

Minutes of the November 2018 Meeting of the State Board of Education of Ohio

**STATE BOARD OF EDUCATION OF OHIO
MINUTES**

November 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
Charles Froehlich	Linda Haycock
Nancy Hollister	Meryl Johnson
Laura Kohler	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Kara Morgan	Nick Owens
Eric Poklar	James Sheppard
Lisa Woods	

EX OFFICIO MEMBERS

Senator Peggy Lehner	Representative Andrew Brenner
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SECRETARY

Paolo DeMaria
Superintendent of Public Instruction

Mr. Farmer and Mr. Sheppard were absent from the meeting. Mrs. Miranda was absent on Thursday.

The State Board convened on Wednesday, November 14, at the Ohio Department of Education in Columbus.

Chapter 119 Hearing

November 14, 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:

Chapter 3301-20 Standards for Employment of Individuals with Criminal Convictions
The amendment of 3301-20-01 Employment of individuals in positions that require a license and licensure of individuals with certain criminal convictions or other alternative dispositions.

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Chapter 3301-73 Professional Conduct Educator Rules

The amendment of 3301-73-02: Delegation; The amendment of 3301-73-03: Definitions; The amendment of 3301-73-06: Filing; The amendment of 3301-73-10: Continuance of a hearing; The amendment of 3301-73-13: Subpoenas; The amendment of 3301-73-21: Conduct unbecoming; aggravating and mitigating factors; The amendment of 3301-73-22: Suspension, revocation, permanent revocation and admonishment; The amendment of 3301-73-23: Consent agreements; The amendment of 3301-73-24: Application after disciplinary action; The amendment of 3301-73-25: Automatic revocation or denial; The rescission and adoption of new rule 3301-73-26: Action after appeal of conviction; and the amendment of 3301-73-27: Time limits and the computation of time.

Chapter 3301-102 Community Schools

The rescission and adoption of new rule 3301-102-02: Definitions; The rescission and adoption of new rule 3301-102-03: Approval of sponsors; The rescission and adoption of new rule 3301-102-04: Sponsorship agreement; The rescission and adoption of new rule 3301-102-05: Monitoring and reporting requirements for all sponsors; and the rescission and adoption of new rule 3301-102-07: Revocation of sponsorship authority.

President Elshoff called on Liz Chavez, from the Office of the Attorney General, Assistant Attorney General, Education section. Ms. Chavez 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, 5 and 6 would be true and accurate copies of the rules as filed with the Joint Committee on Agency Rule Review (JCARR), Legislative Service Commission (LSC) and the Secretary of State.

Ms. 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 7.

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

PUBLIC TESTIMONY ON THE PROPOSED RULE ACTIONS

1) Written testimony was provided by Mr. Adam Schira, Dickinson Wright, PLLC. This testimony was regarding OAC Chapter 102; Community Schools Rule Changes. This testimony is marked as group exhibit 7.

President Elshoff called on Ms. Chavez, who submitted into evidence State Board Exhibits 1 through 7.

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.

Following the Chapter 119 Hearing, The Board's Educators & Student Options and Accountability & Continuous Improvement Committees met beginning at 8:45 a.m.

EXECUTIVE COMMITTEE

President Elshoff welcomed the Executive Committee at 11:20 a.m.

President Elshoff asked the Recording Secretary to call the roll.

MEMBERS PRESENT

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

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

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

- Payment of Debt Charges Under the State Credit Enhancement Program 3301-8-01
- Deputy Superintendent's Salary Increase

1) Payment of Debt Charges Under the State Credit Enhancement Program 3301-8-01

Kim Richard and Brittany Steele-Sendi provided Board members with a presentation on the Payment of Debt Charges Under the State Credit Enhancement Program. Board members were provided a copy of the updated rule and resolution.

**RESOLUTION TO RECOMMEND AMENDING OHIO ADMINISTRATIVE
RULE 3301-8-01**

The Executive Committee RECOMMENDS that the State Board of Education ADOPT the following Preambles and Resolution:

Ohio Revised Code Section 3317.18(I) permitted the Department of Education, with the advice of the Office of Budget and Management, to adopt and enforce rules relating to the withholding and depositing of payments under ORC Chapter 3317 to secure payment of debt charges on school district securities;

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Ohio Administrative Code (OAC) 3301-8-01 is being reviewed as part of the five-year rule review; and

OAC 3301-8-01 is being amended to clarify requirements and remove unnecessary requirements, such as 1) requiring school districts to identify persons or entities owning property representing in aggregate more than 5% of the total taxable value of the school district and their property 2) and reducing the school district's current and proposed state education aid by any projected deficit on its five-year forecast.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Committee hereby recommends that the State Board of Education approve changes to OAC 3301-8-01 in the form presented to the Committee.

President Elshoff requested a motion to approve the resolution.

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

President Elshoff called for a roll call vote.

YES VOTES

Pat Bruns
Laura Kohler
Kara Morgan

Stephanie Dodd
Nancy Hollister
Tess Elshoff

Motion carried.

2) Deputy Superintendent's Salary Increase

The Committee discussed the Deputy State Superintendents parity increase to his annual compensation. This 2.75% increase is in line with all State employees. This change will take effect on the pay period of February 3, 2019.

RESOLUTION TO APPROVE A PARITY INCREASE TO THE ANNUAL COMPENSATION FOR THE DEPUTY SUPERINTENDENT OF PUBLIC INSTRUCTION

The Executive Committee hereby ADOPTS the following preamble and resolution:

Pursuant to Ohio Revised Code 3301.13, the Executive Committee reviewed the State Superintendent's request that Deputy Superintendent John Richard receive a two and three-quarter percent (2.75%) parity salary increase since all state employees were eligible to receive this increase.

NOW, THEREFORE, BE IT RESOLVED that the Executive Committee recommends that the State Board of Education approve a two and three-quarter percent (2.75%) salary increase for the Deputy Superintendent, so that his compensation will be increased from \$163,987.20 (\$78.84/hour) to \$168,500.80 (\$81.01/hour), with the increase being effective on February 3, 2019.

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President Elshoff requested a motion to approve the resolution.

It was Moved by Ms. Bruns and Seconded by Mrs. Kohler that the above recommendation be approved.

President Elshoff called for a roll call vote.

YES VOTES

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

Motion carried.

Mrs. Dodd Moved to adjourn the meeting. Mrs. Kohler Seconded the motion.

The President requested a voice vote.

Motion carried.

President Elshoff adjourned the meeting of the Executive Committee at 11:45 a.m.

STATE BOARD BUSINESS MEETING

President Elshoff convened the Business meeting of the State Board of Education on Wednesday, November 14, at 11:45 a.m.

President Elshoff asked the Recording Secretary to call the roll.

YES VOTES

Pat Bruns	Stephanie Dodd
Cathye Flory	Sarah Fowler
Charles Froehlich	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.

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

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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. Kohler Seconded the motion.

The President called for a roll call vote.

YES VOTES

Pat Bruns	Stephanie Dodd
Cathye Flory	Sarah Fowler
Charles Froehlich	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.

The Board went into Executive Session at 11:45 a.m.

The Board recessed from Executive Session at 12:20 p.m.

The State Board recessed for lunch.

RECONVENE STATE BOARD BUSINESS MEETING

President Elshoff reconvened the Business meeting of the State Board of Education on Wednesday, November 14, at 1:25 p.m.

Sarah Fowler welcomed Board members and guests, and led the Board in the Pledge of Allegiance.

REVIEW OF WRITTEN REPORTS AND ITEMS FOR VOTE

There were no questions from Board members.

STRATEGIC PLAN WORLD CAFE

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Board members participated in discussion regarding the socialization of the Department's strategic plan.

REPORT OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION

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

- Strategic Plan; Each Child, Our Future Implementation Matrix – Strategy 1
- Strategic Plan; Each Child, Our Future Implementation Matrix – Strategy 7

President Elshoff recessed the Board meeting at 4:35 p.m.

IMPACT TEAM DISCUSSION

Following the Board meeting, the State Board's How do we use Data and Alternate Assessments Impact Teams met.

President Elshoff reconvened the meeting of the State Board of Education on Thursday, November 15, at 9:30 a.m.

The Board's Achievement & Graduation Requirements Committee met beginning at 9:30 a.m.

RECONVENE STATE BOARD BUSINESS MEETING

President Elshoff reconvened the Business meeting of the State Board of Education on Thursday, November 15, at 11:50 a.m.

President Elshoff asked the Recording Secretary to call the roll.

MEMBERS PRESENT

Pat Bruns	Stephanie Dodd
Tess Elshoff	Cathye Flory
Sarah Fowler	Charles Froehlich
Linda Haycock	Nancy Hollister
Meryl Johnson	Laura Kohler

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Martha Manchester
Kara Morgan
Lisa Woods

Charlotte McGuire
Eric Poklar

President Elshoff called for the approval of the Minutes of the October 2018 meeting. She asked if there were any corrections to the Minutes.

There were no corrections.

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

Motion carried unanimously.

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:

Committee Members heard from Brittany Steele-Sendi and Kim Richard on the Payment of Debt Charges Under The State Credit Enhancement Program. The committee voted in favor of recommending approval of the proposed changes to the administrative rule. This will be presented to the State Board for a vote during the December meeting.

Committee Members also adopted a resolution recommending that the State Board approve the Deputy State Superintendents parity increase to his annual compensation. This 2.75 percent increase is in line with all State employees. This change will take effect on the pay period of February 3, 2019. This will be presented to the State Board for a vote during the December meeting.

BOARD PRESENTATIONS AND DISCUSSION FROM THE EDUCATORS & STUDENT OPTIONS COMMITTEE

Chair: Joe Farmer, Vice Chair: Sarah Fowler

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

Colleen Grady, Executive Director, Unit for School Options, provided members with a presentation outlining proposed revisions to OAC 3301-102-09 Approving Applications for New Internet- or Computer-Based Community Schools. The rule is being reviewed as part of the five-year rule review process. Following discussion and minor revisions to add consistency, committee members voted to recommend approval of the revised rule to the State Board. The State Board will be asked to vote on this recommendation at its December 2018 meeting.

Brian Jones, Senior Financial Manager for School Finance, summarized proposed revisions for several rules in OAC 3301-83 Pupil Transportation. The rules are being reviewed as part of the five-year rule review process. Following discussion, committee members voted to recommend approval of

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the revised rules to the State Board. The State Board will be asked to vote on this recommendation at its December 2018 meeting. A summary of recommended rule actions follows:

- Amend OAC rules 3301-83-01, -05, -07, -09, -10, -12, -15 through -19, and -22 through -24
- No change for OAC rules 3301-83-04, 3301-83-14, or 3301-83-21
- Rescind and adopt new OAC rule 3301-83-03

Immy Singh, Director, Office of Educator Licensure provided members with a summary of proposed revisions to OAC 3301-23-44 Temporary and Substitute Licenses. The rule is being amended due to the passage of Senate Bill 216, which amended the educator licenses for substitute teaching under Ohio Revised Code (ORC) section 3319.226 and was presented this month for discussion only. The rule will return for a possible vote at the Committee's December 2018 meeting.

Ms. Singh provided members with a summary of proposed revisions to OAC 3301-24-15 Provisional Educator License for Teachers in STEM Schools. The rule is being reviewed as part of the five-year rule review process and was presented this month for discussion only. The rule will return for a possible vote at the Committee's December 2018 meeting.

Ms. Singh provided members with a summary of proposed new rule OAC 3301-24-27 Early College High School Educator License. This is a new rule that is being created due to the passage of Senate Bill 216, which provides for the license in Ohio Revised Code (ORC) section 3319.262 and was presented this month for discussion only. The rule will return for a possible vote at the Committee's December 2018 meeting.

Carolyn Everidge-Frey, Director, Office of Educator Effectiveness provided members with a summary of proposed revisions to OAC 3301-26-01 Examinations for Educator Licensure. The rule is being reviewed as part of the five-year rule review process and was presented this month for discussion only. The rule will return for a possible vote at the Committee's December 2018 meeting.

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:

Report Card Stakeholder Work Group Recommendations – Facilitated by Chris Woolard:

Mr. Woolard opened the discussion by providing background on the work of the External Report Card Stakeholder workgroup. He indicated that the report in front of the committee today is the summary of recommendations from the workgroup. The committee discussed at length each recommendation within the report. Pat Bruns made a motion to accept the resolution for the report card recommendations; Chuck Froelich seconded the motion; the committee voted in agreement and the motion carried. The report card recommendations report will move forward to full board for consideration in December.

Career Technical Planning District Report Card Workgroup recommendations – Facilitated by Chris Woolard:

Mr. Woolard provided background on the CTPD workgroup and indicated to committee that the report before them today are recommendations of the CTPD workgroup. The committee discussed each recommendation at length; Chuck Froelich made a motion to accept the resolution for the Career Tech report card recommendations; Cathye Flory seconded the motion, the committee voted

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in agreement and the motion carried. The recommendations report will move forward to full board for consideration in December.

BOARD PRESENTATIONS AND DISCUSSION FROM THE ACHIEVEMENT & GRADUATION REQUIREMENTS COMMITTEE

Chair: Laura Kohler, Vice Chair: Stephanie Dodd

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

Computer Science Standards and Model Curriculum:

Staff discussed the Computer Science standards and model curriculum. State law requires the standards and model curriculum for computer science be adopted by the state board of education no later than Dec. 31, 2018. The committee voted to approve the resolution to adopt the Computer Science standards and model curriculum. The full board will consider adoption of the standards and model curriculum in December.

Behavioral Health and Wellness Education Advisory Committee:

Staff and three committee members presented the report and recommendations of the Behavioral Health and Wellness Education Advisory Committee. The committee was established through an April 2018 State Board of Education resolution to develop recommendations for the Superintendent of Public Instruction regarding the social, emotional, mental and behavioral health needs for students and schools. The advisory committee's recommendations are closely tied to and will be incorporated with implementation of Strategy 7 in Each Child Our Future.

Ohio Administrative Code 3301-52-01 Early Child Education Screening and Assessment:

Staff presented Ohio Administrative Code rule 3301-52-01 Early Child Education Screening and Assessment. The rule was reviewed as part of the five-year rule review process and no changes are being proposed to the rule. The committee voted to approve the rule with no changes. Full board will consider the rule in December.

Graduation Requirements:

Staff presented an update on the legislative discussions occurring related to graduation requirements. Also, the committee discussed clarifying the language in the resolution being considered for vote by the full board today.

BOARD PRESENTATIONS AND DISCUSSION FROM THE ALTERNATIVE ASSESSMENTS WORKGROUP

Chair: Charlotte McGuire

Mrs. McGuire gave a report from the Alternative Assessments Workgroup meeting focusing on the following issues:

The Alternative Assessment Impact Team met on November 14th following the conclusion of the Board meeting. Board members Charlotte MacGuire, Laura Koehler, and Pat Bruns were in attendance. Impact team discussions involved best practices around the use of alternative assessments, models for evaluation of alternative assessments, and the development of the final Impact Team Report. Impact Team members requested a presentation from Department staff on the Competency-Based Pilot program.

BOARD PRESENTATIONS AND DISCUSSION FROM THE HOW ARE WE USING DATA WORKGROUP

Chair: Dr. Kara Morgan

Dr. Morgan gave a report from the How Are We Using Data Workgroup meeting focusing on the following issues:

November 9, 2018; 1:00 PM – 2:30 PM

In attendance: Mr. Froehlich (phone), Ms. Fowler (phone), Ms. Woods (phone), Mrs. Dodd and Mrs. Manchester.

Mr. Chris Woolard, Senior Executive Director, Center for Performance and Impact, presented to the Impact Team members about the Regional Data Lead (RDL) Network. The creation of this network is based on a partnership with the Department and leads from the Educational Service Centers (ESC) to co-design the work of expanding use of existing data tools and resources, providing professional development, etc. Supporting materials provided regarding the mission and objectives of the network. Chris also provided a demonstration of the Advanced Reports available:
<https://reportcard.education.ohio.gov/advanced>

- Impact Team members discussed the use of data to learn why students aren't graduating and how to support increased graduation. Further discussion may be warranted to capture specific questions of Impact Team members and how the Department can provide additional information.

Mr. Woolard, and Ms. Heather Boughton, Director of Research, Evaluation and Advanced Analytics, presented on the work around school climate surveys happening at the Department. Discussions around school climate surveys increased during the regional meetings and development of Ohio's ESSA state plan – the state committed to conducting school climate pilots in the approved plan. Supporting materials provided regarding the survey pilot work currently being conducted by the Department.

Mr. Woolard presented on the federal identification process for schools (Priority, Focus, Warning). Supporting materials provided on the identification process.

- Impact Team members discussed the need to better understand the reporting requirements and supports provided by the Department for those schools identified. Further discussion may be warranted, and it was discussed to have staff from the Office of Improvement and Innovation present at a future meeting on the Ohio Improvement Process and supports.

PUBLIC PARTICIPATION ON VOTING AGENDA ITEMS

- 1) Mr. Thomas Ash, BASA, Mr. Jay Smith, OSBA and Ms. Barbara Shaner, OASSA. Mr. Ash, Mr. Smith and Ms. Shaner spoke to the Board regarding support for the recommendations on graduation requirements.

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 1-6) on the Consent Agenda:

1. RESOLUTION TO ACCEPT THE VOLUNTARY SURRENDER AND TO ENTER AN ORDER TO REVOKE PERMANENTLY THE ONE-YEAR EDUCATIONAL AIDE PERMIT OF KIARA N. CORNELIUS

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

WHEREAS Kiara N. Cornelius held a one-year educational aide permit issued in 2014; and

WHEREAS on October 4, 2018, the Ohio Department of Education received a voluntary surrender form from Kiara N. Cornelius that authorizes the State Board of Education to enter an order permanently revoking her one-year educational aide permit issued in 2014 based upon Ms. Cornelius' decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Kiara N. Cornelius has waived her right to a hearing and authorizes the State Board of Education to enter an order permanently revoking her one-year educational aide permit issued in 2014: 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** Kiara N. Cornelius' one-year educational aide permit issued in 2014 based upon Ms. Cornelius' 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 Kiara N. Cornelius 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. Cornelius of this action.

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

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

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WHEREAS Cole A. Fittro has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on October 9, 2018, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Cole A. Fittro that authorizes the State Board of Education to enter an order permanently revoking all of his current and previously held licenses, permits, and certificates and permanently denying any pending applications that he has submitted for a license, permit, or certificate based upon Mr. Fittro's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31; and

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

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

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

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

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

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

WHEREAS Beth A. Gander has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on September 24, 2018, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Beth A. Gander that authorizes the State Board of Education to enter an order permanently revoking all of her current and previously held licenses, permits, and certificates and permanently denying any pending applications that she has submitted for a

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license, permit, or certificate based upon Ms. Gander's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

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

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

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

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

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

WHEREAS Jeffrey L. Whited has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on September 25, 2018, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Jeffrey L. Whited that authorizes the State Board of Education to enter an order permanently revoking all of his current and previously held licenses, permits, and certificates and permanently denying any pending applications that he has submitted for a license, permit, or certificate based upon Mr. Whited's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31; and

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

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

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

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

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

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

WHEREAS Nicole D. Young has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on September 25, 2018, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Nicole D. Young that authorizes the State Board of Education to enter an order permanently revoking all of her current and previously held licenses, permits, and certificates and permanently denying any pending applications that she has submitted for a license, permit, or certificate based upon Ms. Young's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and Ohio Revised Code 3319.311(F), hereby **REVOKES** Nicole D. Young's current and any previously held licenses, permits, and certificates and

DENIES any pending applications that she has submitted for a license, permit, or certificate based upon Ms. Young's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b) and (A)(3)(b), orders Nicole D. Young be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

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

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

WHEREAS Robert E. Zadrozny has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on October 4, 2018, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Robert E. Zadrozny that authorizes the State Board of Education to enter an order permanently revoking all of his current and previously held licenses, permits, and certificates and permanently denying any pending applications that he has submitted for a license, permit, or certificate based upon Mr. Zadrozny's decision to not participate in further proceedings pursuant to Ohio Revised Code 3319.311; and

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

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

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

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

It was Moved by Cathye Flory and Seconded by Nancy Hollister that the Consent Agenda (Items 1-6) be approved.

President Elshoff called for a roll call vote.

YES VOTES

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

ABSTAIN

Nick Owens

Motion carried.

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

7. RESOLUTION TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL MULTI-AGE TEACHING LICENSE OF SEAN M. BROOKS

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

WHEREAS Sean M. Brooks holds a five-year professional multi-age teaching license issued in 2014; and

WHEREAS on June 20, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Sean M. Brooks of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional multi-age teaching license issued in 2014 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Brooks engaging in conduct that is unbecoming to the teaching profession on or about July 30, 2015, when the Education Practices Commission of the State of Florida issued a final order accepting a settlement agreement in which Mr. Brooks agreed to accept discipline on his Florida educator's certificate that included a letter of reprimand, probation, and a fine; and

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

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State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional multi-age teaching license issued in 2014; and

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

WHEREAS the State Board of Education has reviewed the affidavit of the director of the Office of Professional Conduct, Notice of the State Board of Education's Intended Action and Opportunity for a Hearing, and certified records from the Education Practices Commission of the State of Florida; 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** Sean M. Brooks' five-year professional multi-age teaching license issued in 2014 based upon Mr. Brooks engaging in conduct that is unbecoming to the teaching profession on or about July 30, 2015, when the Education Practices Commission of the State of Florida issued a final order accepting a settlement agreement in which Mr. Brooks agreed to accept discipline on his Florida educator's certificate that included a letter of reprimand, probation, and a fine. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Sean M. Brooks be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

It was Moved by Mrs. Dodd and Seconded by Mrs. McGuire that the above recommendation (Item 7) be approved.

President Elshoff called for a roll call vote.

YES VOTES

Pat Bruns
Cathye Flory
Charles Froehlich
Nancy Hollister
Laura Kohler
Charlotte McGuire

Stephanie Dodd
Sarah Fowler
Linda Haycock
Meryl Johnson
Martha Manchester
Nick Owens

Eric Poklar
Tess Elshoff

Lisa Woods

Motion carried.

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

8. RESOLUTION TO REVOKE PERMANENTLY THE PERMANENT HIGH SCHOOL TEACHING CERTIFICATE OF WILLIAM E. BURKET

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

WHEREAS William E. Burket holds a permanent high school teaching certificate issued in 2003; and

WHEREAS on July 3, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified William E. Burket of its intent to determine whether to limit, suspend, revoke, or permanently revoke his permanent high school teaching certificate issued in 2003 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(c). The notice was based upon Mr. Burket's 2017 conviction in the Stark County Court of Common Pleas for one felony count of grand theft, one felony count of forgery, and one felony count of tampering with records; and

WHEREAS the notice informed Mr. Burket that if he fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke his permanent high school teaching certificate issued in 2003; and

WHEREAS William E. Burket 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 Stark County Court of Common Pleas, and certified police records from the Canal Fulton 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

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the teaching profession and provides guidelines for conduct that is unbecoming to the teaching profession: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(c), hereby **REVOKES** William E. Burket's permanent high school teaching certificate issued in 2003 based upon Mr. Burket's 2017 conviction in the Stark County Court of Common Pleas for one felony count of grand theft, one felony count of forgery, and one felony count of tampering with records. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders William E. Burket be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

It was Moved by Mrs. McGuire 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
Cathye Flory	Sarah Fowler
Charles Froehlich	Linda Haycock
Nancy Hollister	Meryl Johnson
Laura Kohler	Martha Manchester
Charlotte McGuire	Nick Owens
Eric Poklar	Lisa Woods
Tess Elshoff	

Motion carried.

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

9. RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF ROBERT T. DEYOUNG

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

WHEREAS Robert T. DeYoung holds a three-year pupil activity permit issued in 2017; and

WHEREAS on July 23, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Robert T. DeYoung of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2017 pursuant to Ohio Revised Code

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3319.31(B)(1) and (B)(2)(b). The notice was based upon Mr. DeYoung's 2017 conviction in the Sylvania Municipal Court for one misdemeanor count of domestic violence; and

WHEREAS the notice informed Mr. DeYoung 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 2017; and

WHEREAS Robert T. DeYoung 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 Sylvania Municipal Court, and certified police records from the Sylvania Police Division; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(b), hereby **REVOKES** Robert T. DeYoung's three-year pupil activity permit issued in 2017 based upon Mr. DeYoung's 2017 conviction in the Sylvania Municipal Court for one misdemeanor count of domestic violence. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Robert T. DeYoung be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

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

President Elshoff called for a roll call vote.

YES VOTES

Pat Bruns
Cathye Flory

Stephanie Dodd
Sarah Fowler

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Charles Froehlich
Nancy Hollister
Laura Kohler
Charlotte McGuire
Lisa Woods

Linda Haycock
Meryl Johnson
Martha Manchester
Eric Poklar
Tess Elshoff

ABSTAIN

Nick Owens

Motion carried.

Thomas McGee, Professional Conduct 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 THE ONE-YEAR EDUCATIONAL AIDE PERMIT OF MEGAN A. HEDRICK

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

WHEREAS Megan A. Hedrick held a one-year educational aide permit issued in 2015; and

WHEREAS on August 10, 2017, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Megan A. Hedrick of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year educational aide permit issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Hedrick engaging in conduct that is negligent and/or unbecoming to the teaching profession when, on or about January 16, 2016, while employed by the Knox Learning Center, she discussed drug use with a student and asked the student about the identity of local drug dealers; and

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

WHEREAS a hearing was held on February 2, 2018; and

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

WHEREAS the hearing officer recommends that Ms. Hedrick's one-year educational aide permit issued in 2015 be revoked and that she not be permitted to reapply for any license, permit, or certificate issued by the Ohio Department of Education for a period of three years. The hearing officer's recommendation is based upon Ms. Hedrick engaging in conduct unbecoming to the teaching profession when she questioned a student about the illegal purchase of drugs for a purpose unrelated to the student's well-being and in a manner that may have jeopardized the student's safety or the safety of others in the school; 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** Megan A. Hedrick's one-year educational aide permit issued in 2015 based upon Ms. Hedrick engaging in conduct that is unbecoming to the teaching profession when, on or about January 16, 2016, while employed by the Knox Learning Center, she discussed drug use with a student and asked the student about the identity of local drug dealers. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Megan A. Hedrick be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after November 15, 2021; and, Be It Further

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

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

President Elshoff called for a roll call vote.

YES VOTES

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

Motion carried.

Thomas McGee, Professional Conduct 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 ONE-YEAR SUBSTITUTE GENERAL EDUCATION TEACHING LICENSE OF NATHAN W. RAUSCH

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

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WHEREAS Nathan W. Rausch has applied for a one-year substitute general education teaching license and held a three-year pupil activity permit issued in 2015; and

WHEREAS on December 1, 2017, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Nathan W. Rausch of its intent to deny or permanently deny his application for a one-year substitute general education teaching license and to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Rausch, on or about June 23, 2016, engaging in the following conduct that is unbecoming to the teaching profession when he failed to maintain professional boundaries with a student while working as a coach at Everest Soccer Camp: Mr. Rausch was lying on a couch when a student attempted to sit on the couch and he stopped the student by putting his wet socked feet on the student's face and torso; he tickled the student on the torso and the student told him to stop; while both of them were on the ground and the student was lying face up, Mr. Rausch rolled over on the student with his back on the student's front, leading the student to ask him to get off, which he did after about five seconds; and after rolling off the student and while the student was still on the ground, Mr. Rausch licked the student's hand and attempted to do so a second time; and

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

WHEREAS a hearing was held on May 22, 2018; and

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

WHEREAS the hearing officer recommends that that Mr. Rausch's pending application for a one-year substitute general education teaching license be denied and that he be ineligible to apply for any license, permit, or certificate, except a pupil activity permit, for a period of two years, with the conditions that prior to reapplication, Mr. Rausch must successfully complete a fitness to teach evaluation and at least eight hours of training in maintaining appropriate teacher-student boundaries. The hearing officer further recommends that Mr. Rausch can immediately apply to renew his pupil activity permit provided he complies with the conditions listed above. The hearing officer's recommendation is based upon Mr. Rausch engaging in conduct unbecoming to the teaching profession and clearly failing to maintain appropriate boundaries with a student when he tickled the student, licked the student's hand, and rolled on top of the student, yet viewing the situation as one where Mr. Rausch made poor choices but was not attempting to prey upon, objectify, or abuse the student in any manner; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **DENIES** Nathan W. Rausch's application for a one-year

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substitute general education teaching license based upon Mr. Rausch, on or about June 23, 2016, engaging in the following conduct that is unbecoming to the teaching profession when he failed to maintain professional boundaries with a student while working as a coach at Everest Soccer Camp: Mr. Rausch tickled the student on the torso and the student told him to stop; while both of them were on the ground and the student was lying face up, Mr. Rausch rolled over on the student with his back on the student's front, leading the student to ask him to get off, which he did after about five seconds; and after rolling off the student and while the student was still on the ground, Mr. Rausch licked the student's hand and attempted to do so a second time. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(a), orders that Nathan W. Rausch be ineligible to reapply for any license, permit, or certificate until on or after November 15, 2018, except he may apply immediately to renew his three-year pupil activity permit, provided that prior to applying for any credential, Mr. Rausch must submit written verification to the Ohio Department of Education that he has completed, at his own cost, the following conditions: a fitness to teach evaluation by a licensed psychologist or psychiatrist, who is preapproved by the Ohio Department of Education; and eight hours of training on maintaining appropriate teacher-student boundaries with the training hours to be preapproved by the Ohio Department of Education. Further, the State Board orders that Mr. Rausch must complete any recommendations listed in the fitness to teach evaluation prior to November 15, 2018; 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 Mr. Rausch's application and permit. Further, if said terms and conditions have not been fulfilled completely upon Mr. Rausch applying for a new license, permit, or certificate, the State Board of Education directs the Ohio Department of Education to evaluate any new application in accordance with its orders and ensure all outstanding terms and conditions are addressed; and, Be It Further

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

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

Mrs. Haycock Moved to Amend the resolution by substitution. She proposed that Mr. Rausch be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. Mr. Owens Seconded the motion. Mrs. Haycock stated she believed the facts outlined in the Hearing Officer's Report and Recommendation justified a permanent denial based on Mr. Rausch's actions.

Ms. Fowler stated she would not support the proposed amendment and believed the Report and Recommendation provided by the Hearing Officer took into perspective both the mitigating factors and evidence.

Ms. Johnson stated she would support the proposed amendment and felt Mr. Rausch's actions warranted a permanent denial.

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Mr. Owens stated he would support the proposed amendment and felt this was the best remedy in this situation.

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

YES VOTES

Pat Bruns	Charles Froehlich
Linda Haycock	Meryl Johnson
Martha Manchester	Kara Morgan
Nick Owens	Eric Poklar
Lisa Woods	

NO VOTES

Stephanie Dodd	Cathye Flory
Sarah Fowler	Nancy Hollister
Laura Kohler	Charlotte McGuire
Tess Elshoff	

Motion carried.

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

YES VOTES

Pat Bruns	Stephanie Dodd
Charles Froehlich	Linda Haycock
Meryl Johnson	Martha Manchester
Kara Morgan	Nick Owens
Eric Poklar	Lisa Woods
Tess Elshoff	

NO VOTES

Cathye Flory	Sarah Fowler
Nancy Hollister	Laura Kohler
Charlotte McGuire	

Motion carried.

Thomas McGee, Professional Conduct Managing Attorney, Director, Office of Professional Conduct, presented the following recommendation (Item 12):

- 12. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER AND TO REVOKE PERMANENTLY THE PERMANENT HIGH SCHOOL TEACHING CERTIFICATE AND PERMANENT ELEMENTARY TEACHING CERTIFICATE OF JERRY W. SAVAGE**

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

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WHEREAS Jerry W. Savage holds a permanent high school teaching certificate issued in 1999 and a permanent elementary teaching certificate issued in 1999; and

WHEREAS on January 12, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Jerry W. Savage of its intent to determine whether to limit, suspend, revoke, or permanently revoke his permanent high school teaching certificate issued in 1999 and his permanent elementary teaching certificate issued in 1999 pursuant to Ohio Revised Code 3319.31(B)(1) and [redacted in accordance with Ohio law]. The notice was based upon Mr. Savage engaging in conduct that is unbecoming to the teaching profession when on or about April 7, 2016, while working as a substitute gym teacher with the Greenfield Exempted Village School District, he struck a student in the back of the head with his hand and [redacted in accordance with Ohio law]. Further, the notice included as an aggravating factor that on or about August 2005, Mr. Savage was issued an administrative improvement plan while working with Huber Heights City Schools that addressed, amongst other things, Mr. Savage losing his temper and the potential of physical confrontation with students; and

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

WHEREAS a hearing was held on August 1, 2018; and

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

WHEREAS the hearing officer recommends that Mr. Savage's certificates be permanently revoked. Further, it is recommended that Mr. Savage be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based upon [redacted in accordance with Ohio law]; and

WHEREAS Mr. Savage filed objections to the hearing officer's report and recommendation, but his objections were not filed in accordance with Ohio Revised Code 119.09; and

WHEREAS the Ohio Department of Education notified Mr. Savage by letter that his objections would not be considered because they were not 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) and [redacted in accordance with Ohio law], hereby **REVOKES** Jerry W. Savage's permanent high school teaching certificate issued in 1999 and permanent elementary teaching certificate issued in 1999 based upon Mr. Savage engaging in conduct unbecoming to the teaching profession when on or about April 7, 2016, while working as a substitute gym teacher with the Greenfield Exempted Village School District, he struck a student in the back of the head with

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his hand and [redacted in accordance with Ohio law]. Pursuant to Ohio Administrative Code Rule 3301-73-21(B), the State Board of Education further considers in aggravation that on or about August 2005, Mr. Savage was issued an administrative improvement plan while working with Huber Heights City Schools that addressed, amongst other things, Mr. Savage losing his temper and the potential of physical confrontation with students. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Jerry W. Savage be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

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

President Elshoff called for a roll call vote.

YES VOTES

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

NO VOTES

Meryl Johnson

Motion carried.

Thomas McGee, Professional Conduct Managing Attorney, Director, Office of Professional Conduct, presented the following recommendation (Item 13):

13. RESOLUTION TO REVOKE PERMANENTLY THE ONE-YEAR EDUCATIONAL AIDE PERMIT OF RENEE M. STRATTON

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

WHEREAS Renee M. Stratton held a one-year educational aide permit issued in 2015; and

WHEREAS on June 28, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Renee M. Stratton of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year

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educational aide permit issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (B)(2)(c), and (B)(3). The notice was based upon Ms. Stratton's 2016 guilty plea in the Crawford County Court of Common Pleas to one felony count of theft and her subsequent entry into the court's criminal diversion program; and

WHEREAS the notice informed Ms. Stratton that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke her one-year educational aide permit issued in 2015; and

WHEREAS Renee M. Stratton 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 Crawford County Court of Common Pleas, and certified police records from the Bucyrus 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), (B)(2)(c), and (B)(3), hereby **REVOKES** Renee M. Stratton's one-year educational aide permit issued in 2015 based upon Ms. Stratton's 2016 guilty plea in the Crawford County Court of Common Pleas to one felony count of theft and her subsequent entry into the court's criminal diversion program. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Renee M. Stratton be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

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

President Elshoff called for a roll call vote.

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YES VOTES

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

Motion carried.

President Elshoff presented the following recommendation (Item 14):

14. RESOLUTION TO APPROVE THE STATE BOARD OF EDUCATION'S APPOINTMENT TO THE STATE LIBRARY BOARD

The State Board of Education hereby appoints the following person to the State Library Board pursuant to Ohio Revised Code Section 3375.01 for a five-year term beginning January 1, 2019:

Laurie Gemmill Arp

President Elshoff opened the floor for nominations.

Mrs. McGuire Moved the nomination for Laurie Gemmill Arp.

President Elshoff stated nominations would be closed barring any objections. There were no objections.

President Elshoff called for a roll call vote for Board members to say the name of the candidate they were voting for.

Laurie Gemmill Arp/Yes Votes

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

Laurie Gemmill Arp received 16 votes and the appointment to the State Library Board.

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President Elshoff presented the following recommendation (Item 15):

15. RESOLUTION TO ADOPT THE RECOMMENDATION OF THE SUPERINTENDENT'S ADVISORY COMMITTEE FOR HIGH SCHOOL GRADUATION REQUIREMENTS

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

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 short-term 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, 132nd 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;

In May 2018, the Superintendent of Public Instruction reconvened a workgroup to make recommendations for a long-term approach to high school graduation for students in the class of 2021 and beyond;

In September 2018, the workgroup concluded its work and finalized a proposed approach for high school graduation; and

In October 2018, the Achievement and Graduation Requirements Committee recommended that the State Board of Education adopt the recommendation of the Superintendent of Public Instruction, as outlined in his memorandum and supporting materials dated October 16, 2018, and approve a resolution that this approach to high school graduation apply to the class of 2022.

NOW, THEREFORE, BE IT RESOLVED, that the State Board of Education adopts the recommendation of the Superintendent of Public Instruction, as outlined in his memorandum and supporting materials dated October 16, 2018.

IT IS FURTHER RESOLVED, that the State Board of Education recognizes that the recommendations of the Superintendent are illustrative in terms of the possible options for demonstrating appropriate knowledge and skills, and recommends that the Board be given the responsibility and authority for specifying the exact tests and alternative approaches for demonstrating knowledge and skills, and the appropriate scores and criteria of sufficiency, needed to meet graduation requirements.

IT IS FURTHER RESOLVED, that the Superintendent of Public Instruction take appropriate action and advocate for any legislative changes that the Superintendent recommended.

IT IS FURTHER RESOLVED, that this approach to high school graduation will apply to the class of 2022 and beyond.

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

Dr. Morgan Moved to Amend the resolution by Substitution. She proposed to add the following clause to the resolution: IT IS FURTHER RESOLVED, that the State Board of Education recognizes that the recommendations of the Superintendent are illustrative in terms of the possible options for demonstrating appropriate knowledge and skills, and recommends that the Board be given the responsibility and authority for specifying the exact tests and alternative approaches for demonstrating knowledge and skills, and the appropriate scores and criteria of sufficiency, needed to meet graduation requirements. Mrs. Dodd Seconded the motion. Dr. Morgan stated this reflects what was discussed in the committee. Mrs. Dodd stated this addition properly reflects what the committee had intended.

Mrs. Hollister stated she would support the resolution but not the amendment.

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

YES VOTES

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

NO VOTES

Cathye Flory	Nancy Hollister
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Motion carried.

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

YES VOTES

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

NO VOTES

Cathye Flory

Motion carried.

PUBLIC PARTICIPATION ON NON-VOTING AGENDA ITEMS

- 1) Mr. Gabe Costa, Principal, Mansfield Spanish Immersion, Mansfield City Schools and Mr. Alejandro Gil Palacios, Mansfield Spanish Immersion, visiting teacher. Mr. Costa and Mr. Palacios spoke to the Board regarding the visiting international teaching license.
- 2) Mr. Jason Gerdeman, Columbus. Mr. Gerdeman spoke to the Board regarding the use of native Indian names for school mascots.
- 3) Ms. Elizabeth Hixon. Ms. Hixon spoke to the Board regarding indigenous representation.
- 4) Mr. Charles Pollock, Lewis Center. Mr. Pollock spoke to the Board regarding state take over.
- 5) Franklin County School Board Member Alliance. Written testimony was submitted by the Franklin County School Board Member Alliance regarding their support for the extension of the 2018 graduation requirements and long-term solution that allows for local influence and for students and their families to be able to plan their high school success before they begin ninth grade.

Non-Resolutions
New Business

Ms. Woods presented the following recommendation (Item 16): Emergency consideration was requested by Ms. Woods and Seconded by Mr. Owens. President Elshoff granted emergency consideration for Item 16.

16. RESOLUTION TO ADOPT THE RECOMMENDATION OF THE REPORT CARD WORKGROUP FOR OHIO SCHOOL REPORT CARD UPDATES

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

In February 2018, the State Board of Education created a workgroup that included Accountability and Continuous Improvement committee members and external stakeholders to review the Ohio School Report Card and make recommendations for updates and improvements;

In March 2018 through June 2018, the Report Card Workgroup convened and reviewed each measure and component of the Ohio School Report Cards;

The initial recommendations report of the workgroup was presented to the State Board of Education at the Board's July meeting;

In October 2018, the Workgroup reconvened to finalize a set of recommendations;

In November 2018, the Workgroup concluded its work and submitted a set of recommendations to the Accountability and Continuous Improvement Committee for consideration; and

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On November 14, 2018, the Accountability and Continuous Improvement Committee recommended that the State Board of Education adopt the recommendations of the Report Card Workgroup.

NOW, THEREFORE, BE IT RESOLVED, that the State Board of Education accepts the recommendations of the Report Card Workgroup, as outlined in the Workgroup's report and supporting materials dated November 2018 and submits the report as legislative recommendations to the General Assembly.

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

President Elshoff called for a roll call vote.

YES VOTES

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

Motion carried.

Ms. Fowler put the Board on notice that she may bring forth a resolution at the December meeting of the Board asking for emergency consideration regarding the request of a formal opinion concerning Board membership.

Once Around

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

Ms. Johnson Moved to adjourn the meeting. Ms. Fowler Seconded the motion.

The President requested a voice vote.

Motion carried.

President Elshoff adjourned the meeting at 3:50 p.m. The next regularly scheduled meeting of the State Board of Education is December 10-11, 2018.

ATTEST:

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Tess Elshoff
President
State Board of Education



Paolo DeMaria
Superintendent of Public Instruction

Please note: Copies of the attachments referenced in the Minutes may be obtained by contacting the Office of Board Relations at the Ohio Department of Education at (614) 728-2754.