving accommodations for and excusals from statewide tests if the accommodations or excusals are made in a student's Individualized Services Plan (ISP) or if a written plan is developed for a student without an ISP. The public comment period for the rule was October 23 to November 22, 2019.

- Committee members discussed and clarified the different requirements for services for students with disabilities depending on the type of school or scholarship.
- The committee approved the resolution to recommend adoption of the proposed revisions to the rule. A resolution recommending adoption of the rule will go to the full board for consideration in March.

3301-10-01 School Enrollment for Victims of Domestic Violence:

- Staff presented proposed revisions to Ohio Administrative Code 3301-10-01 School Enrollment for Victims of Domestic Violence. This rule addresses: the ways in which children with a parent under the care of a shelter for victims of domestic violence may enroll in school and it requires that the enrollment of a child take place immediately upon his or her request to be admitted to school. The rule was amended to add an exception for those individuals enrolled in the Ohio Secretary of State's Safe at Home address confidentiality program and make the rule consistent with state law in relation to the transfer of credits, grades and attendance. No public comments were received for this rule during the public comment period of November 25 to December 23, 2019.
- Committee members discussed the Secretary of State's Safe at Home Program to protect the address of the family residing in a domestic violence shelter.
- The committee approved the resolution to recommend adoption of the proposed revisions to the rule. A resolution recommending adoption of the rule will go to the full board for consideration in March.

Ohio's Healthy Students Profiles:

- Staff presented on Ohio's Healthy Students Profile which was sent to district and community school superintendents on February 3, 2020. The presentation included discussion of how this new informational resource was created in partnership with the Ohio Department of Medicaid, the types of school and district measures the profile contains and how it can contribute to continuous improvement planning and exploration of school-based healthcare priorities.
- Committee members discussed how schools and community partners can use the data in Ohio's Healthy Students Profiles to identify needs and supports for their students.
- Committee members requested additional information comparing Ohio's student's health data to the nation and the statewide number of students in Ohio's Medicaid program.
- The agenda item was discussion only, therefore, there was no action by the committee and the item is not scheduled for full board.

Vulnerable Youth – English Learners:

- Staff presented on information about Ohio's students who are English learners. Topics included: student and school demographic data, federal funding that supports services for English learners and best practices in Ohio related to serving English learners and their families.
- Committee members discussed how English learners are included in the report card, supports for teachers of English learners, and suggested the Department engage families and students in the English Learner Advisory Committee work.
- The agenda item was discussion only, therefore, there was no action by the committee and the item is not scheduled for full board.

Strategy Updates:

- Staff presented updates on initiatives related to *Each Child, Our Future* Strategy 7 Meet the Needs of the Whole Child. The updates included the work of the Whole Child Advisory group and their sub committees that are focused on the whole child framework and the ideas for innovation application for schools to share their innovative practices. Staff also provided an update on the plan for the learning outcomes and experiences for students with disabilities.
- The agenda item was discussion only, therefore, there was no action by the committee and the item is not scheduled for full board.

BOARD PRESENTATIONS AND DISCUSSION FROM THE ASSESSMENTS & ACCOUNTABILITY COMMITTEE

Chair: John Hagan, Vice Chair: Lisa Woods

Mr. Hagan gave a report from the Assessments & Accountability Committee meeting focusing on the following issues:

Members Present: John Hagan (Chair), Lisa Woods (Vice Chair), Jenny Kilgore, Linda Haycock, Mike Toal, Stephen Dackin, Stephanie Dodd

DOPR Workgroup Recommendation: DOPR Liaison:

- The committee considered and favorably passed a resolution regarding the appointment of a liaison within ODE to serve as a point of contact for schools operating dropout prevention and recovery programs.
- Sheila Vitale, the Director of the Office of Ohio School Sponsorship was recently given this liaison role. She was present during today's meeting. We welcome Sheila as our new contact and look forward to continuing our dialog about additional DOPR recommendations at future committee meetings.

Testing Updates:

- A brief testing update was given by ODE staff.
 - A technical expert will be scheduled to attend an upcoming committee meeting to assist members in our continued conversation regarding competency scores for Algebra 1 and English Language Arts assessments
 - An All Call for stakeholder feedback has been widely distributed by ODE staff for the Alternative Assessment. Feedback is due Friday, February 14th. Additional updates will be provided at future meetings.

Performance Level Descriptors:

- Committee members continued their conversation regarding cut scores. A calibration study was requested.
- Department staff will get additional feedback on this issue and provide it to members during the March meeting.

BOARD PRESENTATIONS AND DISCUSSION FROM THE GRADUATION REQUIREMENTS AND HIGH SCHOOL REDESIGN TASK FORCE

Chair: Martha Manchester, Vice Chair: Shelly Vaughn

Mrs. Manchester gave a report from the Graduation Requirements and High School Redesign Task Force meeting focusing on the following issues:

Date of meeting: January 27, 2020

State Board Members present: Manchester (Chair), Lamoncha, Dackin

Graduation Requirements Updates:

- Members received an update on the recently adopted graduation requirements.
- Members discussed state and local diploma seals and accompanying guidance documents.
- Members discussed the Department's work with educational service centers to disseminate graduation information to districts.

High School Redesign:

- Members received an update on the Department’s high school redesign work, including a partnership with Johns Hopkins University.
- Members discussed examples of promising high school redesign practices in small groups.
- Members discussed a potential survey to be sent to districts to capture their high school redesign efforts.

The State Board recessed for lunch.

PUBLIC PARTICIPATION ON VOTING AGENDA ITEMS

There was no Public Participation on Voting Agenda Items.

PUBLIC PARTICIPATION ON NON-VOTING AGENDA ITEMS

There was no Public Participation on Non-Voting Agenda Items.

VOTING ON THE REPORT & RECOMMENDATIONS OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION

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

Items two and four were removed from the consent agenda for a separate vote due to being previously reviewed by Advising Board member.

President Kohler presented the following recommendations (Items 1,3,5) on the Consent Agenda:

1. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY MARILYN C. HAUSLER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY ALL OF HER CURRENT AND PREVIOUSLY HELD LICENSES, PERMITS, AND CERTIFICATES AND TO DENY PERMANENTLY ANY OF HER PENDING APPLICATIONS FOR A LICENSE, PERMIT, OR CERTIFICATE**

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

WHEREAS Marilyn C. Hausler has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on January 6, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Marilyn C.

Hausler that authorizes the State Board of Education to enter an order permanently revoking all of her current and previously held licenses, permits, and certificates and permanently denying any pending applications that she has submitted for a license, permit, or certificate based upon Ms. Hausler's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

WHEREAS the form specifies that Marilyn C. Hausler is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Marilyn C. Hausler has expressly and forever waived all rights as set forth in Chapter 119 of the Ohio Revised Code, including but not limited to, her right to a hearing and her right to appeal the Resolution of the State Board of Education: 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** Marilyn C. Hausler's current and any previously held licenses, permits, and certificates and **DENIES** any pending applications that she has submitted for a license, permit, or certificate based upon Ms. Hausler's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b) and (A)(3)(b), orders Marilyn C. Hausler be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

3. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY LEON C. LEAVELL AND TO ENTER AN ORDER TO REVOKE PERMANENTLY ALL OF HIS CURRENT AND PREVIOUSLY HELD LICENSES, PERMITS, AND CERTIFICATES AND TO DENY PERMANENTLY ANY OF HIS PENDING APPLICATIONS FOR A LICENSE, PERMIT, OR CERTIFICATE**

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

WHEREAS Leon C. Leavell has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on January 6, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Leon C. Leavell that authorizes the State Board of Education to enter an order permanently revoking all of his current and previously held licenses, permits, and certificates and permanently denying any pending applications that he has submitted for a license, permit, or certificate based upon Mr. Leavell's conduct as described in the Notice of Opportunity for Hearing dated April 15, 2019; and

WHEREAS the form specifies that Leon C. Leavell is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Leon C. Leavell has expressly and forever waived all rights as set forth in Chapter 119 of the Ohio Revised Code, including but not limited to, his right to a hearing and his right to appeal the Resolution of the State Board of Education: 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** Leon C. Leavell's current and any previously held licenses, permits, and certificates and **DENIES** any pending applications that he has submitted for a license, permit, or certificate based upon Mr. Leavell's conduct as described in the Notice of Opportunity for Hearing dated April 15, 2019. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b) and (A)(3)(b), orders Leon C. Leavell be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

5. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY GREGORY T. STACY AND TO ENTER AN ORDER TO REVOKE PERMANENTLY ALL OF HIS CURRENT AND PREVIOUSLY HELD LICENSES, PERMITS, AND CERTIFICATES AND TO DENY PERMANENTLY ANY OF HIS PENDING APPLICATIONS FOR A LICENSE, PERMIT, OR CERTIFICATE**

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

WHEREAS Gregory T. Stacy has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on December 16, 2019, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Gregory T. Stacy that authorizes the State Board of Education to enter an order permanently revoking all of his current and previously held licenses, permits, and certificates and permanently denying any pending applications that he has submitted for a license, permit, or certificate based upon Mr. Stacy's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31; and

WHEREAS the form specifies that Gregory T. Stacy is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Gregory T. Stacy has expressly and forever waived all rights as set forth in Chapter 119 of the Ohio Revised Code, including but not limited to, his right to a hearing and his right to appeal the Resolution of the State Board of Education: 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** Gregory T. Stacy's current and any previously held licenses, permits, and certificates and **DENIES** any pending applications that he has submitted for a license, permit, or certificate based upon Mr. Stacy's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b) and (A)(3)(b), orders Gregory T. Stacy be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

It was Moved by Mrs. Hill and Seconded by Dr. Kilgore that the Consent Agenda (Items 1,3,5) be approved.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins
Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
Nick Owens
Mike Toal
Lisa Woods

Stephen Dackin
Sarah Fowler
Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Antoinette Miranda
Eric Poklar
Reginald Wilkinson

Motion carried.

President Kohler presented the following recommendation (Item 2):

- 2. RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY MICHAEL P. KASTNER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY ALL OF HIS CURRENT AND PREVIOUSLY HELD LICENSES, PERMITS, AND CERTIFICATES AND TO DENY PERMANENTLY ANY OF HIS PENDING APPLICATIONS FOR A LICENSE, PERMIT, OR CERTIFICATE**

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

WHEREAS Michael P. Kastner has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on December 23, 2019, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Michael P. Kastner that authorizes the State Board of Education to enter an order permanently revoking all of his current and previously held licenses, permits, and certificates and permanently denying any pending applications that he has submitted for a license, permit, or certificate based upon Mr. Kastner's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31; and

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

WHEREAS Michael P. Kastner has expressly and forever waived all rights as set forth in Chapter 119 of the Ohio Revised Code, including but not limited to, his right to a hearing and his right to appeal the Resolution of the State Board of Education: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and Ohio Revised Code 3319.311(F), hereby **REVOKES** Michael P. Kastner's current and any previously held licenses, permits, and certificates and **DENIES** any pending applications that he has submitted for a license, permit, or certificate based upon Mr. Kastner's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b) and (A)(3)(b), orders Michael P. Kastner be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

It was Moved by Mr. Hagan and Seconded by Mr. Lamoncha that the above recommendation (Item 2) be approved.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins	Stephen Dackin
Stephanie Dodd	Sarah Fowler
John Hagan	Linda Haycock
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Martha Manchester
Antoinette Miranda	Nick Owens
Eric Poklar	Mike Toal
Reginald Wilkinson	Lisa Woods

ABSTAIN

Charlotte McGuire

Motion carried.

President Kohler presented the following recommendation (Item 4):

4. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY BENTON R. SMITH AND TO ENTER AN ORDER TO REVOKE PERMANENTLY ALL OF HIS CURRENT AND PREVIOUSLY HELD LICENSES, PERMITS, AND CERTIFICATES AND TO DENY PERMANENTLY ANY OF HIS PENDING APPLICATIONS FOR A LICENSE, PERMIT, OR CERTIFICATE**

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

WHEREAS Benton R. Smith has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on December 30, 2019, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Benton R. Smith that authorizes the State Board of Education to enter an order permanently revoking all of his current and previously held licenses, permits, and certificates and permanently denying any pending applications that he has submitted for a license, permit, or certificate based upon Mr. Smith's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Benton R. Smith has expressly and forever waived all rights as set forth in Chapter 119 of the Ohio Revised Code, including but not limited to, his right to a hearing and his right to appeal the Resolution of the State Board of Education: 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** Benton R. Smith's current and any previously held licenses, permits, and certificates and **DENIES** any pending applications that he has submitted for a license, permit, or certificate based upon Mr. Smith's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b) and (A)(3)(b), orders Benton R. Smith be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

It was Moved by Ms. Johnson and Seconded by Ms. Fowler that the above recommendation (Item 4) be approved.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins
Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
Eric Poklar
Reginald Wilkinson

Stephen Dackin
Sarah Fowler
Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Antoinette Miranda
Mike Toal
Lisa Woods

ABSTAIN

Nick Owens

Motion carried.

Ms. Fowler presented the following recommendation (Item 6):

6. RESOLUTION TO ADOPT CHANGES TO OHIO ADMINISTRATIVE RULE 3301-24-10 / ALTERNATIVE PATHWAY TO PROFESSIONAL PRINCIPAL LICENSURE FOR THE NEW LEADERS FOR OHIO SCHOOLS PROGRAM

The State Board of Education (“Board”) hereby **ADOPTS** changes to Ohio Administrative Code (OAC) 3301-24-10 / Alternative Pathway to Professional Principal Licensure for the New Leaders for Ohio Schools Program as follows:

Ohio Revised Code (ORC) 3301.07 allows the Board to adopt rules necessary for carrying out any function imposed on it by law;

ORC 3319.22 requires the Board to adopt rules establishing the standards and requirements for obtaining each educator license issued under that section;

ORC 3319.272 requires the Board, in consultation with the Bright New Leaders for Ohio Schools program, to adopt rules that prescribe the requirements for obtaining a professional administrator license for grades pre-kindergarten through twelve under that section;

Changes to OAC 3301-24-10 update statutory references, provide greater clarity and understanding, and to reference the Bright New Leaders for Ohio Schools program as set forth in statute;

The Teaching, Leading and Learning Committee recommended adopting the rule in the form attached hereto at its January 2020 meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Board adopts the changes to OAC 3301-24-10 in the form attached hereto;

FURTHER RESOLVED, that the Superintendent of Public Instruction or his designee be, and hereby is, directed to file the rule with the proper agencies, and the same be made available upon request, without charge, to all persons affected by said rule; and

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

It was Moved by Ms. Fowler that the above recommendation (Item 6) be approved.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins	Stephen Dackin
Stephanie Dodd	Sarah Fowler
John Hagan	Linda Haycock
Kirsten Hill	Jenny Kilgore
Laura Kohler	Mark Lamoncha
Martha Manchester	Charlotte McGuire
Antoinette Miranda	Nick Owens
Eric Poklar	Mike Toal
Reginald Wilkinson	Lisa Woods

NO VOTES

Meryl Johnson

Motion carried.

Kelly Edwards, Senior Managing Attorney, Office of Professional Conduct, presented the following recommendation (Item 7):

7. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FOUR-YEAR EDUCATIONAL AIDE PERMIT OF SANDRA L. BAILEY

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

WHEREAS Sandra L. Bailey held a four-year educational aide permit issued in 2014; and

WHEREAS on March 29, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Sandra L. Bailey of its intent to determine whether to limit, suspend, revoke, or permanently revoke her four-year educational aide permit issued in 2014 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Bailey engaging in conduct that is unbecoming to the teaching profession on or about February 24, 2018, when she

blew, spat, or sprayed into a student's face and said words to the effect of, "You did it to me so I did it back to you. How does that make you feel?"; and

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

WHEREAS a hearing was held on November 12, 2019; and

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

WHEREAS the hearing officer recommends that Ms. Bailey's permit be revoked and that she be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based upon Ms. Bailey engaging in egregious conduct that is unbecoming to the teaching profession when she emotionally abused a vulnerable student by purposefully spitting in the student's face; and

WHEREAS the State Board of Education 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** Sandra L. Bailey's four-year educational aide permit issued in 2014 based upon Ms. Bailey engaging in conduct that is unbecoming to the teaching profession on or about February 24, 2018, when she blew, spat, or sprayed into a student's face and said words to the effect of, "You did it to me so I did it back to you. How does that make you feel?" Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Sandra L. Bailey be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

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

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins
Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire

Stephen Dackin
Sarah Fowler
Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Antoinette Miranda

Eric Poklar
Reginald Wilkinson

Mike Toal
Lisa Woods

ABSTAIN
Nick Owens

Motion carried.

Kelly Edwards, Senior Managing Attorney, Office of Professional Conduct, presented the following recommendation (Item 8):

8. RESOLUTION TO REVOKE THE FOUR-YEAR RESIDENT EDUCATOR MIDDLE CHILDHOOD TEACHING LICENSE OF MAGGIE E. CONTI

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

WHEREAS Maggie E. Conti holds a four-year resident educator middle childhood teaching license issued in 2016; and

WHEREAS on November 13, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Maggie E. Conti of its intent to determine whether to limit, suspend, revoke, or permanently revoke her four-year resident educator middle childhood teaching license issued in 2016 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(3). The notice was based upon Ms. Conti's 2019 plea of no contest in the Lakewood Municipal Court to one misdemeanor count of possession of drug paraphernalia and subsequent entry into the court's pre-trial diversion program; and

WHEREAS the notice informed Ms. Conti that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke her four-year resident educator middle childhood teaching license issued in 2016; and

WHEREAS Maggie E. Conti 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 Lakewood Municipal Court, and certified police records from the Lakewood 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 of Education 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)(3), hereby **REVOKES** Maggie E. Conti's four-year resident educator middle childhood teaching license issued in 2016 based upon Ms. Conti's 2019 plea of no contest in the Lakewood Municipal Court to one misdemeanor count of possession of drug paraphernalia and subsequent entry into the court's pre-trial diversion program. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Maggie E. Conti be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after February 10, 2025, and that upon reapplication, she must provide written verification to the Ohio Department of Education that she has completed her pre-trial diversion program. In addition, within ninety days of reapplying for a license, permit or certificate with the Ohio Department of Education, Ms. Conti must provide written verification to the Ohio Department of Education that she has completed, at her own expense, a drug/alcohol assessment by a licensed counselor who is preapproved by the Ohio Department of Education and any additional counseling and/or treatment recommended by the licensed counselor, and she must provide written proof of her continued sobriety; and, Be It Further

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

It was Moved by Dr. Wilkinson and Seconded by Mrs. Hill that the above recommendation (Item 8) be approved.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins	Stephen Dackin
Stephanie Dodd	Sarah Fowler
John Hagan	Linda Haycock
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Mike Toal
Reginald Wilkinson	Lisa Woods

Motion carried.

Aaron Ross, Senior Managing Attorney, Office of Professional Conduct, presented the following recommendation (Item 9):

9. RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF WALTARIOUS J. DUDLEY

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

WHEREAS Waltarious J. Dudley held a three-year pupil activity permit issued in 2016; and

WHEREAS on December 3, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Waltarious J. Dudley of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2016 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Dudley's 2018 conviction in the Franklin County Municipal Court for one misdemeanor count of disorderly conduct stemming from charges of domestic violence, assault, and endangering children; and

WHEREAS the notice informed Mr. Dudley 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 2016; and

WHEREAS Waltarious J. Dudley 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 Franklin County Municipal Court, and certified police records from the Columbus Division of Police; 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 of Education 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** Waltarious J. Dudley's three-year pupil activity permit issued in 2016 based upon Mr. Dudley's 2018 conviction in the Franklin County Municipal Court for one misdemeanor count of disorderly conduct stemming from charges of domestic violence, assault, and endangering children. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Waltarious J. Dudley be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

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

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins	Stephen Dackin
Stephanie Dodd	Sarah Fowler
John Hagan	Linda Haycock
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Eric Poklar
Mike Toal	Reginald Wilkinson
Lisa Woods	

Motion carried.

Kelly Edwards, Senior Managing Attorney, Office of Professional Conduct, presented the following recommendation (Item 10):

10. RESOLUTION TO REVOKE THE FOUR-YEAR RESIDENT EDUCATOR MULTI-AGE TEACHING LICENSE OF TODD E. FALKENBERG

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

WHEREAS Todd E. Falkenberg holds a four-year resident educator multi-age teaching license issued in 2016; and

WHEREAS on November 13, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Todd E. Falkenberg of its intent to determine whether to limit, suspend, revoke, or permanently revoke his four-year resident educator multi-age teaching license issued in 2016 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(c), and (B)(3). The notice was based upon Mr. Falkenberg's 2019 plea of guilty in the Licking County Municipal Court to one misdemeanor count of theft and subsequent entry into the court's diversion program; and

WHEREAS the notice informed Mr. Falkenberg 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 four-year resident educator multi-age teaching license issued in 2016; and

WHEREAS Todd E. Falkenberg 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 Licking County 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 of Education 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)(c), and (B)(3), hereby **REVOKES** Todd E. Falkenberg's four-year resident educator multi-age teaching license issued in 2016 based upon Mr. Falkenberg's 2019 plea of guilty in the Licking County Municipal Court to one misdemeanor count of theft and subsequent entry into the court's diversion program. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Todd E. Falkenberg be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after February 10, 2022, and that upon reapplication, he must provide written verification to the Ohio Department of Education that he has completed, at his own expense, a class in theft prevention that is preapproved by the Ohio Department of Education; and, Be It Further

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

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

Ms. Johnson moved to amend the resolution by substitution. She proposed that Mr. Falkenberg be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after February 10, 2022, and that upon reapplication, he must provide written verification to the Ohio Department of Education that he has completed, at his own expense, a class in theft prevention that is preapproved by the Ohio Department of Education; a fitness to teach evaluation, by a licensed psychologist or psychiatrist who is pre-approved by the Ohio Department of Education, as well as any recommendations made by the licensed evaluator; and thirty hours of community service with the community service to be pre-approved by the Ohio Department of Education. Mrs. Hill seconded the motion.

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

YES VOTES

Cindy Collins
Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Antoinette Miranda
Eric Poklar
Lisa Woods

Stephen Dackin
Sarah Fowler
Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Nick Owens
Reginald Wilkinson

NO VOTES

Charlotte McGuire

Mike Toal

Motion carried.

Resolution as amended:

10. RESOLUTION TO REVOKE THE FOUR-YEAR RESIDENT EDUCATOR MULTI-AGE TEACHING LICENSE OF TODD E. FALKENBERG

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

WHEREAS Todd E. Falkenberg holds a four-year resident educator multi-age teaching license issued in 2016; and

WHEREAS on November 13, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Todd E. Falkenberg of its intent to determine whether to limit, suspend, revoke, or permanently revoke his four-year resident educator multi-age teaching license issued in 2016 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(c), and (B)(3). The notice was based upon Mr. Falkenberg's 2019 plea of guilty in the Licking County Municipal Court to one misdemeanor count of theft and subsequent entry into the court's diversion program; and

WHEREAS the notice informed Mr. Falkenberg 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 four-year resident educator multi-age teaching license issued in 2016; and

WHEREAS Todd E. Falkenberg 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 Licking County 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 of Education 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)(c), and (B)(3), hereby **REVOKES** Todd E. Falkenberg's four-year resident educator multi-age teaching license issued in 2016 based upon Mr. Falkenberg's 2019 plea of guilty in the Licking County Municipal Court to one misdemeanor count of theft and subsequent entry into the court's diversion program. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Todd E. Falkenberg be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after February 10, 2022, and that upon reapplication, he must provide written verification to the Ohio Department of Education that he has completed, at his own expense, a class in theft prevention that is preapproved by the Ohio Department of Education; a fitness to teach evaluation, by a licensed psychologist or psychiatrist who is pre-approved by the Ohio Department of Education, as well as any recommendations made by the licensed evaluator; and thirty hours of community service with the community service to be pre-approved by the Ohio Department of Education and, Be It Further

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

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

YES VOTES

Cindy Collins	Stephen Dackin
Stephanie Dodd	Sarah Fowler
John Hagan	Linda Haycock
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Martha Manchester
Antoinette Miranda	Nick Owens
Eric Poklar	Mike Toal
Reginald Wilkinson	Lisa Woods

NO VOTES

Charlotte McGuire

Motion carried.

Aaron Ross, Senior Managing Attorney, Office of Professional Conduct, presented the following recommendation (Item 11):

11. **RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL MIDDLE CHILDHOOD TEACHING LICENSE OF JEREMY R. FARROW**

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

WHEREAS Jeremy R. Farrow holds a five-year professional middle childhood teaching license issued in 2017; and

WHEREAS on April 4, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Jeremy R. Farrow of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional middle childhood teaching license issued in 2017 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Farrow engaging in the following conduct that is unbecoming to the teaching profession: on or about August 29, 2017, he threw a book/binder and referred to students as "dumbasses"; and on or about August 30, 2017, he made inappropriate comments to students including making a statement to his class to the effect of, "I will suck your souls out of your body and eat them." and then indicating that this statement was specific to a particular student. Further, the notice included the following aggravating factors: on or about May 15, 2015, Mr. Farrow received a letter of reprimand from the Chardon Local School District for making unprofessional comments with students; and on or about August 31, 2017, he received a letter of reprimand and a three-day suspension from the Chardon Local School District for failing to renew his teaching license; and

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

WHEREAS a hearing was held on October 9, 2019; and

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

WHEREAS the hearing officer recommends that Mr. Farrow's license be revoked and that he be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based Mr. Farrow engaging in conduct that was mentally abusive to his students and Mr. Farrow exhibiting a disturbing pattern of making unprofessional comments with his students over time, even after being warned; and

WHEREAS the State Board of Education 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** Jeremy R. Farrow's five-year professional middle childhood teaching license issued in 2017 based upon Mr. Farrow engaging in the following conduct that is unbecoming to the teaching profession: on or about August 29, 2017, he threw a book/binder and referred to students as

"dumbasses"; and on or about August 30, 2017, he made inappropriate comments to students including making a statement to his class to the effect of, "I will suck your souls out of your body and eat them." and then indicating that this statement was specific to a particular student. Pursuant to Ohio Administrative Code Rule 3301-73-21(B), the State Board of Education further considers in aggravation that on or about May 15, 2015, Mr. Farrow received a letter of reprimand from the Chardon Local School District for making unprofessional comments with students; and on or about August 31, 2017, he received a letter of reprimand and a three-day suspension from the Chardon Local School District for failing to renew his teaching license. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Jeremy R. Farrow be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

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

Mrs. Haycock moved to amend the resolution by substitution. She proposed that Mr. Farrow be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after February 11, 2022 provided he completes, at his expense, the following requirements: an anger management course with the course to be pre-approved by the Ohio Department of Education; eight hours of training on professional boundaries with the training to be pre-approved by the Ohio Department of Education; eight hours of training on classroom management with the training to be pre-approved by the Ohio Department of Education; and a fitness to teach evaluation, by a licensed psychologist or psychiatrist who is pre-approved by the Ohio Department of Education, as well as any recommendations made by the licensed evaluator. Mrs. Dodd seconded the motion. Mrs. Dodd stated that out of respect for the educators in question, a rationale for the proposed action should be made. Mrs. Haycock stated this may have been a good teacher who needed some help to get back into the classroom.

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

YES VOTES

Cindy Collins	Stephen Dackin
Stephanie Dodd	Sarah Fowler
John Hagan	Linda Haycock
Kirsten Hill	Meryl Johnson
Mark Lamoncha	Martha Manchester
Antoinette Miranda	Nick Owens
Reginald Wilkinson	Lisa Woods

NO VOTES

Jenny Kilgore	Charlotte McGuire
Eric Poklar	Mike Toal
Laura Kohler	

Motion carried.

Resolution as amended:

11. RESOLUTION TO MODIFY THE REPORT OF THE HEARING OFFICER, TO REJECT THE RECOMMENDATION OF THE HEARING OFFICER AND TO REVOKE THE FIVE-YEAR PROFESSIONAL MIDDLE CHILDHOOD TEACHING LICENSE OF JEREMY R. FARROW

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

WHEREAS Jeremy R. Farrow holds a five-year professional middle childhood teaching license issued in 2017; and

WHEREAS on April 4, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Jeremy R. Farrow of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional middle childhood teaching license issued in 2017 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Farrow engaging in the following conduct that is unbecoming to the teaching profession: on or about August 29, 2017, he threw a book/binder and referred to students as "dumbasses"; and on or about August 30, 2017, he made inappropriate comments to students including making a statement to his class to the effect of, "I will suck your souls out of your body and eat them." and then indicating that this statement was specific to a particular student. Further, the notice included the following aggravating factors: on or about May 15, 2015, Mr. Farrow received a letter of reprimand from the Chardon Local School District for making unprofessional comments with students; and on or about August 31, 2017, he received a letter of reprimand and a three-day suspension from the Chardon Local School District for failing to renew his teaching license; and

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

WHEREAS a hearing was held on October 9, 2019; and

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

WHEREAS the hearing officer recommends that Mr. Farrow's license be revoked and that he be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based upon Mr. Farrow engaging in conduct that was mentally abusive to his students and Mr. Farrow exhibiting a disturbing pattern of making unprofessional comments with his students over time, even after being warned; and

WHEREAS the State Board of Education 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 of Education rejects the following portions of the hearing officer's Report and Recommendation: reject in its entirety the Recommendation section of the Summary Fact Sheet; and reject in its entirety the

last two full paragraphs of the Recommendation section on page 15 of the Report and Recommendation; and

WHEREAS the State Board of Education adopts the remaining portions of the hearing officer's report and recommendation; and

WHEREAS the State Board of Education may determine that a penalty outside the range of the disciplinary guidelines listed in the *Licensure Code of Professional Conduct for Ohio Educators* is more appropriate in an individual case based upon the aggravating and mitigating factors as outlined in Section 3301-73-21 of the Ohio Administrative Code and any other factors the State Board considers relevant; and

WHEREAS the State Board of Education finds that the administrative record identifies the following mitigating factors: it was observed that Mr. Farrow was a different person after the shooting at Chardon High School; Mr. Farrow's school disciplinary matters began after the shooting at Chardon High School occurred; while the administrative record indicated that there was no evidence of rehabilitation, there was nothing in the record to indicate that Mr. Farrow would not be amenable to rehabilitation; and since the hearing officer concluded that Mr. Farrow did not comprehend the consequences of his misconduct, training would allow him to better appreciate how his behavior affects students.

WHEREAS the State Board of Education concludes that the hearing officer erred when she did not give the preceding facts and mitigating factors the weight they deserved when she made her recommendation; and

WHEREAS the State Board of Education concludes that a permanent revocation of Mr. Farrow's license is not warranted in this case based on the mitigating factors and a more appropriate sanction would be to revoke Mr. Farrow's license, but allow him to reapply in two years if he completes, at his own expense, the following requirements: a fitness to teach evaluation; an anger management course; eight hours of training on professional boundaries; and eight hours of training on classroom management; Therefore, Be It

RESOLVED, That the State Board of Education rejects the following portions of the hearing officer's Report and Recommendation: reject in its entirety the Recommendation section of the Summary Fact Sheet; and reject in its entirety the last two full paragraphs of the Recommendation section on page 15 of the Report and Recommendation; and Be It Further

RESOLVED, That the State Board of Education adopts the remaining portions of the hearing officer's report and recommendation; and Be It Further

RESOLVED, That the State Board of Education finds that the administrative record identifies the following mitigating factors: it was observed that Mr. Farrow was a different person after the shooting at Chardon High School; Mr. Farrow's school disciplinary matters began after the shooting at Chardon High School occurred; while the administrative record indicated that there was no evidence of rehabilitation, but there was nothing in the record to indicate that Mr. Farrow would not be amenable to rehabilitation; and since the hearing officer concluded that Mr. Farrow did not comprehend the consequences of his misconduct, training would allow him to better appreciate how his behavior affects students.

RESOLVED, That the State Board of Education concludes that the hearing officer erred when she did not give the preceding facts and mitigating factors the weight they deserved when she made her recommendation; and Be It Further

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Jeremy R. Farrow's five-year professional middle childhood teaching license issued in 2017 based upon Mr. Farrow engaging in the following conduct that is unbecoming to the teaching profession: on or about August 29, 2017, he threw a book/binder and referred to students as "dumbasses"; and on or about August 30, 2017, he made inappropriate comments to students including making a statement to his class to the effect of, "I will suck your souls out of your body and eat them." and then indicating that this statement was specific to a particular student. Pursuant to Ohio Administrative Code Rule 3301-73-21(B), the State Board of Education further considers in aggravation that on or about May 15, 2015, Mr. Farrow received a letter of reprimand from the Chardon Local School District for making unprofessional comments with students; and on or about August 31, 2017, he received a letter of reprimand and a three-day suspension from the Chardon Local School District for failing to renew his teaching license. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(a), orders Jeremy R. Farrow be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after February 11, 2022 provided he completes, at his expense, the following requirements: an anger management course with the course to be pre-approved by the Ohio Department of Education; eight hours of training on professional boundaries with the training to be pre-approved by the Ohio Department of Education; eight hours of training on classroom management with the training to be pre-approved by the Ohio Department of Education; and a fitness to teach evaluation, by a licensed psychologist or psychiatrist who is pre-approved by the Ohio Department of Education, as well as any recommendations made by the licensed evaluator; and, Be It Further

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

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

YES VOTES

Cindy Collins	Stephen Dackin
Stephanie Dodd	Sarah Fowler
John Hagan	Linda Haycock
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Martha Manchester
Antoinette Miranda	Nick Owens
Eric Poklar	Mike Toal
Reginald Wilkinson	Lisa Woods

NO VOTES

Charlotte McGuire

Motion carried.

Aaron Ross, Senior Managing Attorney, Office of Professional Conduct, presented the following recommendation (Item 12):

12. RESOLUTION TO DENY PERMANENTLY THE ONE-YEAR EDUCATIONAL AIDE PERMIT APPLICATION OF RUSSELL J. HENDERSON

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

WHEREAS Russell J. Henderson has applied for a one-year educational aide permit; and

WHEREAS on December 2, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Russell J. Henderson of its intent to deny or permanently deny his application for a one-year educational aide permit pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Henderson's 2019 conviction in the Xenia Municipal Court for one misdemeanor count of failing to provide for a functionally impaired person; and

WHEREAS the notice informed Mr. Henderson that if he fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to deny or permanently deny his application for a one-year educational aide permit; and

WHEREAS Russell J. Henderson 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 Xenia Municipal Court, and certified police records from the Xenia Police Division; 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 of Education 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** Russell J. Henderson's application for a one-year educational aide permit based upon Mr. Henderson's 2019 conviction in the Xenia Municipal Court for one misdemeanor count of failing to provide for a functionally impaired person. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders that Russell J. Henderson

be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

It was Moved by Ms. Johnson and Seconded by Mrs. Manchester that the above recommendation (Item 12) be approved.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins	Stephen Dackin
Stephanie Dodd	Sarah Fowler
John Hagan	Linda Haycock
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Eric Poklar
Mike Toal	Reginald Wilkinson
Lisa Woods	

Motion carried.

Aaron Ross, Senior Managing Attorney, Office of Professional Conduct, presented the following recommendation (Item 13):

13. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE THE ONE-YEAR EDUCATIONAL AIDE PERMIT OF SANDRA K. KEENER

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

WHEREAS Sandra K. Keener held a one-year educational aide permit issued in 2017; and

WHEREAS on January 17, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Sandra K. Keener of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year educational aide permit issued in 2017 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Keener engaging in conduct that is unbecoming to the teaching profession on or about February 6, 2018, when she engaged in a physical altercation with a student with a disability by striking the student in the back of the head with an open hand; and

WHEREAS Ms. Keener requested a hearing regarding the State Board of Education's intent; and

WHEREAS a hearing was held on September 19, 2019; and

WHEREAS Ms. Keener was present at the hearing, and she was represented by counsel; and

WHEREAS the hearing officer recommends that Ms. Keener's one-year educational aide permit issued in 2017 be revoked and that she not be permitted to reapply for any license or permit for a period of one year and prior to reapplication, she must complete eight hours of Crisis Prevention Intervention training and fifteen hours of positive behavioral intervention and supports training. Further, the hearing officer recommends that should Ms. Keener return to the classroom, that she be subject to administrative reporting to the Ohio Department of Education for a period of two years. The hearing officer's recommendation is based upon Ms. Keener engaging in conduct that is unbecoming to the teaching profession when she failed to ensure the health, safety, and welfare of a student by using more force than necessary to stop a student from continuing to bite her; and

WHEREAS the State Board of Education 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** Sandra K. Keener's one-year educational aide permit issued in 2017 based upon Ms. Keener engaging in conduct that is unbecoming to the teaching profession on or about February 6, 2018, when she had a physical altercation with a student, who has a disability, by using her open hand to forcefully tap the student's head. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Sandra K. Keener be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until on or after February 10, 2021, and upon reapplication, Ms. Keener must provide written verification to the Ohio Department of Education that she has successfully completed, at her own expense, eight hours of Crisis Prevention Intervention training and fifteen hours of positive behavioral intervention and supports training, with the training to be approved in advance by the Ohio Department of Education. Further, should the State Board of Education issue a license, permit, or certificate to Ms. Keener, she must then complete a two-year period of administrative reporting with the administrative reports to be due quarterly to the Ohio Department of Education; and, Be It Further

RESOLVED, That the State Board of Education directs the Ohio Department of Education, on its behalf, to implement the aforementioned terms and conditions regarding Ms. Keener's permit. Further, if said terms and conditions have not been fulfilled completely upon Ms. Keener applying for a new license, permit, or certificate, the State Board of Education directs the Ohio Department of Education to evaluate any new application in accordance with its orders and ensure all outstanding terms and conditions are addressed; and, Be It Further

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

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

Mrs. Haycock moved to amend the resolution by substitution. She proposed that Ms. Keener be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until she provides written verification to the Ohio Department of Education that she has successfully completed, at her own expense, eight hours of Crisis Prevention Intervention training and fifteen hours of positive behavioral intervention and supports training, with the training to be approved in advance by the Ohio Department of Education. Further, should the State Board of Education issue a license, permit, or certificate to Ms. Keener, she must then complete a two-year period of administrative reporting with the administrative reports to be due quarterly to the Ohio Department of Education. Also, the State Board of Education directs the Ohio Department of Education, on its behalf, to implement the aforementioned terms and conditions regarding Ms. Keener's permit. Further, if said terms and conditions have not been fulfilled completely upon Ms. Keener applying for a new license, permit, or certificate, the State Board of Education directs the Ohio Department of Education to evaluate any new application in accordance with its orders and ensure all outstanding terms and conditions are addressed. Mrs. Hill seconded the motion. Mrs. Haycock stated she felt the mother's testimony to be compelling in wanting Ms. Keener to continue being her child's teacher. Ms. Fowler stated she agreed with Ms. Haycock and also mentioned the testimony of character witnesses.

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

YES VOTES

Cindy Collins
Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
Mike Toal
Lisa Woods

Stephen Dackin
Sarah Fowler
Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Antoinette Miranda
Reginald Wilkinson

NO VOTES

Eric Poklar

ABSTAIN

Nick Owens

Motion carried.

Resolution as amended:

- 13. RESOLUTION TO MODIFY THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER, TO MODIFY THE RECOMMENDATION OF THE HEARING OFFICER, AND TO REVOKE THE ONE-YEAR EDUCATIONAL AIDE PERMIT OF SANDRA K. KEENER**

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

WHEREAS Sandra K. Keener held a one-year educational aide permit issued in 2017; and

WHEREAS on January 17, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Sandra K. Keener of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year educational aide permit issued in 2017 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Keener engaging in conduct that is unbecoming to the teaching profession on or about February 6, 2018, when she engaged in a physical altercation with a student with a disability by striking the student in the back of the head with an open hand; and

WHEREAS Ms. Keener requested a hearing regarding the State Board of Education's intent; and

WHEREAS a hearing was held on September 19, 2019; and

WHEREAS Ms. Keener was present at the hearing, and she was represented by counsel; and

WHEREAS the hearing officer recommends that Ms. Keener's one-year educational aide permit issued in 2017 be revoked and that she not be permitted to reapply for any license or permit for a period of one year and prior to reapplication, she must complete eight hours of Crisis Prevention Intervention training and fifteen hours of positive behavioral intervention and supports training. Further, the hearing officer recommends that should Ms. Keener return to the classroom, that she be subject to administrative reporting to the Ohio Department of Education for a period of two years. The hearing officer's recommendation is based upon Ms. Keener engaging in conduct that is unbecoming to the teaching profession when she failed to ensure the health, safety, and welfare of a student by using more force than necessary to stop a student from continuing to bite her; and

WHEREAS the State Board of Education 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:

WHEREAS the State Board of Education rejects the following portions of the hearing officer's Report and Recommendation: reject the second sentence of the Recommendation section of the Summary Fact Sheet that begins, "It is further recommended..."; and reject the first sentence of page 23 of the Report and Recommendation that begins, "It is further recommended..."; and

WHEREAS the State Board of Education adopts the remaining portions of the hearing officer's report and recommendation; and

WHEREAS the State Board may determine that a penalty outside the range of the disciplinary guidelines listed in the *Licensure Code of Professional Conduct for Ohio Educators* is more appropriate in an individual case based on the aggravating and mitigating factors as outlined in Section 3301-73-21 of the Ohio

Administrative Code and any other factors the State Board considers relevant;
and

WHEREAS the State Board finds that the administrative record identifies the following mitigating factors: Ms. Keener was employed by the Developmental Center for many years working with adults with disabilities without incidence; Ms. Keener's misconduct was an isolated incident that occurred when she was trying to disengage a student who was biting her; and Ms. Keener was attempting to use a method that she learned in training to address the student's behavior, but used more force than what she intended; and

WHEREAS the State Board concludes that the hearing officer erred when she did not give the preceding facts and mitigating factors the weight they deserved when she made her recommendation; and

WHEREAS the State Board concludes prohibiting Ms. Keener from reapplying for one year is not warranted in this case based on the mitigating factors and a more appropriate sanction would be to revoke Ms. Keener's license, but allow her to reapply after she completes, at her own expense, eight hours of Crisis Prevention Intervention training; 15 hours of positive behavioral intervention and supports training; should the State Board of Education issue a license, permit, or certificate to Ms. Keener, she must then complete a two-year period of administrative reporting with the administrative reports to be due quarterly to the Ohio Department of Education; Therefore, Be It

RESOLVED, That the State Board of Education rejects the following portions of the hearing officer's Report and Recommendation: reject the second sentence of the Recommendation section of the Summary Fact Sheet that begins, "It is further recommended..."; and reject the first sentence of page 23 of the Report and Recommendation that begins, "It is further recommended..."; and, Be It Further

RESOLVED, That the State Board of Education adopts the remaining portions of the hearing officer's report and recommendation; and, Be It Further

RESOLVED, That the State Board finds that the administrative record identifies the following mitigating factors: Ms. Keener was employed by the Developmental Center for many years working with adults with disabilities without incidence; Ms. Keener's misconduct was an isolated incident that occurred when she was trying to disengage a student who was biting her; and Ms. Keener was attempting to use a method that she learned in training to address the student's behavior, but used more force than what she intended; and, Be It Further

RESOLVED, That the State Board concludes that the hearing officer erred when she did not give the preceding facts and mitigating factors the weight they deserved when she made her recommendation; and, Be It Further

RESOLVED, That the State Board concludes prohibiting Ms. Keener from reapplying for one year is not warranted in this case based on the mitigating factors and a more appropriate sanction would be to revoke Ms. Keener's license, but allow her to reapply after she completes, at her own expense, eight hours of Crisis Prevention Intervention training and 15 hours of positive behavioral intervention and supports training should the State Board of Education issue a license, permit, or certificate to Ms. Keener, she must then complete a two-year

period of administrative reporting with the administrative reports to be due quarterly to the Ohio Department of Education; and, Be It Further

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Sandra K. Keener's one-year educational aide permit issued in 2017 based upon Ms. Keener engaging in conduct that is unbecoming to the teaching profession on or about February 6, 2018, when she had a physical altercation with a student, who has a disability, by using her open hand to forcefully tap the student's head. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Sandra K. Keener be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until she provides written verification to the Ohio Department of Education that she has successfully completed, at her own expense, eight hours of Crisis Prevention Intervention training and fifteen hours of positive behavioral intervention and supports training, with the training to be approved in advance by the Ohio Department of Education. Further, should the State Board of Education issue a license, permit, or certificate to Ms. Keener, she must then complete a two-year period of administrative reporting with the administrative reports to be due quarterly to the Ohio Department of Education; and, Be It Further

RESOLVED, That the State Board of Education directs the Ohio Department of Education, on its behalf, to implement the aforementioned terms and conditions regarding Ms. Keener's permit. Further, if said terms and conditions have not been fulfilled completely upon Ms. Keener applying for a new license, permit, or certificate, the State Board of Education directs the Ohio Department of Education to evaluate any new application in accordance with its orders and ensure all outstanding terms and conditions are addressed; and, Be It Further

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

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

YES VOTES

Cindy Collins	Stephen Dackin
Stephanie Dodd	Sarah Fowler
John Hagan	Linda Haycock
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Eric Poklar	Mike Toal
Reginald Wilkinson	Lisa Woods

ABSTAIN

Nick Owens

Motion carried.

Kelly Edwards, Senior Managing Attorney, Office of Professional Conduct, presented the following recommendation (Item 14):

14. RESOLUTION TO REVOKE PERMANENTLY THE PERMANENT EDUCATION OF THE HANDICAPPED TEACHING CERTIFICATE OF GAIL M. LONGWELL

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

WHEREAS Gail M. Longwell holds a permanent education of the handicapped teaching certificate issued in 1995; and

WHEREAS on November 13, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Gail M. Longwell of its intent to determine whether to limit, suspend, revoke, or permanently revoke her permanent education of the handicapped teaching certificate issued in 1995 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(c). The notice was based upon Ms. Longwell's 2019 conviction in the Lorain County Court of Common Pleas for one felony count of theft; and

WHEREAS the notice informed Ms. Longwell that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke her permanent education of the handicapped teaching certificate issued in 1995; and

WHEREAS Gail M. Longwell 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 Lorain County Court of Common Pleas; 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 of Education 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)(c), hereby **REVOKES** Gail M. Longwell's permanent education of the handicapped teaching certificate issued in 1995 based upon Ms. Longwell's 2019 conviction in the Lorain County Court of Common Pleas for one felony count of theft. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Gail M. Longwell be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

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

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins	Stephen Dackin
Stephanie Dodd	Sarah Fowler
John Hagan	Linda Haycock
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Eric Poklar
Mike Toal	Reginald Wilkinson
Lisa Woods	

Motion carried.

Aaron Ross, Senior Managing Attorney, Office of Professional Conduct, presented the following recommendation (Item 15):

15. RESOLUTION TO REVOKE THE THREE-YEAR PUPIL ACTIVITY PERMIT OF AMANIE J. MCRAE

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

WHEREAS Amanie J. McRae holds a three-year pupil activity permit issued in 2019 with an effective year of 2018; and

WHEREAS on November 15, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Amanie J. McRae of its intent to determine whether to limit, suspend, revoke, or permanently revoke her three-year pupil activity permit issued in 2019 with an effective year of 2018 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. McRae violating her consent agreement with the State Board of Education, dated February 13, 2019, by failing to complete forty hours of community service and an anger management course in the time and manner described by the terms of her consent agreement; and

WHEREAS the notice informed Ms. McRae 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 three-year pupil activity permit issued in 2019 with an effective year of 2018; and

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

WHEREAS the State Board of Education has reviewed the affidavits of the director and a paralegal of the Office of Professional Conduct, Notice of the State Board of Education's Intended Action and Opportunity for a Hearing, consent agreement dated February 13, 2019 between Ms. McRae and the State Board of Education, and correspondence between the Ohio Department of Education and Ms. McRae; 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 of Education 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** Amanie J. McRae's three-year pupil activity permit issued in 2019 with an effective year of 2018 based upon Ms. McRae violating her consent agreement with the State Board of Education, dated February 13, 2019, by failing to complete forty hours of community service and an anger management course in the time and manner described by the terms of her consent agreement. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Amanie J. McRae be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until she provides written verification to the Ohio Department of Education that she has completed, at her own cost, forty hours of community service and an anger management class, with the community service activity and anger management class to be approved in advance by the Ohio Department of Education; and, Be It Further

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

It was Moved by Ms. Johnson and Seconded by Mrs. Manchester that the above recommendation (Item 15) be approved.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins
Stephanie Dodd

Stephen Dackin
Sarah Fowler

John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
Eric Poklar
Reginald Wilkinson

Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Antoinette Miranda
Mike Toal
Lisa Woods

ABSTAIN

Nick Owens

Motion carried.

Kelly Edwards, Senior Managing Attorney, Office of Professional Conduct, presented the following recommendation (Item 16):

16. RESOLUTION TO REVOKE PERMANENTLY THE PERMANENT NON-TAX TEACHING CERTIFICATE OF PAUL J. MAGILL

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

WHEREAS Paul J. Magill holds a permanent non-tax teaching certificate issued in 2002 with an effective year of 2001; and

WHEREAS on December 2, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Paul J. Magill of its intent to determine whether to limit, suspend, revoke, or permanently revoke his permanent non-tax teaching certificate issued in 2002 with an effective year of 2001 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Magill's 2019 conviction in the Lakewood Municipal Court for two misdemeanor counts of disorderly conduct after being charged with two misdemeanor counts of child endangering; and

WHEREAS the notice informed Mr. Magill that if he fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke his permanent non-tax teaching certificate issued in 2002 with an effective year of 2001; and

WHEREAS Paul J. Magill 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 Lakewood Municipal Court, and certified police records from the Lakewood 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 of Education 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** Paul J. Magill's permanent non-tax teaching certificate issued in 2002 with an effective year of 2001 based upon Mr. Magill's 2019 conviction in the Lakewood Municipal Court for two misdemeanor counts of disorderly conduct after being charged with two misdemeanor counts of child endangering. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Paul J. Magill be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

It was Moved by Ms. Johnson and Seconded by Mr. Lamoncha that the above recommendation (Item 16) be approved.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins
Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
Nick Owens
Mike Toal
Lisa Woods

Stephen Dackin
Sarah Fowler
Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Antoinette Miranda
Eric Poklar
Reginald Wilkinson

Motion carried.

Aaron Ross, Senior Managing Attorney, Office of Professional Conduct, presented the following recommendation (Item 17):

17. RESOLUTION TO REVOKE PERMANENTLY THE ONE-YEAR EDUCATIONAL AIDE PERMIT OF RYAN B. PARKER

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

WHEREAS Ryan B. Parker held a one-year educational aide permit issued in 2015; and

WHEREAS on November 20, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Ryan B. Parker of its intent to determine whether to limit, suspend, revoke, or permanently revoke his one-year educational aide permit issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(b), and (B)(3). The notice was based upon Mr. Parker's 2019 conviction in the Montgomery County Common Pleas Court for one misdemeanor count of assault, 2018 dismissal with prejudice in the Montgomery County Common Pleas Court of one felony count of theft after successful completion of the Montgomery County Prosecutor's Office Diversion Program, 2017 conviction in the Miamisburg Municipal Court for one misdemeanor count of reckless operation, and 2013 conviction in the Kettering Municipal Court for one misdemeanor count of reckless operation; 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 one-year educational aide permit issued in 2015; and

WHEREAS Ryan B. 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 Montgomery County Common Pleas Court, Miamisburg Municipal Court, and Kettering Municipal Court, and certified police records from the Montgomery 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 of Education 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 (B)(3), hereby **REVOKES** Ryan B. Parker's one-year educational aide permit issued in 2015 based upon Mr. Parker's 2019 conviction in the Montgomery County Common Pleas Court for one misdemeanor count of assault, 2018 dismissal with prejudice in the Montgomery County Common Pleas Court of one felony count of theft after successful completion of the Montgomery County Prosecutor's Office Diversion Program, 2017 conviction in the Miamisburg Municipal Court for one misdemeanor count of reckless operation, and 2013 conviction in the Kettering Municipal Court for one misdemeanor count of

reckless operation. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Ryan B. Parker be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

It was Moved by Mrs. Manchester and Seconded by Mrs. McGuire that the above recommendation (Item 17) be approved.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins
Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
Nick Owens
Mike Toal
Lisa Woods

Stephen Dackin
Sarah Fowler
Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Antoinette Miranda
Eric Poklar
Reginald Wilkinson

Motion carried.

Kelly Edwards, Senior Managing Attorney, Office of Professional Conduct, presented the following recommendation (Item 18):

18. RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF JASMINE R. POLJAK

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

WHEREAS Jasmine R. Poljak held a three-year pupil activity permit issued in 2017 with an effective year of 2016; and

WHEREAS on October 29, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Jasmine R. Poljak of its intent to determine whether to limit, suspend, revoke, or permanently revoke her three-year pupil activity permit issued in 2017 with an effective year of 2016 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(a). The notice was based upon Ms. Poljak's 2018 conviction in the Muskingum County Court of Common Pleas for one felony count of obstructing justice; and

WHEREAS the notice informed Ms. Poljak that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the

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State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke her three-year pupil activity permit issued in 2017 with an effective year of 2016; and

WHEREAS Jasmine R. Poljak 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 Muskingum County Court of Common Pleas; 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 of Education 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)(a), hereby **REVOKES** Jasmine R. Poljak's three-year pupil activity permit issued in 2017 with an effective year of 2016 based upon Ms. Poljak's 2018 conviction in the Muskingum County Court of Common Pleas for one felony count of obstructing justice. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Jasmine R. Poljak be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

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

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins
Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
Nick Owens
Mike Toal

Stephen Dackin
Sarah Fowler
Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Antoinette Miranda
Eric Poklar
Reginald Wilkinson

Lisa Woods

Motion carried.

Aaron Ross, Senior Managing Attorney, Office of Professional Conduct, presented the following recommendation (Item 19):

19. RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF BRYAN K. THOMAS

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

WHEREAS Bryan K. Thomas held a three-year pupil activity permit issued in 2016; and

WHEREAS on October 30, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Bryan K. Thomas of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2016 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Thomas' 2018 conviction in the Elyria Municipal Court for one misdemeanor count of disturbing a lawful meeting; and

WHEREAS the notice informed Mr. Thomas 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 2016; and

WHEREAS Bryan K. Thomas 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 Elyria Municipal Court, and certified police records from the Lorain 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 of Education 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** Bryan K. Thomas' three-year pupil activity permit issued in 2016 based upon Mr. Thomas' 2018 conviction in the Elyria Municipal Court for one misdemeanor count of disturbing a lawful meeting. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Bryan K. Thomas be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

It was Moved by Ms. Fowler and Seconded by Mrs. Manchester that the above recommendation (Item 19) be approved.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins	Stephen Dackin
Stephanie Dodd	Sarah Fowler
John Hagan	Linda Haycock
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Eric Poklar
Mike Toal	Reginald Wilkinson
Lisa Woods	

Motion carried.

Kelly Edwards, Senior Managing Attorney, Office of Professional Conduct, presented the following recommendation (Item 20):

20. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL SPECIAL ALL-GRADES TEACHING LICENSE AND FIVE-YEAR PROFESSIONAL CAREER-TECHNICAL TEACHING LICENSE OF SCOTT E. WOLFE

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

WHEREAS Scott E. Wolfe held a five-year professional special all-grades teaching license issued in 2013 and five-year professional career-technical teaching license issued in 2013; and

WHEREAS on January 28, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Scott E. Wolfe of its intent to

determine whether to limit, suspend, revoke, or permanently revoke his five-year professional special all grades teaching license issued in 2013 and five-year professional career technical teaching license issued in 2013 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Wolfe engaging in the following conduct that is unbecoming to the teaching profession: on or about the 2013-2014 school year, he failed to maintain appropriate student-teacher relationships on numerous occasions when he regularly commented on the attractiveness of a student during class, touched that student's shoulders during class, engaged in playful wrestling with the student during class, asked the student to babysit his child, asked the student to stay after school, and sent inappropriate text messages to the student in which he used sexual innuendo and implied that he wanted to pursue a sexual relationship with the student after the student graduated; on or about May 2014, Mr. Wolfe had pornographic materials on his school-owned laptop, iPad, and/or computer; and on or about the 2007-2008 and 2008-2009 school years, Mr. Wolfe failed to maintain appropriate student-teacher relationships when he regularly commented on the attractiveness of another student, touched that student's shoulders during class, and during the summer of 2008 or the summer of 2009, met the student at a local marina, asked the student to get in his car, and engaged in unwanted sexual contact with the student. Further, on or about 2010 through 2014, Mr. Wolfe received the following discipline: on or about April 11, 2012, he was placed on an improvement plan by the Buckeye Local School District for deficiency in monitoring students during class time; on or about November 19, 2010, he received an official warning from the Buckeye Local School District for failing to report for breakfast supervision duty; and on or about September 30, 2010, he received an official reprimand from the Buckeye Local School District for leaving his classroom unattended; and

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

WHEREAS a hearing was held on October 9, 2019; and

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

WHEREAS the hearing officer recommends that Mr. Wolfe's licenses be revoked and that he be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based upon the seriousness of Mr. Wolfe's unbecoming conduct in failing to maintain appropriate teacher-student relationships on numerous occasions and in possessing pornographic material on a school-owned laptop and/or iPad, and the negative impact that Mr. Wolfe's licensure would have on the health, safety, and welfare of the school community and the statewide education community; and

WHEREAS the State Board of Education 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** Scott E. Wolfe's five-year professional special all-grades teaching license issued in 2013 and five-year professional career-

technical teaching license issued in 2013 based upon Mr. Wolfe engaging in the following conduct that is unbecoming to the teaching profession: on or about the 2013-2014 school year, he failed to maintain appropriate student-teacher relationships on numerous occasions when he regularly commented on the attractiveness of a student during class, touched that student's shoulders during class, engaged in playful wrestling with the student during class, asked the student to babysit his child, asked the student to stay after school, and sent inappropriate text messages to the student in which he used sexual innuendo and implied that he wanted to pursue a sexual relationship with the student after the student graduated; on or about May 2014, Mr. Wolfe had pornographic materials on his school-owned laptop, iPad, and/or computer; and on or about the 2007-2008 and 2008-2009 school years, Mr. Wolfe failed to maintain appropriate student-teacher relationships when he regularly commented on the attractiveness of another student, touched that student's shoulders during class, and during the summer of 2008 or the summer of 2009, met the student at a local marina, asked the student to get in his car, and engaged in unwanted sexual contact with the student. Further, on or about 2010 through 2014, Mr. Wolfe received the following discipline: on or about April 11, 2012, he was placed on an improvement plan by the Buckeye Local School District for deficiency in monitoring students during class time; on or about November 19, 2010, he received an official warning from the Buckeye Local School District for failing to report for breakfast supervision duty; and on or about September 30, 2010, he received an official reprimand from the Buckeye Local School District for leaving his classroom unattended. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Scott E. Wolfe be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

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

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins	Stephen Dackin
Stephanie Dodd	Sarah Fowler
John Hagan	Linda Haycock
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Eric Poklar
Mike Toal	Reginald Wilkinson
Lisa Woods	

Motion carried.

Mrs. McGuire presented the following recommendation (Item 21):

21. MOTION REGARDING 2020-2021 STATE BOARD MEETING DATES

I MOVE that the State Board of Education **ADOPT** the following State Board meeting calendar for August 2020 through July 2021.

2020-2021 STATE BOARD OF EDUCATION MEETING DATES

August – No Meeting

September 21-22, 2020 (Monday/Tuesday)

October 12-13, 2020 (Monday/Tuesday)

November 9-10, 2020 (Monday/Tuesday)

December 14-15, 2020 (Monday/Tuesday)

January 11-12, 2021 (Monday/Tuesday)

February 8-9, 2021 (Monday/Tuesday)

March 8-9, 2021 (Monday/Tuesday)

April 12-13, 2021 (Monday/Tuesday)

May 10-11, 2021 (Monday/Tuesday)

June 14-15, 2021 (Monday/Tuesday)

July 12-13, 2021 (Monday/Tuesday)

It was Moved by Mrs. McGuire that the above recommendation (Item 21) be approved.

Mrs. Haycock stated she would support the resolution but would have preferred the November meeting of the Board to not be in conflict with the OSBA Conference.

Ms. Fowler stated the Board had previously scheduled the November meeting in such a way that Board members could attend the conference.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins	Stephen Dackin
Stephanie Dodd	Sarah Fowler
John Hagan	Linda Haycock
Kirsten Hill	Jenny Kilgore
Laura Kohler	Mark Lamoncha
Martha Manchester	Charlotte McGuire
Antoinette Miranda	Nick Owens
Eric Poklar	Mike Toal
Lisa Woods	

NO VOTES

Meryl Johnson	Reginald Wilkinson
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Motion carried.

Mrs. McGuire presented the following recommendation (Item 22):

22. RESOLUTION TO APPROVE A PARITY INCREASE TO THE ANNUAL COMPENSATION FOR THE DEPUTY STATE SUPERINTENDENT

The State Board of Education (the "Board") **ADOPTS** the following Preambles and Resolution:

Dr. John Richard has served as Deputy State Superintendent since February 6, 2017;

In accordance with Ohio Revised Code Section 3301.13, the Executive Committee reviewed the recommendation of the Superintendent of Public Instruction that Deputy State Superintendent John Richard receive a two and three-quarter percent (2.75%) parity salary increase since all state employees were eligible to receive this increase; and

The Executive Committee recommended that the Board approved the Superintendent's recommendations for the parity salary increase for Deputy State Superintendent John Richard.

NOW, THEREFORE, BE IT RESOLVED that the State Board of Education approves a two and three-quarter percent (2.75%) salary increase for Deputy State Superintendent John Richard, increasing his annual salary from \$168,500.80 (\$81.01/hour) to \$173,139.20 (\$83.24/hours), with the increase being effective on February 2, 2020.

It was Moved by Mrs. McGuire that the above recommendation (Item 22) be approved.

President Kohler called for a roll call vote.

YES VOTES

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Cindy Collins
Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
Nick Owens
Mike Toal
Lisa Woods

Stephen Dackin
Sarah Fowler
Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Antoinette Miranda
Eric Poklar
Reginald Wilkinson

Motion carried.

There was no old or new business brought before the Board.

Mrs. McGuire Moved to adjourn the meeting. Ms. Johnson Seconded the motion.

The President requested a voice vote.

Motion carried.

President Kohler adjourned the meeting at 2:00 p.m. The next regularly scheduled meeting of the State Board of Education is March 9-10, 2020.

ATTEST:



Laura Kohler
President
State Board of Education



Paolo DeMaria
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.