

Minutes of the January 2019 Meeting of the State Board of Education of Ohio

**STATE BOARD OF EDUCATION OF OHIO
MINUTES**

January 2019
Ohio Department of Education
25 South Front Street
Columbus, Ohio 43215

MEMBERS OF THE STATE BOARD OF EDUCATION

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

SECRETARY

Paolo DeMaria
Superintendent of Public Instruction

Dr. Miranda and Mr. Poklar were absent on Wednesday.

The State Board convened on Tuesday, January 15, at the Ohio Department of Education in Columbus.

Mrs. Dodd, Temporary Chair, called the Biennial Organization Meeting to order.

OATH OF OFFICE

Mrs. Dodd read the certifications of election and executive appointments.

At 9:45 a.m., Supreme Court Justice, Justice Judith L. French, The Supreme Court of Ohio, administered the Oath of Office to the following members of the State Board of Education:

Elected Board Members:

John Hagan
Kirsten Hill
Jenny Kilgore
Charlotte McGuire

Appointed Board Members:

David Brinegar
Cindy Collins
Mark Lamoncha

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Mike Toal

Mrs. Dodd asked the Recording Secretary to call the roll.

MEMBERS PRESENT

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

Mrs. Dodd called for the approval of the Minutes of the December 2018 meeting. She asked if there were any corrections to the Minutes.

Mrs. McGuire requested that Alternative Assessments Workgroup members Pat Bruns and Laura Kohler and Department staff members Alex Goodman, Buddy Harris and Sarah Wilson be listed in the Workgroup report out.

It was Moved by Mrs. Manchester and Seconded by Ms. Johnson that the Minutes be approved as amended. The Temporary Chair called for a voice vote.

Motion carried unanimously.

Superintendent DeMaria welcomed new Board members as well as current Board members.

ELECTION OF OFFICERS

State Board members had been provided information on the election of new State Board officers and the Board's biennial organization meeting.

The Department's Chief Legal Counsel, Diane Lease reviewed with Board members the election process.

Nomination and Election of President

The Temporary Chair opened the floor for nominations for president.

Lisa Woods nominated Nick Owens. Martha Manchester nominated Laura Kohler.

Ms. Johnson Moved to close nominations for president.

Mrs. Dodd asked if there was general consent at this time for nominees to address the Board and Board members to speak on behalf of the nominees. Mrs. Dodd received general consent.

Mrs. Kohler and Mr. Owens spoke on behalf of their nomination. Mrs. Manchester spoke on behalf of her nominee Mrs. Kohler. Ms. Woods spoke on behalf of her nominee Mr. Owens. Ms. Fowler spoke in support of Mrs. Kohler. Ms. Johnson, Mrs. Haycock, Mrs. Miranda and Mrs. Dodd spoke in support of Mr. Owens.

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Mrs. Dodd asked for Board members to say the name of the candidate they were voting for.

LAURA KOHLER

David Brinegar
Sarah Fowler
Kirsten Hill
Laura Kohler
Martha Manchester
Eric Poklar
Mike Toal

Cindy Collins
John Hagan
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
James Sheppard

NICK OWENS

Stephanie Dodd
Meryl Johnson
Nick Owens

Linda Haycock
Antoinette Miranda
Lisa Woods

Mrs. Dodd announced that Laura Kohler was elected as President of the State Board of Education for 2019-2020.

Laura Kohler, newly elected President, assumed the chair. Ms. Fowler asked that the Board recognize Mrs. Dodd for her work as the temporary chair of the Biennial Organization meeting.

Nomination and Election of Vice President

President Kohler opened the floor for nominations for vice president.

Jenny Kilgore nominated Sarah Fowler. Linda Haycock nominated Stephanie Dodd and Mrs. Dodd asked that her name be removed from consideration. Martha Manchester nominated Charlotte McGuire. Meryl Johnson nominated Nick Owens and Mr. Owens asked that his name be removed from consideration.

Mrs. Hill Moved to close nominations for vice president.

President Kohler asked if there was general consent at this time for nominees to address the Board and Board members to speak on behalf of the nominees. President Kohler received general consent.

Mrs. Kilgore spoke on behalf of her nominee Ms. Fowler. Mrs. Manchester spoke on behalf of her nominee Mrs. McGuire. Ms. Fowler and Mrs. McGuire spoke on behalf of their nomination. Ms. Johnson spoke in support of Mrs. McGuire. Mrs. Dodd stated she would be abstaining from the vote and said that it was unfortunate that sometimes, outside influences impact the decision making of this Board. She felt neither nominee was the best choice for the position, either from a lack of experience or previous inability to support the work that has been done. This would not be a good sign for the future work of the Board.

President Kohler asked for Board members to say the name of the candidate they were voting for.

FOWLER

David Brinegar
John Hagan
Jenny Kilgore
James Sheppard

Sarah Fowler
Kirsten Hill
Laura Kohler
Mike Toal

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Lisa Woods

MCGUIRE

Cindy Collins
Meryl Johnson
Martha Manchester
Antoinette Miranda
Eric Poklar

Linda Haycock
Mark Lamoncha
Charlotte McGuire
Nick Owens

ABSTAIN

Stephanie Dodd

President Kohler stated since there was a tie vote, the Board would vote again.

President Kohler asked for Board members to say the name of the candidate they were voting for.

FOWLER

David Brinegar
John Hagan
Jenny Kilgore
James Sheppard
Lisa Woods

Sarah Fowler
Kirsten Hill
Laura Kohler
Mike Toal

MCGUIRE

Cindy Collins
Linda Haycock
Mark Lamoncha
Charlotte McGuire
Nick Owens

Stephanie Dodd
Meryl Johnson
Martha Manchester
Antoinette Miranda
Eric Poklar

President Kohler announced that Charlotte McGuire was elected Vice President for 2019-2020. Mrs. McGuire moved to the Vice President's Chair.

President Kohler adjourned the Biennial Organization Meeting at 10:45 a.m.

The Board took a brief recess.

RECONVENE STATE BOARD BUSINESS MEETING

President Kohler reconvened the Business meeting of the State Board of Education on Tuesday, January 15, at 11:12 a.m.

President Kohler asked the Recording Secretary to call the roll.

YES VOTES

David Brinegar
Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore

Cindy Collins
Sarah Fowler
Linda Haycock
Meryl Johnson
Laura Kohler

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Mark Lamoncha
Charlotte McGuire
Nick Owens
James Sheppard
Lisa Woods

Martha Manchester
Antoinette Miranda
Eric Poklar
Mike Toal

Motion carried.

WELCOME AND PLEDGE OF ALLEGIANCE

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

REVIEW OF WRITTEN REPORTS AND ITEMS FOR VOTE

There were no questions from Board members.

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.

Mr. Sheppard Seconded the motion.

The President called for a roll call vote.

YES VOTES

David Brinegar
Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
Nick Owens
James Sheppard
Lisa Woods

Cindy Collins
Sarah Fowler
Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Antoinette Miranda
Eric Poklar
Mike Toal

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Motion carried.

The Board went into Executive Session at 11:13 a.m.

The Board recessed from Executive Session at 12:10 p.m.

The State Board recessed for lunch.

EDUCATION FUNDING MODEL PRESENTATION

Representatives Robert Cupp & John Patterson School Funding Workgroup

Regional Meetings:

- These meetings will provide BASA, OASBO and OSBA members background on how and why the idea for the School Funding Workgroup originated, the goals of the project and details of its preliminary recommendations
- Presenters at this meeting will seek input and answer questions, but no specific district funding numbers will be used. The workgroup will use the input from the meetings to finalize recommendations and then create simulations

Goals:

- 1) Detail review of Base Cost Solicit feedback
- 2) Summary review of Distribution concepts Explain where we are in the process and solicit feedback
- 3) Review Categorical and subgroups Explain the relationship to Base Cost (within or outside of the formula) and solicit feedback
- 4) Where do we go from here?

Methods for Determining Base Cost:

- 1) Outcomes Based (Augenblick Successful Schools)
- 2) Inputs Based – Professional Judgment (Coalition Basket of Essential Resources)
- 3) Inputs Based – Evidenced Based Model (Strickland OEBM)
- 4) “Hybrid” Approaches (Building Blocks)
- 5) Statistical Regression Analysis – not used in Ohio

Base Cost:

Base Cost - How is this approach different than the past?

- We built this formula around the student and the student’s educational experience
- We considered the “whole student” – instruction, co-curriculars, professional development, social-emotional needs, career readiness counselors and technology – these are just some of components that went into building our model that has never been in previous models.
- It is a unique model – built around Ohio’s learners today and Ohio’s workforce needs of tomorrow.

It is NOT prescriptive - Respects local control and frees you to do what you need to do.

Values – Guiding Principles:

- Define: What does it cost to educate a child today? What does every district need today to operate?

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- Ensure all students can achieve their greatest potential, regardless of school district property wealth
- Continue Ohio's tradition of local control
- Provide a stable funding formula
- Recognize students have different needs, for example: Socio-Economic, English Learners, Special Education, and should be funded accordingly

Values – What We Believe:

- Provide for social, emotional, and security needs
- Provide for technology
- Transparent way to assess every community's ability to pay their fair share

Base Cost Approach and Recommendations:

- Ohio has tried every approach to computing the base cost mentioned above except for the statistical analysis method.
- An inputs based method that is a combination of evidence from research and professional judgment appears to offer the most practical approach to computing base cost in a transparent, justifiable, and rational fashion while providing stability over time

Base Cost Breakdown:

- Direct Classroom Instruction 60%
- Building Leadership & Operations 20%
- Instructional & Student Supports 15%
- District Leadership & Accountability 5%

Distribution:

- Each district will have its calculated local share based on a combination of property value and income factors
- The goal is to eliminate the correlation of one district impacting another

Subgroup Recommendations:

Subgroup – Outside the Base Costs:

- Poverty and Preschool
- Transportation
- Special Education, Gifted and ELL
- ESC's, CTE's and STEM
- Open Enrollment, Charter Funding, and Vouchers
- Distribution
- Technology

Poverty and Preschool Subgroup:

Poverty:

- There is a significant difference between rural and urban poverty in terms of resources.
- The current categorical funding for disadvantaged students has no identifiable cost basis and is inadequate
- Increase categorical aid to include additional resources to provide increased social and emotional support for disadvantaged students.
- Allow flexibility to choose the mix of support services that best meet local needs
- Create an interim per pupil amount for economically disadvantaged until an in-depth study can be conducted to determine a permanent amount and specific types of recommended resources.

Preschool:

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- By school year 2020-2021, every economically disadvantaged four-year old be guaranteed access to at least one year of high quality preschool.
- Enhance identification activities to guarantee that all of those who should qualify are identified.
- Every ESC in the state be funded to create the position of Community Preschool Director to coordinate early childhood services.
- Investigate and develop recommendations regarding
 - The most appropriate basis for defining economically disadvantaged students and identifying those who are three and four-year old's
 - An analysis of the various methods currently being utilized to deliver and fund high quality preschool to determine the most effective and efficient delivery system or systems
 - Conduct a comprehensive study of all state agencies currently providing services to school age and preschool age children to eliminate overlap and duplication and determine if centralizing the location for delivering those services can increase their efficiency and accessibility, taking into consideration convenience in accessing those services.

Special Education, Gifted and ELL Subgroup:

Special Education:

- Fund and authorize an updated cost study
 - Last full study 2001, updates in 2006 & 2014
- Return to a multiplier of the base cost per pupil
 - Possible parity issues with dollar per pupil amounts
- Fund special education preschool based on calendar / % of time
- Fund special education at 100% (setting aside 10% for catastrophic)

Gifted:

- Per pupil funding amounts for identification, referrals, PD, gifted coordinators & services based on May, 2018, gifted cost study
- Establish workgroup to study & recommend improvements to financial reporting of gifted expenditures
- Establish an incentive program for rural districts

ELL (English Language Learners):

- Fund and authorize a cost study to establish funding needs
- Return to a multiplier of the base cost per pupil
 - Possible parity issues with dollar per pupil amounts
- Revise the existing Category 2 & Category 3 funding levels
 - Category 2 to include all ELL students after 180 days until proficient
 - Category 3 for the 2 years following proficiency

ESC, CTE and STEM Subgroup:

Educational Service Centers (ESCs):

- ESCs will receive an initial amount to help offset certain required ESC administrative expenses to eliminate the need for some ESC's to bill districts to cover those expense
- ESCs will receive a per pupil amount derived from a cost study done by Ohio ESC Association

Career Technical Education (CTEs):

- Base aid for career technical centers will align with base aid for traditional districts with several line item descriptions modified to reflect activities taking place within the career technical setting
- Tiered funding to be maintained and remain outside the cap/guarantee

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- Career Exploration/Career Awareness budget line item to be administered and delivered by CTPD (Career Technical Planning District) to all students within the CTPD

Science, Technology, Engineering and Mathematics (STEM):

- Standalone STEM schools will be funded in the same manner as charter/community schools

Transportation Subgroup:

Transportation:

- Resolve transportation service requirements for asynchronous calendars and bell time conflicts and limit the transportation obligation of traditional public schools to serve only nonpublic, community, and STEM schools located within the public-school district boundaries;
- Create a grant program to promote collaboration among school districts to develop efficiencies in transportation, and establish a school bus purchase assistance program;
- Modify the transportation funding formula for bus riders to fund all students transported, reward efficiency, report the greater of the morning or afternoon ridership, include a funding adjustment for districts transporting a higher percentage of nontraditional students, fund transportation at the greater of 60% or the district's calculated state share paid through a single funding stream, require the Department to continue funding all other types of transportation, and move transportation funding outside the formula and exempt from any caps or guarantees;
- Increase available funds for special education transportation, and grant local boards the authority to operate their buses for trips other than for educational purposes.

Open Enrollment, Community Schools & Vouchers Subgroup:

1. Remove students participating in school choice programs from the ADM of the traditional public-school district in which they reside.

- Inputs will be based solely on number of students a district is educating.
- Eliminate the animosity associated with tracking outgoing students and the local share of per pupil funding flowing to community schools.
- Funding of community schools and voucher programs will become its own separate conversation once their funding is untangled from traditional public-school districts.

2. Provide local share of funding to districts educating open enrollment students. Resident district's deduction would be based on their local share % and educating district's addition would be based on their local share.

- Intent is to maintain open enrollment participation at current level.
- On an individual student basis, this is not a dollar-for-dollar transfer. However, preliminary projections conclude the difference is immaterial once applied statewide to all open enrollment students.

Next Steps:

- Phase 1 – November 2017 to October 2018; Develop formula - What does it cost to educate a typical student today? What does it cost for every school district to operate?
- Phase 2 - October 2018 to January 2019; Further develop Distribution component of the formula
- Final Report - January 2019

PARLIAMENTARY PROCEDURE/ROBERT'S RULES OF ORDER

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The Board received a short presentation regarding Parliamentary Procedure/Robert's Rules of Order from Diane Lease, Chief Legal Counsel.

REPORT OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION

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

- Strategic Plan Overview
- Strategies 8 and 9

DEPARTMENT STAFF INTRODUCTIONS

- Deputy State Superintendent, John Richard
- Chief Legal Counsel, Diane Lease
- Chief Strategy Officer, Sean Yoder
- Communications Office, Dan Minnich
- Office of Legislative Affairs, Brittany Colvin
- Senior Executive Directors:
 - Stephanie Siddens
 - Marva Jones
 - Chris Woolard
 - Julia Simmerer

EXECUTIVE SESSION

President Kohler called on Vice President McGuire, who Moved that the State Board of Education go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official; that the State Board of Education go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(1) to consider the investigation of charges or complaints against a public employee, official, licensee, or regulated individual; that the State Board of Education go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(3) for the purpose of conferring with legal counsel about matters that are the subject of pending or imminent court action.

Mrs. Manchester Seconded the motion.

The President called for a roll call vote.

YES VOTES

David Brinegar
Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore

Cindy Collins
Sarah Fowler
Linda Haycock
Meryl Johnson
Laura Kohler

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Mark Lamoncha
Charlotte McGuire
Nick Owens
James Sheppard
Lisa Woods

Martha Manchester
Antoinette Miranda
Eric Poklar
Mike Toal

Motion carried.

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

The Board recessed from Executive Session at 4:45 p.m.

PUBLIC PARTICIPATION ON VOTING AGENDA ITEMS

There was no Public Participation on Action Items.

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 1-3) on the Consent Agenda:

- 1. RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY EDDIE N. BLACK 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 Eddie N. Black has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on November 21, 2018, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Eddie N. Black 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. Black's decision not to participate in proceedings pursuant to Ohio Revised Code 3319.311; and

WHEREAS the form specifies that Eddie N. Black is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

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WHEREAS Eddie N. Black 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** Eddie N. Black'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. Black's decision not to participate in 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 Eddie N. Black 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. Black of this action.

2. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY JOSIAH C. NEWLAND 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 Josiah C. Newland has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on December 3, 2018, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Josiah C. Newland 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. Newland's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Josiah C. Newland 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** Josiah C. Newland's current and any previously held licenses, permits, and certificates and

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DENIES any pending applications that he has submitted for a license, permit, or certificate based upon Mr. Newland'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 Josiah C. Newland 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. Newland of this action.

3. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY CHRISTOPHER D. ROHLING 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 Christopher D. Rohling has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on November 26, 2018, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Christopher D. Rohling 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. Rohling's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Christopher D. Rohling 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** Christopher D. Rohling'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. Rohling'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 Christopher D. Rohling be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

It was Moved by Mrs. Dodd and Seconded by Ms. Johnson that the Consent Agenda (Items 1-3) be approved.

President Kohler called for a roll call vote.

YES VOTES

David Brinegar
Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
Nick Owens
James Sheppard
Lisa Woods

Cindy Collins
Sarah Fowler
Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Antoinette Miranda
Eric Poklar
Mike Toal

Motion carried.

Ms. Fowler presented the following recommendation (Item 4):

4. RESOLUTION TO ADOPT CHANGES TO OHIO ADMINISTRATIVE RULE 3301-23-44 / TEMPORARY AND SUBSTITUTE LICENSES

The State Board of Education hereby **ADOPTS** the following Preambles and Resolutions:

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

ORC Section 3319.22 allows the Board to adopt, amend, or rescind rules for educator licenses;

ORC Section 3319.226 requires the Board to adopt rules establishing standards and requirements for obtaining a license under that section and for renewal of the license;

Changes to ORC Section 3319.226 have eliminated the distinction between short-term and long-term substitute teaching licenses and have provided a new framework in which the length that an individual may teach under a substitute license is dependent upon the teacher's post-secondary degree and the field in which the individual will teach under the substitute license;

Staff is recommending changes to Ohio Administrative Code (OAC) 3301-23-44 to align with the changes to ORC Section 3319.226;

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The Educators and Student Options Committee recommended in its December 2018 meeting that the Board approve the amendments to OAC 3301-23-44 in the form presented to the Committee.

NOW, THEREFORE, BE IT RESOLVED, that the State Board approves the amendments to OAC 3301-23-44 in the form attached hereto;

FURTHER RESOLVED, that the Superintendent of Public Instruction or his designee be, and hereby is, directed to file the rules with the proper agencies, and the same be made available upon request, without charge, to all persons affected by said rules; 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 rules; that public notice be given in the Register of Ohio, and that said notice contain a general statement of the subject matter to which the rules relates.

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

President Kohler called for a roll call vote.

YES VOTES

David Brinegar
Stephanie Dodd
John Hagan
Meryl Johnson
Laura Kohler
Martha Manchester
Antoinette Miranda
Eric Poklar
Mike Toal

Cindy Collins
Sarah Fowler
Linda Haycock
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
Nick Owens
James Sheppard
Lisa Woods

ABSTAIN

Kirsten Hill

Motion carried.

Ms. Fowler presented the following recommendation (Item 5):

5. RESOLUTION TO ADOPT CHANGES TO OHIO ADMINISTRATIVE RULE 3301-24-15 / PROVISIONAL EDUCATOR LICENSE FOR TEACHERS IN STEM SCHOOLS

The State Board of Education hereby **ADOPTS** the following Preambles and Resolutions:

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

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ORC Section 3319.22 allows the Board to adopt, amend, or rescind rules for educator licenses;

Ohio Administrative Code (OAC) 3301-24-15 is being reviewed as part of the five-year rule review;

More than 50 percent of the rule is being amended, so staff is recommending rescinding the current version Ohio Administrative Code (OAC) 3301-24-15 and adopting a new rule bearing the same number;

Staff is recommending that the Board approves rescinding the existing OAC 3301-24-15 and adopting a new rule bearing the same number in the form attached hereto;

The Educators and Student Options Committee recommended in its December 2018 meeting that the Board rescind the existing OAC 3301-24-15 and adopt a new rule bearing the same number in the form presented to the Committee;

NOW, THEREFORE, BE IT RESOLVED, that the Board approves rescinding the existing OAC 3301-24-15 and adopting a new rule bearing the same number in the form attached hereto;

FURTHER RESOLVED, that the Superintendent of Public Instruction or his designee be, and hereby is, directed to file the rules with the proper agencies, and the same be made available upon request, without charge, to all persons affected by said rules; 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 rules; that public notice be given in the Register of Ohio, and that said notice contain a general statement of the subject matter to which the rules relates.

It was Moved by Ms. Fowler that the above recommendation (Item 5) be approved.

President Kohler called for a roll call vote.

YES VOTES

David Brinegar
Stephanie Dodd
John Hagan
Meryl Johnson
Laura Kohler
Martha Manchester
Antoinette Miranda
Eric Poklar
Mike Toal

Cindy Collins
Sarah Fowler
Linda Haycock
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
Nick Owens
James Sheppard
Lisa Woods

ABSTAIN

Kirsten Hill

Motion carried.

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

6. RESOLUTION TO ADOPT OHIO ADMINISTRATIVE RULE 3301-24-27 / EARLY COLLEGE HIGH SCHOOL EDUCATOR LICENSE

The State Board of Education hereby **ADOPTS** the following Preambles and Resolutions:

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

ORC Section 3319.262 allows the Board to adopt rules establishing standards and requirements for obtaining a nonrenewable four-year initial early college high school educator license for teaching grades seven through twelve at an early college high school;

Staff is recommending adoption of section 3301-24-27 of the Ohio Administrative Code (OAC) in the form attached hereto;

The Educators and Student Options Committee recommended at its December 2018 meeting that the Board adopt OAC 3301-24-15 in the form presented to the Committee.

NOW, THEREFORE, BE IT RESOLVED, that the Board approves adopting OAC 3301-24-15 in the form attached hereto.

FURTHER RESOLVED, that the Superintendent of Public Instruction or his designee be, and hereby is, directed to file the rules with the proper agencies, and the same be made available upon request, without charge, to all persons affected by said rules; 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 rules; that public notice be given in the Register of Ohio, and that said notice contain a general statement of the subject matter to which the rules relates.

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

President Kohler called for a roll call vote.

YES VOTES

David Brinegar
Stephanie Dodd
John Hagan
Meryl Johnson
Laura Kohler
Martha Manchester

Cindy Collins
Sarah Fowler
Linda Haycock
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire

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Antoinette Miranda
Eric Poklar
Mike Toal

Nick Owens
James Sheppard
Lisa Woods

ABSTAIN

Kirsten Hill

Motion carried.

Ms. Fowler presented the following recommendation (Item 7):

**7. RESOLUTION TO ADOPT CHANGES TO OHIO ADMINISTRATIVE RULE
3301-26-01 / EXAMINATIONS FOR EDUCATOR LICENSURE**

The State Board of Education hereby **ADOPTS** the following Preambles and Resolutions:

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

ORC Section 3319.22 allows the Board to adopt, amend, or rescind rules for educator licenses;

Staff is recommending changes to Ohio Administrative Code (OAC) 3301-26-01;

The Educators and Student Options Committee recommended at its December 2018 meeting that the Board approve the amendments to OAC 3301-26-01 in the form presented to the Committee;

NOW, THEREFORE, BE IT RESOLVED, that the Board approves the amendments to OAC 3301-26-01 in the form attached hereto.

FURTHER RESOLVED, that the Superintendent of Public Instruction or his designee be, and hereby is, directed to file the rules with the proper agencies, and the same be made available upon request, without charge, to all persons affected by said rules; 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 rules; that public notice be given in the Register of Ohio, and that said notice contain a general statement of the subject matter to which the rules relates.

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

President Kohler called for a roll call vote.

YES VOTES

David Brinegar
Stephanie Dodd

Cindy Collins
Sarah Fowler

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John Hagan
Meryl Johnson
Laura Kohler
Martha Manchester
Antoinette Miranda
Eric Poklar
Mike Toal

Linda Haycock
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
Nick Owens
James Sheppard
Lisa Woods

ABSTAIN

Kirsten Hill

Motion carried.

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

8. RESOLUTION TO DENY PERMANENTLY THE ONE-YEAR SUBSTITUTE GENERAL EDUCATION TEACHING LICENSE APPLICATION OF DENIS R. ABBEY (AKA DENNIS R. ABBEY)

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

WHEREAS Denis R. Abbey (aka Dennis R. Abbey) has applied for a one-year substitute general education teaching license; and

WHEREAS on October 9, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Denis R. Abbey 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. Abbey's 2017 conviction in the Franklin County Municipal Court for one misdemeanor count of telephone harassment; and

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

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

WHEREAS Denis R. Abbey did submit his contentions in writing; and

WHEREAS the State Board of Education has considered Mr. Abbey's contentions in writing; and

WHEREAS the State Board of Education has reviewed the affidavit of the director of the Office of Professional Conduct, Notice of the State Board of Education's Intended Action and Opportunity for a Hearing, certified court records from the Franklin County Municipal Court, certified police records from the Hilliard Division of Police, and Mr. Abbey's contentions in writing; and

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WHEREAS Ohio Administrative Code Rule 3301-73-05 authorizes the State Board of Education to impose disciplinary action against any licenses held or applied for without holding an administrative hearing if the applicant and/or license holder fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **DENIES** Denis R. Abbey's application for a one-year substitute general education teaching license based upon Mr. Abbey's 2017 conviction in the Franklin County Municipal Court for one misdemeanor count of telephone harassment. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Denis R. Abbey 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. Abbey of this action.

It was Moved by Mrs. McGuire and Seconded by Ms. Fowler that the above recommendation (Item 8) be approved.

President Kohler called for a roll call vote.

YES VOTES

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

Motion carried.

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

9. RESOLUTION TO REVOKE PERMANENTLY THE FOUR-YEAR RESIDENT EDUCATOR ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE OF NICHOLAS L. ADAMS

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

WHEREAS Nicholas L. Adams holds a four-year resident educator adolescence to young adult teaching license issued in 2016; and

WHEREAS on November 1, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Nicholas L. Adams of its intent to determine whether to limit, suspend, revoke, or permanently revoke his four-year resident educator adolescence to young adult teaching license issued in 2016 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon the West Virginia Department of Education, on or about October 3, 2017, issuing an order to Mr. Adams suspending his West Virginia professional teaching certificate for a period of thirty months effective November 30, 2016, pursuant to an agreement dated September 25, 2017, whereby Mr. Adams agreed to voluntarily surrender his West Virginia professional teaching certificate for thirty months and attend a one-day boundaries training program arranged by the West Virginia Department of Education; and

WHEREAS the notice informed Mr. Adams that if he fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke his four-year resident educator adolescence to young adult teaching license issued in 2016; and

WHEREAS Nicholas L. Adams did not request a hearing in accordance with Section 119.07 of the Revised Code; and

WHEREAS the State Board of Education has reviewed the affidavit of the director of the Office of Professional Conduct, Notice of the State Board of Education's Intended Action and Opportunity for a Hearing, and certified records from the West Virginia Department of Education; and

WHEREAS Ohio Administrative Code Rule 3301-73-05 authorizes the State Board of Education to impose disciplinary action against any licenses held or applied for without holding an administrative hearing if the applicant and/or license holder fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code; and

WHEREAS the State Board 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** Nicholas L. Adams' four-year resident educator adolescence to young adult teaching license issued in 2016 based upon the West Virginia Department of Education, on or about October 3, 2017, issuing an order to Mr. Adams suspending his West Virginia professional teaching certificate for a period of thirty months effective November 30, 2016, pursuant to an agreement

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dated September 25, 2017, whereby Mr. Adams agreed to voluntarily surrender his West Virginia professional teaching certificate for thirty months and attend a one-day boundaries training program arranged by the West Virginia Department of Education. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Nicholas L. Adams 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. Adams of this action.

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

President Kohler called for a roll call vote.

YES VOTES

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

Motion carried.

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

10. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY PERMANENTLY THE ONE-YEAR SUBSTITUTE INTERVENTION SPECIALIST TEACHING LICENSE APPLICATION OF MICHAEL V. ARELLANO

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

WHEREAS Michael V. Arellano has applied for a one-year substitute intervention specialist teaching license; and

WHEREAS on August 9, 2017, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Michael V. Arellano of its intent to deny or permanently deny his application for a one-year substitute intervention specialist teaching license pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Arellano engaging in the following

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conduct that is unbecoming to the teaching profession: on or about July 27, 2007, the Texas State Board for Educator Certification issued a Final Decision and Order denying his application for a Texas Educator Certificate; on or about September 5, 2012, the New Mexico Secretary of Education issued a Decision and Order denying his application for a license to teach in New Mexico; and he failed to disclose the 2012 denial of his application for a license to teach by the New Mexico Secretary of Education on his pending application to the Ohio Department of Education; and

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

WHEREAS a hearing was held on February 27, 2018; and

WHEREAS Mr. Arellano was present at the hearing, but he was not represented by counsel; and

WHEREAS the hearing officer recommends that Mr. Arellano's application be denied. Further it is recommended that Mr. Arellano 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. Arellano engaging in conduct unbecoming to the teaching profession when he masturbated in front of another educator in a school restroom accessible by female students and this lack of judgment posing a significant risk that would negatively impact the health, safety, and welfare of the school community; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **DENIES** Michael V. Arellano's application for a one-year substitute intervention specialist teaching license based upon Mr. Arellano engaging in the following conduct that is unbecoming to the teaching profession: on or about July 27, 2007, the Texas State Board for Educator Certification issued a Final Decision and Order denying his application for a Texas Educator Certificate; on or about September 5, 2012, the New Mexico Secretary of Education issued a Decision and Order denying his application for a license to teach in New Mexico; and he failed to disclose the 2012 denial of his application for a license to teach by the New Mexico Secretary of Education on his pending application to the Ohio Department of Education. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Michael V. Arellano 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. Arellano of this action.

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

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President Kohler called for a roll call vote.

YES VOTES

David Brinegar
Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
Nick Owens
James Sheppard
Lisa Woods

Cindy Collins
Sarah Fowler
Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Antoinette Miranda
Eric Poklar
Mike Toal

Motion carried.

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

11. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL EARLY CHILDHOOD TEACHING LICENSE OF DANIELLE A. DEVLIN

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

WHEREAS Danielle A. Devlin held a five-year professional early childhood teaching license issued in 2012; and

WHEREAS on June 8, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Danielle A. Devlin of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional early childhood teaching license issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Devlin engaging in the following conduct that is unbecoming to the teaching profession: on or about May 11, 2016, she was observed to be impaired while working when an odor of alcohol was noticed coming from her person, she was observed to have an unsteady gait, she was observed to have slurred speech, she was observed to be glassy-eyed, and a bottle of vodka was found in her bag; and on or about September 28, 2016, Ms. Devlin was convicted in the Franklin County Municipal Court of one misdemeanor count of operation of a motor vehicle while impaired and, at the time of the offense, two minors were passengers in the car she was driving. Further, the notice included as an aggravating factor that on or about February 26, 2016, Ms. Devlin received a letter of direction for using an inappropriate tone and telling a student he was liar, and the letter of direction reminded Ms. Devlin to use appropriate disciplinary actions with students, use appropriate tone and language when speaking to or about students, follow the same pathway as parents who are not school employees for reporting a concern,

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maintain appropriate professional demeanor in the workplace, and use good judgment when dealing with her duties as a teacher; and

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

WHEREAS a hearing was held on October 18, 2018; and

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

WHEREAS the hearing officer recommends that Ms. Devlin's license be permanently revoked. Further, it is recommended that Ms. Devlin 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. Devlin engaging in conduct unbecoming to the teaching profession by being impaired at school during the school day and in possession of an alcoholic beverage at school, by having an OVI conviction that involved two minor passengers in her car at the time of the offense, and by receiving a letter of direction for using an inappropriate tone and calling a student a liar, and Ms. Devlin's continued licensure would negatively impact the health, safety, and welfare of the school community; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Danielle A. Devlin's five-year professional early childhood teaching license issued in 2012 based upon Ms. Devlin engaging in the following conduct that is unbecoming to the teaching profession: on or about May 11, 2016, she was observed to be impaired while working when an odor of alcohol was noticed coming from her person, she was observed to have an unsteady gait, she was observed to have slurred speech, she was observed to be glassy-eyed, and a bottle of vodka was found in her bag; and on or about September 28, 2016, Ms. Devlin was convicted in the Franklin County Municipal Court of one misdemeanor count of operation of a motor vehicle while impaired and, at the time of the offense, two minors were passengers in the car she was driving. Pursuant to Ohio Administrative Code Rule 3301-73-21(B), the State Board of Education further considers in aggravation that on or about February 26, 2016, Ms. Devlin received a letter of direction for using an inappropriate tone and telling a student he was liar, and the letter of direction reminded Ms. Devlin to use appropriate disciplinary actions with students, use appropriate tone and language when speaking to or about students, follow the same pathway as parents who are not school employees for reporting a concern, maintain appropriate professional demeanor in the workplace, and use good judgment when dealing with her duties as a teacher. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Danielle A. Devlin be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

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

President Kohler called for a roll call vote.

YES VOTES

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

Motion carried.

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

12. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL KINDERGARTEN-ELEMENTARY TEACHING LICENSE AND FIVE-YEAR PROFESSIONAL PUPIL SERVICES LICENSE OF SARAH E. REICHERT

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

WHEREAS Sarah E. Reichert holds a five-year professional kindergarten-elementary teaching license issued in 2014 and a five-year professional pupil services license issued in 2014; and

WHEREAS on May 25, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Sarah E. Reichert of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional kindergarten-elementary teaching license issued in 2014 and five-year professional pupil services license issued in 2014 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Reichert engaging in conduct that is unbecoming to the teaching profession on or about November 1, 2016, when she appeared to be intoxicated at school and subsequently failed an employment-related alcohol screen by testing positive for alcohol with a blood alcohol content measured at 0.108 and 0.098; and

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

WHEREAS a hearing was held on September 13, 2018; and

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

WHEREAS the hearing officer recommends that Ms. Reichert's licenses be permanently revoked. Further, it is recommended that Ms. Reichert 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. Reichert engaging in conduct unbecoming a teacher when she appeared to be intoxicated at school, and she did not present any evidence that she recognized the significance of her misconduct or that she is receiving treatment; 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** Sarah E. Reichert's five-year professional kindergarten-elementary teaching license issued in 2014 and five-year professional pupil services license issued in 2014 based upon Ms. Reichert engaging in conduct that is unbecoming to the teaching profession on or about November 1, 2016, when she appeared to be intoxicated at school and subsequently failed an employment-related alcohol screen by testing positive for alcohol with a blood alcohol content measured at 0.108 and 0.098. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Sarah E. Reichert 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. Reichert of this action.

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

President Kohler called for a roll call vote.

YES VOTES

David Brinegar
Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire

Cindy Collins
Sarah Fowler
Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Antoinette Miranda

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Nick Owens
James Sheppard
Lisa Woods

Eric Poklar
Mike Toal

Motion carried.

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

13. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE ONE-YEAR SUBSTITUTE HIGH SCHOOL TEACHING LICENSE OF KEITH E. TAYLOR

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

WHEREAS Keith E. Taylor held a one-year substitute high school teaching license issued in 2015; and

WHEREAS on January 24, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Keith E. Taylor of its intent to determine whether to limit, suspend, revoke, or permanently revoke his one-year substitute high school teaching license issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Taylor engaging in conduct that is unbecoming to the teaching profession on or about April 4, 2016, while employed as a substitute teacher in the Valley View Local School District, when he inappropriately interacted with students by discussing in front of two students his first kiss and when he lost his virginity, by taking photographs of two students without their permission and refusing to let them see the photographs, and by telling students that they were "adorable"; and

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

WHEREAS a hearing was held on September 27, 2018; and

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

WHEREAS the hearing officer recommends that Mr. Taylor's certificate be permanently revoked. Further, it is recommended that Mr. Taylor 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. Taylor engaging in conduct unbecoming to the teaching profession when he discussed sexual matters with young students and took photographs of two students without their permission, with the result that students in his classroom were made uncomfortable by his inappropriate behavior, and there being no evidence of rehabilitation in the record or any evidence that Mr. Taylor would be amenable to rehabilitation; and

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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. Taylor's one-year substitute high school teaching license issued in 2015 based upon Mr. Taylor engaging in conduct unbecoming to the teaching profession on or about April 4, 2016, while employed as a substitute teacher in the Valley View Local School District, when he inappropriately interacted with students by discussing in front of two students his first kiss and when he lost his virginity, by taking photographs of two students without their permission and refusing to let them see the photographs, and by telling students that they were "adorable". Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Keith E. Taylor 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. Taylor of this action.

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

President Kohler called for a roll call vote.

YES VOTES

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

Motion carried.

President Kohler presented the following recommendation (Item 14):

14. **RESOLUTION INCREASING THE MEMBERSHIP OF THE BUTLER TECH CAREER-TECHNICAL BOARD OF EDUCATION DUE TO A MERGER WITH THE HAMILTON CITY SCHOOL DISTRICT BOARD OF EDUCATION**

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

Ohio Revised Code (“ORC”) Section 3311.213 provides that on addition of a city school district to a Joint Vocational School District (“JVSD”), the board of education of such JVSD shall submit to the State Board a proposal to enlarge the membership of such board by the addition of one or more persons at least one of whom shall be a member of the board of education or governing board of such additional school district and the term of each such member;

Ohio Revised Code (“ORC”) Section 3311.213 further provides that on approval by the State Board, additional members shall be added to the JVSD board of education;

The Butler Tech Career-Technical Board of Education entered into a merger agreement with the Hamilton City School District Board of Education on September 11, 2018 to become effective with the 2019-2020 school year;

The Butler Tech Career-Technical Board of Education submitted their proposal to the Department for an increase in membership on December 21, 2018;

The Butler Tech Career-Technical Board of Education has confirmed that at least one of the additional members to be added to their board of education is a member of the board of education or governing board of the city school district and that each additional member will serve a term of 2 years;

The Department of Education recommends the State Board approve Butler Tech Career-Technical Board of Education’s proposal for an increase in membership;

NOW, THEREFORE, BE IT RESOLVED, that the State Board hereby approves the increase in membership to Butler Tech Career-Technical’s Board of Education due to its merger with the Hamilton City School District Board of Education.

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

President Kohler called for a roll call vote.

YES VOTES

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

Motion carried.

PUBLIC PARTICIPATION ON NON-VOTING AGENDA ITEMS

- 1) Mr. Pete Bartkowiak, Ms. Mary Rumpz, Mr. Steve Hofacker and Mr. Mike Limberios. The group addressed the Board regarding Townsend Community School.
- 2) Ms. Cris Gulacy-Worrel and Dr. Jerry Farley, Oakmont Education. Ms. Gulacy-Worrel and Dr. Farley addressed the Board regarding Drop-Out Recovery Program Administration and Grade Rate recommendations.

Non-Resolutions
New Business

Dr. Miranda stated she would like the Board to invite Youngstown City Schools in the spring to observe the progress the district has made since being under the direction of the Academic Distress Commission.

Ms. Johnson put the Board on notice she will be presenting a resolution regarding mascots and Native Americans at the next meeting of the Board.

Ms. Dodd requested the Board have a discussion regarding Committee structure at the meeting tomorrow and the Board have a discussion regarding the topic of Guidance.

Ms. Woods put the Board on notice she will be presenting a resolution regarding Drop-Out Recovery at the next meeting of the Board.

Once Around

Board members were encouraged to share with the rest of the Board, something positive occurring in their districts.

President Kohler recessed the Board meeting at 5:45 p.m.

RECONVENE STATE BOARD BUSINESS MEETING

President Kohler reconvened the Business meeting of the State Board of Education on Wednesday, January 16, at 8:35 a.m.

President Kohler asked the Recording Secretary to call the roll.

Minutes of the January 2019 Meeting of the State Board of Education of Ohio

MEMBERS PRESENT

David Brinegar	Cindy Collins
Sarah Fowler	John Hagan
Linda Haycock	Kirsten Hill
Meryl Johnson	Jenny Kilgore
Laura Kohler	Mark Lamoncha
Martha Manchester	Charlotte McGuire
Nick Owens	Mike Toal
Lisa Woods	

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

FULL BOARD DISCUSSION TOPICS

The State Board received presentations from Department staff on the following discussion topics:

- External Committees
- Time and Travel
- Policy and Procedures Manual
- Operating Standards for Districts and Schools
- Graduation Requirements
- Report Card
- Budget
- Committee Structure

The State Board recessed for lunch. After lunch, the Board continued with discussion topics.

Mrs. Manchester Moved to adjourn the meeting. Ms. Woods Seconded the motion.

The President requested a voice vote.

Motion carried.

President Kohler adjourned the meeting at 3:40 p.m. The next regularly scheduled meeting of the State Board of Education is February 11-12, 2019.

ATTEST:



Laura Kohler
President
State Board of Education



Paolo DeMaria
Superintendent of Public Instruction

Minutes of the January 2019 Meeting of the State Board of Education of Ohio

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.