

**Minutes of the January 2018 Meeting of the State Board of Education of Ohio**

**STATE BOARD OF EDUCATION OF OHIO  
MINUTES**

January 2018  
Ohio Department of Education  
25 South Front Street  
Columbus, Ohio 43215

**MEMBERS OF THE STATE BOARD OF EDUCATION**

Pat Bruns	Stephanie Dodd
Tess Elshoff	Joe Farmer
Cathye Flory	Sarah Fowler
Linda Haycock	Nancy Hollister
Meryl Johnson	Laura Kohler
Martha Manchester	Charlotte McGuire
Antoinette Miranda	Kara Morgan
Nick Owens	Eric Poklar
Lisa Woods	

**EX OFFICIO MEMBERS**

Senator Peggy Lehner	Representative Andrew Brenner
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**SECRETARY**

Paolo DeMaria  
Superintendent of Public Instruction

Mr. Farmer, Mrs. Miranda, Mr. Owens and Mr. Poklar were absent on Wednesday.

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The State Board convened on Monday, January 8, at the Ohio Department of Education in Columbus.

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**Chapter 119 Hearing**

January 8, 2018  
8:30 a.m.

Hearing Regarding the Amending, Rescinding and Adoption of Rules

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

The amendment of Administrative Rule 3301-24-01, Glossary/definitions; The rescission of Administrative Rules 3301-61-01, Statutory requirements; 3301-61-07 Revisions of career-technical education plans; 3301-61-10 Provisions for nonpublic school students; 3301-61-11 Compliance; and 3301-61-16 Use of career-technical education supplemental funds and career-technical associated services funds. The amendment of Administrative Rules 3301-61-02, Career-technical education plan requirements; 3301-61-03, Criteria for

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career technical programs; 3301-61-06, Contracts between school districts for career-technical education and 3301-61-17 Emergency service telecommunicator training. President Elshoff called on Ms. Amy Golian, from the Office of the Attorney General, Chief, Education section. Ms. Golian called on Diane Lease, Chief Legal Counsel for the Ohio Department of Education.

Ms. Lease presented the following Board Exhibits:

- Board Exhibit 1 is the public notice that appears in the Register of Ohio and references the proposed rule actions subject to this hearing;
- Board Exhibits 2 and 3 would be true and accurate copies of the resolutions adopted by the State Board of Education regarding these rules,
- Board Exhibits 4 and 5 would be true and accurate copies of the rules as filed in November 2017 with the Joint Committee on Agency Rule Review (JCARR), Legislative Service Commission (LSC) and the Secretary of State.

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

President Elshoff 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 6.

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

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### **PUBLIC TESTIMONY ON THE PROPOSED RULE ACTIONS.**

There were no requests.

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President Elshoff called on Ms. Golian, who submitted into evidence State Board Exhibits 1 through 5.

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

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### **STATE BOARD BUSINESS MEETING**

President Elshoff convened the Business meeting of the State Board of Education on Monday, January 8, at 8:42 a.m.

President Elshoff asked the Recording Secretary to call the roll.

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**YES VOTES**

Pat Bruns	Stephanie Dodd
Joe Farmer	Cathye Flory
Sarah Fowler	Linda Haycock
Nancy Hollister	Laura Kohler
Martha Manchester	Charlotte McGuire
Antoinette Miranda	Nick Owens
Lisa Woods	Tess Elshoff

Motion carried.

NOTE: Mrs. Manchester entered the room after roll call.

**EXECUTIVE SESSION**

President Elshoff called on Vice President Hollister, 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. McGuire Seconded the motion.

The President called for a roll call vote.

**YES VOTES**

Pat Bruns	Stephanie Dodd
Joe Farmer	Cathye Flory
Sarah Fowler	Linda Haycock
Nancy Hollister	Laura Kohler
Martha Manchester	Charlotte McGuire
Antoinette Miranda	Nick Owens
Lisa Woods	Tess Elshoff

Motion carried.

NOTE: Ms. Johnson entered the room after roll call.

The Board went into Executive Session at 8:42 a.m.

The Board recessed from Executive Session at 9:20 a.m.

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Following Executive Session, The Board's Educators & Student Options and Accountability & Continuous Improvement Committees met beginning at 9:30 a.m.

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## EXECUTIVE COMMITTEE

President Elshoff welcomed the Executive Committee at 11:15 a.m.

President Elshoff asked the Recording Secretary to call the roll.

### MEMBERS PRESENT

Pat Bruns	Stephanie Dodd
Joe Farmer	Laura Kohler
Nancy Hollister	Kara Morgan
Tess Elshoff	

President Elshoff stated the Executive Committee had three items to cover today:

- Process for State Superintendent Evaluation
- Deputy Superintendent's Parity Increase
- Professional Development Registration Request

#### 1) Process for State Superintendent Evaluation:

President Elshoff asked Board members for any input regarding the process for the evaluation.

Mrs. Dodd stated it would be beneficial to examine different types of evaluations from other states and organizations at the senior level.

Mrs. Hollister noted that how other Boards' are structured would have an impact.

Mrs. Kohler stated it would be useful in identifying the instruments used to measure superintendents at the local level.

#### 2) Deputy Superintendent's Parity Increase:

President Elshoff presented the following resolution:

### **RESOLUTION TO RECOMMEND A PARITY INCREASE TO THE ANNUAL COMPENSATION FOR THE DEPUTY SUPERINTENDENT OF PUBLIC INSTRUCTION**

Pursuant to Ohio Revised Code 3301.13, the State Superintendent of Public Instruction recommends that the Executive Committee recommend that Deputy Superintendent John Richard receive a two and one-half percent (2.5%) parity salary increase.

The Executive Committee hereby adopts the following resolution:

NOW, THEREFORE, BE IT RESOLVED that the State Board of Education approves a two and one-half percent (2.5%) salary increase for the Deputy Superintendent, so that his compensation will be increased from \$159,993.60 (\$76.92/hour) to \$163,987.20 (\$78.84/hour), with the increase being effective on February 4, 2017, which is the anniversary date for the Deputy Superintendent.

It was Moved by Mrs. Hollister and Seconded by Mr. Farmer that the above recommendation be approved.

President Elshoff called for a voice vote. Motion carried.

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3) Professional Development Registration Request:

Mrs. Haycock, Mrs. Manchester and Ms. Woods requested the approval for professional development funds for registration to the NSBA Equity Symposium.

President Elshoff requested a voice vote to approve the requests. Motion carried.

Mrs. Dodd Moved to adjourn the meeting. Dr. Morgan Seconded the motion.

The President requested a voice vote.

Motion carried.

President Elshoff adjourned the meeting of the Executive Committee at 9:20 a.m.

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The State Board recessed for lunch.

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**RECONVENE STATE BOARD BUSINESS MEETING**

President Elshoff asked the Recording Secretary to call the roll.

**YES VOTES**

Pat Bruns	Stephanie Dodd
Joe Farmer	Cathye Flory
Sarah Fowler	Linda Haycock
Nancy Hollister	Meryl Johnson
Laura Kohler	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Kara Morgan	Nick Owens
Eric Poklar	Lisa Woods
Tess Elshoff	

Motion carried.

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Stephanie Dodd welcomed Board members and guests, and led the Board in the Pledge of Allegiance.

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**EDUCATION SPOTLIGHT**

The State Board of Education's Education Spotlight program challenges board members to identify outstanding districts, schools, teachers and students in their state board districts and showcase them at monthly board meetings.

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Board member Stephanie Dodd introduced this month's Education Spotlight, which showcased Licking Valley Local School District (LVLSD) in Newark, Ohio. Licking Valley officials made a presentation titled "Standards-Based Learning and Grading at Licking Valley." The presenters were; David Hile, LVLSD Superintendent, Wes Weaver, LVHS Principal and Brian Ledford, LVHS Math Teacher.

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### REVIEW OF WRITTEN REPORTS AND ITEMS FOR VOTE

#### CONSENT AGENDA

1. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL HIGH SCHOOL TEACHING LICENSE AND FIVE-YEAR SUBSTITUTE ADOLESCENCE TO YOUNG TEACHING LICENSE OF GORDON A. PERKINS
2. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL SPECIAL ALL GRADE TEACHING LICENSE OF ERIC T. SALTER

#### ADMINISTRATIVE RULES

3. RESOLUTION TO ADOPT CHANGES TO OHIO ADMINISTRATIVE RULES 3301-7-01 THROUGH 03; AND 3301-13-05 THROUGH 07
4. RESOLUTION TO ADOPT CHANGES TO OHIO ADMINISTRATIVE RULE 3301-98-01 REUMBURSEMENT OF BACKGROUND CHECKS FOR INDIVIDUALS PARTICIPATING IN AN OFFICE OF READING IMPROVEMENT PROGRAM

#### TERRITORY TRANSFERS

There were no Territory Transfers for adoption in January.

Items 5 through 15 were school personnel resolutions.

#### MISCELLANEOUS RESOLUTIONS

16. RESOLUTION TO APPROVE THE RECOMMENDATION OF THE HEARING OFFICER TO DISAPPROVE THE OBERLIN CITY SCHOOL DISTRICT'S DETERMINATION OF IMPRACTICAL TRANSPORTATION AND PAYMENT IN LIEU OF TRANSPORTATION FOR CERTAIN STUDENTS ATTENDING LAKE RIDGE ACADEMY, LORAIN COUNTY.

OR

16. RESOLUTION TO DISAPPROVE THE RECOMMENDATION OF THE HEARING OFFICER AND TO APPROVE THE OBERLIN CITY SCHOOL DISTRICT'S DETERMINATION OF IMPRACTICAL TRANSPORTATION AND PAYMENT IN LIEU OF TRANSPORTATION FOR CERTAIN STUDENTS ATTENDING LAKE RIDGE ACADEMY, LORAIN COUNTY.
17. RESOLUTION TO APPROVE THE CUYAHOGA FALLS CITY SCHOOL DISTRICT'S DETERMINATION OF IMPRACTICAL TRANSPORTATION AND PAYMENT IN LIEU OF TRANSPORTATION OF CERTAIN STUDENTS ATTENDING S.U.P.E.R. LEARNING

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CENTER, SUMMIT COUNTY.

18. RESOLUTION TO EXTEND THE GRADUATION OPTIONS AVAILABLE TO THE CI 2018 AND EXPLORE ALTERNATIVE APPROACHES
19. RESOLUTION TO APPROVE THE PLAN SUBMITTED BY COLUMBUS CITY SCHOOLS TO RESTRICT ADMISSION TO CERTAIN SCHOOLS IN ACCORDANCE WITH REVISED 3313.982(B)

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**REPORT OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

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

- Accountability Discussion

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**IMPACT TEAM DISCUSSION**

The State Board discussed the establishment of Board Impact Teams. The following Impact Teams were selected: How are we using Data, Wrap-Around Services and Alternate Assessments. Impact Teams will begin meeting in February.

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President Elshoff recessed the Board meeting at 6:00 p.m.

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President Elshoff reconvened the meeting of the State Board of Education on Tuesday, January 9, at 8:30 a.m.

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

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**RECONVENE STATE BOARD BUSINESS MEETING**

President Elshoff reconvened the Business meeting of the State Board of Education on Tuesday, January 9, at 10:30 a.m.

President Elshoff asked the Recording Secretary to call the roll.

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### MEMBERS PRESENT

Pat Bruns	Stephanie Dodd
Tess Elshoff	Joe Farmer
Cathye Flory	Sarah Fowler
Linda Haycock	Nancy Hollister
Meryl Johnson	Laura Kohler
Martha Manchester	Charlotte McGuire
Antoinette Miranda	Kara Morgan
Nick Owens	Eric Poklar
Lisa Woods	

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President Elshoff called for the approval of the Minutes of the December 2017 meeting. She asked if there were any corrections to the Minutes.

Ms. Fowler stated she had submitted grammatical corrections that had been added.

It was Moved by Mrs. McGuire and Seconded by Ms. Fowler that the Minutes be approved as presented. The President called for a voice vote.

Motion carried unanimously.

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### BOARD PRESENTATIONS AND DISCUSSION FROM THE EDUCATORS & STUDENT OPTIONS COMMITTEE

Chair: Joe Farmer, Vice Chair: Sarah Fowler

Mr. Farmer gave a report from the Educators & Student Options Committee meeting focusing on the following issues:

- Following an overview presentation and discussion of the Resident Educator Program and the Resident Educator Summative Assessment, Committee Members discussed proposed revisions to Ohio Administrative Code (OAC) rule 3301-24-04, Teacher Residency. Following discussion, the Committee voted to recommend adoption of the proposed replacement rule to the Full Board. The rule will be scheduled to appear on the Board's February 2018 voting agenda.
- Committee Members discussed proposed revisions to Ohio Administrative Code (OAC) rules 3301-89, Transfers of Territory in accordance with five-year review requirements. Following discussion, the Committee agreed to review these rules and a proposed change to one rule at its February 2018 meeting.
- Committee Members discussed a proposed new rule to Ohio Administrative Code (OAC) 3301-25-10, One-year Instructional Assistant Permit; Renewal Thereof. Following discussion, the Committee agreed to review this at its February 2018 meeting after the close of a public comment period on January 20, 2018.



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### **BOARD PRESENTATIONS AND DISCUSSION FROM THE ACCOUNTABILITY & CONTINUOUS IMPROVEMENT COMMITTEE**

Chair: Nancy Hollister, Vice Chair: Cathye Flory

Mrs. Hollister gave a report from the Accountability & Continuous Improvement Committee meeting focusing on the following issues:

End-of-Course Improvement Indicator (ESSA) – Facilitated by Chris Woolard, Mr. Woolard provided information on the End-of-Course Improvement Indicator, previously referred to as the ‘Retake Indicator’, as it relates to Ohio’s ESSA Plan:

- Retakes are currently included in all relevant end-of-course indicators for the Indicators Met measure. This proposal is to remove them from within the EOC indicators and create a new cumulative retake indicator, or EOC Improvement Indicator.
- Data and simulations were presented to the committee to illustrate the two decision points: calculation option and indicator threshold percentage.

Laura Kohler made a motion to adopt the EOC improvement indicator resolution; Antoinette Miranda seconded the motion, the committee voted in agreement and the motion passed. The resolution will move forward for a full board vote in February.

Revised Gap Closing (ESSA) – Facilitated by Chris Woolard. Mr. Woolard provided information on the proposal in Ohio’s ESSA plan for the revised Gap Closing component. ESSA gives discretion to redesign the Gap Closing measure; stakeholders expressed a need for the measure to give more credit for improvement; Ohio’s ESSA proposal includes a redesign to capture improvement.

- Proposal is to use a Performance Index approach that will be more sensitive to capturing improvement. Goals will also be established for each subgroup.

Revised Gap Closing discussion will continue in February

Chronic Absenteeism Indicator - discussion was tabled due to time constraints, this topic will be included on the committee’s February agenda for further discussion.

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### **BOARD PRESENTATIONS AND DISCUSSION FROM THE ACHIEVEMENT & GRADUATION REQUIREMENTS COMMITTEE**

Chair: Laura Kohler, Vice Chair: Stephanie Dodd

Mrs. Dodd gave a report from the Achievement & Graduation Requirements Committee meeting focusing on the following issues:

Standards Revision: Department staff provided committee members with an overview of the Standards revision process for science, social studies and financial literacy. The committee voted to approve the recommendation to adopt the revised Standards. The full board vote is expected to occur in February.

Model Curriculum Revision: Department staff provided committee members with an overview of the mathematics and English language arts Model Curriculum revision process. The committee voted to approve the recommendation to adopt the revised Model Curriculum. The full board vote is expected to occur in February.

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Assessment Update: Department staff provided a brief update on state testing.

Graduation Requirements Committee members discussed the resolution to approve the extension of the HB49 options that currently exist for class of 2018 to the classes of 2019 and 2020. The resolution also adopts the timeline for the board to set a plan for graduation requirements for the class of 2021 and beyond which includes: State Superintendent of Public Instruction making recommendations to the committee in October 2018; the committee votes on recommendations in November 2018, and the full board votes on recommendations in December 2018.

The committee approved the resolution. The full board will be asked for emergency consideration to approve the resolution later today.

The committee also discussed possible topics from February to October 2018 for further inquiry and discussion in the development of the long-term plan for graduation requirements.

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### BOARD PRESENTATIONS AND DISCUSSION FROM THE EXECUTIVE COMMITTEE

Chair: Tess Elshoff, Vice Chair: Nancy Hollister

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

Superintendent Evaluation Discussion: The Committee will continue discussion and research, anticipating a full board presentation in March, with a full board vote in April.

The Committee voted to recommend the Board approve a parity increase to the annual compensation for the Deputy Superintendent of Public Instruction. This item will be scheduled for a full board vote in February.

The Committee approved professional development requests for Mrs. Manchester, Ms. Woods and Mrs. Haycock.

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### PUBLIC PARTICIPATION ON ACTION ITEMS

There was no Public Participation on Action Items.

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

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

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

1. **RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL HIGH SCHOOL TEACHING LICENSE AND FIVE-YEAR SUBSTITUTE ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE OF GORDON A. PERKINS**

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

WHEREAS Gordon A. Perkins holds a five-year professional high school teaching license issued in 2016 and five-year substitute adolescence to young adult teaching license issued in 2016; and

WHEREAS on December 4, 2017, the Ohio Department of Education received a voluntary surrender form from Gordon A. Perkins, which authorizes the State Board of Education to enter an order permanently revoking his five-year professional high school teaching license issued in 2016 and five-year substitute adolescence to young adult teaching license issued in 2016 based upon Mr. Perkins' decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Gordon A. Perkins has waived his right to a hearing and authorizes the State Board of Education to enter an order permanently revoking his five-year professional high school teaching license issued in 2016 and five-year substitute adolescence to young adult teaching license issued in 2016: 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** Gordon A. Perkins' five-year professional high school teaching license issued in 2016 and five-year substitute adolescence to young adult teaching license issued in 2016 based upon Mr. Perkins' 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), orders Gordon A. Perkins be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

2. **RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL SPECIAL ALL GRADES TEACHING LICENSE OF ERIC T. SALTER**

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

WHEREAS Eric T. Salter holds a five-year professional special all grades teaching license issued in 2015; and

WHEREAS on November 29, 2017, the Ohio Department of Education received a voluntary surrender form from Eric T. Salter, which authorizes the State Board of Education to enter an order permanently revoking his five-year professional special all grades teaching license issued in 2015 based upon Mr. Salter's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

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WHEREAS Eric T. Salter has waived his right to a hearing and authorizes the State Board of Education to enter an order permanently revoking his five-year professional special all grades teaching license issued in 2015: 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** Eric T. Salter's five-year professional special all grades teaching license issued in 2015 based upon Mr. Salter'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), orders Eric T. Salter be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

It was Moved by Mrs. Kohler and Seconded by Mr. Owens that the Consent Agenda (Items 1-2) be approved.

President Elshoff called for a roll call vote.

**YES VOTES**

Pat Bruns	Stephanie Dodd
Joe Farmer	Cathye Flory
Sarah Fowler	Linda Haycock
Nancy Hollister	Meryl Johnson
Laura Kohler	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Kara Morgan	Nick Owens
Eric Poklar	Lisa Woods
Tess Elshoff	

Motion carried.

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Mrs. Kohler presented the following recommendation (Item 3):

**3. RESOLUTION TO ADOPT CHANGES TO OHIO ADMINISTRATIVE RULES 3301-7-01; 3301-13-01 THROUGH 03; AND 3301-13-05 THROUGH 07**

The State Board of Education hereby **ADOPTS** the following Resolution:

Ohio Revised Code (ORC) Section 3301.0710 requires the State Board of Education (Board) to adopt rules prescribing a statewide program to assess student achievement;

ORC Section 3301.0712 requires the Board to adopt rules prescribing the administration and scoring of assessments;

ORC Section 3301.079 requires the Board to establish by rule, the fairness sensitivity review committee;

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OAC 3301-7-01, 3301-13-01 through 03, and 3301-13-05 through 07 are being amended to update state assessments and provisions as part of the five-year rule review process; and

The Achievement and Graduation Requirements Committee recommended in its December 2017 meeting that the Board adopt changes to OAC 3301-7-01, 3301-13-01 through 03, and 3301-13-05 through 07 in the form attached hereto.

NOW, THEREFORE, BE IT RESOLVED, that the Board approves the adoption of OAC 3301-7-01, 3301-13-01 through 03, and 3301-13-05 through 07 in the form attached hereto;

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

It was Moved by Mrs. Kohler that the above recommendation (Item 3) be approved.

President Elshoff called for a roll call vote.

**YES VOTES**

Pat Bruns	Stephanie Dodd
Joe Farmer	Cathye Flory
Sarah Fowler	Linda Haycock
Nancy Hollister	Meryl Johnson
Laura Kohler	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Kara Morgan	Nick Owens
Eric Poklar	Lisa Woods
Tess Elshoff	

Motion carried.

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Mrs. Kohler presented the following recommendation (Item 4):

**4. RESOLUTION TO ADOPT CHANGES TO OHIO ADMINISTRATIVE RULE 3301-98-01 REUMBURSEMENT OF BACKGROUND CHECKS FOR INDIVIDUALS PARTICPATING IN AN OFFICE OF READING IMPROVEMENT PROGRAM**

The State Board of Education hereby **ADOPTS** the following Resolution:

Ohio Revised Code (ORC) Section 3301.88 requires the State Board of Education (Board) to adopt rules prescribing the manner in which recipients of the OhioReads classroom reading

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grants program (Grant) may submit information to the Department in order to receive reimbursement for their volunteers' background checks;

The Grant was administered through the Office of Reading Improvement;

The Grant and the Office of Reading Improvement no longer exist within the Department;

OAC 3301-98-01 is being amended to reflect the process for grantees to be reimbursed in the event there are funds appropriated for the Grant in the future; and

The Achievement and Graduation Requirements Committee recommended in its December 2017 meeting that the Board adopt changes to OAC 3301-98-01 in the form attached hereto.

NOW, THEREFORE, BE IT RESOLVED, that the Board approves the adoption of OAC 3301-98-01 in the form attached hereto;

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

It was Moved by Mrs. Kohler that the above recommendation (Item 4) be approved.

President Elshoff called for a roll call vote.

**YES VOTES**

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|-------------------|--------------------|
| Pat Bruns         | Stephanie Dodd     |
| Joe Farmer        | Cathye Flory       |
| Sarah Fowler      | Linda Haycock      |
| Nancy Hollister   | Meryl Johnson      |
| Laura Kohler      | Martha Manchester  |
| Charlotte McGuire | Antoinette Miranda |
| Kara Morgan       | Nick Owens         |
| Eric Poklar       | Lisa Woods         |
| Tess Elshoff      |                    |

Motion carried.

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Kelly Edwards, Managing Attorney, Office of Professional Conduct, presented the following recommendation (Item 5):

- 5. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY THE FIVE-YEAR PROFESSIONAL INTERVENTION SPECIALIST TEACHING LICENSE, FIVE-YEAR PROFESSIONAL ELEMENTARY**

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**TEACHING LICENSE, FIVE-YEAR PROFESSIONAL ASSISTANT SUPERINTENDENT LICENSE, FIVE-YEAR PROFESSIONAL ELEMENTARY PRINCIPAL LICENSE, AND FIVE-YEAR PROFESSIONAL PUPIL SERVICES LICENSE APPLICATIONS AND TO REVOKE THE FIVE-YEAR PROFESSIONAL INTERVENTION SPECIALIST TEACHING LICENSE, FIVE-YEAR PROFESSIONAL ELEMENTARY TEACHING LICENSE, FIVE-YEAR PROFESSIONAL ASSISTANT SUPERINTENDENT LICENSE, FIVE-YEAR PROFESSIONAL ELEMENTARY PRINCIPAL LICENSE, AND FIVE-YEAR PROFESSIONAL PUPIL SERVICES LICENSE OF KELLY L. BERLEMAN**

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

WHEREAS Kelly L. Berleman has applied for a five-year professional intervention specialist teaching license, five-year professional elementary teaching license, five-year professional assistant superintendent license, five-year professional elementary principal license, and five-year professional pupil services license and held a five-year professional intervention specialist teaching license issued in 2012, five-year professional elementary teaching license issued in 2012, five-year professional assistant superintendent license issued in 2012, five-year professional elementary principal license issued in 2012, and five-year professional pupil services license issued in 2012; and

WHEREAS on May 23, 2017, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Kelly L. Berleman of its intent to deny or permanently deny her applications for a five-year professional intervention specialist teaching license, five-year professional elementary teaching license, five-year professional assistant superintendent license, five-year professional elementary principal license, and five-year professional pupil services license and whether to limit, suspend, revoke, or permanently revoke her five-year professional intervention specialist teaching license issued in 2012, five-year professional elementary teaching license issued in 2012, five-year professional assistant superintendent license issued in 2012, five-year professional elementary principal license issued in 2012, and five-year professional pupil services license issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Berleman engaging in the following conduct that is unbecoming to the teaching profession: on or about April 30, 2015, she submitted a falsified employment application to the Fairfield City School District indicating that she had never had a teaching certificate or teaching license revoked or suspended, despite the fact that her educator credentials in Ohio were suspended in 2010 for fifteen days and her teaching credential in Kentucky was suspended in 2011 for fifteen days; and she further falsified her 2015 employment application by indicating that the information given in the application was true in all respects.

Further, the notice included as an aggravating factor the following disciplinary actions involving Ms. Berleman: on or about April 12, 2012, Ms. Berleman was formally reprimanded by the Lakota Local School District and issued a four-day suspension without pay for chronic tardiness, abuse of position, and improper student placement; on or about October 25, 2010, Ms. Berleman entered into a consent agreement with the State Board of Education suspending her teaching licenses from August 1, 2010 through August 15, 2010 and requiring that she successfully complete twenty hours of community service based upon Ms. Berleman signing the name of a treasurer's office staff member on an emergency withdrawal request form on or about August 8, 2010; and, on or about August 1, 2011, Ms. Berleman entered into an agreed order with the Kentucky Education Professional Standards Board retroactively suspending her teaching certificate for a period of fifteen days and requiring that she provide written proof of the successful completion of twenty hours of community service as required by the Ohio State Board of Education; and

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

WHEREAS a hearing was held on August 10, 2017; and

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

WHEREAS the hearing officer recommends that Ms. Berleman's pending applications be denied and her licenses issued in 2012 be revoked. Further, it is recommended that Ms. Berleman be ineligible to apply for any license issued by the State Board of Education for a period of five years and that prior to reapplication, Ms. Berleman must provide written verification to the Ohio Department of Education that she has completed, at her own cost, sixteen hours of training in professional ethics. The hearing officer's recommendation is based upon Ms. Berleman engaging in conduct unbecoming to the teaching profession when she provided false, inaccurate, and incomplete information about prior disciplinary actions on an employment application; and

WHEREAS the State Board of Education considered the objections to the hearing officer's report and recommendation which Ms. Berleman 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 **DENIES** Kelly L. Berleman's applications for a five-year professional intervention specialist teaching license, five-year professional elementary teaching license, five-year professional assistant superintendent license, five-year professional elementary principal license, and five-year professional pupil services license and **REVOKES** Kelly L. Berleman's five-year professional intervention specialist teaching license issued in 2012, five-year professional elementary teaching license issued in 2012, five-year professional assistant superintendent license issued in 2012, five-year professional elementary principal license issued in 2012, and five-year professional pupil services license issued in 2012 based upon Ms. Berleman engaging in the following conduct that is unbecoming to the teaching profession: on or about April 30, 2015, she submitted a falsified employment application to the Fairfield City School District indicating that she had never had a teaching certificate or teaching license revoked or suspended, despite the fact that her educator credentials in Ohio were suspended in 2010 for fifteen days and her teaching credential in Kentucky was suspended in 2011 for fifteen days; and she further falsified her 2015 employment application by indicating that the information given in the application was true in all respects. Further, the notice included as an aggravating factor the following disciplinary actions involving Ms. Berleman: on or about April 12, 2012, Ms. Berleman was formally reprimanded by the Lakota Local School District and issued a four-day suspension without pay for chronic tardiness, abuse of position, and improper student placement; on or about October 25, 2010, Ms. Berleman entered into a consent agreement with the State Board of Education suspending her teaching licenses from August 1, 2010 through August 15, 2010 and requiring that she successfully complete twenty hours of community service based upon Ms. Berleman signing the name of a treasurer's office staff member on an emergency withdrawal request form on or about August 8, 2010; and, on or about August 1, 2011, Ms. Berleman entered into an agreed order with the Kentucky Education Professional Standards Board retroactively suspending her teaching certificate for a period of fifteen days and



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requiring that she provide written proof of the successful completion of twenty hours of community service as required by the Ohio State Board of Education. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a) and (A)(3)(a), orders that Kelly L. Berleman be ineligible to reapply for any license issued by the State Board of Education until on or after January 9, 2023, and that prior to reapplication, Ms. Berleman must provide written verification to the Ohio Department of Education that she has completed, at her own cost, sixteen hours of training in professional ethics with the training to be pre-approved by the Ohio Department of Education; and, Be It Further

RESOLVED, That the State Superintendent o he hereby is, directed to notify Ms. Berleman of this action.

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

Ms. Fowler Moved to Amend the resolution by substitution. She proposed to accept the report and modify the recommendation of the Hearing Officer to state that Ms. Berleman be ineligible to reapply for any license issued by the State Board of Education until on or after August 1, 2018, and that prior to reapplication, Ms. Berleman must provide written verification to the Ohio Department of Education that she has completed, at her own cost, sixteen hours of training in professional ethics with the training to be pre-approved by the Ohio Department of Education. Mrs. Haycock Seconded the motion. Ms. Fowler stated that in reading the documents, it appeared that substantial weight was given to previous misconduct that she had worked through and she felt the current misconduct should be the focus in this case.

5. **RESOLUTION TO ACCEPT THE REPORT AND TO MODIFY THE RECOMMENDATION OF THE HEARING OFFICER TO DENY THE FIVE-YEAR PROFESSIONAL INTERVENTION SPECIALIST TEACHING LICENSE, FIVE-YEAR PROFESSIONAL ELEMENTARY TEACHING LICENSE, FIVE-YEAR PROFESSIONAL ASSISTANT SUPERINTENDENT LICENSE, FIVE-YEAR PROFESSIONAL ELEMENTARY PRINCIPAL LICENSE, AND FIVE-YEAR PROFESSIONAL PUPIL SERVICES LICENSE APPLICATIONS AND TO REVOKE THE FIVE-YEAR PROFESSIONAL INTERVENTION SPECIALIST TEACHING LICENSE, FIVE-YEAR PROFESSIONAL ELEMENTARY TEACHING LICENSE, FIVE-YEAR PROFESSIONAL ASSISTANT SUPERINTENDENT LICENSE, FIVE-YEAR PROFESSIONAL ELEMENTARY PRINCIPAL LICENSE, AND FIVE-YEAR PROFESSIONAL PUPIL SERVICES LICENSE OF KELLY L. BERLEMAN**

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

WHEREAS Kelly L. Berleman has applied for a five-year professional intervention specialist teaching license, five-year professional elementary teaching license, five-year professional assistant superintendent license, five-year professional elementary principal license, and five-year professional pupil services license and held a five-year professional intervention specialist teaching license issued in 2012, five-year professional elementary teaching license issued in 2012, five-year professional assistant superintendent license issued in 2012, five-year professional elementary principal license issued in 2012, and five-year professional pupil services license issued in 2012; and

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WHEREAS on May 23, 2017, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Kelly L. Berleman of its intent to deny or permanently deny her applications for a five-year professional intervention specialist teaching license, five-year professional elementary teaching license, five-year professional assistant superintendent license, five-year professional elementary principal license, and five-year professional pupil services license and whether to limit, suspend, revoke, or permanently revoke her five-year professional intervention specialist teaching license issued in 2012, five-year professional elementary teaching license issued in 2012, five-year professional assistant superintendent license issued in 2012, five-year professional elementary principal license issued in 2012, and five-year professional pupil services license issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Berleman engaging in the following conduct that is unbecoming to the teaching profession: on or about April 30, 2015, she submitted a falsified employment application to the Fairfield City School District indicating that she had never had a teaching certificate or teaching license revoked or suspended, despite the fact that her educator credentials in Ohio were suspended in 2010 for fifteen days and her teaching credential in Kentucky was suspended in 2011 for fifteen days; and she further falsified her 2015 employment application by indicating that the information given in the application was true in all respects. Further, the notice included as an aggravating factor the following disciplinary actions involving Ms. Berleman: on or about April 12, 2012, Ms. Berleman was formally reprimanded by the Lakota Local School District and issued a four-day suspension without pay for chronic tardiness, abuse of position, and improper student placement; on or about October 25, 2010, Ms. Berleman entered into a consent agreement with the State Board of Education suspending her teaching licenses from August 1, 2010 through August 15, 2010 and requiring that she successfully complete twenty hours of community service based upon Ms. Berleman signing the name of a treasurer's office staff member on an emergency withdrawal request form on or about August 8, 2010; and, on or about August 1, 2011, Ms. Berleman entered into an agreed order with the Kentucky Education Professional Standards Board retroactively suspending her teaching certificate for a period of fifteen days and requiring that she provide written proof of the successful completion of twenty hours of community service as required by the Ohio State Board of Education; and

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

WHEREAS a hearing was held on August 10, 2017; and

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

WHEREAS the hearing officer recommends that Ms. Berleman's pending applications be denied and her licenses issued in 2012 be revoked. Further, it is recommended that Ms. Berleman be ineligible to apply for any license issued by the State Board of Education for a period of five years and that prior to reapplication, Ms. Berleman must provide written verification to the Ohio Department of Education that she has completed, at her own cost, sixteen hours of training in professional ethics. The hearing officer's recommendation is based upon Ms. Berleman engaging in conduct unbecoming to the teaching profession when she provided false, inaccurate, and incomplete information about prior disciplinary actions on an employment application; and

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

WHEREAS the State Board finds Ms. Berleman's objections well taken; and

WHEREAS the State Board finds a more appropriate sanction in this case would be to allow Ms. Berleman to reapply for a license on or after August 1, 2018; and

WHEREAS the State Board modifies the hearing officer's recommendation from Ms. Berleman being ineligible to reapply for a license for five years to Ms. Berleman being ineligible to apply until on or after August 1, 2018: Therefore, Be It

RESOLVED, That the State Board modifies the hearing officer's recommendation from Ms. Berleman being ineligible to reapply for a license for five years to Ms. Berleman being ineligible to apply until on or after August 1, 2018; and, Be It Further

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **DENIES** Kelly L. Berleman's applications for a five-year professional intervention specialist teaching license, five-year professional elementary teaching license, five-year professional assistant superintendent license, five-year professional elementary principal license, and five-year professional pupil services license and **REVOKES** Kelly L. Berleman's five-year professional intervention specialist teaching license issued in 2012, five-year professional elementary teaching license issued in 2012, five-year professional assistant superintendent license issued in 2012, five-year professional elementary principal license issued in 2012, and five-year professional pupil services license issued in 2012 based upon

Ms. Berleman engaging in the following conduct that is unbecoming to the teaching profession: on or about April 30, 2015, she submitted a falsified employment application to the Fairfield City School District indicating that she had never had a teaching certificate or teaching license revoked or suspended, despite the fact that her educator credentials in Ohio were suspended in 2010 for fifteen days and her teaching credential in Kentucky was suspended in 2011 for fifteen days; and she further falsified her 2015 employment application by indicating that the information given in the application was true in all respects. Further, the notice included as an aggravating factor the following disciplinary actions involving Ms. Berleman: on or about April 12, 2012, Ms. Berleman was formally reprimanded by the Lakota Local School District and issued a four-day suspension without pay for chronic tardiness, abuse of position, and improper student placement; on or about October 25, 2010, Ms. Berleman entered into a consent agreement with the State Board of Education suspending her teaching licenses from August 1, 2010 through August 15, 2010 and requiring that she successfully complete twenty hours of community service based upon Ms. Berleman signing the name of a treasurer's office staff member on an emergency withdrawal request form on or about August 8, 2010; and, on or about August 1, 2011, Ms. Berleman entered into an agreed order with the Kentucky Education Professional Standards Board retroactively suspending her teaching certificate for a period of fifteen days and requiring that she provide written proof of the successful completion of twenty hours of community service as required by the Ohio State Board of Education. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a) and (A)(3)(a), orders that Kelly L. Berleman be ineligible to reapply for any license issued by the State Board of Education until on or after August 1, 2018, and that prior to reapplication, Ms. Berleman must provide written verification to the Ohio Department of Education that she has completed, at her own cost, sixteen hours of training in professional ethics with the training to be pre-approved by the Ohio Department 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. Berleman of this action.

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

**YES VOTES**

Pat Bruns	Stephanie Dodd
Sarah Fowler	Linda Haycock
Meryl Johnson	Charlotte McGuire
Antoinette Miranda	Nick Owens
Lisa Woods	

**NO VOTES**

Joe Farmer	Cathye Flory
Nancy Hollister	Laura Kohler
Martha Manchester	Kara Morgan
Eric Poklar	Tess Elshoff

Motion carried.

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

**YES VOTES**

Pat Bruns	Stephanie Dodd
Joe Farmer	Cathye Flory
Sarah Fowler	Linda Haycock
Nancy Hollister	Meryl Johnson
Laura Kohler	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Kara Morgan	Nick Owens
Eric Poklar	Lisa Woods
Tess Elshoff	

Motion carried.

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Kelly Edwards, Managing Attorney, Office of Professional Conduct, presented the following recommendation (Item 6):

**6. RESOLUTION TO REVOKE PERMANENTLY THE PERMANENT KINDERGARTEN-ELEMENTARY TEACHING CERTIFICATE OF DEBRA L. ELEY**

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

WHEREAS Debra L. Eley holds a permanent kindergarten-elementary teaching certificate issued in 1985; and

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WHEREAS on October 24, 2017, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Debra L. Eley of its intent to determine whether to limit, suspend, revoke, or permanently revoke her permanent kindergarten-elementary teaching certificate issued in 1985 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(a). The notice was based upon Ms. Eley's 2017 conviction in the Auglaize County Court of Common Pleas for one felony count of attempted tampering with evidence; and

WHEREAS the notice informed Ms. Eley that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke her permanent kindergarten-elementary teaching certificate issued in 1985; and

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

WHEREAS the State Board of Education has reviewed the affidavit of the director of the Office of Professional Conduct, Notice of the State Board of Education's Intended Action and Opportunity for a Hearing, certified court records from the Auglaize County Court of Common Pleas, and certified police records from the Auglaize County Sheriff's Office; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(a), hereby **REVOKES** Debra L. Eley's permanent kindergarten-elementary teaching certificate issued in 1985 based upon Ms. Eley's 2017 conviction in the Auglaize County Court of Common Pleas for one felony count of attempted tampering with evidence. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Debra L. Eley be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

It was Moved by Mrs. McGuire and Seconded by Mrs. Manchester that the above recommendation (Item 6) be approved.

President Elshoff called for a roll call vote.

**YES VOTES**

Pat Bruns  
Joe Farmer  
Sarah Fowler

Stephanie Dodd  
Cathye Flory  
Linda Haycock

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Nancy Hollister  
Laura Kohler  
Charlotte McGuire  
Kara Morgan  
Eric Poklar  
Tess Elshoff

Meryl Johnson  
Martha Manchester  
Antoinette Miranda  
Nick Owens  
Lisa Woods

Motion carried.

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

**7. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY THE ONE-YEAR EXTENSION OF HER FOUR-YEAR RESIDENT EDUCATOR TEACHING LICENSE APPLICATION OF SHAREKA T. GIBSON**

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

WHEREAS Shareka T. Gibson has applied for a one-year extension of her four-year resident educator teaching license issued in 2012; and

WHEREAS on February 6, 2017, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Shareka T. Gibson of its intent to deny or permanently deny her application for an application for a one-year extension of her four-year resident educator teaching license issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(c). The notice was based upon Ms. Gibson's 2015 conviction in the Montgomery County Common Pleas Court for one felony count of grand theft and one felony count of complicity to commit grand theft; and

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

WHEREAS a hearing was held on August 30, 2017; and

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

WHEREAS the hearing officer recommends that Ms. Gibson's pending application be denied and that she be ineligible to apply for any license issued by the State Board of Education until on or after April 22, 2019 and that concurrent with her application, Ms. Gibson must provide to the Ohio Department of Education a statement from her community control contact that she has complied with all the terms of her community control to date, and she must submit to and pass a criminal background check showing that she has not participated in any subsequent criminal activity. Further, the hearing officer recommends that upon issuance of a license, Ms. Gibson must submit quarterly reports from her community control contact demonstrating her compliance with her community control and the reports must continue until she is released from community control. The hearing officer's recommendation is based upon Ms. Gibson having been convicted of two felonies for participating in criminal activity that was illegal, dishonest, and fraudulent, but in mitigation, Ms. Gibson ceased her

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criminal activity approximately two years before being investigated, she pled guilty, she served a year in prison, and she is currently on community control and making an effort at restitution, and she fully disclosed her felony convictions on her pending application, acknowledged her wrongdoing, and accepted responsibility for her actions; 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 **DENIES** Shareka T. Gibson's application for a one-year extension of her four-year resident educator teaching license issued in 2012 based upon Ms. Gibson's 2015 conviction in the Montgomery County Common Pleas Court for one felony count of grand theft and one felony count of complicity to commit grand theft. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(a), orders that Shareka T. Gibson be ineligible to reapply for any license issued by the State Board of Education until on or after April 22, 2019 and that concurrent with her application, Ms. Gibson must provide to the Ohio Department of Education a statement from her community control contact that she has complied with all the terms of her community control to date, and she must submit to and pass a criminal background check showing that she has not participated in any subsequent criminal activity. Further, the State Board adopts the hearing officer's recommendation that upon issuance of a license Ms. Gibson must submit quarterly reports from her community control contact demonstrating her compliance with her community control and the reports must continue until she is released from community control; 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. Gibson's applications. Further, if said terms and conditions have not been fulfilled completely upon Ms. Gibson applying for a new license, the State Board directs the Ohio Department of Education to evaluate any new application in accordance with its orders and ensure all outstanding terms and conditions are addressed; and, Be It Further

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

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

President Elshoff called for a roll call vote.

**YES VOTES**

Pat Bruns  
Joe Farmer  
Sarah Fowler  
Nancy Hollister  
Laura Kohler  
Charlotte McGuire  
Kara Morgan

Stephanie Dodd  
Cathye Flory  
Linda Haycock  
Meryl Johnson  
Martha Manchester  
Antoinette Miranda  
Nick Owens

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Eric Poklar  
Tess Elshoff

Lisa Woods

Motion carried.

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

**8. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL HIGH SCHOOL TEACHING LICENSE AND FIVE-YEAR PROFESSIONAL ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE OF STEVEN P. GIPE**

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

WHEREAS Steven P. Gipe holds a five-year professional high school teaching license issued in 2014 with an effective year of 2013 and a five-year professional adolescence to young adult teaching license issued in 2013; and

WHEREAS on April 26, 2017, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Steven P. Gipe of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional high school teaching license issued in 2014 with an effective year of 2013 and five-year professional adolescence to young adult teaching license issued in 2013 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Gipe engaging in the following conduct that is unbecoming to the teaching profession: on or about March 8, 2016, he was perceived to be intoxicated at school in the presence of students and subsequently failed an employment-related alcohol screen by testing positive for alcohol with a blood alcohol content of .104; on or about March 8, 2016 an empty bottle of alcohol and a pop bottle containing alcohol were discovered in his classroom; and in 2016, he was convicted in the Fremont Municipal Court for one misdemeanor count of operating a motor vehicle while under the influence (OVI); and

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

WHEREAS a hearing was held on August 24, 2017; and

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

WHEREAS the hearing officer recommends that Mr. Gipe's licenses be permanently revoked. Further, it is recommended that Mr. Gipe be permanently ineligible to apply for any license issued by the State Board of Education. The hearing officer's recommendation is based upon Mr. Gipe coming to school while under the influence of alcohol, maintaining an empty rum bottle and an empty pop bottle with traces of alcohol on school grounds, and choosing not to participate in the Ohio Department of Education's investigation or an administrative hearing which resulted in a lack of evidence to show he has taken any steps to address an obvious alcohol use or abuse issue; 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** Steven P. Gipe's five-year professional high school teaching license issued in 2014 and five-year professional adolescence to young adult teaching license issued in 2013 based upon Mr. Gipe engaging in the following conduct that is unbecoming to the teaching profession: on or about March 8, 2016, he was perceived to be intoxicated at school in the presence of students and subsequently failed an employment-related alcohol screen by testing positive for alcohol with a blood alcohol content of .104; on or about March 8, 2016 an empty bottle of alcohol and a pop bottle containing remnants of alcohol were discovered in his classroom; and in 2016, he was convicted in the Fremont Municipal Court for one misdemeanor count of operating a motor vehicle while under the influence (OVI). Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Steven P. Gipe be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

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

President Elshoff called for a roll call vote.

**YES VOTES**

Pat Bruns	Stephanie Dodd
Joe Farmer	Cathye Flory
Sarah Fowler	Linda Haycock
Nancy Hollister	Meryl Johnson
Laura Kohler	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Kara Morgan	Nick Owens
Eric Poklar	Lisa Woods
Tess Elshoff	

Motion carried.

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Kelly Edwards, Managing Attorney, Office of Professional Conduct, presented the following recommendation (Item 9):

**9. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY THE FIVE-YEAR PROFESSIONAL EARLY CHILDHOOD TEACHING LICENSE AND ONE-YEAR SUPPLEMENTAL**

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**INTERVENTION SPECIALIST TEACHING LICENSE APPLICATIONS OF DENISE A. GOODRICH**

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

WHEREAS Denise A. Goodrich has applied for a five-year professional early childhood teaching license and a one-year supplemental intervention specialist teaching license; and

WHEREAS on February 3, 2017, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Denise A. Goodrich of its intent to deny or permanently deny her applications for a five-year professional early childhood teaching license and a one-year supplemental intervention specialist teaching license pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Goodrich engaging in conduct that is incompetent and/or unbecoming to the teaching profession by having four alcohol-related police encounters in the past five years, including the following incidents: on or about March 28, 2015, Ms. Goodrich was arrested for operating a vehicle while under the influence (OVI) after being involved in a traffic accident and records indicate that her blood alcohol content was .281 at the time of her arrest, Ms. Goodrich was again arrested for OVI on or about September 13, 2015 after being involved in a traffic accident and records indicate that her blood alcohol content was .259 at the time of her arrest, and as a result of these two incidents, on or about October 13, 2015, Ms. Goodrich pled guilty in the Gallipolis Municipal Court to one misdemeanor count of OVI with the remaining OVI charge dismissed pursuant to a plea deal; on or about September 26, 2013, Ms. Goodrich was arrested for OVI and records indicate that her blood alcohol content was .156 at the time of her arrest and subsequently on or about November 26, 2013, Ms. Goodrich pled guilty in the Gallipolis Municipal Court to one misdemeanor count of OVI; and on or about October 6, 2012, Ms. Goodrich was arrested for OVI and refused any alcohol sobriety testing at the time of her arrest, and subsequently on or about July 9, 2013, Ms. Goodrich pled guilty in the Gallipolis Municipal Court to one misdemeanor count of OVI; and

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

WHEREAS a hearing was held on September 26, 2017; and

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

WHEREAS the hearing officer recommends that Ms. Goodrich's applications be denied and that Ms. Goodrich be ineligible to apply for any license issued by the State Board of Education for a period of three years and that, prior to reapplication, Ms. Goodrich must provide evidence to the Ohio Department of Education that she has met the following conditions: completed, within one hundred and eighty days prior to reapplication, a chemical dependence assessment from a professional in the field approved in advance by the Ohio Department of Education; submitted a written evaluation, dated within ninety days of reapplication, from a professional approved in advance by the Ohio Department of Education stating that Ms. Goodrich is not chemically or alcohol dependent and is able to perform the types of duties of an educator for which she has applied for licensure; submitted evidence of any counseling or alcohol treatment she has undertaken, including but not limited to, documentation of her attendance at any individual or group counseling and/or attendance at any Alcoholics Anonymous or Narcotics Anonymous meetings; and submitted documentation that she has maintained sobriety from all alcohol and drugs, except those drugs lawfully prescribed by a treating physician, from the period of the State Board of Education's resolution to the date of her application. The hearing officer's recommendation is based upon

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Ms. Goodrich having engaged in conduct unbecoming to the teaching profession by being arrested on four different occasions from 2012 through 2015 for OVI, resulting in three convictions for misdemeanor counts of OVI; and

WHEREAS the State Board of Education considered the objections to the hearing officer's report and recommendation which Ms. Goodrich 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 **DENIES** Denise A. Goodrich's applications for a five-year professional early childhood teaching license and a one-year supplemental intervention specialist teaching license based upon Ms. Goodrich engaging in conduct that is unbecoming to the teaching profession by having four alcohol-related police encounters in the past five years, including the following incidents: on or about March 28, 2015, Ms. Goodrich was arrested for operating a vehicle while under the influence (OVI) after being involved in a traffic accident and records indicate that her blood alcohol content was .281 at the time of her arrest, Ms. Goodrich was again arrested for OVI on or about September 13, 2015 after being involved in a traffic accident and records indicate that her blood alcohol content was .259 at the time of her arrest, and as a result of these two incidents, on or about October 13, 2015, Ms. Goodrich pled guilty in the Gallipolis Municipal Court to one misdemeanor count of OVI with the remaining OVI charge dismissed pursuant to a plea deal; on or about September 26, 2013, Ms. Goodrich was arrested for OVI and records indicate that her blood alcohol content was .156 at the time of her arrest and subsequently on or about November 26, 2013, Ms. Goodrich pled guilty in the Gallipolis Municipal Court to one misdemeanor count of OVI; and on or about October 6, 2012, Ms. Goodrich was arrested for OVI and refused any alcohol sobriety testing at the time of her arrest,

and subsequently on or about July 9, 2013, Ms. Goodrich pled guilty in the Gallipolis Municipal Court to one misdemeanor count of OVI. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(a), orders that Denise A. Goodrich be ineligible to reapply for any license issued by the State Board of Education until January 9, 2021 and that, prior to reapplication, Ms. Goodrich must provide evidence to the Ohio Department of Education that she has met the following conditions: completed, within one hundred and eighty days prior to reapplication, a chemical dependence assessment from a professional in the field approved in advance by the Ohio Department of Education; submitted a written evaluation, dated within ninety days of reapplication, from a professional approved in advance by the Ohio Department of Education stating that Ms. Goodrich is not chemically or alcohol dependent and is able to perform the types of duties of an educator for which she has applied for licensure; submitted evidence of any counseling or alcohol treatment she has undertaken, including but not limited to, documentation of her attendance at any individual or group counseling and/or attendance at any Alcoholics Anonymous or Narcotics Anonymous meetings; and submitted documentation that she has maintained sobriety from all alcohol and drugs, except those drugs lawfully prescribed by a treating physician, from the period of the State Board of Education's resolution to the date of her application; 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 Denise A. Goodrich's applications. Further, if said terms and conditions have not been fulfilled

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completely upon Ms. Goodrich applying for a new license, the State Board directs the Ohio Department of Education to evaluate any new application in accordance with its orders and ensure all outstanding terms and conditions are addressed; and, Be It Further

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

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

President Elshoff called for a roll call vote.

**YES VOTES**

Pat Bruns	Stephanie Dodd
Joe Farmer	Cathye Flory
Sarah Fowler	Linda Haycock
Nancy Hollister	Meryl Johnson
Laura Kohler	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Kara Morgan	Nick Owens
Eric Poklar	Lisa Woods
Tess Elshoff	

Motion carried.

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

**10. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FOUR-YEAR RESIDENT EDUCATOR INTERVENTION SPECIALIST TEACHING LICENSE OF AMANDA M. HOFFMAN**

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

WHEREAS Amanda M. Hoffman held a four-year resident educator intervention specialist teaching license issued in 2012; and

WHEREAS on February 15, 2017, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Amanda M. Hoffman of its intent to determine whether to limit, suspend, revoke, or permanently revoke her four-year resident educator intervention specialist teaching license issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Hoffman, on or about November 13, 2015, engaging in conduct that is unbecoming to the teaching profession when, as a result of her behavior, she was suspected of being under the influence of an illegal substance while school was in session, and subsequently she failed an employment-related drug screen by testing positive for marijuana and cocaine; and

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

WHEREAS a hearing was held on August 9, 2017; and

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

WHEREAS the hearing officer recommends that Ms. Hoffman's license be permanently revoked. Further, it is recommended that Ms. Hoffman be permanently ineligible to apply for any license issued by the State Board of Education. The hearing officer's recommendation is based upon Ms. Hoffman engaging in conduct unbecoming to the teaching profession when she appeared for work on November 13, 2015 under the influence of marijuana and cocaine, thereby jeopardizing the supervision and care of her 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** Amanda M. Hoffman's four-year resident educator intervention specialist teaching license issued in 2012 based upon Ms. Hoffman, on or about November 13, 2015, engaging in conduct that is unbecoming to the teaching profession when, as a result of her behavior, she was suspected of being under the influence of an illegal substance while school was in session, and subsequently she failed an employment-related drug screen by testing positive for marijuana and cocaine. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Amanda M. Hoffman be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

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

President Elshoff called for a roll call vote.

**YES VOTES**

Pat Bruns  
Joe Farmer  
Sarah Fowler  
Nancy Hollister  
Laura Kohler  
Charlotte McGuire  
Kara Morgan  
Eric Poklar  
Tess Elshoff

Stephanie Dodd  
Cathye Flory  
Linda Haycock  
Meryl Johnson  
Martha Manchester  
Antoinette Miranda  
Nick Owens  
Lisa Woods

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Motion carried.

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Kelly Edwards, Managing Attorney, Office of Professional Conduct, presented the following recommendation (Item 11):

**11. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY THE FIVE-YEAR PROFESSIONAL ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE APPLICATION OF THOMAS K. MILLISOR**

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

WHEREAS Thomas K. Millisor has applied for a five-year professional adolescence to young adult teaching license and held a four-year resident educator adolescence to young adult teaching license issued in 2012 and three-year pupil activity permit issued in 2013; and

WHEREAS on July 14, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Thomas K. Millisor of its intent to deny or permanently deny his application for a five-year professional adolescence to young adult teaching license and whether to limit, suspend, revoke, or permanently revoke his four-year resident educator adolescence to young adult teaching license issued in 2012 and three-year pupil activity permit issued in 2013 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Millisor, on or about 2012 through 2015, during and around the time of his employment as a math teacher with the Newark City School District, engaging in a pattern of conduct that is unbecoming to the teaching profession when he failed to maintain appropriate student-teacher boundaries on the following occasions: on or about December 7, 2012, during class, Mr. Millisor told a student to "Quit being a dick!" and while in the hallway, he shoved the student and chest bumped the student multiple times, resulting in discipline from the district on or about December 10, 2012 in the form of a letter of direction; on or about the fall of 2013, Mr. Millisor admitted to driving students off campus to a McDonald's with the school addressing this conduct on or about the fall of 2013; on or about late fall or early winter of 2014, Mr. Millisor allowed a student to sit in his classroom while he taught even though the student was not enrolled in any of his classes at the time; on or about March or April 2014, Mr. Millisor admitted to receiving electronic messages from a student with picture images that were sexually suggestive and included a nude picture of the student that showed the student's bare buttocks, he replied to the student that he liked what he saw, and he failed to report receiving these picture images to school administrators which led to discipline from the district on or about March 20, 2015 in the form of a two-day unpaid suspension; Mr. Millisor admitted that, over a period of two to three years, he collected notes from students, some of which were inappropriate and sexually suggestive in nature and he was not forthcoming with this information to school administrators, having failed to disclose his receipt of these notes until on or about March 2015; Mr. Millisor allowed students who were not in his class to hang out in his classroom while he was teaching, a situation that was addressed by administration; Mr. Millisor failed to inform school administrators that students took pictures of themselves on his phone that were not academic in nature; and Mr. Millisor placed a note in a student's bag telling the student to "Stay beautiful," a situation that was addressed with Mr. Millisor by school administration. The notice was also based upon Mr. Millisor's 2011 conviction in the Marion Municipal Court for one misdemeanor count of open container, 2010 conviction in the Marietta Municipal Court for one minor

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misdeemeanor count of open container, and failure to disclose his 2010 and 2011 convictions on his 2012 and 2013 applications to the Ohio Department of Education; and

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

WHEREAS a hearing was held on August 8-9, 2017; and

WHEREAS Mr. Millisor was present at the hearing, and he was represented by counsel; and

WHEREAS the hearing officer recommends that Mr. Millisor's application be denied and that Mr. Millisor be ineligible to apply for any license issued by the State Board of Education for a period of one year, and that prior to reapplication, Mr. Millisor must complete an appropriate course of instruction on professional boundaries between teachers and students. The hearing officer's recommendation is based upon Mr. Millisor's misconduct taking place when he was a new teacher who was in his early twenties and his lack of experience most likely contributing to his failure to take more definitive steps to stop students from heaping their attention on him; and

WHEREAS the State Board of Education considered the objections to the hearing officer's report and recommendation which the Ohio Department of Education 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 **DENIES** Thomas K. Millisor's application for a five-year professional adolescence to young adult teaching license based upon Mr. Millisor, on or about 2012 through 2015, during and around the time of his employment as a math teacher with the Newark City School District, engaging in a pattern of conduct that is unbecoming to the teaching profession when he failed to maintain appropriate student-teacher boundaries on the following occasions: on or about December 7, 2012, during class, Mr. Millisor told a student to "Quit being a dick!" and while in the hallway, he shoved the student and chest bumped the student multiple times, resulting in discipline from the district on or about December 10, 2012 in the form of a letter of direction; on or about March or April 2014, Mr. Millisor admitted to receiving from a student electronic messages with picture images that were sexually suggestive and included a nude picture of the student that showed the student's bare buttocks, he replied to the student that he couldn't say that he didn't like what he saw, and he failed to report receiving these picture images to school administrators which led to discipline from the district on or about March 20, 2015 in the form of a two-day unpaid suspension; Mr. Millisor admitted that, over a period of two to three years, he collected notes from students, some of which were inappropriate and sexually suggestive in nature and he was not forthcoming with this information to school administrators, having failed to disclose his receipt of these notes until on or about March 2015; and Mr. Millisor failed to inform school administrators that students took pictures of themselves on his phone that were not academic in nature. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(a), orders that Thomas K. Millisor be ineligible to reapply for any license issued by the State Board of Education until on or after January 9, 2019, and that prior to reapplication, Mr. Millisor must provide written verification to the Ohio Department of Education that he has completed, at his own cost, a course on

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maintaining appropriate student/teacher boundaries with the course to be preapproved by the Ohio Department of Education; and, Be It Further

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

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

Mrs. Haycock Moved to Amend the resolution by substitution. She proposed that Mr. Millisor be permanently ineligible to reapply for any license issued by the State Board of Education. Ms. Johnson Seconded the motion. Ms. Haycock relayed a list of issues, none of which Mr. Millisor denied she pointed out. She also noted the Department recommended a permanent denial.

### 11. **RESOLUTION TO MODIFY THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER AND TO PERMANENTLY DENY THE FIVE-YEAR PROFESSIONAL ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE APPLICATION OF THOMAS K. MILLISOR**

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

WHEREAS Thomas K. Millisor has applied for a five-year professional adolescence to young adult teaching license and held a four-year resident educator adolescence to young adult teaching license issued in 2012 and three-year pupil activity permit issued in 2013; and

WHEREAS on July 14, 2016, the Interim State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Thomas K. Millisor of its intent to deny or permanently deny his application for a five-year professional adolescence to young adult teaching license and whether to limit, suspend, revoke, or permanently revoke his four-year resident educator adolescence to young adult teaching license issued in 2012 and three-year pupil activity permit issued in 2013 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Millisor, on or about 2012 through 2015, during and around the time of his employment as a math teacher with the Newark City School District, engaging in a pattern of conduct that is unbecoming to the teaching profession when he failed to maintain appropriate student-teacher boundaries on the following occasions: on or about December 7, 2012, during class, Mr. Millisor told a student to "Quit being a dick!" and while in the hallway, he shoved the student and chest bumped the student multiple times, resulting in discipline from the district on or about December 10, 2012 in the form of a letter of direction; on or about the fall of 2013, Mr. Millisor admitted to driving students off campus to a McDonald's with the school addressing this conduct on or about the fall of 2013; on or about late fall or early winter of 2014, Mr. Millisor allowed a student to sit in his classroom while he taught even though the student was not enrolled in any of his classes at the time; on or about March or April 2014, Mr. Millisor admitted to receiving electronic messages from a student with picture images that were sexually suggestive and included a nude picture of the student that showed the student's bare buttocks, he replied to the student that he liked what he saw, and he failed to report receiving these picture images to school administrators which led to discipline from the district on or about March 20, 2015 in the form of a two-day unpaid suspension; Mr. Millisor admitted that, over a period of two to three years, he collected notes from students, some of which were inappropriate and sexually suggestive in nature and he was not forthcoming with this information to school administrators, having failed to disclose



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his receipt of these notes until on or about March 2015; Mr. Millisor allowed students who were not in his class to hang out in his classroom while he was teaching, a situation that was addressed by administration; Mr. Millisor failed to inform school administrators that students took pictures of themselves on his phone that were not academic in nature; and Mr. Millisor placed a note in a student's bag telling the student to "Stay beautiful," a situation that was addressed with Mr. Millisor by school administration. The notice was also based upon Mr. Millisor's 2011 conviction in the Marion Municipal Court for one misdemeanor count of open container, 2010 conviction in the Marietta Municipal Court for one minor misdemeanor count of open container, and failure to disclose his 2010 and 2011 convictions on his 2012 and 2013 applications to the Ohio Department of Education; and

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

WHEREAS a hearing was held on August 8-9, 2017; and

WHEREAS Mr. Millisor was present at the hearing, and he was represented by counsel; and

WHEREAS the hearing officer recommends that Mr. Millisor's application be denied and that Mr. Millisor be ineligible to apply for any license issued by the State Board of Education for a period of one year, and that prior to reapplication, Mr. Millisor must complete an appropriate course of instruction on professional boundaries between teachers and students. The hearing officer's recommendation is based upon Mr. Millisor's misconduct taking place when he was a new teacher who was in his early twenties and his lack of experience most likely contributing to his failure to take more definitive steps to stop students from heaping their attention on him; and

WHEREAS the State Board of Education considered the objections to the hearing officer's report and recommendation which the Ohio Department of Education 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; 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 the last sentence of the Summary Fact Sheet that begins, "Although charged with falsifying his application..."; reject in its entirety the sentence on page 11 of the Report and Recommendation that reads, "He was asked if Count 2 was true and he answered it was not true because the offense was not a misdemeanor but a minor misdemeanor"; reject in their entirety the first two sentences of the first full paragraph on page 19 of the Report and Recommendation that begin, "The charges against Respondent range from the trivial to the serious. For example, Count 1(b)..."; reject in its entirety the first sentence on page 21 of the Report and Recommendation; reject in its entirety the last sentence of Finding of Fact numbered 6 that begins, "The evidence was unclear..."; reject in their entirety Conclusions of Law numbered 6, 8, 9, 12, 14, 15, 16, and 17; reject in its entirety the last sentence of footnote numbered 4 on page 29 that reads, "His judgment was clearly lacking, but poor judgment is not the same as misconduct"; reject in its entirety the sentence in Conclusion of Law numbered 18 that reads, "Lack of experience most likely contributed to his failure to take more definitive steps to stop students from heaping their attention upon him."; and reject in its entirety the Recommendation section of the Report and Recommendation; and

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

WHEREAS the State Board makes the following conclusions of law: Mr. Millisor engaged in conduct unbecoming an educator when he drove students off campus to a McDonald's on or about the fall of 2013 which resulted in the school addressing this conduct; Mr. Millisor engaged in conduct unbecoming an educator when he allowed a student to sit in his classroom while he taught even though the student was not enrolled in any of his classes at the time; Mr. Millisor engaged in conduct unbecoming an educator when he allowed students, who were not in his class, to be in his classroom while he was teaching, a situation that was addressed with Mr. Millisor by school administration; Mr. Millisor engaged in conduct unbecoming an educator when he placed a note in a student's bag telling the student to "Work hard. Stay beautiful."; Mr. Millisor engaged in conduct unbecoming an educator when he was convicted of two minor misdemeanor criminal convictions; and Mr. Millisor engaged in conduct unbecoming an educator when he failed to disclose his criminal convictions on the applications that he submitted to the Ohio Department of Education in 2012 and 2013; and

WHEREAS Mr. Millisor's misconduct may have varying levels of severity, the State Board cannot evaluate Mr. Millisor's conduct in a vacuum and look at each incident of misconduct separately. When an educator's inappropriate behavior persists for years, despite warnings, and escalates, the misconduct must be considered as a whole. Therefore, the State Board concludes that Mr. Millisor engaged in a pattern of conduct that is unbecoming an educator when he failed on multiple occasions to maintain appropriate student-teacher boundaries over a period of several years; and

WHEREAS the State Board may determine that a penalty outside the range of the disciplinary guidelines listed in the *Licensure Code of Professional Conduct for Ohio Educators* is more appropriate in an individual case based 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 finds that the administrative record identifies the following aggravating factors: the nature and serious of Mr. Millisor's misconduct includes his misconduct, aside from failing to report his criminal convictions, occurring at school, involving minor students, involving a physical assault of one student, and involving years of inappropriate behavior with another student which culminated in his failure to report that the student sent him nude pictures; Mr. Millisor was old enough to understand how to act professionally as he admitted he knew students should not act this way with him; Mr. Millisor's misconduct is recent and resulted in him being moved out of a high school setting because he was not acting appropriately with high school students; Mr. Millisor did not admit to his mistakes until allegations of an inappropriate relationship with a student were reported; Mr. Millisor's licensure negatively impacted the welfare of the school community when he was in the local newspaper for acting inappropriately with a student; Mr. Millisor's conduct reflects negatively on the teaching profession and is not indicative of a positive role model for students and others in the school community; and, the State Board is not persuaded that it can trust Mr. Millisor to refrain from further ethical violations, especially with students, based on his admissions to multiple boundary violations involving students that continued over a period of years and the unsuccessful attempts by school administration and other teachers to advise Mr. Millisor when they were aware of his inappropriate conduct; and

WHEREAS the State Board concludes that the hearing officer erred when he did not consider the standards in the *Licensure Code of Professional Conduct for Ohio Educators* when

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determining if Mr. Millisor's conduct was unbecoming an educator, but instead seemed to base some of his determinations for whether Mr. Millisor's conduct violated R.C. 3319.31(B)(1) on whether Mr. Millisor's conduct violated local employment policies and rules. The State Board concludes that the hearing officer erred when he found minor misdemeanors are not misdemeanors and when he imposed a nexus requirement that is not required by statute, the Ohio Supreme Court, or the State Board. The State Board also concludes that the hearing officer erred when he did not give the aggravating factors the weight they deserved when he made his recommendation. Further, the State Board concludes that the hearing officer erred when he placed too much weight on Mr. Millisor's classroom performance given the seriousness of Mr. Millisor's misconduct; and

WHEREAS the State Board concludes that permitting Mr. Millisor to reapply for a license would demean the nature and seriousness of his conduct, reflect negatively on the teaching profession, and undermine the State Board's expectation that educators must maintain professional relationships with students at all times. The State Board concludes that a permanent denial of Mr. Millisor's applications is warranted based on his unbecoming conduct and the aggravating factors in this case; and

WHEREAS the State Board concludes that even without Mr. Millisor's pattern of unbecoming conduct, the following misconduct constitute an independent ground that warrants a permanent denial of his pending application: Mr. Millisor admitted to receiving from a student electronic messages with picture images that were sexually suggestive and included a nude picture of the student that showed the student's bare buttocks, he replied to the student that he couldn't say that he didn't like what he saw, and he failed to report receiving these picture images to school administrators which led to discipline from the district on or about March 20, 2015 in the form of a two-day unpaid suspension: Therefore, Be it

RESOLVED, That the State Board of Education rejects the following portions of the hearing officer's report and recommendation: reject in its entirety the Recommendation section of the Summary Fact Sheet; reject in its entirety the last sentence of the Summary Fact Sheet that begins, "Although charged with falsifying his application..."; reject in its entirety the sentence on page 11 of the Report and Recommendation that reads, "He was asked if Count 2 was true and he answered it was not true because the offense was not a misdemeanor but a minor misdemeanor"; reject in their entirety the first two sentences of the first full paragraph on page 19 of the Report and Recommendation that begin, "The charges against Respondent range from the trivial to the serious. For example, Count 1(b)..."; reject in its entirety the first sentence on page 21 of the Report and Recommendation; reject in its entirety the last sentence of Finding of Fact numbered 6 that begins, "The evidence was unclear..."; reject in their entirety Conclusions of Law numbered 6, 8, 9, 12, 14, 15, 16, and 17; reject in its entirety the last sentence of footnote numbered 4 on page 29 that reads, "His judgment was clearly lacking, but poor judgment is not the same as misconduct"; reject in its entirety the sentence in Conclusion of Law numbered 18 that reads, "Lack of experience most likely contributed to his failure to take more definitive steps to stop students from heaping their attention upon him."; and reject in its entirety the Recommendation section of the Report and Recommendation; and, Be It Further

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

RESOLVED, That the State Board makes the following conclusions of law: Mr. Millisor engaged in conduct unbecoming an educator when he drove students off campus to a McDonald's on or about the fall of 2013 which resulted in the school addressing this conduct; Mr. Millisor engaged in conduct unbecoming an educator when he allowed a student to sit in

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his classroom while he taught even though the student was not enrolled in any of his classes at the time; Mr. Millisor engaged in conduct unbecoming an educator when he allowed students, who were not in his class, to be in his classroom while he was teaching, a situation that was addressed with Mr. Millisor by school administration; Mr. Millisor engaged in conduct unbecoming an educator when he placed a note in a student's bag telling the student to "Work hard. Stay beautiful."; Mr. Millisor engaged in conduct unbecoming an educator when he was convicted of two minor misdemeanor criminal convictions; and Mr. Millisor engaged in conduct unbecoming an educator when he failed to disclose his criminal convictions on the applications that he submitted to the Ohio Department of Education in 2012 and 2013; and, Be It Further

RESOLVED, That while Mr. Millisor's misconduct may have varying levels of severity, the State Board cannot evaluate Mr. Millisor's conduct in a vacuum and look at each incident of misconduct separately. When an educator's inappropriate behavior persists for years, despite warnings, and escalates, the misconduct must be considered as a whole. Therefore, the State Board concludes that Mr. Millisor engaged in a pattern of conduct that is unbecoming an educator when he failed on multiple occasions to maintain appropriate student-teacher boundaries over a period of several years; and, Be It Further

RESOLVED, That the State Board may determine that a penalty outside the range of the disciplinary guidelines listed in the *Licensure Code of Professional Conduct for Ohio Educators* is more appropriate in an individual case based 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, Be It Further

RESOLVED, That the State Board finds that the administrative record identifies the following aggravating factors: the nature and serious of Mr. Millisor's misconduct includes his misconduct, aside from failing to report his criminal convictions, occurring at school, involving minor students, involving a physical assault of one student, and involving years of inappropriate behavior with another student which culminated in his failure to report that the student sent him nude pictures; Mr. Millisor was old enough to understand how to act professionally as he admitted he knew students should not act this way with him; Mr. Millisor's misconduct is recent and resulted in him being moved out of a high school setting because he was not acting appropriately with high school students; Mr. Millisor did not admit to his mistakes until allegations of an inappropriate relationship with a student were reported; Mr. Millisor's licensure negatively impacted the welfare of the school community when he was in the local newspaper for acting inappropriately with a student; Mr. Millisor's conduct reflects negatively on the teaching profession and is not indicative of a positive role model for students and others in the school community; and, the State Board is not persuaded that it can trust Mr. Millisor to refrain from further ethical violations, especially with students, based on his admissions to multiple boundary violations involving students that continued over a period of years and the unsuccessful attempts by school administration and other teachers to advise Mr. Millisor when they were aware of his inappropriate conduct; and, Be It Further

RESOLVED, That the State Board concludes that the hearing officer erred when he did not consider the standards in the *Licensure Code of Professional Conduct for Ohio Educators* when determining if Mr. Millisor's conduct was unbecoming an educator, but instead seemed to base some of his determinations for whether Mr. Millisor's conduct violated R.C. 3319.31(B)(1) on whether Mr. Millisor's conduct violated local employment policies and rules. The State Board concludes that the hearing officer erred when he found minor misdemeanors are not misdemeanors and when he imposed a nexus requirement that is not required by statute, the Ohio Supreme Court, or the State Board. The State Board also concludes that the hearing officer erred when he did not give the aggravating factors the weight they deserved

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when he made his recommendation. Further, the State Board concludes that the hearing officer erred when he placed too much weight on Mr. Millisor's classroom performance given the seriousness of Mr. Millisor's misconduct; and, Be It Further

RESOLVED, That the State Board concludes that permitting Mr. Millisor to reapply for a license would demean the nature and seriousness of his conduct, reflect negatively on the teaching profession, and undermine the State Board's expectation that educators must maintain professional relationships with students at all times. The State Board concludes that a permanent denial of Mr. Millisor's applications is warranted based on his unbecoming conduct and the aggravating factors in this case; and, Be It Further

RESOLVED, That the State Board concludes that even without Mr. Millisor's pattern of unbecoming conduct, the following misconduct constitute an independent ground that warrants a permanent denial of his pending application: Mr. Millisor admitted to receiving from a student electronic messages with picture images that were sexually suggestive and included a nude picture of the student that showed the student's bare buttocks, he replied to the student that he couldn't say that he didn't like what he saw, and he failed to report receiving these picture images to school administrators which led to discipline from the district on or about March 20, 2015 in the form of a two-day unpaid suspension; and, Be It Further

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **DENIES** Thomas K. Millisor's application for a five-year professional adolescence to young adult teaching license based upon Mr. Millisor, on or about 2012 through 2015, during and around the time of his employment as a math teacher with the Newark City School District, engaging in a pattern of conduct that is unbecoming to the teaching profession when he failed to maintain appropriate student-teacher boundaries on the following occasions: on or about December 7, 2012, during class, Mr. Millisor told a student to "Quit being a dick!" and while in the hallway, he shoved the student and chest bumped the student multiple times, resulting in discipline from the district on or about December 10, 2012 in the form of a letter of direction; on or about the fall of 2013, Mr. Millisor admitted to driving students off campus to a McDonald's with the school addressing this conduct on or about the fall of 2013; on or about late fall or early winter of 2014, Mr. Millisor allowed a student to sit in his classroom while he taught even though the student was not enrolled in any of his classes at the time; on or about March or April 2014, Mr. Millisor admitted to receiving from a student electronic messages with picture images that were sexually suggestive and included a nude picture of the student that showed the student's bare buttocks, he replied to the student that he couldn't say that he didn't like what he saw, and he failed to report receiving these picture images to school administrators which led to discipline from the district on or about March 20, 2015 in the form of a two-day unpaid suspension; Mr. Millisor admitted that, over a period of two to three years, he collected notes from students, some of which were inappropriate and sexually suggestive in nature and he was not forthcoming with this information to school administrators, having failed to disclose

his receipt of these notes until on or about March 2015; Mr. Millisor allowed students who were not in his class to be in his classroom while he was teaching, a situation that was addressed by administration; Mr. Millisor failed to inform school administrators that students took pictures of themselves on his phone that were not academic in nature; and Mr. Millisor placed a note in a student's bag telling the student to "Work hard. Stay beautiful," a situation that was addressed with Mr. Millisor by school administration. Also, the denial is based upon Mr. Millisor's 2011 conviction in the Marion Municipal Court for one minor misdemeanor count of open container, 2010 conviction in the Marietta Municipal Court for one minor misdemeanor count of open container, and failure to disclose his 2010 and 2011 convictions on his 2012 and 2013 applications to the Ohio Department of Education. Further,

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the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders that Thomas K. Millisor be permanently ineligible to reapply for any license issued by the State Board of Education; and, Be It Further

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

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

YES VOTES

Pat Bruns	Stephanie Dodd
Joe Farmer	Sarah Fowler
Linda Haycock	Meryl Johnson
Laura Kohler	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Kara Morgan	Nick Owens
Eric Poklar	Lisa Woods
Tess Elshoff	

NO VOTES

Cathye Flory

ABSTAIN

Nancy Hollister

Motion carried.

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

YES VOTES

Pat Bruns	Stephanie Dodd
Joe Farmer	Sarah Fowler
Linda Haycock	Meryl Johnson
Laura Kohler	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Kara Morgan	Nick Owens
Eric Poklar	Lisa Woods
Tess Elshoff	

NO VOTES

Cathye Flory

ABSTAIN

Nancy Hollister

Motion carried.

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

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**12. RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF CARL J. POLLOCK**

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

WHEREAS Carl J. Pollock holds a three-year pupil activity permit issued in 2015 with an effective year of 2014; and

WHEREAS on November 1, 2017, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Carl J. Pollock of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (B)(2)(c), (B)(2)(d), (B)(2)(e), and (B)(3). The notice was based upon Mr. Pollock's 2016 guilty plea in the Geauga County Court of Common Pleas to one felony count of theft and one felony count of misuse of a credit card and subsequent entry into the court's intervention in lieu of conviction program, 1998 conviction in the Mentor Municipal Court for one misdemeanor count of drug abuse, 1998 conviction in the Mentor Municipal Court, in a separate case, for one minor misdemeanor count of

disorderly conduct, 1998 conviction in the Mentor Municipal Court, in a separate case, for one misdemeanor count of minors purchase, and failure to fully disclose his criminal convictions on his applications to the Ohio Department of Education in 2008, 2012, 2014, and 2015; and

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

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

WHEREAS the State Board of Education has reviewed the affidavit of the director of the Office of Professional Conduct, Notice of the State Board of Education's Intended Action and Opportunity for a Hearing, certified court records from the Geauga County Court of Common Pleas and the Mentor Municipal Court, and certified police records from the Geauga County Sheriff's Office; and

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

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

**RESOLVED**, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (B)(2)(c), (B)(2)(d), (B)(2)(e), and (B)(3), hereby **REVOKES** Carl J. Pollock's three-year pupil activity permit issued in 2015 with an effective year of 2014 based upon Mr. Pollock's 2016 guilty plea in the Geauga County Court of Common Pleas to one

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felony count of theft and one felony count of misuse of a credit card and subsequent entry into the court's intervention in lieu of conviction program, 1998 conviction in the Mentor Municipal Court for one misdemeanor count of drug abuse, 1998 conviction in the Mentor Municipal Court, in a separate case, for one minor misdemeanor count of disorderly conduct, 1998 conviction in the Mentor Municipal Court, in a separate case, for one misdemeanor count of minors purchase, and failure to fully disclose his criminal convictions on his applications to the Ohio Department of Education in 2008, 2012, 2014, and 2015. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Carl J. Pollock be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

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

President Elshoff called for a roll call vote.

**YES VOTES**

Pat Bruns	Stephanie Dodd
Joe Farmer	Cathye Flory
Sarah Fowler	Linda Haycock
Nancy Hollister	Meryl Johnson
Laura Kohler	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Kara Morgan	Nick Owens
Eric Poklar	Lisa Woods
Tess Elshoff	

Motion carried.

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

**13. RESOLUTION TO REVOKE THE FIVE-YEAR PROFESSIONAL PUPIL SERVICES LICENSE OF HEATHER M. STEUDLER**

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

WHEREAS Heather M. Steudler holds a five-year professional pupil services license issued in 2014; and

WHEREAS on October 23, 2017, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Heather M. Steudler of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional pupil services license issued in 2014 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Steudler engaging in the following conduct that is unbecoming to the



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teaching profession: on or about January 24, 2016, she was charged in the Franklin County Municipal Court with one misdemeanor count of aggravated menacing, and the Court issued a bench warrant for her arrest on or about August 30, 2016 due to her failure to appear for a pre-trial hearing and the bench warrant remained outstanding as of the date of the notice; and on or about January 27, 2017, Ms. Steudler was charged in the Franklin County Court of Common Pleas with one felony count of possession of drugs, and the Court issued a capias warrant for Ms. Steudler's arrest on or about March 2, 2017 after she failed to appear for arraignment on February 24, 2017 and the capias warrant remained outstanding as of the date of the notice; and

WHEREAS the notice informed Ms. Steudler that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional pupil services license issued in 2014; and

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

WHEREAS the State Board of Education has reviewed the affidavit of the director of the Office of Professional Conduct, Notice of the State Board of Education's Intended Action and Opportunity for a Hearing, certified court records from the Franklin County Municipal Court and the Franklin County Court of Common Pleas, and certified police records from the Columbus Division of Police; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Heather M. Steudler's five-year professional pupil services license issued in 2014 based upon Ms. Steudler engaging in the following conduct that is unbecoming to the teaching profession: on or about January 24, 2016, she was charged in the Franklin County Municipal Court with one misdemeanor count of aggravated menacing, and the Court issued a bench warrant for her arrest on or about August 30, 2016 due to her failure to appear for a pre-trial hearing and the bench warrant remained outstanding as of the date of the notice; and on or about January 27, 2017, Ms. Steudler was charged in the Franklin County Court of Common Pleas with one felony count of possession of drugs, and the Court issued a capias warrant for Ms. Steudler's arrest on or about March 2, 2017 after she failed to appear for arraignment on February 24, 2017 and the capias warrant remained outstanding as of the date of the notice. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders Heather M. Steudler be ineligible to apply for any license issued by the State Board of Education until the following conditions have been met: she has fully resolved her criminal cases and, if applicable, she has been fully discharged from imprisonment, probation, parole, or any diversion or treatment in lieu of conviction program; she has completed, at her own expense, a fitness to teach evaluation, performed by a licensed psychiatrist or licensed psychologist, with the evaluator to be pre-approved by the Ohio Department of Education; and she has completed,

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at her own expense, a drug and alcohol assessment and followed all recommendations; and, Be It Further

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

It was Moved by Mrs. Manchester and Seconded by Mrs. Flory that the above recommendation (Item 13) be approved.

President Elshoff called for a roll call vote.

**YES VOTES**

Pat Bruns	Stephanie Dodd
Joe Farmer	Cathye Flory
Sarah Fowler	Linda Haycock
Nancy Hollister	Meryl Johnson
Laura Kohler	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Kara Morgan	Nick Owens
Eric Poklar	Lisa Woods
Tess Elshoff	

Motion carried.

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

**14. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE ONE-YEAR SUBSTITUTE GENERAL EDUCATION TEACHING LICENSE OF EVELYN D. TUCKER**

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

WHEREAS Evelyn D. Tucker held a one-year substitute general education teaching license issued in 2016 with an effective year of 2015; and

WHEREAS on January 12, 2017, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Evelyn D. Tucker of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year substitute general education teaching license issued in 2016 with an effective year of 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Tucker engaging in the following conduct that is unbecoming to the teaching profession: on or about January 23, 2003, the North Carolina Department of Public Instruction issued a finding that Ms. Tucker defaulted on her right to challenge proposed disciplinary action and ordered her emergency teaching permit license to be permanently revoked; and on or about January 27, 2016, Ms. Tucker failed to disclose her 2003 North Carolina teaching license revocation on her application to the Ohio Department of Education; and

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

WHEREAS a hearing was held on September 12, 2017; and

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

WHEREAS the hearing officer recommends that Ms. Tucker's license be permanently revoked. Further, it is recommended that Ms. Tucker be permanently ineligible to apply for any license issued by the State Board of Education. The hearing officer's recommendation is based upon Ms. Tucker providing false and inaccurate information to two different licensing boards some thirteen years apart; 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** Evelyn D. Tucker's one-year substitute general education teaching license issued in 2016 with an effective year of 2015 based upon Ms. Tucker engaging in the following conduct that is unbecoming to the teaching profession: on or about January 23, 2003, the North Carolina Department of Public Instruction issued a finding that Ms. Tucker defaulted on her right to challenge proposed disciplinary action and ordered her emergency teaching permit license to be permanently revoked; and on or about January 27, 2016, Ms. Tucker failed to disclose her 2003 North Carolina teaching license revocation on her application to 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 Evelyn D. Tucker be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

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

President Elshoff called for a roll call vote.

**YES VOTES**

Stephanie Dodd  
Cathye Flory  
Linda Haycock  
Meryl Johnson  
Martha Manchester  
Antoinette Miranda  
Nick Owens  
Lisa Woods

Joe Farmer  
Sarah Fowler  
Nancy Hollister  
Laura Kohler  
Charlotte McGuire  
Kara Morgan  
Eric Poklar  
Tess Elshoff

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ABSTAIN

Pat Bruns

Motion carried.

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

**15. RESOLUTION TO DENY PERMANENTLY THE ONE-YEAR EDUCATIONAL AIDE PERMIT APPLICATION OF KELLY S. ZAMPINI-SOLAREK**

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

WHEREAS Kelly S. Zampini-Solarek has applied for a one-year educational aide permit; and

WHEREAS on October 17, 2017, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Kelly S. Zampini-Solarek of its intent to deny or permanently deny her application for a one-year educational aide permit pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(c). The notice was based upon Ms. Zampini-Solarek's 2016 conviction in the Lake County Court of Common Pleas for one felony count of aggravated theft, four felony counts of tampering with records, and one felony count of misuse of credit cards; and

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

WHEREAS Kelly S. Zampini-Solarek did not request a hearing in accordance with Section 119.07 of the Revised Code; and

WHEREAS the State Board of Education has reviewed the affidavit of the director of the Office of Professional Conduct, Notice of the State Board of Education's Intended Action and Opportunity for a Hearing, certified court records from the Lake County Court of Common Pleas, and certified police records from the Madison Township Police Department; and

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

WHEREAS the State Board 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 **DENIES** Kelly S. Zampini-Solarek's application for a one-year educational aide permit based upon Ms. Zampini-Solarek's 2016 conviction in

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the Lake County Court of Common Pleas for one felony count of aggravated theft, four felony counts of tampering with records, and one felony count of misuse of credit cards. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Kelly S. Zampini-Solarek be permanently ineligible to apply for any license issued by the State Board of Education; and, Be It Further

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

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

President Elshoff called for a roll call vote.

**YES VOTES**

Pat Bruns	Stephanie Dodd
Joe Farmer	Cathye Flory
Sarah Fowler	Linda Haycock
Nancy Hollister	Meryl Johnson
Laura Kohler	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Kara Morgan	Nick Owens
Eric Poklar	Lisa Woods
Tess Elshoff	

Motion carried.

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President Elshoff presented the following recommendation (Item 16):

- 16. RESOLUTION TO APPROVE THE RECOMMENDATION OF THE HEARING OFFICER AND TO DISAPPROVE THE OBERLIN CITY SCHOOL DISTRICT'S DETERMINATION OF IMPRACTICAL TRANSPORTATION AND PAYMENT IN LIEU OF TRANSPORTATION OF CERTAIN STUDENTS ATTENDING LAKE RIDGE ACADEMY, LORAIN COUNTY.**

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

Pursuant to Ohio Revised Code Sections 3327.01 and 3327.02, Oberlin City School District determined that it is impractical to transport students from Oberlin City School District to Lake Ridge Academy, Lorain County;

Petitioners requested a hearing, and the hearing was held on September 5, 2017, before a duly appointed hearing officer; and

The hearing officer, Philip King, in his report of November 20, 2017, recommends that the State Board of Education disapprove Oberlin City School District's payment in lieu of providing transportation to certain students attending Lake Ridge Academy, after analyzing the factors set forth in Ohio Revised Code Section 3327.02;

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Based on the evidence presented, the hearing officer found Oberlin City School District's arguments not persuasive;

The hearing officer determined the following after reviewing the six factors set forth in Ohio Revised Code Section 3327.02: 1) the savings from eliminating the bus route is less than one percent of the district's 2017 fiscal year surplus; 2) it is unclear whether the discrepancies between assigned ridership and actual ridership for the Lake Ridge Academy route also exist on routes to public schools; 3) the difference between the cost to transport Lake Ridge Academy students and other students is significant, but the total savings is not sizeable compared to the shortfall expected in fiscal year 2019; 4) Oberlin City School District is currently not in financial jeopardy; and 4) it is unclear how often or prominent a substitute bus driver cannot be located

NOW, THEREFORE, BE IT RESOLVED, that upon consideration of the hearing officer's report and recommendation, Oberlin City School District's objections, and the relevant law, the State Board of Education hereby adopts the recommendation of the hearing officer and disapproves Oberlin City School District's payment in lieu of transportation of certain students attending Lake Ridge Academy for all the reasons set forth in the hearing officer's report and recommendation; and

FURTHER RESOLVED, that the Superintendent of Public Instruction be, and he hereby is, directed to serve a true copy of this resolution on the petitioner, Oberlin City School District, and counsel of record, if applicable.

It was Moved by Mrs. Kohler and Seconded by Mr. Owens that the above recommendation (Item 16) be approved.

Ms. Bruns Moved to Amend the resolution by substitution. She proposed to disapprove the recommendation of the Hearing Officer and to approve the Oberlin City School District's determination of impractical transportation and payment in lieu of transportation of certain students attending Lake Ridge Academy, Lorain county. The substitute resolution is listed below. Mrs. Hollister Seconded the motion. Ms. Bruns stated she felt Oberlin City made a reasonable request based on previous cases before the Board regarding costs involved. She also stated she believed the Hearing Officer was errant in stating the expenses were not significant.

Ms. Fowler stated she would support the proposed amendment and felt the school district had met the requirements in law for fulfilling their obligation and it was inappropriate for the Hearing Officer recommendations based upon whether it was appropriate for their local budget.

Ms. Kohler stated that in this case there may be an issue of setting an unwanted precedent. She stated the school is within the 30-mile radius specified in statute. By allowing this, the standard could be interpreted as being reset.

**16. RESOLUTION TO DISAPPROVE THE RECOMMENDATION OF THE HEARING OFFICER AND TO APPROVE THE OBERLIN CITY SCHOOL DISTRICT'S DETERMINATION OF IMPRACTICAL TRANSPORTATION AND PAYMENT IN LIEU OF TRANSPORTATION OF CERTAIN STUDENTS ATTENDING LAKE RIDGE ACADEMY, LORAIN COUNTY.**

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

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Pursuant to Ohio Revised Code Sections 3327.01 and 3327.02, Oberlin City School District determined that it is impractical to transport students from Oberlin City School District to Lake Ridge Academy, Lorain County;

Petitioners requested a hearing, and the hearing was held on September 5, 2017, before a duly appointed hearing officer; and

The hearing officer, Philip King, in his report of November 20, 2017, recommends that the State Board of Education disapprove Oberlin City School District's payment in lieu of providing transportation to certain students attending Lake Ridge Academy, after analyzing the factors set forth in Ohio Revised Code Section 3327.02;

Based on the evidence presented, the hearing officer found Oberlin City School District's arguments not persuasive and determined that the total amount of savings from eliminating the route was insignificant when compared to the cash balance held by the District;

Based on the combination of factors, including that the 1) hearing officer determined that the difference in cost for transporting students to Lake Ridge Academy compared to transporting students to the public-school district is significant; 2) District would decrease its net loss in future years by eliminating the route; and 3) official counts demonstrated ridership lower than originally reported as the bus transporting to LRA regularly carried fewer students than the total who lived in District, Oberlin City School District's arguments are persuasive;

NOW, THEREFORE, BE IT RESOLVED, that upon consideration of the hearing officer's report and recommendation, Oberlin City School District's objections, and the relevant law, the State Board of Education hereby rejects the recommendation of the hearing officer and approves Oberlin City School District's payment in lieu of transportation of certain students attending Lake Ridge Academy; and

FURTHER RESOLVED, that the Superintendent of Public Instruction be, and he hereby is, directed to serve a true copy of this resolution on the petitioner, Oberlin City School District, and counsel of record, if applicable.

President Elshoff called for a roll call vote on the proposed amendment by substitution.

**YES VOTES**

Pat Bruns  
Sarah Fowler  
Nancy Hollister  
Charlotte McGuire

Joe Farmer  
Linda Haycock  
Martha Manchester  
Antoinette Miranda

**NO VOTES**

Cathye Flory  
Kara Morgan  
Eric Poklar  
Tess Elshoff

Laura Kohler  
Nick Owens  
Lisa Woods

**ABSTAIN**

Stephanie Dodd

Meryl Johnson

Motion carried.

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President Elshoff called for a roll call vote on the resolution as substituted.

**YES VOTES**

Pat Bruns	Joe Farmer
Sarah Fowler	Linda Haycock
Nancy Hollister	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Lisa Woods	

**NO VOTES**

Cathye Flory	Laura Kohler
Kara Morgan	Nick Owens
Eric Poklar	Tess Elshoff

**ABSTAIN**

Stephanie Dodd	Meryl Johnson
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Motion carried.

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President Elshoff presented the following recommendation (Item 17):

- 17. RESOLUTION TO APPROVE THE CUYAHOGA FALLS CITY SCHOOL DISTRICT'S DETERMINATION OF IMPRACTICAL TRANSPORTATION AND PAYMENT IN LIEU OF TRANSPORTATION OF CERTAIN STUDENTS ATTENDING S.U.P.E.R. LEARNING CENTER, SUMMIT COUNTY.**

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

Pursuant to Ohio Revised Code (ORC) Sections 3327.01 and 3327.02, Cuyahoga Falls City School District determined on June 7, 2017 that it is impractical to transport students from Cuyahoga Falls City School District to S.U.P.E.R. Learning Center, Summit County;

The Ohio Department of Education provided Cuyahoga Falls City School District and the affected parent an opportunity to request a hearing, but neither party requested it;

The State Board of Education has considered the factors set forth in ORC 3327.02 and reviewed the materials provided to the Ohio Department of Education, which includes a fact-finding report setting forth Cuyahoga Falls City School District's and the affected parent's positions.

**NOW, THEREFORE, BE IT RESOLVED**, that upon consideration of the materials presented and the relevant law, the State Board of Education hereby approves Cuyahoga Falls City School District's payment in lieu of transportation of certain students attending S.U.P.E.R. Learning Center, Summit County; and

**FURTHER RESOLVED**, that the Superintendent of Public Instruction be, and he hereby is, directed to serve a true copy of this resolution on Cuyahoga Falls City School District, and any affected party, if applicable.



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It was Moved by Ms. Bruns and Seconded by Mr. Farmer that the above recommendation (Item 17) be approved.

President Elshoff called for a roll call vote.

### YES VOTES

Pat Bruns	Stephanie Dodd
Joe Farmer	Cathye Flory
Sarah Fowler	Linda Haycock
Nancy Hollister	Meryl Johnson
Laura Kohler	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Kara Morgan	Nick Owens
Eric Poklar	Lisa Woods
Tess Elshoff	

Motion carried.

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President Elshoff presented the following recommendation (Item 18):

Mrs. Kohler requested emergency consideration of Item 18. Emergency consideration was granted by Board leadership.

### 18. RESOLUTION TO EXTEND THE GRADUATION OPTIONS AVAILABLE TO THE CLASS OF 2018 AND EXPLORE ALTERNATIVE APPROACHES

The State Board of Education hereby **ADOPTS** the following Resolution:

In December 2016, the State Board of Education adopted a Resolution to create a work group to review the graduation requirements and explore alternative opportunities for students to meet the graduation requirements;

In April 2017, the State Board of Education adopted a resolution recommending legislative changes authorizing additional graduation pathways for students who entered ninth grade for the first time on or after July 1, 2014 but prior to July 1, 2015;

Section 733.67 of House Bill 49, 132<sup>nd</sup> General Assembly, authorizes two additional options for students in the class of 2018 who entered ninth grade between July 1, 2014 and June 30, 2015. These options provide an opportunity for those students who do not otherwise meet one of the three existing pathways to graduation; and

The Achievement and Graduation Requirements Committee recommended in its January 2018 meeting that the Board adopt this resolution as an emergency consideration.

NOW, THEREFORE, BE IT RESOLVED, that the State Board of Education hereby requests appropriate legislative action to extend the two additional options authorized in Section 733.67 of H.B. 49, 132<sup>nd</sup> General Assembly, to the Classes of 2019 and 2020; and

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FURTHER RESOLVED, that the State Board of Education hereby adopts the following timeline for graduation requirements for the Class of 2021 and beyond:

- State Superintendent of Public Instruction makes recommendations to Achievement and Graduation Requirements Committee in October 2018;
- Achievement and Graduation Requirements Committee votes on recommendations in November 2018; and
- State Board of Education votes on recommendations in December 2018.

It was Moved by Mr. Owens and Seconded by Ms. Bruns that the above recommendation (Item 18) be approved.

President Elshoff called for a roll call vote.

**YES VOTES**

Pat Bruns	Stephanie Dodd
Joe Farmer	Cathye Flory
Sarah Fowler	Linda Haycock
Nancy Hollister	Meryl Johnson
Laura Kohler	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Eric Poklar
Lisa Woods	Tess Elshoff

**NO VOTES**

Kara Morgan

Motion carried.

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President Elshoff presented the following recommendation (Item 19):

**19. RESOLUTION TO APPROVE THE PLAN SUBMITTED BY COLUMBUS CITY SCHOOLS TO RESTRICT ADMISSION TO CERTAIN SCHOOLS IN ACCORDANCE WITH REVISED CODE 3313.982(B)**

The State Board of Education hereby **ADOPTS** the following Resolution:

Ohio Revised Code (ORC) 3313.982(B) allows a district board that wants to start restricting admission to any school on the basis of student academic, athletic, artistic, or other skills, to submit a plan proposing such restricted admission to the State Board of Education;

ORC 3313.982 further provides that the State Board of Education may approve the plan if the State Board finds that it will: (1) generally promote increased educational opportunities for students in the district; and (2) not unduly restrict opportunities for some students.

On November 22, 2017, Columbus City Schools Superintendent Dan Good submitted a request and plan to limit admissions to Columbus Africentric Early College High School, with the selective admissions process resulting in no more than 20% of the available seats being filled using criteria focused on academic rigor, promotions of students who would be the first

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in their families to attend college and an interview process to better align students with this program;

The Columbus plan will promote increased educational opportunities for high academic achievers by meeting the needs of highly motivated students in a college preparatory curriculum and will promote increased educational opportunities for those students who would be the first in their families to attend college;

The Columbus plan will not unduly restrict opportunities for some students because all five of the schools listed in the Columbus plan are lottery schools, and thus, no student would be displaced from a neighborhood school and the restricted admissions to these lottery schools will for only the first twenty percent of the incoming class; and

During its December 2017 meeting, the Columbus City Schools presented its plan to the Educator and Student Options Committee and the Educator and Student Options Committee recommended in that same meeting that the State Board approve the plan in the form attached hereto.

NOW, THEREFORE, BE IT RESOLVED, that the State Board of Education hereby approves Columbus City Schools' plan for the Africentric Early College High School, which is attached hereto and incorporated herein, since the State Board of Education finds that in accordance with ORC 3313.982(B), the plan will: (1) generally promote increased educational opportunities for students in the district; and (2) not unduly restrict opportunities for some students, as outlined in the preambles.

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

President Elshoff called for a roll call vote.

**YES VOTES**

Pat Bruns	Stephanie Dodd
Joe Farmer	Cathye Flory
Sarah Fowler	Linda Haycock
Nancy Hollister	Meryl Johnson
Laura Kohler	Martha Manchester
Charlotte McGuire	Kara Morgan
Nick Owens	Eric Poklar
Lisa Woods	Tess Elshoff

**ABSTAIN**

Antoinette Miranda

Motion carried.

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**PUBLIC PARTICIPATION ON NONACTION ITEMS**

There was no Public Participation on Nonaction Items.

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**Non-Resolutions**  
**Old Business**

Ms. Woods presented the following resolution:

**RESOLUTION TO APPOINT A WORKING GROUP TO REVIEW AND RECOMMEND CHANGES TO IMPROVE UNDERSTANDING AND USABILITY OF THE STATE REPORT CARD**

WHEREAS, the latest State Report Card continues to be criticized by school officials, teachers, administrators, parents, legislators, and the general public as an inaccurate measurement of true learning;

WHEREAS, the State Report Card requires considerable resources to create and must be useful to those it was intended to inform;

WHEREAS, listening to the people of Ohio, the constituency groups, it is clear that many taxpayers, Ohio policy makers, and educational professionals do not have confidence in the current report card; and.

WHEREAS, the Board seeks to both investigate the reasons why the current report card does not properly reflect educational attainment in Ohio and further seeks to provide a true performance measurement that will appropriately measure learning in Ohio's public schools.

NOW, THEREFORE, BE IT RESOLVED, that two committees be TEMPORARILY appointed:

- A. A committee that includes the public as this is the real purpose – A committee to take testimony from inside and outside experts in and out of the educational community to investigate and improve understanding and accurately reflect and provide useful information to the public. The Board retain the services of experts from outside of the education establishment, but have an expertise in statistical analysis and general business analytics.
- B. A committee of Board Members and Staff, individuals at the recommendation of the Governor, House Speaker, Senate President, Local school officials from school districts representing urban, inner ring suburban, outer ring suburban, rural, community school, and educational service center representation as well as private sector experts with knowledge of performance measurements that can provide for a revamped and accurate performance measurements that will provide statistical data that can be used to compare learning between school buildings and districts, demographic peer groups, and similar school populations that will properly evaluate learning and its progress in Ohio, but is substantially different from the current Report Card.

FURTHER RESOLVED, these committees shall report their progress to the State Board of Education on a monthly basis until such time as they can publish reports and recommendations, but no later than June 30, 2018. The State Board will consider said reports and recommendations and make supporting policy changes by November 1, 2018.

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Ms. Woods stated she was bringing forth this resolution so that the Board could have a more honest conversation about the state report card and its value.

After discussion, President Elshoff stated barring any objections, she would like to table this issue for one month to process the input received and discuss the issue with the Superintendent to develop options. There were no objections from Board members.

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### Once Around

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

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### RECESS STATE BOARD MEETING

Ms. Fowler Moved to recess the meeting. Mrs. Flory Seconded the motion.

The President requested a voice vote.

Motion carried.

President Elshoff recessed the Board meeting at 12:20 p.m.

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### RECONVENE STATE BOARD MEETING

President Elshoff reconvened the meeting of the State Board of Education on Wednesday, January 10, at 8:30 a.m.

President Elshoff asked the Recording Secretary to call the roll.

#### YES VOTES

Pat Bruns	Stephanie Dodd
Cathye Flory	Sarah Fowler
Linda Haycock	Nancy Hollister
Meryl Johnson	Laura Kohler
Martha Manchester	Charlotte McGuire
Kara Morgan	Lisa Woods
Tess Elshoff	

Motion carried.

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### STRATEGIC PLANNING DISCUSSION

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The Board continued its work on the Strategic Plan focusing on Student Supports and School Climate and Culture and Early Learning.

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President Elshoff adjourned the meeting at 12:00 p.m. The next regularly scheduled meeting of the State Board of Education is February 12-13, 2018.

ATTEST:



Tess Elshoff  
President  
State Board of Education



Paolo DeMaria  
Superintendent of Public Instruction

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**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.