

**STATE BOARD OF EDUCATION OF OHIO
MINUTES**

May 2020

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

MEMBERS OF THE STATE BOARD OF EDUCATION

Stephen Dackin	Stephanie Dodd
Sarah Fowler Arthur	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 a virtual Board meeting on Monday, May 11.

The Board's Teaching, Leading and Learning Committee met beginning at 9:00 a.m.

Topics of discussion were:

- Third Grade Reading Guarantee Promotion Score Discussion (Possible Vote)
- Discuss: COVID-19 Supports and Resources for Schools
 - Third Grade Reading Guarantee
 - Career-Technical Education, Adult Diploma Programs and Industry-Recognized Credential Vendor Flexibility
 - Educator Evaluations
 - Educator Licensure

The Board's Continuous Improvement Committee met beginning at 10:30 a.m.

Topics of discussion were:

- Discuss: OAC 3301-46-01 Innovative Education Pilot Programs

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- Discuss: COVID-19 Supports and Resources for Schools

The Board's Integrated Student Supports Committee met beginning at 1:00 p.m.

Topics of discussion were:

- Discuss: 3301-91-02 and 3301-91-03 Standards for School Lunch and Breakfast Programs (Possible Vote)
- Discuss: COVID-19 Supports and Resources for Schools
- Discuss: Strategy Updates

The Board's Assessment & Accountability Committees met beginning at 2:30 p.m.

Topics of discussion were:

- Discuss: Establishing Provisions for a District Test Participation Funding Waiver by the Superintendent of Public Instruction (3301-13-04) (Possible Vote)
- Discuss: HB 197 Update
 - ESSA Waivers

President Kohler recessed the Board meeting at 3:00 p.m.

Chapter 119 Hearing

May 12, 2020
9:30 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 amendment of 3301-10-01 School enrollment for victims of domestic violence.
- The amendment of 3301-24-10 Professional principal licensure for the Bright New Leaders for Ohio Schools program.
- The amendment of 3301-24-18 Resident educator license.

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 4 would be true and accurate copies of the resolutions adopted by the State Board of Education regarding these rules;
- Board Exhibits 5 through 7 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 8.

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 7.

President Kohler stated that the exhibits were so received. As there was no more testimony, she declared the public hearing closed at 9:38 a.m.

STATE BOARD BUSINESS MEETING

President Kohler convened the Business meeting of the State Board of Education on Tuesday, May 12, at 9:39 a.m.

President Kohler asked the Recording Secretary to call the roll.

YES VOTES

Stephen Dackin	Stephanie Dodd
Sarah Fowler Arthur	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.

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

There were no corrections.

It was Moved by Mr. Hagan and Seconded by Mr. Dackin that the Minutes be approved as presented. The President called for a voice vote.

Motion carried unanimously.

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

Review of Written Reports and Items for Vote

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.

Ms. Woods Seconded the motion.

The President called for a roll call vote.

YES VOTES

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

Stephanie Dodd
John Hagan
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 9:46 a.m.

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

REPORT OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION

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

- Coronavirus update
- Education Reset & Restart
- Budget Update

CORONAVIRUS RESPONSE

Chronology:

- March 14 - Ordered School Building closure through April 3
- March 22 - Stay-at-Home Order through April 6 (Amended on April 3 through May 1)
- March 27 - HB 197 Enacted
- March 30 - Ordered School Building Closure through May 1
- April 29 - Ordered School Building closure through end of school year
- May 1 – Reopening Order

FAQs and Info Documents:

- Over 25 documents prepared and disseminated
- Wide range of topics:
 - General Information
 - Teachers and Leaders
 - Ensuring Performance and Impact
 - Whole Child Needs
 - Remote Learning Resources

District Response:

- Nutrition Services: Strong commitment to meet student needs; various distribution mechanisms. Distribution of food lower than when schools were open.
- Remote Learning: Robust effort to deploy to students; variation in capacity; challenges with access and availability; technology
- Special Education & Other Student Groups: Good faith efforts; challenges providing IEP services.

Observations:

- Commitment and dedication; flexibility
- Significant learning and exploration of use of technology; creativity & innovation
- Collaboration; peer-to-peer sharing
- Social media
- Wide range of responses – students, parents

Resources:

- State website: www.coronavirus.ohio.gov
- State hotline: 1-833-4-ASK-ODH (1-833-427-5634)
- ODE Website: education.ohio.gov (search: coronavirus)

CORONAVIRUS RESET & RESTART

Reset & Restart – Process:

- Work with practitioners and associations
- Collaborate with Ohio Department of Health on health/safety requirements
- Support local discussions and planning
- Seek policy changes
- Answer questions; provide information

Reset & Restart – Assumptions:

- Coronavirus still with us
- Financial constraints

Reset & Restart – Principles:

- Flexibility – No “one-size-fits-all”
- Health and safety first
- Meet students where they are – measure
- Support educators
- Support social, emotion and physical health needs
- Equity focus
- Communication effectively
- Local collaboration and co-design
- Continuous improvement processes
- Multi-tiered system of supports for students

Reset & Restart – Four Areas:

- Health and Safety (and related logistical considerations)
- Educational Considerations
- Social/Emotional Health Considerations
- Operational Considerations

Health and Safety:

- Basic health safety measures
- Daily precautions
- Precautions for “flare-ups”
- Communication plan
- Professional development

Educational:

- Equity
- Assessment/Data Use
- High Risk Populations (students/staff)
- Summer Learning
- Summer Professional Development
- 4thQ/1stQ Transitions
- Vulnerable Youth
- Curriculum
- Educational Configuration

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- Personalized Learning
- Attendance
- Work-based Learning
- Collaboration

Social/Emotional Health:

- Student Supports
- Employee Supports
- Family Engagement

Operational:

- Transportation
- Custodial/Maintenance
- Secretarial/Clerical
- Food Service/Cafeteria
- Extra-Curricular Activities
- Internet/Technology Accessibility

Policy Context:

- Assessments
- Accountability/Report Cards
- Graduation Requirements
- Attendance/Truancy
- Educator Licensure/Evaluation
- Instructional Time
- And more.....

BUDGET UPDATE

FY20 Budget Reductions:

- March – First signs that GRF revenues eroding
- April -- Tax receipts below estimate by \$866.5 million (35.3%); Year to date below by \$777.0 million
- Projecting FY20 shortfall of \$2.0 billion by year end
- May - FY20 budget reductions; GRF reductions totaling \$775 million.
- Medicaid -- \$210 million
- K-12 Education (Foundation) -- \$300 million
- Other Education Budget Line Items -- \$55 million
- Higher Education -- \$110 million
- Other State Agencies -- \$100 million

FY20 Budget Reductions:

- A. Expected Underspending
- B. Unawarded Grant/Subsidy
- C. Pending Subsidy Reductions
- D. Foundation Reductions
- E. Legislative Earmarks
- F. Operating Reductions

A. Expected Underspending:

- Student Assessment - \$8.5M
- Report Card - \$1M
- EdChoice Expansion - \$6.2M

- Early Childhood Education - \$4M

B. Unawarded Grant/Subsidy:

- Computer Science Teacher Credential Grant - \$1.4M
- Industry Workforce Incentive Program - \$21M
- Adult Diploma - \$500K

C. Pending Subsidy Reduction:

- Nonpublic Administrative Cost Reimbursement – 3.72% cut from combined Auxiliary Services and Nonpublic Administrative Cost Reimbursement appropriation.
- Half-Mill Maintenance Equalization

D. Foundation Funding:

- Foundation Funding to Traditional Districts totals \$8.07 billion.
- Payments reduced by \$300.5 million (3.72%).
- Payments will be reduced through the remaining three payments of the year
- Funding is reduced by an equalized per pupil amount.
- Per pupil reductions range from \$88.76-\$304.32.
- Low wealth districts will see lower per pupil reduction amounts, and higher wealth districts will see higher per pupil reductions.

E. Legislative Earmarks:

- Legislative Earmarks are disbursed in four quarterly payments.
- April payments have been on hold.
- Same 3.72% reductions as foundation funding payments.

F. Operating Reductions:

- Hiring Freeze, Retirements, Voluntary Separations
- Travel Freeze
- Contract Freeze
- Equipment/Technology Purchase Freeze

FY21 Budget Reductions:

- Difficult to estimate revenue loss; possibly multiple billions.
- More spending for social services.
- \$300 million Foundation reduction will carry forward; likely more.
- Department budget likely reduced more.
- Expect to know more in June

FY22-23 Biennial Operating Budget:

- More difficult to predict; wider range of possible outcomes
- State Board Budget Preparation Schedule
- June '20 Board Meeting: Overview of ODE Budget, Budget process
- Between June '20 and July '20 Board Meetings: Individual member feedback on budget priorities
- July '20 Board Meeting: Discussion of Board priorities for budget
- September '20 Board Meeting: Discussion of draft recommendation
- October '20 Board Meeting: Approval of ODE recommendations to OBM.
- October '20 through January '21: Finalization of Governor's Budget
- Early February '21: Governor's Budget Recommendations released; bill introduced.

Federal CARES Act Funding:

- Coronavirus Aid, relief and Economic Security (CARES) Act.

- \$2.2 trillion in federal economic aid in response to the COVID-19 pandemic.
- Elementary and Secondary School Emergency Relief Fund
 - \$489.2 million in funding
 - \$440.3 million (90%) awarded to schools and districts
 - Remaining amount set-aside for state activities.
- Nutrition Funding -- \$310 million
- School Relief Funds allocated to districts/schools based on federal Title I allocations.
- Broad range of uses in direct response to the pandemic and activities necessary to maintain operations.
- Application available soon.
- Schools can claim allowable expenses back to March 13.
- Schools will be able to access funds starting late May
- Governor’s Emergency Education Relief Fund.
- \$104.9 million to support both K-12 and Higher Education.
- Broad authority for Governor to distribute funds schools, institutions of higher education, and education-related entities.

PUBLIC PARTICIPATION ON VOTING AGENDA ITEMS

There was no Public Participation on Voting Agenda Items.

PUBLIC PARTICIPATION ON NON-VOTING AGENDA ITEMS

- 1) Ms. Lisa Cox and Ms. Debby Gerth, Ohio Homeschooling Parents Administrators (OHP). Ms. Cox and Ms. Gerth provided written testimony to the Board regarding HB 197/Homeschool Standardized Testing/Portfolio Assessment.

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

Chair: Sarah Fowler Arthur, Vice Chair: Nick Owens

Mrs. Fowler Arthur gave a report from the Teaching, Leading and Learning Committee meeting focusing on the following issues:

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

Third Grade Reading Guarantee Promotion Score Discussion (*Strategies 1, 2, 3, 5, 7, 8 & 9*):

- Department staff reviewed with the Committee the Board’s responsibility to annually increase the third grade English language arts promotion score until it reaches proficient. Members reviewed points of discussion from their March meeting and were presented with a revised recommendation for a nominal increase in the promotion score given the ordered school-building closure.

- Following discussion, members voted 7-1 in favor of a recommendation to the State Board to increase the promotion score for the English language arts assessment by one point to 684. This nominal increase maintains the current reading subscore of 46. The State Board could potentially vote on this recommendation as early as its June meeting.
- Members also discussed a possible recommendation to the General Assembly that the State Board of Education not be required to adjust upward the promotion score for the English Language Arts assessment for the 2020-2021 school year due to the current COVID-19 situation.
- Following a recess, the Committee reconvened and voted unanimously to recommend that the State Board recommend to the General Assembly that the State Board not be required to adjust upward the promotion score for the English Language Arts assessment for the 2020-2021 school year.
- The Committee additionally requests that the State Board give this recommendation emergency consideration this month (May 2020).

COVID-19 Supports and Resources:

- Department staff directed Committee Members to resources published online in response to the current COVID-19 pandemic. Members were encouraged to direct any questions to Department staff.
 - Third Grade Reading Guarantee
 - Career-Technical Education
 - Adult Diploma Programs
 - Industry-Recognized Credential Vendor Flexibility
 - Educator Evaluation Systems
 - Educator Licensure

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: Chair Antoinette Miranda, Vice Chair Mike Toal, Stephanie Dodd, John Hagan, Mark Lamoncha, and Eric Poklar

Purpose(s) and/or Goal(S) of Meeting:

- Introduce the OAC 3301-46-01 Innovative Education Pilot Programs rule
- Provide updates on COVID-19 Supports and Resources for Schools

OAC 3301-46-01 Innovative Education Pilot Programs:

- Department staff introduced OAC 3301-46-01 Innovative Education Pilot Programs, currently under review based on the five-year rule review.
- Committee members requested more information on the Department's stakeholder engagement as well as more information on the schools that have utilized the program previously.
- The committee will vote in June on recommending the rule to the full State Board of Education.

Covid-19 Supports And Resources For Schools:

- Department staff from the Unit of Field Relations shared the work of staff in supporting Ohio's schools during the ordered school-building closures due to COVID-19. Topics included:
 - The work of the area coordinators
 - Certification supports provided to school bus drivers
 - Frequently Asked Questions shared with Ohio's nonpublic schools and home-school families
 - Continued direct support to the schools sponsored by the Department of Education
 - Assisting districts who are updating their Five-Year Forecasts during this ordered school-building closure and helping to eliminate deficits
- Department staff in the Center for Continuous Improvement provided updates on some of the supports the center is offering to Ohio's schools. These include:
 - Supports to Ohio's Urban 8 districts and other districts who need intensive supports
 - Supporting the 21st Century Community Learning Centers in continuing operations.
 - Ensuring that all resources shared during the school-building closure address community schools as well.
 - Weekly meetings with community school sponsors to address their immediate concerns.
 - Implementing the CARES Act and distributing the funds to school districts

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, Kirsten Hill, Meryl Johnson, Mark Lamoncha, Antoinette Miranda and Reginald Wilkinson.

3301-91-02 and 3301-91-03 Standards for School Lunch and Breakfast Programs:

- Staff presented proposed revisions to Ohio Administrative Code 3301-91-02 and 3301-91-03 Standards for School Lunch and Breakfast Programs. Rule 3301-91-02 was revised to set the distribution schedule of state funded school lunch match payments to annually instead of monthly. Rule 3301-91-03 addresses schools' monthly reporting of free lunches served. Revisions include minor edits to rule verbiage.
- Board members discussed the language changes made in the rule.
- The resolution to recommend approval of draft rules 3301-91-02 and 3301-91-03 Standards for School Lunch and Breakfast Programs was approved by the committee. The rule revisions will go to the full board for consideration in June.

COVID-19 Supports and Resources for Schools:

- Staff presented information on the various supports and resources developed by the Center for Student Supports to support Ohio's schools during the COVID-19 ordered school closure.
- Board members discussed the work occurring in their communities to meet children's needs during the COVID-19 ordered school building closure and the Internet access needs in various communities.
- 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 presentation included an update on the work of the Whole Child Advisory group on the development of Ohio's Whole Child Framework and an update on the progress of the developing Plan to Improve Learning Experiences and Outcomes for Students with Disabilities.
- Board members requested that family engagement be a future topic of discussion and for the Department to review metrics on how much the COVID-19 related information documents on the website are being used and accessed.
- 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, Eric Poklar, Linda Haycock, Steve Dackin, Stephanie Dodd

Establishing Provisions for a Waiver by the Superintendent of Public Instruction – (3301-13-04) (district test participation funding waiver):

- This rule allows districts and schools to request a waiver for students who don't take one or more of the state required assessments during the administration period. This is an important reporting process because there are funding ramifications.
- Board Member Dackin made a motion to accept the resolution for rule 3301-13-04 which is up for five-year review.
- Board Member Haycock seconded the motion; the committee unanimously passed the resolution, which will move forward for a full board vote at the June meeting.

HB 197 Update/ESSA Waivers:

- In response to the Covid 19 school closures, the passage of HB 197 and federal ESSA waivers for testing and accountability measures for Spring 2020 were submitted by the Department and approved.
- Department staff will continue to provide updates as this situation evolves.

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

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

President Kohler presented the following recommendations (Items 1-7) on the Consent Agenda:

1. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY ROBERT E. ALTENBURGER 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 Robert E. Altenburger has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on February 5, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Robert E. Altenburger 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. Altenburger's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

WHEREAS the form specifies that Robert E. Altenburger is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Robert E. Altenburger 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** Robert E. Altenburger'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. Altenburger'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 Robert E. Altenburger 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. Altenburger of this action.

2. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY JEFFREY S. COVEY 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 Jeffrey S. Covey has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on March 2, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Jeffrey S. Covey 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. Covey's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Jeffrey S. Covey 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** Jeffrey S. Covey'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. Covey'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 Jeffrey S. Covey 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. Covey of this action.

3. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY HEATHER L. HOLBEN 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 Heather L. Holben has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on February 28, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Heather L. Holben 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. Holben's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Heather L. Holben 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** Heather L. Holben'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. Holben'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 Heather L. Holben 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. Holben of this action.

4. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY JESSEN R. LINK 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 Jessen R. Link has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on February 24, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Jessen R. Link 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. Link's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31; and

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

WHEREAS Jessen R. Link 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** Jessen R. Link'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. Link'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 Jessen R. Link 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. Link of this action.

5. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY SHAWN M. PARSELL 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 Shawn M. Parsell has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on March 5, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Shawn M. Parsell 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. Parsell's plea agreement with the City of Hilliard for a pending charge of one misdemeanor count of sexual imposition; and

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

WHEREAS Shawn M. Parsell 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** Shawn M. Parsell'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. Parsell's plea agreement with the City of Hilliard for a pending charge of one misdemeanor count of sexual imposition. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b) and (A)(3)(b), orders Shawn M. Parsell 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. Parsell of this action.

6. RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY DAVID E. PERIN 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 David E. Perin has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on February 21, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from David E. Perin 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. Perin's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

WHEREAS the form specifies that David E. Perin is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS David E. Perin 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** David E. Perin'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. Perin'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 David E. Perin 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. Perin of this action.

7. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY JACK A. SPITLER 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 Jack A. Spitler has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on February 21, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Jack A. Spitler 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. Spitler's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Jack A. Spitler 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** Jack A. Spitler'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. Spitler'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 Jack A. Spitler 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. Spitler of this action.

It was Moved by Ms. Woods and Seconded by Mrs. Manchester that the Consent Agenda (Items 1-7) be approved.

President Kohler called for a roll call vote.

YES VOTES

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

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

Motion carried.

President Kohler presented the following recommendation (Item 8):

8. RESOLUTION TO RESCIND OHIO ADMINISTRATIVE RULE 3301-98-01 / REIMBURSEMENT OF BACKGROUND CHECKS FOR INDIVIDUALS PARTICIPATING IN THE OHIOREADS CLASSROOM READING GRANTS PROGRAM

The State Board of Education (“Board”) hereby **RESCINDS** Ohio Administrative Code (OAC) 3301-98-01 as follows:

OAC 3301-98-01 amplified Ohio Revised Code (ORC) 3301.88 and 3301.86, providing reimbursement for background checks that were required for participation in the OhioReads program and administration of classroom reading improvement grants;

ORC 3301.88 and 3301.86 were repealed under House Bill 477 of the 132nd General Assembly;

With the repeal of ORC 3301.88 and 3301.86, OAC 3301-98-01 is obsolete and unnecessary;

NOW, THEREFORE, BE IT RESOLVED, that the Board rescinds OAC 3301-98-01 / Reimbursement of Background Checks for Individuals Participating in the OhioReads Classroom Reading Grants Program;

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 Mr. Owens and Seconded by Mrs. Manchester that the above recommendation (Item 8) be approved.

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin	Stephanie Dodd
Sarah Fowler Arthur	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, Director, Office of Professional Conduct, presented the following recommendation (Item 9):

- 9. RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY DIANE L. MOUNCE 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 Diane L. Mounce has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on January 30, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Diane L. Mounce 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. Mounce's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31; and

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

WHEREAS Diane L. Mounce 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** Diane L. Mounce'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. Mounce'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 Diane L. Mounce 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. Mounce of this action.

It was Moved by Mrs. Fowler Arthur and Seconded by Dr. Kilgore that the above recommendation (Item 9) be approved.

President Kohler called for a roll call vote.

YES VOTES

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

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

ABSTAIN

Nick Owens

Motion carried.

Aaron Ross, Director, Office of Professional Conduct, presented the following recommendation (Item 10):

- 10. RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY JUSTIN D. SCHIEWETZ 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 Justin D. Schiewetz has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on January 27, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Justin D. Schiewetz 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. Schiewetz's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31; and

WHEREAS the form specifies that Justin D. Schiewetz is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Justin D. Schiewetz 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** Justin D. Schiewetz'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. Schiewetz'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 Justin D. Schiewetz 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. Schiewetz of this action.

It was Moved by Dr. Wilkinson and Seconded by Ms. Johnson that the above recommendation (Item 10) be approved.

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin
Sarah Fowler Arthur
Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Nick Owens
Mike Toal
Lisa Woods

Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Antoinette Miranda
Eric Poklar
Reginald Wilkinson

ABSTAIN

Charlotte McGuire

Motion carried.

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

11. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL EARLY CHILDHOOD INTERVENTION SPECIALIST TEACHING LICENSE OF SHARON A. ARIGONI

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

WHEREAS Sharon A. Arigoni held a five-year professional early childhood intervention specialist teaching license issued in 2012; and

WHEREAS on December 19, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Sharon A. Arigoni of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional early childhood intervention specialist teaching license issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Arigoni, on or about February 2017, engaging in the following conduct that is unbecoming to the teaching profession: she stole approximately \$180.00 from her co-worker Connie Mercer's purse; she entered Lynn Starkey's classroom and stole approximately \$260.00; and she entered vacant classrooms and stole money from her co-workers and during a meeting with her administrator, she admitted to stealing money and submitted her resignation; and

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

WHEREAS a hearing was held on October 3, 2019; and

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

WHEREAS the hearing officer recommends that Ms. Arigoni's license 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. Arigoni engaging in conduct that is unbecoming to the teaching profession and that negatively reflects on the teaching profession when she stole both personal moneys of other teachers and school money used to benefit students; 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** Sharon A. Arigoni's five-year professional early childhood intervention specialist teaching license issued in 2012 based upon Ms. Arigoni, on or about February 2017, engaging in the following conduct that is unbecoming to the teaching profession: she stole approximately \$180.00 from her co-worker Connie Mercer's purse; she entered Lynn Starkey's classroom and stole approximately \$160.00; and she entered vacant classrooms and stole money from her co-workers and during a meeting with her administrator, she admitted to stealing money and submitted her resignation. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Sharon A. Arigoni 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. Arigoni of this action.

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

President Kohler called for a roll call vote.

YES VOTES

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

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

Motion carried.

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

12. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL INTERVENTION SPECIALIST TEACHING LICENSE OF KAREN A. BLAINE

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

WHEREAS Karen A. Blaine held a five-year professional intervention specialist teaching license issued in 2012; and

WHEREAS on May 20, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Karen A. Blaine of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional intervention specialist teaching license issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Blaine engaging in the following conduct that is unbecoming to the teaching profession: on or about February 9, 2017, she misused school resources by encouraging, asking, or requiring a paraprofessional to transport her to another school during her break and then did not go to that school; on or about February 17, 2017, she submitted falsified documentation to justify her absences from work on February 9-10, 2017; from September 2016 through February 2017, she repeatedly borrowed money from subordinate employees against Athens County Board of Developmental Disabilities policy; and from August 2018 through November 2018, Ms. Blaine was involved with criminal court proceedings in the Franklin County Municipal Court, which included the following events: on or around August 30, 2018, she was charged with one misdemeanor count of illegal use or possession of drug paraphernalia, one misdemeanor count of possessing drug abuse instruments, and one felony count of tampering with evidence, and on or around September 24, 2018, the court issued a bench warrant due to her failure to appear, which was unresolved as of the date of the Notice of Opportunity for Hearing. Further, the notice included the following aggravating factors: on or about April 27, 2010, Ms. Blaine entered into a consent agreement with the Ohio Department of Education for inappropriately assisting a student while administering the Ohio Achievement test and by inappropriately writing an Alternative Assessment of a student when she had not personally observed the student; on or about May 15, 2014, Ms. Blaine received a negative performance evaluation for failing to maintain a professional atmosphere in her classroom; on May 20, 2014, Ms. Blaine received a written reprimand for negligence in the performance of her assigned duties, inappropriate communication to staff and parents, and violations of the Anti-Harassment policy; on August 18, 2014, Ms. Blaine received an oral warning for failure to report accidents, injury, or equipment damage, disregarding job duties by neglect of work, unsatisfactory work, or failure to maintain required standard of performance; on September 9, 2014, Ms. Blaine received a written reprimand for unsatisfactory work and failure to communicate with parents, resulting in a student unable to qualify for family support services; on January 12, 2015, Ms. Blaine received a ten-day suspension for willful disregard of board policy, dishonesty or dishonest action and wanton or willful neglect of duty, and insubordination; on May 8, 2015, Ms. Blaine received an oral reprimand for unsatisfactory work when she failed to submit assessments to the designated district representative by the April 17, 2015 deadline; on September 25, 2015, Ms. Blaine received a fifteen-day suspension and entered into a Last Chance for wanton or willful neglect in the performance of job duties and unsatisfactory work performance; and on March 9, 2016, Ms. Blaine received a written reprimand for failure to comply with the Athens County Board of Developmental Disabilities policy for notification of absence/leave request procedure; and

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

WHEREAS a hearing was held on December 6, 2019; and

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

WHEREAS the hearing officer recommends that Ms. Blaine's license 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. Blaine exhibiting a pattern of misconduct that is far too egregious to risk her return to the school community and that included deliberately disregarding her employer's policy and prior counseling, lying to her employer, the arbitrary absence from school with a total disregard for the interests of her students, acts of coercing subordinates to benefit her personally, and her participation in a criminal proceeding and the act of fleeing accountability in that proceeding; 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** Karen A. Blaine's five-year professional intervention specialist teaching license issued in 2012 based upon Ms. Blaine engaging in the following conduct that is unbecoming to the teaching profession: on or about February 9, 2017, she misused school resources by encouraging, asking, or requiring a paraprofessional to transport her to another school during her break and then did not go to that school; on or about February 17, 2017, she submitted falsified documentation to justify her absences from work on February 9-10, 2017; from September 2016 through February 2017, she repeatedly borrowed money from subordinate employees against Athens County Board of Developmental Disabilities policy; and from August 2018 through November 2018, Ms. Blaine was involved with criminal court proceedings in the Franklin County Municipal Court, which included the following events: on or around August 30, 2018, she was charged with one misdemeanor count of illegal use or possession of drug paraphernalia, one misdemeanor count of possessing drug abuse instruments, and one felony count of tampering with evidence, and on or around September 24, 2018, the court issued a bench warrant due to her failure to appear, which was unresolved as of the date of the Notice of Opportunity for Hearing. Pursuant to Ohio Administrative Code Rule 3301-73-21(B), the State Board of Education further considers in aggravation that on or about April 27, 2010, Ms. Blaine entered into a consent agreement with the Ohio Department of Education for inappropriately assisting a student while administering the Ohio Achievement test and by inappropriately writing an Alternative Assessment of a student when she had not personally observed the student; on or about May 15, 2014, Ms. Blaine received a negative performance evaluation for failing to maintain a professional atmosphere in her classroom; on May 20, 2014, Ms. Blaine received a written reprimand for negligence in the performance of her assigned duties, inappropriate communication to staff and parents, and violations of the Anti-Harassment policy; on August 18, 2014, Ms. Blaine received an oral warning for failure to report accidents, injury, or equipment damage, disregarding job duties by neglect of work, unsatisfactory work, or failure to maintain required standard of performance; on September 9, 2014, Ms. Blaine

received a written reprimand for unsatisfactory work and failure to communicate with parents, resulting in a student unable to qualify for funding; on January 12, 2015, Ms. Blaine received a ten-day suspension for willful disregard of board policy, dishonesty or dishonest action and wanton or willful neglect of duty, and insubordination; on May 8, 2015, Ms. Blaine received an oral reprimand for unsatisfactory work when she failed to submit assessments to the designated district representative by the April 17, 2015 deadline; on September 25, 2015, Ms. Blaine received a fifteen-day suspension and entered into a Last Chance for wanton or willful neglect in the performance of job duties and unsatisfactory work performance; and on March 9, 2016, Ms. Blaine received a written reprimand for failure to comply with the Athens County Board of Developmental Disabilities policy for notification of absence/leave request procedure. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Karen A. Blaine 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. Blaine of this action.

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

President Kohler called for a roll call vote.

YES VOTES

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

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

Motion carried.

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

- 13. RESOLUTION TO ACCEPT THE REPORT OF THE HEARING OFFICER, TO AMEND AND RECONCILE THE RECOMMENDATION OF THE HEARING OFFICER, AND TO SUSPEND THE FIVE-YEAR PROFESSIONAL SUPERINTENDENT LICENSE, FIVE-YEAR PROFESSIONAL HIGH SCHOOL PRINCIPAL LICENSE, FIVE-YEAR PROFESSIONAL HIGH SCHOOL TEACHING LICENSE, FIVE-YEAR PROFESSIONAL ELEMENTARY PRINCIPAL LICENSE, AND FIVE-**

**YEAR PROFESSIONAL ASSISTANT SUPERINTENDENT LICENSE OF
LISA A. BROWN**

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

WHEREAS Lisa A. Brown holds a five-year professional superintendent license issued in 2015, five-year professional high school principal license issued in 2015, five-year professional high school teaching license issued in 2015, five-year professional elementary principal license issued in 2015, and five-year professional assistant superintendent license issued in 2015; and

WHEREAS on September 18, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Lisa A. Brown of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional superintendent license issued in 2015, five-year professional high school principal license issued in 2015, five-year professional high school teaching license issued in 2015, five-year professional elementary principal license issued in 2015, and five-year professional assistant superintendent license issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Brown engaging in conduct that was negligent, incompetent, and/or unbecoming to the teaching profession on or about May 30, 2014, while she was principal at East Knox Elementary School, when she changed the grades of six students for impermissible reasons; and

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

WHEREAS a hearing was held on June 11-13, 2019 and August 8, 2019; and

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

WHEREAS the hearing officer recommends that Ms. Brown's licenses be suspended for a period of three years from the date of the final order issued by the State Board of Education and that she be ineligible to reapply for any Ohio license or certificate until the suspension period has expired and she has completed eight hours of ethics training. The hearing officer's recommendation is based upon Ms. Brown engaging in conduct that is unbecoming to the teaching profession during the 2013-2014 school year when she impermissibly changed the fourth quarter and final grades of five students to grades that did not properly reflect those students' achievements and work efforts but also finding that Ms. Brown did not change the fourth quarter and final grades for one student for impermissible reasons; and

WHEREAS Ms. Brown's five-year professional superintendent license issued in 2015, five-year professional high school principal license issued in 2015, five-year professional high school teaching license issued in 2015, five-year professional elementary principal license issued in 2015, and five-year professional assistant superintendent license issued in 2015 will expire on June 30, 2020; and

WHEREAS the State Board of Education must reconcile the hearing officer's recommendation to suspend Ms. Brown's licenses for a total period of three years with the 2020 expiration of her licenses; and

WHEREAS the State Board of Education considered the objections to the hearing officer's report and recommendation, which Ms. Brown timely filed; 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 **SUSPENDS** Lisa A. Brown's five-year professional superintendent license issued in 2015, five-year professional high school principal license issued in 2015, five-year professional high school teaching license issued in 2015, five-year professional elementary principal license issued in 2015, and five-year professional assistant superintendent license issued in 2015 through June 30, 2020, their expiration date. Further, the State Board of Education orders that Lisa A. Brown be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until on or after May 12, 2023, and that upon reapplication, she must provide written verification to the Ohio Department of Education that she has completed, at her own expense, eight hours of ethics training, with the training to be approved in advance by the Ohio Department of Education. The suspension period is based upon Ms. Brown engaging in conduct that was negligent, incompetent, and/or unbecoming to the teaching profession on or about May 30, 2014, while she was principal at East Knox Elementary School, when she changed the grades of five students for impermissible reasons; and, Be It Further

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

It was Moved by Dr. Kilgore and Seconded by Mrs. Fowler Arthur that the above recommendation (Item 13) be approved.

Mrs. Haycock Moved to amend the resolution by substitution. She proposed to suspend Lisa A. Brown's five-year professional superintendent license issued in 2015, five-year professional high school principal license issued in 2015, five-year professional high school teaching license issued in 2015, five-year professional elementary principal license issued in 2015, and five-year professional assistant superintendent license issued in 2015 from May 12, 2020, through August 31, 2020, their expiration date, based upon Ms. Brown engaging in conduct that was negligent, incompetent, and/or unbecoming to the teaching profession on or about May 30, 2014, while she was principal at East Knox Elementary School, when she changed the grades of five students for impermissible reasons. Further, the suspension of Ms. Brown's licenses shall be stayed upon her providing written verification to the Ohio Department of Education that she has completed, at her own expense, eight hours of ethics training, with the training to be approved in advance by the Ohio Department of Education. Ms. Johnson Seconded the motion.

Mrs. Haycock identified the following mitigating factors; the hearing office found that though Ms. Brown's actions were inappropriate, they were motivated by a good faith belief that she was remedying something the school district possibly did improperly, or perhaps illegally, regarding

student grades; Ms. Brown's excellent work record and performance prior to and since the 2013-2014 school year; and the amount of time that has passed since the inappropriate activity occurred

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

YES VOTES

Stephen Dackin	Stephanie Dodd
Linda Haycock	Meryl Johnson
Mark Lamoncha	Antoinette Miranda
Nick Owens	Mike Toal
Reginald Wilkinson	Lisa Woods

NO VOTES

Sarah Fowler Arthur	John Hagan
Kirsten Hill	Jenny Kilgore
Martha Manchester	Charlotte McGuire
Eric Poklar	Laura Kohler

Motion carried.

Resolution as amended:

13. **RESOLUTION TO MODIFY THE REPORT OF THE HEARING OFFICER, TO REJECT THE RECOMMENDATION OF THE HEARING OFFICER, AND TO SUSPEND THE FIVE-YEAR PROFESSIONAL SUPERINTENDENT LICENSE, FIVE-YEAR PROFESSIONAL HIGH SCHOOL PRINCIPAL LICENSE, FIVE-YEAR PROFESSIONAL HIGH SCHOOL TEACHING LICENSE, FIVE-YEAR PROFESSIONAL ELEMENTARY PRINCIPAL LICENSE, AND FIVE-YEAR PROFESSIONAL ASSISTANT SUPERINTENDENT LICENSE OF LISA A. BROWN**

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

WHEREAS Lisa A. Brown holds a five-year professional superintendent license issued in 2015, five-year professional high school principal license issued in 2015, five-year professional high school teaching license issued in 2015, five-year professional elementary principal license issued in 2015, and five-year professional assistant superintendent license issued in 2015; and

WHEREAS on September 18, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Lisa A. Brown of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional superintendent license issued in 2015, five-year professional high school principal license issued in 2015, five-year professional high school teaching license issued in 2015, five-year professional elementary principal license issued in 2015, and five-year professional assistant superintendent license issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Brown engaging in conduct that was negligent, incompetent, and/or unbecoming to the teaching profession on or

about May 30, 2014, while she was principal at East Knox Elementary School, when she changed the grades of six students for impermissible reasons; and

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

WHEREAS a hearing was held on June 11-13, 2019 and August 8, 2019; and

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

WHEREAS the hearing officer recommends that Ms. Brown's licenses be suspended for a period of three years from the date of the final order issued by the State Board of Education and that she be ineligible to reapply for any Ohio license or certificate until the suspension period has expired and she has completed eight hours of ethics training. The hearing officer's recommendation is based upon Ms. Brown engaging in conduct that is unbecoming to the teaching profession during the 2013-2014 school year when she impermissibly changed the fourth quarter and final grades of five students to grades that did not properly reflect those students' achievements and work efforts but also finding that Ms. Brown did not change the fourth quarter and final grades for one student for impermissible reasons; and

WHEREAS Ms. Brown's five-year professional superintendent license issued in 2015, five-year professional high school principal license issued in 2015, five-year professional high school teaching license issued in 2015, five-year professional elementary principal license issued in 2015, and five-year professional assistant superintendent license issued in 2015 were originally scheduled to expire on June 30, 2020; and

WHEREAS The Ohio Department of Education extended the expiration dates of licenses, including Ms. Brown's licenses, to August 31, 2020 in response to the COVID-19 pandemic; and

WHEREAS the State Board of Education considered the objections to the hearing officer's report and recommendation, which Ms. Brown timely filed; 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

WHEREAS the State Board of Education has considered the hearing officer's report and recommendation; 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; reject in its entirety paragraph H. of the Conclusions of Law and Discussion section of the Report and Recommendation; reject in its entirety the last full paragraph of the Conclusions of Law and Discussion section of the Report and Recommendation that begins,

“Upon Considering both...,” reject in its entirety the Recommendation section of the 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: the hearing office found that though Ms. Brown’s actions were inappropriate, they were motivated by a good faith belief that she was remedying something the school district possibly did improperly, or perhaps illegally, regarding student grades; Ms. Brown’s excellent work record and performance prior to and since the 2013-2014 school year; and the amount of time that has past since the inappropriate activity occurred; and

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

WHEREAS the State Board of Education concludes that based on the mitigating factors in this case a more appropriate sanction would be to suspend Ms. Brown’s licenses with the suspension to be stayed upon Ms. Brown providing written verification to the Ohio Department of Education that she has completed, at her own expense, eight hours of ethics training, with the training to be approved in advance by the Ohio Department of Education: Therefore, Be It

RESOLVED, 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; reject in its entirety paragraph H. of the Conclusions of Law and Discussion section of the Report and Recommendation; reject in its entirety the last full paragraph of the Conclusions of Law and Discussion section of the Report and Recommendation that begins, “Upon Considering both...,” reject in its entirety the Recommendation section of the of the Report and Recommendation; and Be It Further

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

RESOLVED, the State Board of Education finds that the administrative record identifies the following mitigating factors: the hearing office found that though Ms. Brown’s actions were inappropriate, they were motivated by a good faith belief that she was remedying something the school district possibly did improperly, or perhaps illegally, regarding student grades; Ms. Brown’s excellent work record and performance prior to and since the 2013-2014 school year; and the amount of time that has passed since the inappropriate activity occurred; and Be It Further

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

RESOLVED, the State Board of Education concludes that based on the mitigating factors in this case a more appropriate sanction would be to suspend Ms. Brown's licenses with the suspension to be stayed upon Ms. Brown providing written verification to the Ohio Department of Education that she has completed, at her own expense, eight hours of ethics training, with the training to be approved in advance by 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 **SUSPENDS** Lisa A. Brown's five-year professional superintendent license issued in 2015, five-year professional high school principal license issued in 2015, five-year professional high school teaching license issued in 2015, five-year professional elementary principal license issued in 2015, and five-year professional assistant superintendent license issued in 2015 from May 12, 2020, through August 31, 2020, their expiration date, based upon Ms. Brown engaging in conduct that was negligent, incompetent, and/or unbecoming to the teaching profession on or about May 30, 2014, while she was principal at East Knox Elementary School, when she changed the grades of five students for impermissible reasons. Further, the suspension of Ms. Brown's licenses shall be stayed upon her providing written verification to the Ohio Department of Education that she has completed, at her own expense, eight hours of ethics training, with the training to be approved in advance by 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. Brown's license. Further, if said terms and conditions have not been fulfilled completely upon Ms. Brown applying for a new license, permit, or certificate, the State Board of Education directs the Ohio Department of Education to evaluate any new applications 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. Brown of this action.

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

YES VOTES

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

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

Motion carried.

Aaron Ross, Director, Office of Professional Conduct, presented the following recommendation (Item 14):

14. RESOLUTION TO ACCEPT THE AMENDED REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY THE ONE-YEAR EDUCATIONAL AIDE PERMIT APPLICATIONS OF AMY J. BRUNTON

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

WHEREAS Amy J. Brunton has submitted two applications for a one-year educational aide permit; and

WHEREAS on March 6, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Amy J. Brunton of its intent to deny or permanently deny her applications for a one-year educational aide permit pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Brunton engaging in conduct that is unbecoming to the teaching profession on or about November 2016, when she posted inappropriate material that could be reasonably accessed by the school community; specifically she posted sexually explicit material on her public Facebook page and on this same Facebook page, she linked to and listed her places of employment as Fairfield County ESC/Fairfield Union Schools and Muskingum Valley ESC; and

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

WHEREAS a hearing was held on September 6, 2019; and

WHEREAS Ms. Brunton was present at the hearing, but she was not represented by counsel; and

WHEREAS the hearing officer recommends that Ms. Brunton's applications for a one-year educational aide permit be denied and that she not be permitted to reapply for any license, certificate, or permit for a period of one year and upon reapplication, she must submit written proof that she has completed an eight hour course in professionalism approved in advance by the Ohio Department of Education. The hearing officer's recommendation is based upon the nature and seriousness of Ms. Brunton's misconduct and the content displayed on her public Facebook page in November 2016, which had a link to the school district where she was employed, and contained numerous inappropriate and sexually explicit sayings, photographs, posts, and verbiage; 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** Amy J. Brunton's applications for a one-year educational aide permit based upon Ms. Brunton engaging in conduct that is unbecoming to the teaching profession on or about November 2016, when she posted inappropriate material that could be reasonably accessed by the school community; specifically she posted sexually explicit material on her public Facebook page and on this same Facebook page, she linked to and listed her places of employment as Fairfield County ESC/Fairfield Union Schools and Muskingum Valley ESC. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(a), orders that Amy J. Brunton be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until on or after May 12, 2021, and upon reapplication, Ms. Brunton must provide written verification to the Ohio Department of Education that she has successfully completed, at her own expense, eight hours of professionalism training, with the training 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. Brunton of this action.

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

President Kohler called for a roll call vote.

YES VOTES

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

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

Motion carried.

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

15. RESOLUTION TO REVOKE THE ONE-YEAR EDUCATIONAL AIDE PERMIT OF JOELLE C. CAMPBELL

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

WHEREAS Joelle C. Campbell holds a one-year educational aide permit issued in 2019; and

WHEREAS on January 30, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Joelle C. Campbell of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year educational aide permit issued in 2019 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(c). The notice was based upon Ms. Campbell's 2018 conviction in the Stow Municipal Court for one misdemeanor count of theft and 2017 plea of no contest in the Barberton Municipal Court to one misdemeanor count of disorderly conduct; and

WHEREAS the notice informed Ms. Campbell that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke her one-year educational aide permit issued in 2019; and

WHEREAS Joelle C. Campbell 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, the State Board of Education's Notice of Opportunity for Hearing, and certified court records from the Stow Municipal Court and Barberton 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) and (B)(2)(c), hereby **REVOKES** Joelle C. Campbell's one-year educational aide permit issued in 2019 based upon Ms. Campbell's 2018 conviction in the Stow Municipal Court for one misdemeanor count of theft and 2017 plea of no contest in the Barberton Municipal Court to one misdemeanor count of disorderly conduct. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Joelle C. Campbell be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after May 12, 2021, and upon reapplication, Ms. Campbell must provide written verification to the Ohio Department of Education that she has successfully completed, at her own expense, a theft prevention class, with the 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. Campbell of this action.

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

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin	Stephanie Dodd
Sarah Fowler Arthur	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, Director, Office of Professional Conduct, presented the following recommendation (Item 16):

**16. RESOLUTION TO REVOKE PERMANENTLY THE FIVE-YEAR
SUBSTITUTE MULTI AGE TEACHING LICENSE OF SONYA R. EDENS**

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

WHEREAS Sonya R. Edens holds a five-year substitute multi age teaching license issued in 2017; and

WHEREAS on January 27, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Sonya R. Edens of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year substitute multi age teaching license issued in 2017 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(d). The notice was based upon Ms. Edens' 2019 conviction in the Mercer County Court of Common Pleas for one felony count of possession of controlled substances and 2019 conviction in the Celina Municipal Court for one misdemeanor count of obstructing official business; and

WHEREAS the notice informed Ms. Edens that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke her five-year substitute multi age teaching license issued in 2017; and

WHEREAS Sonya R. Edens did not request a hearing in accordance with Section 119.07 of the Revised Code; and

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WHEREAS the State Board of Education has reviewed the affidavit of the director of the Office of Professional Conduct, the State Board of Education's Notice of Opportunity for Hearing, certified court records from the Mercer County Court of Common Pleas and the Celina Municipal Court, and certified police records from the Celina 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), (B)(2)(a), and (B)(2)(d), hereby **REVOKES** Sonya R. Edens' five-year substitute multi age teaching license issued in 2017 based upon Ms. Edens' 2019 conviction in the Mercer County Court of Common Pleas for one felony count of possession of controlled substances and 2019 conviction in the Celina Municipal Court for one misdemeanor count of obstructing official business. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Sonya R. Edens 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. Edens of this action.

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

President Kohler called for a roll call vote.

YES VOTES

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

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

Motion carried.

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

17. RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF KEITH E. GWYNN

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

WHEREAS Keith E. Gwynn held a three-year pupil activity permit issued in 2016; and

WHEREAS on January 16, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Keith E. Gwynn 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. Gwynn's 2017 conviction in the Hamilton County Municipal Court for one misdemeanor count of assault after having been charged originally with one misdemeanor count of sexual imposition for knowingly having sexual contact with a juvenile being fifteen years of age. Further, the notice included as an aggravating factor that on or about September 12, 2014, Mr. Gwynn was disciplined by the State Board of Education when he entered into a consent agreement with the State Board of Education based upon his engaging in conduct that is unbecoming to the teaching profession when he sent a text message, not related to education, to a former student; and

WHEREAS the notice informed Mr. Gwynn 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 Keith E. Gwynn 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, the State Board of Education's Notice of Opportunity for Hearing, certified court records from the Hamilton County Municipal Court, certified police records from the Hamilton County Sheriff's Office, and the Consent Agreement between Keith E. Gwynn and the State Board of Education dated September 12, 2014; 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** Keith E. Gwynn's three-year pupil activity permit issued in 2016 based upon Mr. Gwynn's 2017 conviction in the Hamilton County Municipal Court for one misdemeanor count of assault after having been charged originally with one misdemeanor count of sexual imposition for knowingly having sexual contact with a juvenile being fifteen years of age. Pursuant to Ohio Administrative Code Rule 3301-73-21(B), the State Board of Education further considers in aggravation that on or about September 12, 2014, Mr. Gwynn was disciplined by the State Board of Education when he entered into a consent agreement with the State Board of Education based upon his engaging in conduct that is unbecoming to the teaching profession when he sent a text message, not related to education, to a former student. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Keith E. Gwynn 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. Gwynn of this action.

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

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin	Stephanie Dodd
Sarah Fowler Arthur	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.

Item 18 was pulled from the Voting Agenda and not voted on.

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

19. RESOLUTION TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL PRINCIPAL LICENSE OF KEVIN J. KERNOHAN

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

WHEREAS Kevin J. Kernohan held a five-year professional principal license issued in 2014 with an effective year of 2013; and

WHEREAS on January 2, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Kevin J. Kernohan of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional principal license issued in 2014 with an effective year of 2013 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(d). The notice was based upon Mr. Kernohan's 2018 plea of guilty in the Butler County Court of Common Pleas to one misdemeanor count of attempted aggravated possession of drugs for which, as part of his sentence, he agreed not to pursue renewal of his professional license with the Ohio Department of Education; and

WHEREAS the notice informed Mr. Kernohan that if he fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional principal license issued in 2014 with an effective year of 2013; and

WHEREAS Kevin J. Kernohan 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, the State Board of Education's Notice of Opportunity for Hearing, and certified court records from the Butler 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)(d), hereby **REVOKES** Kevin J. Kernohan's five-year professional principal license issued in 2014 with an effective year of 2013 based upon Mr. Kernohan's 2018 plea of guilty in the Butler County Court of Common Pleas to one misdemeanor count of attempted aggravated possession of drugs for which, as part of his sentence, he agreed not to pursue renewal of his professional license with the Ohio Department of Education. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-

22(A)(2)(b), orders that Kevin J. Kernohan 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. Kernohan of this action.

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

President Kohler called for a roll call vote.

YES VOTES

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

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

Motion carried.

Aaron Ross, Director, Office of Professional Conduct, presented the following recommendation (Item 20):

20. RESOLUTION TO REVOKE THE THREE-YEAR PUPIL ACTIVITY PERMIT OF JOSEPH D. MORLAN

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

WHEREAS Joseph D. Morlan holds a three-year pupil activity permit issued in 2018; and

WHEREAS on January 30, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Joseph D. Morlan of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2018 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Morlan's 2019 conviction in the Licking County Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol and/or drugs of abuse (OVI) and 2017 conviction in the Pataskala Mayor's Court for one misdemeanor count of operating a vehicle under the influence of alcohol or drugs (OVI); and

WHEREAS the notice informed Mr. Morlan that if he 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 his three-year pupil activity permit issued in 2018; and

WHEREAS Joseph D. Morlan 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, the State Board of Education's Notice of Opportunity for Hearing, certified court records from the Licking County Municipal Court and Pataskala Mayor's Court, and certified police records from the Granville 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** Joseph D. Morlan's three-year pupil activity permit issued in 2018 based upon Mr. Morlan's 2019 conviction in the Licking County Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol and/or drugs of abuse (OVI) and 2017 conviction in the Pataskala Mayor's Court for one misdemeanor count of operating a vehicle under the influence of alcohol or drugs (OVI). Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Joseph D. Morlan be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after May 12, 2023, and that upon reapplication, he must provide written proof of his continued sobriety and written verification to the Ohio Department of Education that he has completed, at his 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, Be It Further

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

It was Moved by Mrs. McGuire and Seconded by Mrs. Fowler Arthur that the above recommendation (Item 20) be approved.

President Kohler called for a roll call vote.

YES VOTES

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

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

Motion carried.

Kelly Edwards, Assistant Director, Office of Professional Conduct, presented the following recommendation (Item 21):

21. RESOLUTION TO REVOKE PERMANENTLY THE FOUR-YEAR ALTERNATIVE RESIDENT EDUCATOR CAREER TECHNICAL WORKFORCE DEVELOPMENT TEACHING LICENSE OF AMANDA R. NELSON

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

WHEREAS Amanda R. Nelson holds a four-year alternative resident educator career technical workforce development teaching license issued in 2016; and

WHEREAS on January 14, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Amanda R. Nelson of its intent to determine whether to limit, suspend, revoke, or permanently revoke her four-year alternative resident educator career technical workforce development teaching license issued in 2016 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(c). The notice was based upon Ms. Nelson's 2019 conviction in the Franklin County Court of Common Pleas for one felony count of attempted burglary and 2019 conviction in the Franklin County Municipal Court for one misdemeanor count of petty theft; and

WHEREAS the notice informed Ms. Nelson 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 alternative resident educator career technical workforce development teaching license issued in 2016; and

WHEREAS Amanda R. Nelson 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, the State Board of Education's Notice of Opportunity for Hearing, certified court records from the Franklin County Court of Common Pleas and the Franklin County Municipal Court, and certified police records from the Columbus Division of Police and the Grove City 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), (B)(2)(a), and (B)(2)(c), hereby **REVOKES** Amanda R. Nelson's four-year alternative resident educator career technical workforce development teaching license issued in 2016 based upon Ms. Nelson's 2019 conviction in the Franklin County Court of Common Pleas for one felony count of attempted burglary and 2019 conviction in the Franklin County Municipal Court for one misdemeanor count of petty theft. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Amanda R. Nelson 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. Nelson of this action.

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

President Kohler called for a roll call vote.

YES VOTES

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

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

Motion carried.

Aaron Ross, Director, Office of Professional Conduct, presented the following recommendation (Item 22):

22. RESOLUTION TO REVOKE THE PERMANENT NON-TAX TEACHING CERTIFICATE OF SETH A. RHEA

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

WHEREAS Seth A. Rhea holds a permanent non-tax teaching certificate issued in 2013; and

WHEREAS on January 14, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Seth A. Rhea of its intent to determine whether to limit, suspend, revoke, or permanently revoke his permanent non-tax teaching certificate issued in 2013 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Rhea's following conduct that is unbecoming to the teaching profession: 2019 guilty plea in the Delaware Municipal Court to one misdemeanor count of income tax violation and subsequent entry into the court's pre-trial diversion program; 2019 conviction in the Delaware Municipal Court for one misdemeanor count of having physical control of vehicle while under the influence; 2017 guilty plea in the Delaware Municipal Court to one misdemeanor count of income tax violation and subsequent entry into the court's pre-trial diversion program; 2014 conviction in the Delaware Municipal Court for one misdemeanor count of drug abuse; 2005 conviction in the Akron Municipal Court for one minor

misdemeanor count of disorderly conduct; and 2004 conviction in the Akron Municipal Court for one misdemeanor count of open container; and

WHEREAS the notice informed Mr. Rhea 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 2013; and

WHEREAS Seth A. Rhea 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, the State Board of Education's Notice of Opportunity for Hearing, and certified court records from the Delaware Municipal Court and Akron 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), hereby **REVOKES** Seth A. Rhea's permanent non-tax teaching certificate issued in 2013 based upon Mr. Rhea's following conduct that is unbecoming to the teaching profession: 2019 guilty plea in the Delaware Municipal Court to one misdemeanor count of income tax violation and subsequent entry into the court's pre-trial diversion program; 2019 conviction in the Delaware Municipal Court for one misdemeanor count of having physical control of vehicle while under the influence; 2017 guilty plea in the Delaware Municipal Court to one misdemeanor count of income tax violation and subsequent entry into the court's pre-trial diversion program; 2014 conviction in the Delaware Municipal Court for one minor misdemeanor count of drug abuse; 2005 conviction in the Akron Municipal Court for one minor misdemeanor count of disorderly conduct; and 2004 conviction in the Akron Municipal Court for one misdemeanor count of open container. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Seth A. Rhea be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after May 12, 2025, and that upon reapplication, he must provide written verification to the Ohio Department of Education that he has completed all criminal sanctions in the cases listed in the Notice of Opportunity for Hearing and has completed, at his 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, Be It Further

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

It was Moved by Mrs. Fowler Arthur and Seconded by Mrs. Manchester that the above recommendation (Item 22) be approved.

Mrs. Haycock Moved to amend the resolution by substitution. She proposed to revoke Seth A. Rhea's permanent non-tax teaching certificate issued in 2013 based upon Mr. Rhea's following conduct that is unbecoming to the teaching profession: 2019 guilty plea in the Delaware Municipal Court to one misdemeanor count of income tax violation and subsequent entry into the court's pre-trial diversion program; 2019 conviction in the Delaware Municipal Court for one misdemeanor count of having physical control of vehicle while under the influence; 2017 guilty plea in the Delaware Municipal Court to one misdemeanor count of income tax violation and subsequent entry into the court's pre-trial diversion program; 2014 conviction in the Delaware Municipal Court for one misdemeanor count of drug abuse; 2005 conviction in the Akron Municipal Court for one minor misdemeanor count of disorderly conduct; and 2004 conviction in the Akron Municipal Court for one misdemeanor count of open container. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Seth A. Rhea be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. Ms. Johnson Seconded the motion.

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

YES VOTES

Stephen Dackin
Sarah Fowler Arthur

Stephanie Dodd
John Hagan

Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Nick Owens
Mike Toal
Lisa Woods

Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Antoinette Miranda
Eric Poklar
Reginald Wilkinson

NO VOTES

Charlotte McGuire

Motion carried.

Resolution as amended:

22. RESOLUTION TO REVOKE PERMANENTLY THE PERMANENT NON-TAX TEACHING CERTIFICATE OF SETH A. RHEA

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

WHEREAS Seth A. Rhea holds a permanent non-tax teaching certificate issued in 2013; and

WHEREAS on January 14, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Seth A. Rhea of its intent to determine whether to limit, suspend, revoke, or permanently revoke his permanent non-tax teaching certificate issued in 2013 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(d). The notice was based upon Mr. Rhea's following conduct that is unbecoming to the teaching profession: 2019 guilty plea in the Delaware Municipal Court to one misdemeanor count of income tax violation and subsequent entry into the court's pre-trial diversion program; 2019 conviction in the Delaware Municipal Court for one misdemeanor count of having physical control of vehicle while under the influence; 2017 guilty plea in the Delaware Municipal Court to one misdemeanor count of income tax violation and subsequent entry into the court's pre-trial diversion program; 2014 conviction in the Delaware Municipal Court for one misdemeanor count of drug abuse; 2005 conviction in the Akron Municipal Court for one minor misdemeanor count of disorderly conduct; and 2004 conviction in the Akron Municipal Court for one misdemeanor count of open container; and

WHEREAS the notice informed Mr. Rhea 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 2013; and

WHEREAS Seth A. Rhea 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, the State Board of Education's

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Notice of Opportunity for Hearing, and certified court records from the Delaware Municipal Court and Akron 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) and (B)(2)(d), hereby **REVOKES** Seth A. Rhea's permanent non-tax teaching certificate issued in 2013 based upon Mr. Rhea's following conduct that is unbecoming to the teaching profession: 2019 guilty plea in the Delaware Municipal Court to one misdemeanor count of income tax violation and subsequent entry into the court's pre-trial diversion program; 2019 conviction in the Delaware Municipal Court for one misdemeanor count of having physical control of vehicle while under the influence; 2017 guilty plea in the Delaware Municipal Court to one misdemeanor count of income tax violation and subsequent entry into the court's pre-trial diversion program; 2014 conviction in the Delaware Municipal Court for one misdemeanor count of drug abuse; 2005 conviction in the Akron Municipal Court for one minor misdemeanor count of disorderly conduct; and 2004 conviction in the Akron Municipal Court for one misdemeanor count of open container. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Seth A. Rhea 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. Rhea of this action.

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

YES VOTES

Stephen Dackin
Sarah Fowler Arthur
Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Nick Owens
Mike Toal
Lisa Woods

Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Antoinette Miranda
Eric Poklar
Reginald Wilkinson

NO VOTES

Charlotte McGuire

Motion carried.

Item 23 was pulled from the Voting Agenda and not voted on.

Kelly Edwards, Assistant Director, Office of Professional Conduct, presented the following recommendation (Item 24):

24. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT AND FOUR-YEAR RESIDENT EDUCATOR ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE OF MARK J. SAYLOR

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

WHEREAS Mark J. Saylor held a three-year pupil activity permit issued in 2015 and four-year resident educator adolescence to young adult teaching license issued in 2013; and

WHEREAS on January 31, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Mark J. Saylor of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2015 and four-year resident educator adolescence to young adult teaching license issued in 2013 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Saylor engaging in conduct that is unbecoming to the teaching profession on or about December 11, 2015 through March 20, 2018, when he used technology to promote inappropriate communications with a student by exchanging 1,151 text messages and 2,649 phone calls with that student; and

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

WHEREAS a hearing was held on November 6, 2019; and

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

WHEREAS the hearing officer recommends that Mr. Saylor's permit and 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. Saylor engaging in conduct that is unbecoming to the teaching profession when he became involved in a relationship with a minor student and exchanged an inordinate amount of phone calls and text messages with that student, thereby violating school policies, failing to respect the boundaries between teacher and student, and breaking the trust that school administrators placed on him to act in a professional manner; 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** Mark J. Saylor's three-year pupil activity permit issued in 2015 and four-year resident educator adolescence to young adult teaching license issued in 2013 based upon Mr. Saylor engaging in conduct that is unbecoming to the teaching profession on or about December 11, 2015 through March 20, 2018, when he used technology to promote inappropriate communications with a student by exchanging 1,151 text messages and 2,649 phone calls with that student. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Mark J. Saylor 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. Saylor of this action.

It was Moved by Mrs. McGuire and Seconded by Mrs. Manchester that the above recommendation (Item 24) be approved.

President Kohler called for a roll call vote.

YES VOTES

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

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

Motion carried.

Kelly Edwards, Assistant Director, Office of Professional Conduct, presented the following recommendation (Item 25):

- 25. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY THE ONE-YEAR SUBSTITUTE GENERAL EDUCATION TEACHING LICENSE APPLICATION OF ERIC L. SCHIRM**

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

WHEREAS Eric L. Schirm has applied for a one-year substitute general education teaching license; and

WHEREAS on July 15, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Eric L. Schirm of its intent to deny or permanently deny his application for a one-year substitute general education teaching license pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based

upon Mr. Schirm engaging in the following conduct that is unbecoming to the teaching profession: his 2016 conviction in the Franklin County Court of Common Pleas for one misdemeanor count of falsification in a theft offense; and entering into a Settlement Agreement with the State of Ohio Board of Pharmacy, fully executed on December 20, 2018, based on their investigation related to Mr. Schirm's fraudulent billing of the Ohio Department of Medicaid while he was employed with Fayette Pharmacy. Mr. Schirm's pharmacy license was placed on probation from the date of the Settlement Agreement until one year after the date he is removed from the Office of the Inspector General, U.S. Department of Health and Human Services' Exclusion Program. Further, the conditions of Mr. Schirm's probation include the following: his pharmacy license is declared not to be in good standing; he is denied the privilege of being a preceptor and training pharmacy interns pursuant to paragraph (D)(1) of Rule 4729-3-01 of the Ohio Administrative Code; he may not serve as a responsible pharmacist; and his pharmacy license is deemed not in good standing until successful completion of the probationary period; and

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

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

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

WHEREAS the hearing officer recommends that Mr. Schirm's application for a one-year substitute general education teaching license be denied and that he not be permitted to reapply for any license, certificate, or permit for a period of three years and upon reapplication, he must submit proof that he has brought his pharmacist license into full compliance with the State of Ohio Board of Pharmacy and completed ethics training. The hearing officer's recommendation is based upon Mr. Schirm's record of theft and dishonesty, criminal conviction, and professional discipline indicating that he is not a good candidate to be a teacher at this time; 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** Eric L. Schirm's application for a one-year substitute general education teaching license based upon Mr. Schirm engaging in the following conduct that is unbecoming to the teaching profession: his 2016 conviction in the Franklin County Court of Common Pleas for one misdemeanor count of falsification in a theft offense; and entering into a Settlement Agreement with the State of Ohio Board of Pharmacy, fully executed on December 20, 2018, based on their investigation related to Mr. Schirm's fraudulent billing of the Ohio Department of Medicaid while he was employed with Fayette Pharmacy. Mr. Schirm's pharmacy license was placed on probation from the date of the Settlement Agreement until one year after the date he is removed from the Office of the Inspector General, U.S.

Department of Health and Human Services' Exclusion Program. Further, the conditions of Mr. Schirm's probation include the following: his pharmacy license is declared not to be in good standing he is denied the privilege of being a preceptor and training pharmacy interns pursuant to paragraph (D)(1) of Rule 4729-3-01 of the Ohio Administrative Code; he may not serve as a responsible pharmacist; and his pharmacy license is deemed not in good standing until successful completion of the probationary period. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(a), orders that Eric L. Schirm be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until on or after May 12, 2023, and upon reapplication, Mr. Schirm must provide written verification to the Ohio Department of Education that he has brought his pharmacist license into full compliance with the State of Ohio Board of Pharmacy and has successfully completed, at his own expense, eight hours of ethics training, with the training 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 Mr. Schirm of this action.

It was Moved by Mrs. Manchester and Seconded by Mrs. Fowler Arthur that the above recommendation (Item 25) be approved.

President Kohler called for a roll call vote.

YES VOTES

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

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

ABSTAIN

Nick Owens

Motion carried.

Aaron Ross, Director, Office of Professional Conduct, presented the following recommendation (Item 26):

26. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE ONE-YEAR EDUCATIONAL AIDE PERMIT OF DAVID L. WALTER

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

WHEREAS David L. Walter held a one-year educational aide permit issued in 2016; and

WHEREAS on February 15, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified David L. Walter of its intent to determine whether to limit, suspend, revoke, or permanently revoke his one-year educational aide permit issued in 2016 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Walter, on or about March 3, 2017, engaging in conduct that is unbecoming to the teaching profession when he engaged in a physical altercation with a student by intervening in an altercation on a bus between two students by grabbing one of the students and throwing the student to the bus floor; and

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

WHEREAS a hearing was held on October 24, 2019; and

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

WHEREAS the hearing officer recommends that Mr. Walter's permit 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 violent method in which Mr. Walter intervened in the altercation, his total disregard to crisis prevention and intervention (CPI) training, and his disregard for the safety of the student; 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** David L. Walter's one-year educational aide permit issued in 2016 based upon Mr. Walter, on or about March 3, 2017, engaging in conduct that is unbecoming to the teaching profession when he engaged in a physical altercation with a student by intervening in an altercation

on a bus between two students by grabbing one of the students and throwing the student to the bus floor. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders David L. Walter 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. Walter of this action.

It was Moved by Dr. Miranda and Seconded by Ms. Woods that the above recommendation (Item 26) be approved.

President Kohler called for a roll call vote.

YES VOTES

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

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

Motion carried.

Mrs. McGuire presented the following recommendation (Item 27):

27. RESOLUTION TO APPROVE AND ADOPT THE 2020-2021 SUPERINTENDENT AND STATE BOARD OF EDUCATION GOALS

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

WHEREAS, The State Superintendent of Public Instruction and the State Board of Education are committed to providing a culture of support to Ohio’s public school districts as they nurture and guide each child so that he or she is “challenged to discover and learn, prepared to pursue a fulfilling post-high school path and empowered to become a resilient, lifelong learner who contributes to society.”

WHEREAS, the Executive Committee recommended at its March meeting that the Board approve and adopt the 2020-2021 State Superintendent of Public Instruction and State Board of Education Goals as provided in the document attached hereto.

NOW, THEREFORE, BE IT RESOLVED, that the State Board of Education adopts the 2020-2021 Superintendent and State Board of Education Goals as provided in the document attached hereto.

It was Moved by Mrs. McGuire that the above recommendation (Item 27) be approved.

Mrs. Fowler Arthur stated she had concerns around goal number three and she felt goal number four was much improved.

President Kohler called for a roll call vote.

YES VOTES

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

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

NO VOTES

Stephanie Dodd

Motion carried.

Non-Resolutions
Old Business

There was no Old Business.

New Business

Mrs. Fowler Arthur presented the following recommendation (Item 28):

A request was made and granted by Board leadership for emergency consideration of Item 28.

28. RESOLUTION APPROVING RECOMMENDATION TO THE GENERAL ASSEMBLY REGARDING REQUIREMENTS FOR THE SUBMISSION OF ACADEMIC ASSESSMENT REPORTS FOR STUDENTS RECEIVING HOME EDUCATION

The State Board of Education ("Board") hereby **APPROVES** the recommendation for a legislative change as follows:

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death, is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person. The virus is spread between individuals who are in close contact with each other;

WHEREAS, on March 9, 2020 Governor Mike DeWine declared a state of emergency “for the entire State to protect the well-being of the citizens of Ohio from the dangerous effects of COVID-19...to protect the lives, safety, and health of the citizens of Ohio”;

WHEREAS, on March 14, 2020 Dr. Amy Acton, Director of the Ohio Department of Health, ordered “that all school buildings that provide any kindergarten through grade twelve instruction in the State of Ohio are to be closed to students” in order to avoid an imminent threat with a high probability of widespread exposure to COVID-19;

WHEREAS, on April 29, 2020 Dr. Amy Acton’s order for the closure of all schools was extended to June 30, 2020 and designated to “remain in full force and effect until the State of Emergency declared by the Governor no longer exists or the Director of the Ohio Department of Health rescinds or modifies the Order.”;

WHEREAS, in March 2020 Dr. Amy Action issued multiple statewide orders prohibiting the operation of businesses and gatherings that would risk the spread of COVID-19 (e.g. March 21, 2020 closure of dance studios that provide dance lessons to children in a group setting or in one on one classes);

WHEREAS, on March 20, 2020 U.S. Secretary of Education Betsy DeVos announced that the U.S. Department of Education would grant states waivers providing relief from federally mandated testing requirements for the 2019-2020 academic year;

WHEREAS, on March 27, 2020, Governor Mike DeWine signed Am. Sub. H.B. 197 of the 133rd General Assembly “in response to the declared pandemic and global health emergency related to COVID-19”;

WHEREAS, Section 17 of Am. Sub. H.B. 197 of the 133rd General Assembly waives assessment requirements for public and private students in grades kindergarten through grade twelve;

WHEREAS, Section 17(L) of Am.Sub.H.B.197, as enrolled, states, “No school district shall require the parent of any student who was instructed at home in accordance with section 3321.04 of the Revised Code for the 2019-2020 school year to submit to the district superintendent the results of a standardized achievement assessment administered to the student as a condition of the district allowing the student to continue to receive home instruction for the 2020-2021 school year”;

WHEREAS, the waiver of this assessment requirement for home educated students was intended to prevent exposure to the COVID-19 virus, but the language in Section 17(L) of Am.Sub.H.B.197 does not waive the requirement for parents who choose to demonstrate a home-school student's achievement through a written narrative pursuant to Ohio Administrative Code section 3301-34-04(B)(2);

WHEREAS, these remaining assessment requirements will place an undue burden on families and will potentially place the student and/or the assessor in proximity that would risk exposure to the COVID -19 virus;

THEREFORE, BE IT RESOLVED, that the Board approves the recommendation for a legislative change that provides that no school district shall require the parent of any student who was instructed at home in accordance with section 3321.04 of the Revised Code for the 2019-2020 school year to submit to the district superintendent any academic assessment report required pursuant to Ohio Administrative Code section 3301-34-04(B) as a condition of the district excusing the student from compulsory school attendance in order to continue to receive home instruction for the 2020-2021 school year; and

BE IT FURTHER RESOLVED, that the Board hereby directs the Superintendent of Public Instruction to prepare a recommendation, subject to the approval of the President of the Board, to the Primary and Secondary Education Committee of the Ohio House of Representatives and the Education Committee of the Ohio Senate containing the recommendation approved herein;

BE IT FURTHER RESOLVED, that the Superintendent submit the recommendation to the aforementioned committees of the General Assembly and take any appropriate action to advocate for its adoption.

It was Moved by Mrs. Fowler Arthur and Seconded by Mr. Hagan that the above recommendation (Item 28) be approved.

Mrs. Fowler Arthur brought to the attention of Board members the last two whereas and three resolved clauses of the proposed resolution.

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin	Stephanie Dodd
Sarah Fowler Arthur	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.

Mr. Owens presented the following recommendation (Item 29):

A request was made and granted by Board leadership for emergency consideration of Item 29.

29. RESOLUTION FOR VOLUNTARY PAY REDUCTION FOR MEMBERS OF THE STATE BOARD OF EDUCATION

The State Board of Education (“Board”) hereby **ADOPTS** the following Preambles and Resolutions:

WHEREAS, on March 9, 2020 Governor Mike DeWine declared a state of emergency “for the entire State to protect the well-being of the citizens of Ohio from the dangerous effects of COVID-19...to protect the lives, safety, and health of the citizens of Ohio”;

WHEREAS, given the current economic situation caused by the COVID-19 pandemic, under the direction of the Office of Budget and Management, it is necessary that Ohio state government begin implementing several immediate measures to reduce expenditures by state agencies, boards, and commissions to preserve our ability to provide services to Ohioans.

WHEREAS, Ohio Revised Code (“ORC”) Section 3301.03 authorizes each voting member of the State Board of Education (“State Board”) to be paid a salary fixed pursuant to division (J) of ORC Section 124.15, together with the member’s actual and necessary expenses incurred while engaged in the performance of the member’s official duties or in the conduct of authorized board business, and while en route to and from the member’s home for such purposes.

WHEREAS, division (J) of ORC 124.15 provides that unless the compensation of a member of a board or commission is otherwise set by statute, the director of administrative services shall establish the rate and method of payment for members of boards and commissions pursuant to the pay schedules listed in ORC 124.152.

WHEREAS, it is not the intention of the State Board to modify the pay schedules established under ORC 124.15, but rather to voluntarily waive their hourly compensation rate by twenty (20) percent from \$32.02 to \$25.62 in an effort to support the state’s efforts to reduce expenditures.

THEREFORE, BE IT RESOLVED, that the Board recommends voluntarily waiving their hourly compensation rate of its members effective immediately, from \$32.02 to \$25.62, through December 31, 2020.

It was Moved by Mr. Owens and Seconded by Dr. Kilgore that the above recommendation (Item 29) be approved.

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Mrs. Dodd raised objections regarding the Board's legal authority to vote on reducing Board member's hourly rate.

Mrs. Hill asked if state employees had received a reduction in their pay. Superintendent DeMaria responded state employees had not received a reduction in pay at this time.

President Kohler called for a roll call vote.

YES VOTES

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

NO VOTES

Stephanie Dodd
Kirsten Hill

Motion carried.

NOTE: This item was voted on by the Board, but is outside of the powers of the Board and therefore is null and void.

Mrs. Fowler Arthur presented the following recommendation (Item 30):

A request was made and granted by Board leadership for emergency consideration of item 30.

30. RESOLUTION APPROVING RECOMMENDATION TO THE GENERAL ASSEMBLY REGARDING THE REQUIREMENT THAT THE STATE BOARD OF EDUCATION ANNUALLY ADJUST UPWARD THE LEVEL OF ACHIEVEMENT DESIGNATED UNDER DIVISION (A)(3) OF SECTION 3301.0710 OF THE REVISED CODE FOR THE 2020-2021 SCHOOL YEAR

The State Board of Education ("Board") hereby **APPROVES** the recommendation for a legislative change as follows:

Ohio Revised Code (ORC) Section 3301.0711(B)(1) requires the administration of the English language arts assessment prescribed under ORC 3301.0710(A)(1)(a) to all students in the third grade;

The levels of achievement for the third grade English language arts assessment are limited, basic, proficient, accelerated and advanced;

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ORC 3301.0710(A)(3) requires the Board to determine and designate a level of achievement on the third grade English language arts assessment for a student to be promoted to the fourth grade under ORC 3313.608;

ORC 3301.0710(A)(3) requires the Board to adjust upward the level of achievement each year the third grade English language arts assessment is administered until the promotion score is set equal to the proficient level of skill; and

The promotion score for the English language arts assessment is set at 683, or a reading subscore of 46, for the 2019-2020 school year, which falls within the range of the basic level of skill;

The Board recognizes the challenges faced by students in the education community due to the COVID-19 pandemic, including difficulty providing literacy support that students may need to further develop reading skills;

The Board recognizes that the COVID-19 pandemic is ongoing and will likely continue to present challenges into the 2020-2021 school year;

The Teaching, Leading and Learning Committee at the May 11, 2020 committee meeting recommended that the Board recommends to the General Assembly that the State Board of Education not be required to adjust upward the promotion score for the English Language Arts assessment as required under division (A)(3) of Section 3301.0710 of the Revised Code for the 2020-2021 school year.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby approves recommending to the General Assembly that the State Board of Education not be required to adjust upward the promotion score for the English Language Arts assessment as required under division (A)(3) of Section 3301.0710 of the Revised Code for the 2020-2021 school year;

BE IT FURTHER RESOLVED, that the Board hereby directs the Superintendent of Public Instruction to prepare a correspondence, subject to the approval of the President of the Board, to the Primary and Secondary Education Committee of the Ohio House of Representatives and the Education Committee of the Ohio Senate containing the recommendation approved herein;

BE IT FURTHER RESOLVED, that the Superintendent submit the recommendation to the aforementioned committees of the General Assembly and take any appropriate action to advocate for its adoption.

It was Moved by Mrs. Fowler Arthur that the above recommendation (Item 30) be approved.

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin
Sarah Fowler Arthur
Linda Haycock
Jenny Kilgore

Stephanie Dodd
John Hagan
Kirsten Hill
Laura Kohler

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Mark Lamoncha
Charlotte McGuire
Nick Owens
Reginald Wilkinson

Martha Manchester
Antoinette Miranda
Mike Toal
Lisa Woods

Motion carried.

Dr. Wilkinson requested the Board examine inconsistencies in the area of Professional Conduct. President Kohler responded that a presentation could be done regarding the selection of Hearing Officers.

Ms. Woods stated the need for a secure Ohio based on-line learning network. She further stated; "Ohio kids need a safe place online to learn. From intrusive breaches on Zoom video platform and many cases of personal data misuse by Google classroom. Zoom and other vendors are owned by the Chinese communist government. Many of these services route secure info overseas. Ohio information is exposed in a cloud that is not secure. Creating our own system can facilitate security that does not leave the state and could be trusted not to be compromised. Ohio can lead the way in securing our children's personal data and online social safety".

Mr. Hagan Moved to adjourn the meeting. Mr. Dackin Seconded the motion.

The President requested a voice vote.

Motion carried.

President Kohler adjourned the meeting at 4:40 p.m. The next regularly scheduled meeting of the State Board of Education is June 8-9, 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.