

**STATE BOARD OF EDUCATION OF OHIO
MINUTES**

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

MEMBERS OF THE STATE BOARD OF EDUCATION

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

EX OFFICIO MEMBERS

Senator Peggy Lehner

SECRETARY

Paolo DeMaria
Superintendent of Public Instruction

NOTE: Mr. Brinegar was absent on Tuesday.

The State Board convened on Monday, February 11, at the Ohio Department of Education in Columbus.

Chapter 119 Hearing

February 11, 2019
8:30 a.m.

Hearing Regarding the Amending, Rescinding and Adoption of Rules

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

Chapter 3301-8 Payment of Debt Service Charges

The rescission and adoption of new rule 3301-8-01 Payment of debt charges under the state credit enhancement program

Chapter 3301-101 Jon Peterson Special Needs Scholarship Program

The amendment of 3301-101-01: Definitions; The amendment of 3301-101-02: Jon Peterson special needs scholarship program established; The rescission and adoption of new rule 3301-101-03 Eligibility to receive a scholarship; The amendment of 3301-101-04 Application for a scholarship; The amendment of 3301-101-05 Responsibilities of the school district of residence and the school district that the student is entitled to attend; The amendment of 3301-101-06 Awarding scholarships; The amendment of 3301-101-07 Transfer of scholarship; The amendment of 3301-101-08 Termination of eligibility; The amendment of 3301-101-09 Participation by providers; The rescission and adoption of new rule 3301-101-10 Payment of scholarship amounts; The amendment of 3301-101-11 Entities designated to file applications; The amendment of 3301-101-12 Dispute resolution and due process requests; and the amendment of 3301-101-13 Program administration.

President Kohler called on 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 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 Kohler stated that testimony would be received, either orally or in writing, for or against, the amendment of the rules that are under consideration. Anyone who wished to testify must complete the registration sheet. All testimony would be limited to no more than five minutes. If additional time is needed, consideration would be given to a reasonable extension. Any written testimony would be marked as Group Exhibit 6.

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

PUBLIC TESTIMONY ON THE PROPOSED RULE ACTIONS

There were no requests.

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

President Kohler stated that the exhibits were so received. As there was no more testimony, she declared the public hearing closed at 8:37 a.m.

STATE BOARD BUSINESS MEETING

President Kohler convened the Business meeting of the State Board of Education on Monday, February 11, at 8:40 a.m.

President Kohler asked the Recording Secretary to call the roll.

YES VOTES

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

Motion carried.

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

EXECUTIVE SESSION

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

Dr. Kilgore Seconded the motion.

The President called for a roll call vote.

YES VOTES

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

Motion carried.

NOTE: Mr. Poklar and Mr. Sheppard entered the room after roll call.

The Board went into Executive Session at 8:40 a.m.

The Board recessed from Executive Session at 9:40 a.m.

Following Executive Session, The Board's Teaching, Leading and Learning and Continuous Improvement Committees met beginning at 9:45 a.m.

The State Board recessed for lunch.

RECONVENE STATE BOARD BUSINESS MEETING

President Kohler reconvened the Business meeting of the State Board of Education on Monday, February 11, at 1:00 p.m.

WELCOME AND PLEDGE

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

PRESENTATION BY ASHTABULA COUNTY ESC MENTORSHIP PROGRAM

Presenters: Denise Hunt, Supervisor of Exceptional Children (Gifted), Ashtabula ESC, Greg Myers, Executive Director, Growth Partnership for Ashtabula County, and Meghan Gillespie, Conneaut High School.

Mission:

The Mentorship program experience will enhance a student's choice of occupation or career and assist them in seeing the relevance of their high school education, training and experience.

Reach and Impact:

- 25 plus years in existence
- Seven public school districts and two private schools
- 180 plus students over four years
- Ten career fields of interest in 2019
- 60 applicants each year
- Eight scholarships awarded
- 30 plus hours in the field

Process: Application Accepted

- Submit application
 - Mentor selected
 - Student contacted
 - Interview
 - Placement begins
 - Experience completed, April 2018
 - Project Presentation/Scholarship Judging, May 2019

Top 10 Projected Jobs Demanded in High-Wealth Sectors in Northeast Ohio:

- 1) Computer and IT Workers
- 2) Metal and Plastic Workers
- 3) Installation, Maintenance Workers
- 4) Skilled Production Workers (combines several key occupations)
- 5) Construction Trade Workers
- 6) Health Diagnosing and Treating Practitioners
- 7) Health Technologists and Technicians
- 8) Health Therapists Aides and Support Workers (combines several key occupations)
- 9) Nursing and Home Health Aides
- 10) Engineers

REVIEW OF WRITTEN REPORTS AND ITEMS FOR VOTE

There were no questions from Board members.

President Kohler recessed the Business meeting of the State Board of Education at 2:00 p.m.

EXECUTIVE COMMITTEE

President Kohler welcomed the Executive Committee at 2:00 p.m.

President Kohler asked the Recording Secretary to call the roll.

MEMBERS PRESENT

Laura Kohler	Charlotte McGuire
Sarah Fowler	John Hagan
Antoinette Miranda	

President Kohler stated the Executive Committee had two item(s) to cover today:

- 2019-2020 Meeting Dates (Possible Vote)
- State Board of Education Commendation Process

1) 2019-2020 Meeting Dates (Possible Vote)

2019-2020 STATE BOARD OF EDUCATION MEETING DATES

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

- August – No Meeting
- September 16-17, 2019 (Monday/Tuesday)
- October 14-15, 2019 (Monday/Tuesday)
- November 12-13, 2019 (Tuesday/Wednesday)
- December 9-10, 2019 (Monday/Tuesday)
- January 13-14, 2020 (Monday/Tuesday)
- February 10-11, 2020 (Monday/Tuesday)
- March 9-10, 2020 (Monday/Tuesday)
- April 13-14, 2020 (Monday/Tuesday)
- May 11-12, 2020 (Monday/Tuesday)
- June 8-9, 2020 (Monday/Tuesday)
- July 13-14, 2020 (Monday/Tuesday)

It was Moved by Mr. Hagan and Seconded by Ms. Fowler that the State Board of Education adopt the proposed 2019-2019 meeting dates as presented to the Executive Committee.

President Kohler called for a roll call vote.

YES VOTES

- | | |
|--------------------|-------------------|
| Laura Kohler | Charlotte McGuire |
| Sarah Fowler | John Hagan |
| Antoinette Miranda | |

Mrs. Dodd stated the proposed dates of April 13-14,2020, would fall on the Monday after Easter Sunday. Individuals would then have to travel on Easter Sunday. She also recommended the Board meet in August as well, stating the Board had too much work to do to take a full month off. President Kohler responded those dates would be taken into consideration.

2) State Board of Education Commendation Process

President Kohler and Mr. Hagan reviewed with Committee members a process by which Board members could recommend individuals for commendation within their districts.

President Kohler adjourned the meeting of the Executive Committee at 2:10 p.m.

REPORT OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION

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

- Strategic Plan Strategies 4,5, and 6

President Kohler recessed the Board meeting at 4:00 p.m.

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

President Kohler reconvened the meeting of the State Board of Education on Tuesday, February 12, at 8:30 a.m.

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

RECONVENE STATE BOARD BUSINESS MEETING

President Kohler reconvened the Business meeting of the State Board of Education on Tuesday, February 12, at 10:45 a.m.

President Kohler asked the Recording Secretary to call the roll.

MEMBERS PRESENT

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

NOTE: Mrs. Dodd, Mr. Hagan, Mr. Poklar and Ms. Woods entered the room after roll call.

APPROVAL OF MINUTES OF THE JANUARY 2019 MEETING

President Kohler called for the approval of the Minutes of the January 2019 meeting. She asked if there were any corrections to the Minutes.

Mrs. McGuire requested her name be included in the list of elected Board members in the Biennial Organization meeting.

It was Moved by Dr. Kilgore and Seconded by Ms. Fowler that the Minutes be approved as amended. The President called for a voice vote.

Motion carried unanimously.

LEGISLATIVE REPORT

Superintendent DeMaria provided Board members with updates on the following topics and areas of interest:

- House Education Committee members
- Budget and School Funding
- Graduation Requirements; Long-term recommendations
- Report Card and Accountability reforms
- Assessment
- Academic Distress Commission statute

BOARD PRESENTATIONS AND DISCUSSION FROM THE EXECUTIVE COMMITTEE

Chair: Laura Kohler, Vice Chair: Charlotte McGuire

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

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

To review and approve the 2019-2020 State Board of Education meeting dates and to discuss a commendation process.

PERTINENT INFORMATION OBTAINED:

The committee reviewed the proposed 2019-2020 meeting date calendar. Staff will review the April 2020 meeting dates and potentially recommend a change to the week prior to April 13-14.

DECISION(S) MADE:

The committee voted 5-0 to recommend that the State Board of Education approve the 2019-2020 State Board of Education meeting calendar that was presented to the committee. If State Board members have constituents they would like to provide with a commendation, they will reach out to the Office of Board Relations with all pertinent information.

ITEMS VOTED ON AND OUTCOME OF VOTE:

5-0 vote to approve the 2019-2020 State Board of Education meeting calendar.

WILL THERE BE A VOTE OR INFORMATION IN FRONT OF THE FULL BOARD AT NEXT OR UPCOMING MEETING?

The Executive Committee will ask the full Board to approve the 2019-2020 meeting calendar at the March 2019 meeting.

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

Chair: Sarah Fowler, Vice Chair: James Sheppard

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

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

- Introduce Committee members and Department staff supporting the work of the committee.
- Review the charge of the newly formed committee and its related subcommittee and items that appear on the agenda and anticipated items on upcoming agendas.

- Review Ohio Administrative Code (OAC) rule 3301-24-22 Career-Tech Workforce Development Teaching License, revised to align to requirements set forth in House Bill 98.

PERTINENT INFORMATION OBTAINED:

- Both committee and Board will begin review of legislative requirements relating to the Third Grade Reading Guarantee in the coming months.
- Ms. Manchester shared information regarding the Teaching, Leading and Learning subcommittee and its responsibilities relating to Ohio Graduation Requirements.
- Office of Educator Licensure staff provided members with an overview of the work of the office and the credentials issued to educators in Ohio. Members also reviewed proposed revisions to Ohio Administrative Code (OAC) rule 3301-24-22 Career-Tech Workforce Development Teaching License.
- The Office of Learning & Instructional Strategies provided an overview of Ohio's Learning Standards and Model Curricula. The presentation provided information relating to the revision process and how Ohio approached revision in the past. Members will be asked to review the Model Curriculum for Science, Social Studies and Financial Literacy at its March 2019 meeting.

DECISION(S) MADE:

- Ms. Fowler noted that she is exploring creating a workgroup exploring topics relating to Literacy. Ms. Johnson noted her interest in serving on the potential work group.

ITEMS VOTED ON AND OUTCOME OF VOTE:

- Committee approved the December 2018 meeting minutes of both the Educator & Student Options Committee and the Achievement & Graduation Requirements Committee.

WILL THERE BE A VOTE OR INFORMATION IN FRONT OF THE FULL BOARD AT NEXT OR UPCOMING MEETING?

- OAC 3301-24-22 Career-Tech Workforce Development Teaching License – This item will return for a possible vote in March with an anticipated State Board vote at its April 2019 meeting.

Members will be asked to review the Model Curriculum for Science, Social Studies and Financial Literacy at its March 2019 meeting with an anticipated committee vote in April 2019.

BOARD PRESENTATIONS AND DISCUSSION FROM THE CONTINUOUS IMPROVEMENT COMMITTEE

Chair: Antoinette Miranda, Vice Chair: Mike Toal

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

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

The purpose of today's meeting was to provide the Continuous Improvement Committee with an overview of the creation and development of the Center for Continuous Improvement (CCI) at the Ohio Department of Education (ODE). Specifically, committee members were given a description of the Office of Federal Programs and the Office of Improvement and Innovation and the major functions of each office. The Committee also covered how the major functions of each office aligns with the Ohio Strategic Plan for Education. The Committee also reviewed drafts of the rules that the committee will oversee during the 2018-2019 school year.

PERTINENT INFORMATION OBTAINED:

The Continuous Improvement Committee reviewed Ohio Administrative Code Chapter 3301-34/ Excuses from Compulsory Attendance for Home Education and Ohio Administrative Code Chapter 3301-17/ Reports for Statewide Education Management Information System as part of the five-year rule review process. ODE staff provided an overview of each rule, reviewed the proposed changes based on internal and external recommendations, and provided the committee with the current timeline for each rule.

DECISION(S) MADE:

Committee members have requested that ODE provide committee members with “comparison documents”, showing the old rule, recommended changes, reasons why recommended changes were made and a draft of the new rule. The Committee has decided to continue to review the two rules presented to the committee today.

ITEMS VOTED ON AND OUTCOME OF VOTE:

N/A – There were no items voted on during this meeting.

WILL THERE BE A VOTE OR INFORMATION IN FRONT OF THE FULL BOARD AT NEXT OR UPCOMING MEETING?

No, there will not be a vote or information in front of the full board at the next or upcoming meeting.

BOARD PRESENTATIONS AND DISCUSSION FROM THE INTEGRATED STUDENT SUPPORTS COMMITTEE

Chair: Charlotte McGuire, Vice Chair: Martha Manchester

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

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

- To discuss and receive overviews of key work in support of preschool through grade 12 students including students with disabilities.
- To prepare committee members for anticipated future committee action on preschool special education rules, as well as social and emotional learning standards.

PERTINENT INFORMATION OBTAINED:

OAC Rule 3301-51-11 Preschool Children Eligible for Special Education:

Staff presented proposed revisions to Ohio Administrative Code (OAC) 3301-51-11 Preschool Children Eligible for Special Education. There has been extensive stakeholder involvement in the rule revisions and it is currently posted for public comment for the 3rd time. Committee vote to approve the rule may occur in March.

Social and Emotional Learning Standards:

Staff provided an update on the development of the Social and Emotional Learning Standards which are currently posted for public comment and reviewed the anticipated timeline for committee action.

Improving Educational Experiences and Outcomes for Students with Disabilities:

Staff presented an overview of the development of a plan to improve educational experiences and outcomes for students with disabilities.

School Climate:

Staff presented information on how the Department is supporting schools through the release of the State School Climate Grant, as well as the plan for building state capacity to provide Positive Behavioral Interventions and Supports training.

Updates on Strategies: Recap of Strategy 7 Meet the Needs of the Whole Child:

Staff presented an overview of Strategy 7 Meet the Needs of the Whole Child and then shared information on the current and planned work connected to this strategy.

DECISION(S) MADE:

None

ITEMS VOTED ON AND OUTCOME OF VOTE:

None

WILL THERE BE A VOTE OR INFORMATION IN FRONT OF THE FULL BOARD AT NEXT OR UPCOMING MEETING?

OAC Rule 3301-51-11 Preschool Children Eligible for Special Education may come to the full board in April for a vote.

BOARD PRESENTATIONS AND DISCUSSION FROM THE ASSESSMENTS & ACCOUNTABILITY COMMITTEE

Chair: John Hagan, Vice Chair: Lisa Woods

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

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

Agenda item #2 - Dropout Prevention and Recovery Rules (OAC3301-102-10,11,12) – This item is up for the Assessment and Accountability committee to continue discussion and review the graduation rate benchmarks established for the rating system on the Dropout Prevention and Recovery Report Card.

Agenda item #3 - Career Technical Planning District Report Card – Prepared for Success – The recommendations and report from the Career Tech Planning District Report Card Workgroup that met in the fall of 2018 is up for discussion with committee today. We would like to review possible next steps for redesigning the Prepared for Success Component, renaming this component to “Career and Post-Secondary Readiness Component”. Additional items for discussion with committee are proposed timeline for implementation and redesign.

Agenda Item #4 – Report Card Rule Review Planning – This item was to provide an overview of the coming work of the committee related to the Ohio School Report Cards.

PERTINENT INFORMATION OBTAINED:

Continue discussion on Dropout Recovery Rules, Career Technical Planning District Report Card – Prepared for Success component and begin introduction of Report Card Rules that are up for five-year review.

DECISION(S) MADE:

Committee members requested to see all information that was presented to Accountability and Continuous Improvement in relation to the Dropout Prevention Recovery Report Card. They would like to receive this documentation to review as soon as possible with the intent of finalizing and voting a resolution out of committee and moving forward to full board in March.

ITEMS VOTED ON AND OUTCOME OF VOTE:

No items were up for vote at the February Assessment and Accountability meeting.

WILL THERE BE A VOTE OR INFORMATION IN FRONT OF THE FULL BOARD AT NEXT OR UPCOMING MEETING?

Assessment and Accountability committee may have a resolution on the Dropout prevention recovery report card rules (OAC 3301-102-10,11,12) at the March meeting.

PUBLIC PARTICIPATION ON ACTION ITEMS

There was no Public Participation on Action Items.

The State Board recessed for lunch.

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

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

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

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

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

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

WHEREAS on December 21, 2018, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Douglas P. Andrus 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. Andrus' decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Douglas P. Andrus 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** Douglas P. Andrus' 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. Andrus' 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 Douglas P. Andrus 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. Andrus of this action.

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

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

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

WHEREAS on December 19, 2018, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Robert W. McNutt 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. McNutt's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Robert W. McNutt 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 W. McNutt'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. McNutt's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b) and (A)(3)(b), orders Robert W. McNutt 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. McNutt of this action.

It was Moved by Kirsten Hill and Seconded by Sarah Fowler that the Consent Agenda (Items 1-2) be approved.

President Kohler called for a roll call vote.

YES VOTES

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

Motion carried.

Sarah Fowler presented the following recommendation (Item 3):

3. RESOLUTION TO ADOPT CHANGES TO OHIO ADMINISTRATIVE RULE 3301-11-10 / PAYMENT OF SCHOLARSHIP AMOUNTS

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

Ohio Revised Code Section 3310.17 requires the State Board of Education to adopt rules in accordance with Chapter 119 of the Revised Code prescribing procedures for administration of the Educational Choice Scholarship Pilot Program;

The State Board of Education reviewed Ohio Administrative Code (OAC) 3301-11-10 in 2016 as part of the five-year rule review; and

OAC 3301-11-10 is being amended to address a technical edit.

NOW, THEREFORE, BE IT RESOLVED, that the State Board approves amending OAC 3301-11-10, in the form attached hereto;

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

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

It was Moved by Sarah Fowler that the above recommendation (Item 3) be approved.

President Kohler called for a roll call vote.

YES VOTES

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

Motion carried.

President Kohler presented the following recommendation (Item 4):

- 4. RESOLUTION TO ADOPT THE RECOMMENDATION OF THE HEARING OFFICER AND TO APPROVE THE TRANSFER OF SCHOOL DISTRICT TERRITORY FROM THE LITTLE MIAMI LOCAL SCHOOL DISTRICT, WARREN COUNTY, TO THE LOVELAND CITY SCHOOL DISTRICT, WARREN COUNTY, PURSUANT TO SECTION 3311.24 OF THE OHIO REVISED CODE.**

I **MOVE** that the State Board of Education **ADOPT** the following Preambles and Resolutions:

Pursuant to Ohio Revised Code (“ORC”) Section 3311.24, residents Michael and Kathryn Denne and William and Karen Altermatt (“Petitioners”) who reside within the Little Miami Local School District (Little Miami LSD) have petitioned for the transfer of school district territory from the Little Miami LSD, Warren County, to the Loveland City School District (Loveland CSD), Warren County;

Little Miami LSD requested a hearing, which was held on October 1, 2018, before a duly appointed hearing officer;

In her report of December 19, 2018, the hearing officer Linda F. Mosbacher recommends that the State Board of Education approve the proposed transfer of territory from the Little Miami LSD, Warren County, to the Loveland CSD, Warren County, pursuant to ORC 3311.24; and

In the report, hearing officer Mosbacher concludes that in balancing the competing issues and giving primary consideration to the present and ultimate good of all pupils concerned, Petitioners have demonstrated that their established ties and proximity to Loveland schools outweigh Little Miami LSD's argument that this transfer may lead to additional requests for transfers and may cause future financial harm to the district.

NOW, THEREFORE, BE IT RESOLVED, that upon consideration of the hearing officer's report, the objections filed by Little Miami LSD, the responses filed by Petitioners, and the relevant law, the State Board of Education hereby adopts the recommendation of the hearing officer and approves the request for the transfer of territory from the Little Miami LSD, Warren County, to the Loveland CSD, Warren County, for the reasons outlined 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 Petitioners, the Little Miami LSD, Warren County, the Loveland CSD, Warren County, and counsel of record, if applicable.

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

Mrs. Haycock Moved to amend the resolution by Substitution. She proposed to reject the recommendation of the Hearing Officer and to disapprove the transfer. Ms. Johnson Seconded the motion. Mrs. Haycock stated she felt there was compelling information given that there was a significant difference in property values between the school districts. She felt there were ulterior motives in seeking the transfer and a precedent could be set. Ms. Fowler noted the increased property taxes homeowners would pay in the transfer and stated she supported the recommendation of the Hearing Officer.

RESOLUTION TO REJECT THE RECOMMENDATION OF THE HEARING OFFICER AND TO DISAPPROVE THE TRANSFER OF SCHOOL DISTRICT TERRITORY FROM THE LITTLE MIAMI LOCAL SCHOOL DISTRICT, WARREN COUNTY, TO THE LOVELAND CITY SCHOOL DISTRICT, WARREN COUNTY, PURSUANT TO SECTION 3311.24 OF THE OHIO REVISED CODE.

I **MOVE** that the State Board of Education **ADOPT** the following Preambles and Resolutions:

Pursuant to Ohio Revised Code ("ORC") Section 3311.24, residents Michael and Kathryn Denne and William and Karen Altermatt ("Petitioners") who reside within the Little Miami Local School District (Little Miami LSD) have petitioned for the transfer of school

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district territory from the Little Miami LSD, Warren County, to the Loveland City School District (Loveland CSD), Warren County;

Little Miami LSD requested a hearing, which was held on October 1, 2018, before a duly appointed hearing officer;

In her report of December 19, 2018, the hearing officer Linda F. Mosbacher recommends that the State Board of Education approve the proposed transfer of territory from the Little Miami LSD, Warren County, to the Loveland CSD, Warren County, pursuant to ORC 3311.24; and

Upon review of Little Miami LSD's objections to the hearing officer's report and recommendation, it is recommended that the State Board of Education reject the hearing officer's recommendation in light of the persuasiveness of Little Miami LSD's objections.

NOW, THEREFORE, BE IT RESOLVED, that upon consideration of the hearing officer's report, the objections filed by Little Miami LSD, the responses filed by Petitioners, and the relevant law, the State Board of Education hereby rejects the recommendation of the hearing officer and disapproves the request for the transfer of territory from the Little Miami LSD, Warren County, to the Loveland CSD, Warren County, for the reasons outlined above; 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 Petitioners, the Little Miami LSD, Warren County, the Loveland CSD, Warren County, and counsel of record, if applicable.

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

YES VOTES

Stephanie Dodd	Linda Haycock
Meryl Johnson	Laura Kohler
Mark Lamoncha	Martha Manchester
Antoinette Miranda	Nick Owens

NO VOTES

Cindy Collins	Sarah Fowler
John Hagan	Kirsten Hill
Jenny Kilgore	Charlotte McGuire
Eric Poklar	James Sheppard
Mike Toal	Lisa Woods

Motion defeated.

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

YES VOTES

Cindy Collins	Sarah Fowler
John Hagan	Kirsten Hill
Jenny Kilgore	Charlotte McGuire
Eric Poklar	James Sheppard

Mike Toal

Lisa Woods

NO VOTES

Stephanie Dodd
Meryl Johnson
Martha Manchester
Nick Owens

Linda Haycock
Mark Lamoncha
Antoinette Miranda
Laura Kohler

Motion carried.

President Kohler presented the following recommendation (Item 5):

- 5. RESOLUTION TO ADOPT THE RECOMMENDATION OF THE HEARING OFFICER AND TO APPROVE THE TRANSFER OF SCHOOL DISTRICT TERRITORY FROM THE JEFFERSON LOCAL SCHOOL DISTRICT, MONTGOMERY COUNTY, TO THE VALLEY VIEW LOCAL SCHOOL DISTRICT, MONTGOMERY COUNTY, PURSUANT TO SECTION 3311.24 OF THE OHIO REVISED CODE.**

I **MOVE** that the State Board of Education **ADOPT** the following preambles and resolutions:

Pursuant to Ohio Revised Code (“ORC”) Section 3311.24, residents Meghan Lucas, Barry McNabb, Janet Hawvermale, Ruby Harp, Eric Eby and Marvin Gephart (“Petitioners”) who reside within the Jefferson Local School District (Jefferson LSD) have petitioned for the transfer of school district territory from the Jefferson LSD, Montgomery County, to the Valley View Local School District (Valley View LSD), Montgomery County;

Petitioners requested a hearing, and hearings were held on September 25, 2018 and December 19, 2018, before a duly appointed hearing officer;

The hearing officer, Melissa K. Riggins, in her report of January 7, 2019, recommends that the State Board of Education approve the proposed transfer of territory from the Jefferson LSD, Montgomery County, to the Valley View LSD, Montgomery County, pursuant to ORC 3311.24; and

In the report, hearing officer Riggins concludes that the transfer would be for the ultimate good of the Petitioners given the educational benefits to the children and the community connections the families have within Valley View LSD;

The hearing officer also concludes that 1) granting the transfer outweighs any claimed detriment to Jefferson LSD, Valley View LSD, or any of the districts’ students, through the testimony given at the hearing and unsupported allegations; and 2) the transfer of the approximately five children currently attending Jefferson LSD would have a de minimis effect on the racial composition of Jefferson LSD and therefore, would not cause, preserve, or increase racial isolation.

NOW, THEREFORE, BE IT RESOLVED, that upon consideration of the hearing officer’s report, including documents provided by Petitioners, Jefferson LSD, and Valley View LSD as part of the hearing process and the Objection of Jefferson LSD, and responses to the objections filed by Petitioners, the State Board of Education hereby adopts the

recommendation of the hearing officer and approves the request for the transfer of territory from the Jefferson LSD, Montgomery County, to the Valley View LSD, Montgomery County for the reasons outlined 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 Petitioners, the Jefferson LSD, Montgomery County, the Valley View LSD, Montgomery County, and counsel of record, if applicable.

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

Ms. Johnson Moved to amend the resolution by Substitution. She proposed to reject the recommendation of the Hearing Officer and to disapprove the transfer. Mrs. Haycock Seconded the motion. Ms. Johnson stated her main concern was that a segregated area would be even more segregated if the transfer were to be allowed. She noted that only four to five students would be affected in an almost nine-mile area. Mrs. Haycock noted the 14 percent loss of the budget for the Jefferson Local School District. Dr. Miranda stated concerns with setting precedent, petitioners knew what district the house they purchased was in.

Mr. Hagan moved to postpone Item 5 to the March meeting of the Board. Mr. Sheppard Seconded the motion. Ms. Johnson spoke in favor of voting on this item today and not postponing the matter. Mrs. Dodd stated that if legal counsel confirms that the Board may not modify the original petition that was filed, she was in favor to vote on the matter today. Ms. Lease confirmed that the Board may not modify the original application of transfer by the petitioners. After this confirmation, Mr. Hagan withdrew his motion. There were no objections.

Ms. Johnson called the question. Mrs. Dodd Seconded the motion.

President Kohler called for a roll call vote to call the question.

YES VOTES

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

NO VOTES

Sarah Fowler

Motion carried.

5. RESOLUTION TO REJECT THE RECOMMENDATION OF THE HEARING OFFICER AND TO DISAPPROVE THE TRANSFER OF

SCHOOL DISTRICT TERRITORY FROM THE JEFFERSON LOCAL SCHOOL DISTRICT, MONTGOMERY COUNTY, TO THE VALLEY VIEW LOCAL SCHOOL DISTRICT, MONTGOMERY COUNTY, PURSUANT TO SECTION 3311.24 OF THE OHIO REVISED CODE.

I **MOVE** that the State Board of Education **ADOPT** the following preambles and resolutions:

Pursuant to Ohio Revised Code (“ORC”) Section 3311.24, residents Meghan Lucas, Barry McNabb, Janet Hawvermale, Ruby Harp, Eric Eby and Marvin Gephart (“Petitioners”) who reside within the Jefferson Local School District (Jefferson LSD) have petitioned for the transfer of school district territory from the Jefferson LSD, Montgomery County, to the Valley View Local School District (Valley View LSD), Montgomery County;

Petitioners requested a hearing, and hearings were held on September 25, 2018 and December 19, 2018, before a duly appointed hearing officer;

The hearing officer, Melissa K. Riggins, in her report of January 7, 2019, recommends that the State Board of Education approve the proposed transfer of territory from the Jefferson LSD, Montgomery County, to the Valley View LSD, Montgomery County, pursuant to ORC 3311.24; and

Upon the review of Jefferson Local School District’s objections to the hearing officer’s Report and Recommendation, it is recommended that the State Board of Education reject the recommendations of the hearing officer in light of the persuasiveness of Jefferson Local School District’s objections.

NOW, THEREFORE, BE IT RESOLVED, that upon consideration of the hearing officer’s report, including documents provided by Petitioners, Jefferson LSD, and Valley View LSD as part of the hearing process and the Objection of Jefferson LSD, and responses to the objections filed by Petitioners, the State Board of Education hereby rejects the recommendation of the hearing officer and disapproves the request for the transfer of territory from the Jefferson LSD, Montgomery County, to the Valley View LSD, Montgomery County for the reasons outlined above; 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 Petitioners, the Jefferson LSD, Montgomery County, the Valley View LSD, Montgomery County, and counsel of record, if applicable.

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

YES VOTES

Cindy Collins
Linda Haycock
Laura Kohler
Martha Manchester
Nick Owens

Stephanie Dodd
Meryl Johnson
Mark Lamoncha
Antoinette Miranda
Lisa Woods

NO VOTES

Sarah Fowler
Kirsten Hill
Eric Poklar

John Hagan
Jenny Kilgore
James Sheppard

Mike Toal

ABSTAIN

Charlotte McGuire

Motion carried.

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

YES VOTES

Cindy Collins
Linda Haycock
Laura Kohler
Martha Manchester
Nick Owens

Stephanie Dodd
Meryl Johnson
Mark Lamoncha
Antoinette Miranda
Lisa Woods

NO VOTES

Sarah Fowler
Kirsten Hill
Eric Poklar
Mike Toal

John Hagan
Jenny Kilgore
James Sheppard

ABSTAIN

Charlotte McGuire

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 6):

6. RESOLUTION TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL INTERVENTION SPECIALIST TEACHING LICENSE OF CHAD A. ABRAHAM

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

WHEREAS Chad A. Abraham holds a five-year professional intervention specialist teaching license issued in 2016; and

WHEREAS on October 30, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Chad A. Abraham of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional intervention specialist teaching license issued in 2016 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(c), and (B)(3). The notice was based upon Mr. Abraham engaging in the following conduct that is unbecoming to the teaching profession: on or about March 31, 2017, he pled guilty in the Delaware Municipal Court to one misdemeanor count of theft and subsequently entered into an intervention in lieu of conviction program; on or about May 5, 2017, Mr. Abraham's community control officer filed a notice of violation with the Delaware Municipal Court based on Mr. Abraham's failure to report for weekly contact on

April 27-28, 2017 and May 2, 2017 and for testing positive for TCH and benzodiazepines without a prescription; on or about July 18, 2017, the Delaware Municipal Court terminated Mr. Abraham's intervention in lieu of conviction program and he pled guilty to one misdemeanor count of theft; on or about February 24, 2017, Mr. Abraham pled guilty in the Franklin County Municipal Court to one misdemeanor count of theft and subsequently entered into an intervention in lieu of conviction program; on or about April 20, 2018, the Franklin County Municipal Court terminated his intervention in lieu of conviction program and placed him on community control for a period of two years; on or about July 24, 2000, Mr. Abraham was convicted in the Bowling Green Municipal Court of one misdemeanor count of underage consumption; and on or about August 2, 2016 and June 10, 2011, Mr. Abraham failed to fully disclose his criminal convictions on the applications that he submitted to the Ohio Department of Education in 2016 and 2011; and

WHEREAS the notice informed Mr. Abraham that if he fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional intervention specialist teaching license issued in 2016; and

WHEREAS Chad A. Abraham 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 Delaware Municipal Court, Franklin County Municipal Court, and Bowling Green Municipal Court, and certified police records from the Delaware 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)(c), and (B)(3), hereby **REVOKES** Chad A. Abraham's five-year professional intervention specialist teaching license issued in 2016 based upon Mr. Abraham engaging in the following conduct that is unbecoming to the teaching profession: on or about March 31, 2017, he pled guilty in the Delaware Municipal Court to one misdemeanor count of theft and subsequently entered into an intervention in lieu of conviction program; on or about May 5, 2017, Mr. Abraham's community control officer filed a notice of violation with the Delaware Municipal Court based on Mr. Abraham's failure to report for weekly contact on April 27-28, 2017 and May 2, 2017 and for testing positive for TCH and benzodiazepines without a prescription; on or about July 18, 2017, the Delaware

Municipal Court terminated Mr. Abraham's intervention in lieu of conviction program and he pled guilty to one misdemeanor count of theft; on or about February 24, 2017, Mr. Abraham pled guilty in the Franklin County Municipal Court to one misdemeanor count of theft and subsequently entered into an intervention in lieu of conviction program; on or about April 20, 2018, the Franklin County Municipal Court terminated his intervention in lieu of conviction program and placed him on community control for a period of two years; on or about July 24, 2000, Mr. Abraham was convicted in the Bowling Green Municipal Court of one misdemeanor count of underage consumption; and on or about August 2, 2016 and June 10, 2011, Mr. Abraham failed to fully disclose his criminal convictions on the applications that he submitted to the Ohio Department of Education in 2016 and 2011. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Chad A. Abraham 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. Abraham of this action.

It was Moved by Lisa Woods and Seconded by Charlotte McGuire that the above recommendation (Item 6) be approved.

President Kohler called for a roll call vote.

YES VOTES

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

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 7):

7. RESOLUTION TO REVOKE THE FOUR-YEAR EDUCATIONAL AIDE PERMIT OF SUMMER N. BEAIR (AKA SUMMER N. KNIEF)

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

WHEREAS Summer N. Beair (aka Summer N. Knief) holds a four-year educational aide permit issued in 2017; and

WHEREAS on November 1, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Summer N. Beair of its intent to determine whether to limit, suspend, revoke, or permanently revoke her four-year educational aide permit issued in 2017 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(c). The notice was based upon Ms. Beair's 2018 conviction in the Lima Municipal Court for one misdemeanor count of theft and 2000 conviction in the Lima Municipal Court for one minor misdemeanor count of noise across a property line; and

WHEREAS the notice informed Ms. Beair that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke her four-year educational aide permit issued in 2017; and

WHEREAS Summer N. Beair 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 Lima Municipal Court, and certified police records from the Allen 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)(c), hereby **REVOKES** Summer N. Beair's four-year educational aide permit issued in 2017 based upon Ms. Beair's 2018 conviction in the Lima Municipal Court for one misdemeanor count of theft and 2000 conviction in the Lima Municipal Court for one minor misdemeanor count of noise across a property line. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Summer N. Beair be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after July 1, 2019, and that upon reapplication, she must provide written verification to the Ohio Department of Education that she has completed, at her own cost, a class in theft prevention; and, Be It Further

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

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

President Kohler called for a roll call vote.

YES VOTES

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

Motion carried.

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

8. RESOLUTION TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL EDUCATION OF THE HANDICAPPED TEACHING LICENSE OF STACIE L. BEMENT

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

WHEREAS Stacie L. Bement holds a five-year professional education of the handicapped teaching license issued in 2014; and

WHEREAS on November 16, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Stacie L. Bement of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional education of the handicapped teaching license issued in 2014 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(c). The notice was based upon Ms. Bement's 2018 conviction in the Huron County Court of Common Pleas for two felony counts of grand theft and five felony counts of forgery; and

WHEREAS the notice informed Ms. Bement 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 education of the handicapped teaching license issued in 2014; and

WHEREAS Stacie L. Bement 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 Huron County Court of Common Pleas, and certified police records from the Norwalk 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 **REVOKES** Stacie L. Bement's five-year professional education of the handicapped teaching license issued in 2014 based upon Ms. Bement's 2018 conviction in the Huron County Court of Common Pleas for two felony counts of grand theft and five felony counts of forgery. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Stacie L. Bement 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. Bement of this action.

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

President Kohler called for a roll call vote.

YES VOTES

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

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

Motion carried.

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

9. RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF KIESEAN M. COOKE

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

WHEREAS Kieseane M. Cooke holds a three-year pupil activity permit issued in 2017; and

WHEREAS on October 30, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Kieseane M. Cooke 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 3319.31(B)(1), (B)(2)(a), and (B)(3). The notice was based upon Mr. Cooke's 2018 guilty plea in the Cuyahoga County Court of Common Pleas to one felony count of drug possession and subsequent entry into the court's intervention in lieu of conviction program; and

WHEREAS the notice informed Mr. Cooke 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 Kieseane M. Cooke 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 Cuyahoga County Court of Common Pleas, and police records from the Cleveland Division of Police; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(3), hereby **REVOKES** Kieseane M. Cooke's three-year pupil activity permit issued in 2017 based upon Mr. Cooke's 2018 guilty plea in the Cuyahoga County Court of Common Pleas to one felony count of drug possession and subsequent entry into the court's intervention in lieu of conviction program. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Kieseane M. Cooke 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. Cooke of this action.

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

President Kohler called for a roll call vote.

YES VOTES

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

Motion carried.

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

10. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE THE FIVE-YEAR PROFESSIONAL INTERVENTION SPECIALIST TEACHING LICENSE OF EBONI B. CRUMP

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

WHEREAS Eboni B. Crump held a five-year professional intervention specialist teaching license issued in 2012; and

WHEREAS on February 15, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Eboni B. Crump of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional intervention specialist teaching license issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Crump engaging in conduct that is unbecoming to the teaching profession on or about March 3, 2014 when she failed supervise a student in her care and failed to notice that the same student left the classroom unaccompanied by an aide or teacher and was unsupervised for a period of forty-five to sixty minutes, during which time the student engaged in sexual activity with another student in an unsupervised classroom; and

WHEREAS Ms. Crump requested a hearing in this matter, but her hearing request was not made in accordance with Ohio Revised Code 119.07; and

WHEREAS the Ohio Department of Education's counsel notified Ms. Crump that it would not honor her hearing request because the request was not timely submitted; and

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

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

WHEREAS the hearing officer recommends that Ms. Crump's five-year professional intervention specialist teaching license issued in 2012 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 five years. The hearing officer's recommendation is based upon Ms. Crump's failure to supervise her classroom facilitating inappropriate sexual behavior by minors and putting a student's health and welfare at risk, in addition to negatively impacting the educational environment by triggering investigations by the police and children's services; and

WHEREAS Ms. Crump timely filed objections to the hearing officer's report and recommendation; and

WHEREAS the Ohio Department of Education filed a motion to strike Ms. Crump's objections in part based on the objections containing additional facts and evidence that was not submitted during the administrative hearing; and

WHEREAS the hearing officer recommends that the Ohio Department of Education's motion to strike Ms. Crump's objections in part be granted based upon portions of Ms. Crump's objections introducing additional facts and evidence not in the administrative record; and

WHEREAS the State Board of Education has considered the hearing officer's recommendation to strike in part Ms. Crump's objections in accordance with the hearing officer's recommendation in his November 9, 2018 entry; 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 accepts the hearing officer's recommendation to strike in part Ms. Crump's objections; and, Be It Further

RESOLVED, that the State Board of Education hereby **STRIKES** in part Ms. Crump's objections in accordance with the hearing officer's entry dated November 9, 2018; and, Be It Further

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Eboni B. Crump's five-year professional

intervention specialist teaching license issued in 2012 based upon Ms. Crump engaging in conduct that is unbecoming to the teaching profession on or about March 3, 2014 when she failed supervise a student in her care and failed to notice that the same student left the classroom unaccompanied by an aide or teacher and was unsupervised for a period of forty-five to sixty minutes, during which time the student engaged in sexual activity with another student in an unsupervised classroom. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Eboni B. Crump be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after February 12, 2024; and, Be It Further

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

It was Moved by Dr. Kilgore and Seconded by Mr. Hagan that the above recommendation (Item 10) be approved.

Mrs. Haycock Moved to amend the resolution by substitution. She proposed to change the date February 12, 2024 to March 3, 2019. Mrs. Haycock noted this date change fell between the normal date range for infractions of this type. Mrs. Hill Seconded the motion.

10. RESOLUTION TO ACCEPT THE REPORT OF THE HEARING OFFICER, TO REJECT THE RECOMMENDATION OF THE HEARING OFFICER, AND TO REVOKE THE FIVE-YEAR PROFESSIONAL INTERVENTION SPECIALIST TEACHING LICENSE OF EBONI B. CRUMP

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

WHEREAS Eboni B. Crump held a five-year professional intervention specialist teaching license issued in 2012; and

WHEREAS on February 15, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Eboni B. Crump of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional intervention specialist teaching license issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Crump engaging in conduct that is unbecoming to the teaching profession on or about March 3, 2014 when she failed supervise a student in her care and failed to notice that the same student left the classroom unaccompanied by an aide or teacher and was unsupervised for a period of forty-five to sixty minutes, during which time the student engaged in sexual activity with another student in an unsupervised classroom; and

WHEREAS Ms. Crump requested a hearing in this matter, but her hearing request was not made in accordance with Ohio Revised Code 119.07; and

WHEREAS the Ohio Department of Education's counsel notified Ms. Crump that it would not honor her hearing request because the request was not timely submitted; and

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

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

WHEREAS the hearing officer recommends that Ms. Crump's five-year professional intervention specialist teaching license issued in 2012 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 five years. The hearing officer's recommendation is based upon Ms. Crump's failure to supervise her classroom facilitating inappropriate sexual behavior by minors and putting a student's health and welfare at risk, in addition to negatively impacting the educational environment by triggering investigations by the police and children's services; and

WHEREAS Ms. Crump timely filed objections to the hearing officer's report and recommendation; and

WHEREAS the Ohio Department of Education filed a motion to strike Ms. Crump's objections in part based on the objections containing additional facts and evidence that was not submitted during the administrative hearing; and

WHEREAS the hearing officer recommends that the Ohio Department of Education's motion to strike Ms. Crump's objections in part be granted based upon portions of Ms. Crump's objections introducing additional facts and evidence not in the administrative record; and

WHEREAS the State Board of Education has considered the hearing officer's recommendation to strike in part Ms. Crump's objections in accordance with the hearing officer's recommendation in his November 9, 2018 entry; 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 the Recommendation section of the Summary Fact Sheet; reject the first full paragraph on page 13 of the Report and Recommendation; and reject the Recommendation section on page 20 of the Report and Recommendation; and

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

WHEREAS the State Board 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 mitigating factors: prior to the incident Ms. Crump had a good work history, and her principal testified at the hearing that she was a very hard-working teacher who had the ability to connect with emotionally disturbed children; Ms. Crump appears amenable to rehabilitation as she acknowledged responsibility for her neglect, and her principal testified that she anguished over the situation; Ms. Crump's conduct was neglectful in failing to supervise a student, but there is no evidence in the administrative record that her conduct was intentional; and it has been almost five years since the incident occurred on March 3, 2014; and

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

WHEREAS the State Board concludes that revoking Ms. Crump's license and allowing her to reapply for a license in March 2019 is warranted based on the mitigating factors in this case: Therefore, Be it

RESOLVED, that the State Board of Education rejects the following portions of the hearing officer's Report and Recommendation: reject the Recommendation section of the Summary Fact Sheet; reject the first full paragraph on page 13 of the Report and Recommendation; and reject the Recommendation section on page 20 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 finds that the administrative record identifies the following mitigating factors: prior to the incident Ms. Crump had a good work history, and her principal testified at the hearing that she was a very hard-working teacher who had the ability to connect with emotionally disturbed children; Ms. Crump appears amenable to rehabilitation as she acknowledged responsibility for her neglect, and her principal testified that she anguished over the situation; Ms. Crump's conduct was neglectful in failing to supervise a student, but there is no evidence in the administrative record that her conduct was intentional; and it has been almost five years since the incident occurred on March 3, 2014; and, Be It Further

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

RESOLVED, that the State Board concludes that revoking Ms. Crump's license and allowing her to reapply for a license in March 2019 is warranted based on the mitigating factors in this case; and, Be It Further

RESOLVED, that the State Board of Education accepts the hearing officer's recommendation to strike in part Ms. Crump's objections; and, Be It Further

RESOLVED, that the State Board of Education hereby **STRIKES** in part Ms. Crump's objections in accordance with the hearing officer's entry dated November 9, 2018; and, Be It Further

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Eboni B. Crump's five-year professional intervention specialist teaching license issued in 2012 based upon Ms. Crump engaging in conduct that is unbecoming to the teaching profession on or about March 3, 2014 when she failed supervise a student in her care and failed to notice that the same student left the classroom unaccompanied by an aide or teacher and was unsupervised for a period of forty-five to sixty minutes, during which time the student engaged in sexual activity with another student in an unsupervised classroom. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Eboni B. Crump be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after March 3, 2019; and, Be It Further

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

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

YES VOTES

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

NO VOTES

Eric Poklar

Motion carried.

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

YES VOTES

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

NO VOTES

Eric Poklar

Motion carried.

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

11. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY PERMANENTLY THE ONE-YEAR EDUCATIONAL AIDE PERMIT APPLICATION OF ARTREL K. FORD

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

WHEREAS Artrel K. Ford has applied for a one-year educational aide permit; and

WHEREAS on February 26, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Artrel K. Ford of its intent to deny or permanently deny his application for a one-year educational aide permit pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Ford engaging in the following conduct that is unbecoming to the teaching profession: on or about August 9, 2016, the Mahoning County Court of Common Pleas issued an order of protection naming Mr. Ford as the respondent and protecting a minor; Mr. Ford voluntarily agreed to be bound by the terms of the civil protection order effective August 9, 2016 through August 9, 2018, but on September 21, 2016, Mr. Ford was found in contempt of court for willfully violating the court's order of protection; and on or about January 4, 2017, Mr. Ford was convicted in the Youngstown Municipal Court of one misdemeanor count of violation of a protection order for having contact with the minor; and

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

WHEREAS a hearing was held on October 30, 2018; and

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

WHEREAS the hearing officer recommends that Mr. Ford's application be denied. Further it is recommended that Mr. Ford be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based upon Mr. Ford's unbecoming conduct and the granting of Mr. Ford's application for licensure would negatively impact the health, safety, and welfare of the school community because there is no evidence in the administrative record of Mr. Ford's rehabilitation or any evidence that his conduct will not recur; 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** Artrel K. Ford's application for a one-year educational aide permit based upon Mr. Ford engaging in the following conduct

that is unbecoming to the teaching profession: on or about August 9, 2016, the Mahoning County Court of Common Pleas issued an order of protection naming Mr. Ford as the respondent and protecting a minor; Mr. Ford voluntarily agreed to be bound by the terms of the civil protection order effective August 9, 2016 through August 9, 2018, but on September 21, 2016, Mr. Ford was found in contempt of court for willfully violating the court's order of protection; and on or about January 4, 2017, Mr. Ford was convicted in the Youngstown Municipal Court of one misdemeanor count of violation of a protection order for having contact with the minor. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Artrel K. Ford 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. Ford of this action.

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

President Kohler called for a roll call vote.

YES VOTES

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

Stephanie Dodd
Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Antoinette Miranda
Eric Poklar
Mike Toal

Motion carried.

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

12. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FIVE-YEAR SUBSTITUTE EARLY CHILDHOOD TEACHING LICENSE OF MATTHEW D. GATTON

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

WHEREAS Matthew D. Gatton holds a five-year substitute early childhood teaching license issued in 2014; and

WHEREAS on January 31, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Matthew D. Gatton of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year substitute early childhood teaching license issued in 2014 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Gatton, on or about October 2015 through February 2016, while employed by the Educational Service Center of Central Ohio (ESC of Central Ohio), engaging in a pattern of conduct that is unbecoming to the teaching profession by failing to maintain appropriate student-teacher boundaries, including but not limited to the following conduct: on or about September 2015 through October 2015, Mr. Gatton text messaged a student during the school day and on or about October 1, 2015, he left his classroom and students to respond to the student's text message to bring that student a specific item to a different classroom and, as a result, on or about October 12, 2015, the ESC of Central Ohio disciplined Mr. Gatton in the form of an oral warning; on or about October 31, 2015, Mr. Gatton text messaged a co-worker's Facebook picture to a student and, as a result, on or about November 3, 2016, the ESC of Central Ohio disciplined Mr. Gatton in the form of a written warning; on or about November 2015 and December 2015, Mr. Gatton allowed students to sit in his lap, held a student close to him, allowed a student to put the student's head in his lap, and had inappropriate conversations regarding private parts of the body with a student and, as a result, on or about December 17, 2015, the ESC of Central Ohio disciplined Mr. Gatton in the form of a written warning; and on or about February 1, 2016, Mr. Gatton talked to students about odd state laws that banned sex toys and allowed a student to sit in his lap and, as a result, on or about February 4, 2016, Mr. Gatton received a reassignment letter from the ESC of Central Ohio; and

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

WHEREAS a hearing was held on August 23, 2018; and

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

WHEREAS the hearing officer recommends that Mr. Gatton's license be permanently revoked. Further, it is recommended that Mr. Gatton be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based upon Mr. Gatton engaging in conduct unbecoming to the teaching profession when he texted a student, left his classroom unattended, engaged in inappropriate conversations with a student on several occasions, and persisted in allowing a student to sit on his lap and cross appropriate physical boundaries between a teacher and student despite being repeatedly counseled and disciplined by his school district; and

WHEREAS Mr. Gatton timely filed objections to the hearing officer's report and recommendation; and

WHEREAS the Ohio Department of Education filed a motion to strike Mr. Gatton's objections based on the objections containing additional facts and evidence not submitted during the administrative hearing; and

WHEREAS the hearing officer recommends that the Ohio Department of Education's motion to strike Mr. Gatton's objections be granted based on the objections containing additional facts and evidence not submitted during the administrative hearing; and

WHEREAS the State Board of Education considered the hearing officer's recommendation to strike Mr. Gatton's objections in accordance with the hearing officer's recommendation in her November 5, 2018 entry; 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 accepts the hearing officer's recommendation to strike Mr. Gatton's objections; and, Be It Further

RESOLVED, that the State Board of Education hereby **STRIKES** Mr. Gatton's objections in accordance with the hearing officer's entry dated November 5, 2018; and, Be It Further

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Matthew D. Gatton's five-year substitute early childhood teaching license issued in 2014 based upon Mr. Gatton, on or about October 2015 through February 2016, while employed by the Educational Service Center of Central Ohio (ESC of Central Ohio), engaging in a pattern of conduct that is unbecoming to the teaching profession by failing to maintain appropriate student-teacher boundaries, including but not limited to the following conduct: on or about September 2015 through October 2015, Mr. Gatton text messaged a student during the school day and on or about October 1, 2015, he left his classroom and students to respond to the student's text message to bring that student a specific item to a different classroom and, as a result, on or about October 12, 2015, the ESC of Central Ohio disciplined Mr. Gatton in the form of an oral warning; on or about October 31, 2015, Mr. Gatton text messaged a co-worker's Facebook picture to a student and, as a result, on or about November 3, 2016, the ESC of Central Ohio disciplined Mr. Gatton in the form of a written warning; on or about November 2015 and December 2015, Mr. Gatton allowed students to sit in his lap, held a student close to him, allowed a student to put the student's head in his lap, and had inappropriate conversations regarding private parts of the body with a student and, as a result, on or about December 17, 2015, the ESC of Central Ohio disciplined Mr. Gatton in the form of a written warning; and on or about February 1, 2016, Mr. Gatton talked to students about odd state laws that banned sex toys and allowed a student to sit in his lap and, as a result, on or about February 4, 2016, Mr. Gatton received a reassignment letter from the ESC of Central Ohio. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Matthew D. Gatton 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. Gatton of this action.

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

President Kohler called for a roll call vote.

YES VOTES

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

Motion carried.

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

13. RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF WILLIAM C. JACKSON, JR.

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

WHEREAS William C. Jackson, Jr. held a three-year pupil activity permit issued in 2016 with an effective year of 2015; and

WHEREAS on November 2, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified William C. Jackson, Jr. of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2016 with an effective year of 2015 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (B)(2)(d), and (B)(3). The notice was based upon Mr. Jackson's 2018 guilty plea in the Hamilton County Court of Common Pleas to two felony counts of trafficking in cocaine and subsequent entry into the court's intervention in lieu of conviction program; and

WHEREAS the notice informed Mr. Jackson that if he fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2016; and

WHEREAS William C. Jackson, Jr. did not request a hearing in accordance with Section 119.07 of the Revised Code; and

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

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (B)(2)(d), and (B)(3), hereby **REVOKES** William C. Jackson, Jr.'s three-year pupil activity permit issued in 2016 with an effective year of 2015 based upon Mr. Jackson's 2018 guilty plea in the Hamilton County Court of Common Pleas to two felony counts of trafficking in cocaine and subsequent entry into the court's intervention in lieu of conviction program. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that William C. Jackson, Jr. 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. Jackson of this action.

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

President Kohler called for a roll call vote.

YES VOTES

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

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 14):

14. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO TAKE NO ACTION AGAINST THE FIVE-YEAR PROFESSIONAL ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE AND TO ISSUE THE APPLICATION FOR A FIVE-YEAR PUPIL ACTIVITY PERMIT OF MICHAEL R. KLUBNIK

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

WHEREAS Michael R. Klubnik holds a five-year professional adolescence to young adult teaching license issued in 2015 and has applied for a five-year pupil activity permit; and

WHEREAS on August 10, 2017, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Michael R. Klubnik of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional adolescence to young adult teaching license issued in 2015 and whether to deny or permanently deny his pending application for a five-year pupil activity permit pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Klubnik failing to maintain appropriate student-teacher boundaries with a student on or about September 2015 through March 2016, while employed as a teacher in the Orange City School District, when he engaged in the following conduct that is unbecoming to the teaching profession: he kissed the student on the head on two occasions; sent non-school related emails to the student; and on or about March 8, 2016, he was seen in a room alone with the student with the lights off. Further, the notice included as an aggravating factor that on or about April 24, 2008, Mr. Klubnik received a written reprimand from the Norton City School District for making improper and unprofessional comments about Tourette's Syndrome; and

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

WHEREAS a hearing was held on May 15-16, 2018; and

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

WHEREAS the hearing officer recommends that the State Board of Education take no action against Mr. Klubnik's five-year professional adolescence to young adult teaching license issued in 2015 and issue his pending application for a five-year pupil activity permit. The hearing officer's recommendation is based upon the evidence at the hearing not supporting the conclusion that Mr. Klubnik violated student-teacher boundaries or engaged in conduct unbecoming to the teaching profession, although some of his actions were open to misinterpretation; and

WHEREAS the Ohio Department of Education timely filed objections to the hearing officer's report and recommendation; and

WHEREAS Mr. Klubnik filed a motion to strike the Ohio Department of Education's objections based on the objections being unfounded and unsupported by the record; and

WHEREAS the hearing officer recommends that Mr. Klubnik's motion to strike the Ohio Department of Education's objections be granted based upon the objections being unfounded and unsupported by the record; and

WHEREAS the State Board of Education has considered the hearing officer's recommendation to strike the Ohio Department of Education's objections in accordance with the hearing officer's recommendation in her October 13, 2018 entry; 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 accepts the hearing officer's recommendation to strike the Ohio Department of Education's objections; and, Be It Further

RESOLVED, that the State Board of Education hereby **STRIKES** the Ohio Department of Education's objections in accordance with the hearing officer's entry dated October 13, 2018; and, Be It Further

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby takes **NO ACTION** against Michael R. Klubnik's five-year professional adolescence to young adult teaching license issued in 2015 and hereby **ISSUES** his pending application for a five-year pupil activity permit; and, Be It Further

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

It was Moved by Mr. Hagan and Seconded by Mrs. Dodd that the above recommendation (Item 14) be approved.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins
Sarah Fowler
Linda Haycock
Meryl Johnson
Laura Kohler
Martha Manchester
Antoinette Miranda
James Sheppard
Lisa Woods

Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
Eric Poklar
Mike Toal

ABSTAIN

Nick Owens

Motion carried.

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

15. RESOLUTION TO REVOKE PERMANENTLY THE PERMANENT NON-TAX TEACHING CERTIFICATE OF BRANDON K. LIPFORD

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

WHEREAS Brandon K. Lipford holds a permanent non-tax teaching certificate issued in 2013; and

WHEREAS on October 30, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Brandon K. Lipford of its intent to determine whether to limit, suspend, revoke, or permanently revoke his permanent non-tax teaching certificate issued in 2013 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Lipford's 2018 conviction in the Stow Municipal Court for one misdemeanor count of disorderly conduct stemming from an initial charge of one misdemeanor count of endangering children and on or about April 24, 2017, the Cleveland Municipal Court issued a warrant for his arrest for failure to appear after being initially charged with four misdemeanor counts of municipal income tax violation and, as of October 30, 2018, the warrant was unresolved; and

WHEREAS the notice informed Mr. Lipford that if he fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke his permanent non-tax teaching certificate issued in 2013; and

WHEREAS Brandon K. Lipford 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 Stow Municipal Court and the Cleveland Municipal Court, and certified police records from the Twinsburg Police Department; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Brandon K. Lipford's permanent non-tax teaching certificate issued in 2013 based upon Mr. Lipford's 2018 conviction in the Stow Municipal Court for one misdemeanor count of disorderly conduct stemming from an initial charge of one misdemeanor count of endangering children and on or about April 24, 2017, the Cleveland Municipal Court issued a warrant for his arrest for failure to appear after being initially charged with four misdemeanor counts of municipal income tax violation and, as of October 30, 2018, the warrant was unresolved. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Brandon K. Lipford 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. Lipford of this action.

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

Ms. Johnson Moved to amend the resolution by substitution. She proposed that Brandon K. Lipford be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until he completes, at his own expense, a four-hour parenting class and he resolves any outstanding warrants for his arrest. Mrs. Haycock Seconded the motion. Ms. Johnson and Mrs. Haycock spoke in favor of the proposed amendment.

15. RESOLUTION TO REVOKE THE PERMANENT NON-TAX TEACHING CERTIFICATE OF BRANDON K. LIPFORD

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

WHEREAS Brandon K. Lipford holds a permanent non-tax teaching certificate issued in 2013; and

WHEREAS on October 30, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Brandon K. Lipford of its intent to determine whether to limit, suspend, revoke, or permanently revoke his permanent non-tax teaching certificate issued in 2013 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Lipford's 2018 conviction in the Stow Municipal Court for one misdemeanor count of disorderly conduct stemming from an initial charge of one misdemeanor count of endangering children and on or about April 24, 2017, the Cleveland Municipal Court issued a warrant for his arrest for failure to appear after being initially charged with four misdemeanor counts of municipal income tax violation and, as of October 30, 2018, the warrant was unresolved; and

WHEREAS the notice informed Mr. Lipford that if he fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke his permanent non-tax teaching certificate issued in 2013; and

WHEREAS Brandon K. Lipford 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 Stow Municipal Court and the Cleveland Municipal Court, and certified police records from the Twinsburg Police Department; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Brandon K. Lipford's permanent non-tax teaching certificate issued in 2013 based upon Mr. Lipford's 2018 conviction in the Stow Municipal Court for one misdemeanor count of disorderly conduct stemming from an initial charge of one misdemeanor count of endangering children and on or about April 24, 2017, the Cleveland Municipal Court issued a warrant for his arrest for failure to appear after being initially charged with four misdemeanor counts of municipal income tax violation and, as of October 30, 2018, the warrant was unresolved. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Brandon K. Lipford be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until he completes, at his own expense, a four-hour parenting class and he resolves any outstanding warrants for his arrest; and, Be It Further

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

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

YES VOTES

Cindy Collins
Sarah Fowler
Linda Haycock
Meryl Johnson
Laura Kohler

Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha

Martha Manchester
Antoinette Miranda
Mike Toal

Charlotte McGuire
James Sheppard

NO VOTES

Eric Poklar

Lisa Woods

ABSTAIN

Nick Owens

Motion carried.

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

YES VOTES

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

Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
Eric Poklar
Mike Toal

NO VOTES

Lisa Woods

ABSTAIN

Nick Owens

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 16):

16. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO SUSPEND THE FOUR-YEAR RESIDENT EDUCATOR MULTI-AGE TEACHING LICENSE OF WILLIAM E. NORRIS, JR.

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

WHEREAS William E. Norris, Jr. holds a four-year resident educator multi-age teaching license issued in 2015; and

WHEREAS on April 11, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified William E. Norris, Jr. of its intent to determine whether to limit, suspend, revoke, or permanently revoke his four-year resident educator multi-age teaching license issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Norris engaging in

conduct that is unbecoming to the teaching profession on or about March 11, 2016, while employed as a teacher by the Harvard Avenue Performance Academy, when he grabbed a student by the collar and put the student on the ground. Further, the notice included the following aggravating factors: on or about January 20, 2016, Mr. Norris was placed on probation by the Harvard Avenue Performance Academy, which directed that he should not put his hands on any of the students for any reason, and on or about February 24, 2016 and March 10, 2016, this probation was extended; on or about December 16, 2016, Mr. Norris received a written reprimand for failing to report to morning duty in a timely manner, which caused students in his zone to be left unattended; and on or about December, 8, 2015, Mr. Norris received a written reprimand for failing to report to morning duty in a timely manner; and

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

WHEREAS a hearing was held on October 15, 2018; and

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

WHEREAS the hearing officer recommends that Mr. Norris' teaching license be suspended for a period of three years from March 11, 2016, the date of his termination with the Harvard Avenue Performance Academy, through March 11, 2019, and that Mr. Norris' teaching credential not be reactivated until he submits verification that he has completed, at his own expense, sixteen hours of classroom management training, eight hours of non-physical intervention training, and eight hours of anger management training with trainers and/or programs that have been approved by the Ohio Department of Education. The hearing officer's recommendation is based upon Mr. Norris engaging in conduct unbecoming to the teaching profession when he pushed a student to the floor, pulled the student to a standing position, and then yelled at the student, in addition to Mr. Norris having already been disciplined by receiving two written reprimands for neglecting his duty to be at his morning post and having been put on probation that was extended twice and instructed to not place his hands on any 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 **SUSPENDS** William E. Norris, Jr.'s four-year resident educator multi-age teaching license issued in 2015 for three years with the suspension beginning on March 11, 2016 and ending on March 11, 2019 or the date he provides verification to the Ohio Department of Education that he has completed the required training referenced below, whichever date occurs last. The suspension is based upon Mr. Norris engaging in conduct unbecoming to the teaching profession on or about March 11, 2016, while employed as a teacher by the Harvard Avenue Performance Academy, when he grabbed a student by the collar and put the student on the ground. Pursuant to Ohio Administrative Code Rule 3301-73-21(B), the State Board of Education further considers in aggravation that on or about January 20, 2016, Mr. Norris was placed on

probation by the Harvard Avenue Performance Academy, which directed that he should not put his hands on any of the students for any reason, and on or about February 24, 2016 and March 10, 2016, this probation was extended; on or about December 16, 2016, Mr. Norris received a written reprimand for failing to report to morning duty in a timely manner, which caused students in his zone to be left unattended; and on or about December, 8, 2015, Mr. Norris received a written reprimand for failing to report to morning duty in a timely manner. Further, the State Board of Education, pursuant to Ohio Administrative Code Rule 3301-73-22(A)(1)(e), orders that William E. Norris, Jr. be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education or have his teaching license reactivated by the Ohio Department of Education until he has submitted to the Ohio Department of Education certificates of completion verifying that he has completed, at his own expense, sixteen hours of classroom management training, eight hours of non-physical intervention training, and eight hours of anger management training with trainers and/or programs that have been pre-approved by the Ohio Department of Education; and, Be It Further

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

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

Mrs. Haycock Moved to amend the resolution by substitution. She proposed that William E. Norris, Jr. be permanently ineligible to reapply for any license, permit, or certificate issued by the State Board of Education. Ms. Johnson Seconded the motion. Mrs. Haycock noted the number of infractions and could not classify Mr. Norris as a highly qualified educator.

16. RESOLUTION TO MODIFY THE REPORT OF THE HEARING OFFICER, TO REJECT THE RECOMMENDATION OF THE HEARING OFFICER, AND TO REVOKE PERMANENTLY THE FOUR-YEAR RESIDENT EDUCATOR MULTI-AGE TEACHING LICENSE OF WILLIAM E. NORRIS, JR.

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

WHEREAS William E. Norris, Jr. holds a four-year resident educator multi-age teaching license issued in 2015; and

WHEREAS on April 11, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified William E. Norris, Jr. of its intent to determine whether to limit, suspend, revoke, or permanently revoke his four-year resident educator multi-age teaching license issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Norris engaging in conduct that is unbecoming to the teaching profession on or about March 11, 2016, while employed as a teacher by the Harvard Avenue Performance Academy, when he grabbed a student by the collar and put the student on the ground. Further, the notice included the following aggravating factors: on or about January 20, 2016, Mr. Norris was placed on probation by the Harvard Avenue Performance Academy, which directed that he should not put his hands on any of

the students for any reason, and on or about February 24, 2016 and March 10, 2016, this probation was extended; on or about December 16, 2016, Mr. Norris received a written reprimand for failing to report to morning duty in a timely manner, which caused students in his zone to be left unattended; and on or about December, 8, 2015, Mr. Norris received a written reprimand for failing to report to morning duty in a timely manner; and

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

WHEREAS a hearing was held on October 15, 2018; and

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

WHEREAS the hearing officer recommends that Mr. Norris' teaching license be suspended for a period of three years from March 11, 2016, the date of his termination with the Harvard Avenue Performance Academy, through March 11, 2019, and that Mr. Norris' teaching credential not be reactivated until he submits verification that he has completed, at his own expense, sixteen hours of classroom management training, eight hours of non-physical intervention training, and eight hours of anger management training with trainers and/or programs that have been approved by the Ohio Department of Education. The hearing officer's recommendation is based upon Mr. Norris engaging in conduct unbecoming to the teaching profession when he pushed a student to the floor, pulled the student to a standing position, and then yelled at the student, in addition to Mr. Norris having already been disciplined by receiving two written reprimands for neglecting his duty to be at his morning post and having been put on probation that was extended twice and instructed to not place his hands on any 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;

WHEREAS the State Board of Education rejects or modifies the following portions of the hearing officer's Report and Recommendation: reject in its entirety the Recommendation section of Summary Fact Sheet; reject in their entirety the last three sentences of the first full paragraph on page 14 of the Report and Recommendation which begin, "Therefore, it is recommended..."; modify the sixth sentence in the first full paragraph on page 16 of the Report and Recommendation so it now reads, "It seemed apparent at the hearing that Mr. Norris was not equipped to manage a classroom."; modify the last sentence in the first full paragraph on page 16 of the Report and Recommendation so it now reads, "Since he decided on a career of teaching later in life, this Hearing Officer is assuming Mr. Norris would like to remain in the teaching field (since he did not indicate at the hearing what outcome he would like to see)." and reject in its entirety the Recommendation section on page 17 of the Report and Recommendation; and

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

WHEREAS the State Board 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 seriousness of Mr. Norris' conduct includes him engaging in inappropriate physical contact with a student after being counseled not to physically intervene with students, his conduct and poor classroom performance resulting in him being placed on probation by his employing school with the probation being extended twice, and his poor performance resulting in him receiving two reprimands for failing to report for his morning duty; at the time of the incident, Mr. Norris had completed a teacher preparation program and was in his late forties which should have given him the training, experience and maturity to resolve classroom management issues without resorting to physical interventions and to report to work in a timely manner without neglecting his teaching duties; and Mr. Norris' continued licensure will negatively impact the health, safety, or welfare of the school community since he continued to physically intervene with students after he was placed on probation and counseled by his school not to physically touch students; and during the administrative hearing Mr. Norris did not take responsibility for his actions, instead blaming his education, the students, and the school's environment which demonstrates that Mr. Norris is not a candidate for rehabilitation; and

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

WHEREAS the State Board concludes that suspending Mr. Norris' license and allowing him to reapply for any license, permit, or certificate would demean the nature and seriousness of his conduct, reflect negatively on the teaching profession, and negatively impact the health, safety, or welfare of the school community. The State Board further concludes that a permanent revocation of Mr. Norris' license is warranted based on his unbecoming conduct and the aggravating factors in this case: Therefore, Be it

RESOLVED, that the State Board of Education rejects or modifies the following portions of the hearing officer's Report and Recommendation: reject in its entirety the Recommendation section of Summary Fact Sheet; reject in their entirety the last three sentences of the first full paragraph on page 14 of the Report and Recommendation which begin, "Therefore, it is recommended..."; modify the sixth sentence in the first full paragraph on page 16 of the Report and Recommendation so it now reads, "It seemed apparent at the hearing that Mr. Norris was not equipped to manage a classroom."; modify the last sentence in the first full paragraph on page 16 of the Report and Recommendation so it now reads, "Since he decided on a career of teaching later in life, this Hearing Officer is assuming Mr. Norris would like to remain in the teaching field (since he did not indicate at the hearing what outcome he would like to see)." and reject in its entirety the Recommendation section on page 17 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 finds that the administrative record identifies the following aggravating factors: the nature and seriousness of Mr. Norris' conduct includes him engaging in inappropriate physical contact with a student after being counseled not to physically intervene with students, his conduct and poor classroom performance resulting in him being placed on probation by his employing school with the probation being extended twice, and his poor performance resulting in him receiving two reprimands for failing to report for his morning duty; at the time of the incident, Mr. Norris had completed a teacher preparation program and was in his late forties which should have given him the training, experience and maturity to resolve classroom management issues without resorting to physical interventions and to report to work in a timely manner without neglecting his teaching duties; and Mr. Norris' continued licensure will negatively impact the health, safety, or welfare of the school community since he continued to physically intervene with students after he was placed on probation and counseled by his school not to physically touch students; and during the administrative hearing Mr. Norris did not take responsibility for his actions, instead blaming his education, the students, and the school's environment which demonstrates that Mr. Norris is not a candidate for rehabilitation; and, Be It Further

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

RESOLVED, that the State Board concludes that suspending Mr. Norris' license and allowing him to reapply for any license, permit, or certificate would demean the nature and seriousness of his conduct, reflect negatively on the teaching profession, and negatively impact the health, safety, or welfare of the school community. The State Board further concludes that a permanent revocation of Mr. Norris' license is warranted based on his unbecoming conduct and the aggravating factors in this case; and, Be It Further

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** William E. Norris, Jr.'s four-year resident educator multi-age teaching license issued in 2015 based upon Mr. Norris engaging in conduct unbecoming to the teaching profession on or about March 11, 2016, while employed as a teacher by the Harvard Avenue Performance Academy, when he grabbed a student by the collar and put the student on the ground. Pursuant to Ohio Administrative Code Rule 3301-73-21(B), the State Board of Education further considers in aggravation that on or about January 20, 2016, Mr. Norris was placed on probation by the Harvard Avenue Performance Academy, which directed that he should not put his hands on any of the students for any reason, and on or about February 24, 2016 and March 10, 2016, this probation was extended; on or about December 16, 2016, Mr. Norris received a written reprimand for failing to report to morning duty in a timely manner, which caused students in his zone to be left unattended; and on or about December, 8, 2015, Mr. Norris received a written reprimand for failing to report to morning duty in a timely manner. Further, the State Board of Education, pursuant to Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that William E. Norris, Jr. be permanently ineligible to reapply 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. Norris of this action.

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

YES VOTES

Cindy Collins	Stephanie Dodd
Linda Haycock	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Martha Manchester
Antoinette Miranda	Eric Poklar
James Sheppard	Mike Toal
Lisa Woods	

NO VOTES

Sarah Fowler	John Hagan
Kirsten Hill	Charlotte McGuire

ABSTAIN

Nick Owens

Motion carried.

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

YES VOTES

Cindy Collins	Stephanie Dodd
Linda Haycock	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Martha Manchester
Antoinette Miranda	Eric Poklar
James Sheppard	Mike Toal
Lisa Woods	

NO VOTES

Sarah Fowler	John Hagan
Kirsten Hill	Charlotte McGuire

ABSTAIN

Nick Owens

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 17):

17. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE THE ONE-YEAR EDUCATIONAL AIDE PERMIT OF JODY J. RADCLIFFE

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

WHEREAS Jody J. Radcliffe held a one-year educational aide permit issued in 2016; and

WHEREAS on February 15, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Jody J. Radcliffe of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year educational aide permit issued in 2016 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Radcliffe engaging in conduct that is unbecoming to the teaching profession on or about February 1, 2017, when she made an inappropriate comment towards a student while performing her duties at school; and

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

WHEREAS a hearing was held on September 24, 2018; and

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

WHEREAS the hearing officer recommends that Ms. Radcliffe's one-year educational aide permit issued in 2016 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 and that prior to reapplication, she complete eight hours of professional boundaries training and eight hours of non-physical intervention training. The hearing officer's recommendation is based upon Ms. Radcliffe engaging in conduct unbecoming to the teaching profession when she had a vulgar exchange with a student that demeaned a second student; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Jody J. Radcliffe's one-year educational aide permit issued in 2016 based upon Ms. Radcliffe engaging in conduct that is unbecoming to the teaching profession on or about February 1, 2017, when she made an inappropriate comment towards a student while performing her duties at school. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Jody J. Radcliffe be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after February 12, 2022, and that upon reapplication, she must provide to the Ohio Department of Education written verification that she has completed, at her own cost, eight hours of professional boundaries training and eight hours of non-physical intervention training with the training to be pre-approved by the Ohio Department of Education; and, Be It Further

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

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

President Kohler called for a roll call vote.

YES VOTES

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

ABSTAIN

Nick Owens

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 18):

18. RESOLUTION TO REVOKE PERMANENTLY THE PERMANENT NON-TAX TEACHING CERTIFICATE OF BRIAN J. SNIDER

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

WHEREAS Brian J. Snider holds a permanent non-tax teaching certificate issued in 2001; and

WHEREAS on November 15, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Brian J. Snider of its intent to determine whether to limit, suspend, revoke, or permanently revoke his permanent non-tax teaching certificate issued in 2001 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Snider's 2018 conviction in the Kettering Municipal Court for one misdemeanor count of operating a vehicle while under the influence (OVI), 2017 conviction in the Butler County Area II Court for two misdemeanor counts of disorderly conduct, and 2016 conviction in the Miamisburg Municipal Court for one minor misdemeanor count of disorderly conduct; and

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

WHEREAS Brian J. Snider 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 Kettering Municipal Court, Butler County Area II Court, and Miamisburg Municipal Court, and certified police records from the Montgomery County Sheriff's Office, Butler County Sheriff's Office, and West Carrollton Police Department; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Brian J. Snider's permanent non-tax teaching certificate issued in 2001 based upon Mr. Snider's 2018 conviction in the Kettering Municipal Court for one misdemeanor count of operating a vehicle while under the influence (OVI), 2017 conviction in the Butler County Area II Court for two misdemeanor counts of disorderly conduct, and 2016 conviction in the Miamisburg Municipal Court for one minor misdemeanor count of disorderly conduct. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Brian J. Snider 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. Snider of this action.

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

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins

Stephanie Dodd

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

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

Motion carried.

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

19. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF GARRY L. TABLER, JR.

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

WHEREAS Garry L. Tabler, Jr. holds a three-year pupil activity permit issued in 2017; and

WHEREAS on April 11, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Garry L. Tabler, Jr. 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 3319.31(B)(1), (B)(2)(a), and (B)(3). The notice was based upon Mr. Tabler's 2018 guilty plea in the Allen County Court of Common Pleas to one felony count of illegal conveyance or possession of a deadly weapon in a school safety zone and his subsequent entry into the court's criminal diversion program; and

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

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

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

WHEREAS the hearing officer recommends that Mr. Tabler's permit be permanently revoked. Further, it is recommended that Mr. Tabler be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based upon Mr. Tabler pleading guilty to one felony count of illegal conveyance or possession of a deadly weapon in a school safety zone after bringing an unholstered and loaded handgun in his jacket pocket into school for an evening meeting and accidentally discharging the gun in a room with others present and the legislature deeming the seriousness of this offense to such an extent that licensure either cannot or should not be considered; 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)(3), hereby **REVOKES** Garry L. Tabler, Jr.'s three-year pupil activity permit issued in 2017 based upon Mr. Tabler's 2018 guilty plea in the Allen County Court of Common Pleas to one felony count of illegal conveyance or possession of a deadly weapon in a school safety zone and his 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 Garry L. Tabler, Jr. 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. Tabler of this action.

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

President Kohler called for a roll call vote.

YES VOTES

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

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 20):

20. RESOLUTION TO REVOKE THE PERMANENT ELEMENTARY TEACHING CERTIFICATE AND PERMANENT NON-TAX TEACHING CERTIFICATE OF JOHN R. WERTZ

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

WHEREAS John R. Wertz holds a permanent elementary teaching certificate issued in 2002 and permanent non-tax teaching certificate issued in 1983; and

WHEREAS on November 2, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified John R. Wertz of its intent to determine whether to limit, suspend, revoke, or permanently revoke his permanent elementary teaching certificate issued in 2002 and permanent non-tax teaching certificate issued in 1983 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Wertz's 2018 conviction in the Canton Municipal Court for one misdemeanor count of operating a vehicle while intoxicated (OVI) and 2016 conviction in the Canton Municipal Court for one misdemeanor count of OVI; and

WHEREAS the notice informed Mr. Wertz 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 elementary teaching certificate issued in 2002 and permanent non-tax teaching certificate issued in 1983; and

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

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

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** John R. Wertz's permanent elementary teaching certificate issued in 2002 and permanent non-tax teaching certificate issued in 1983 based upon Mr. Wertz's 2018 conviction in the Canton Municipal Court for one misdemeanor count of operating a vehicle while intoxicated (OVI) and 2016 conviction in the Canton Municipal Court for one misdemeanor count of OVI. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that John R. Wertz be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after February 12, 2022, and that upon reapplication, he must provide to the Ohio Department of Education written proof of sobriety and written verification that he has completed at his own cost a drug/alcohol assessment by a licensed counselor and, should the licensed counselor recommend any additional counseling and/or treatment, Mr. Wertz must successfully

complete all recommended counseling and/or treatment prior to reapplying for any license, permit, or certificate; and, Be It Further

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

It was Moved by Mr. Hagan and Seconded by Mrs. Miranda that the above recommendation (Item 20) be approved.

President Kohler called for a roll call vote.

YES VOTES

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

ABSTAIN

Nick Owens

Motion carried.

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

21. RESOLUTION TO REVOKE PERMANENTLY THE ONE-YEAR EDUCATIONAL AIDE PERMIT OF CANDACE R. WILSON

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

WHEREAS Candace R. Wilson held a one-year educational aide permit issued in 2017; and

WHEREAS on November 15, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Candace R. Wilson of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year educational aide permit issued in 2017 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(c), and (F). The notice was based upon Ms. Wilson's 2017 conviction in the Hamilton County Municipal Court for one misdemeanor count of unauthorized use of property, 2014 conviction in the Springdale Mayor's Court for one minor misdemeanor count of drug abuse, 2009 conviction in the Hamilton County Municipal Court for one misdemeanor count of disorderly conduct, 2012 conviction in the Kenton County District Court

(Kentucky) for one misdemeanor count of driving under the influence (DUI), 2009 conviction in the Hamilton County Municipal Court

for one misdemeanor count of OVI, and Ms. Wilson's failure to disclose fully her criminal convictions on the application that she submitted to the Ohio Department of Education in 2017; and

WHEREAS the notice informed Ms. Wilson 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 2017; and

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

WHEREAS the State Board of Education has reviewed the affidavit of the director of the Office of Professional Conduct, Notice of the State Board of Education's Intended Action and Opportunity for a Hearing, and certified court records from the Hamilton County Municipal Court, Springdale Mayor's Court, and Kenton County District Court (Kentucky); and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(c), and (F), hereby **REVOKES** Candace R. Wilson's one-year educational aide permit issued in 2017 based upon Ms. Wilson's 2017 conviction in the Hamilton County Municipal Court for one misdemeanor count of unauthorized use of property, 2014 conviction in the Springdale Mayor's Court for one minor misdemeanor count of drug abuse, 2009 conviction in the Hamilton County Municipal Court for one misdemeanor count of disorderly conduct, 2012 conviction in the Kenton County District Court (Kentucky) for one misdemeanor count of driving under the influence (DUI), 2009 conviction in the Hamilton County Municipal Court for one misdemeanor count of OVI, and Ms. Wilson's failure to disclose fully her criminal convictions on the application that she submitted to the Ohio Department of Education in 2017. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Candace R. Wilson 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. Wilson of this action.

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

President Kohler called for a roll call vote.

YES VOTES

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

ABSTAIN

Nick Owens

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 22):

22. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY THE FIVE-YEAR PROFESSIONAL INTERVENTION SPECIALIST TEACHING LICENSE APPLICATION OF LISA M. WITTINE

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

WHEREAS Lisa M. Wittine has applied for a five-year professional intervention specialist teaching license; and

WHEREAS on September 19, 2017, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Lisa M. Wittine of its intent to deny or permanently deny her application for a five-year professional intervention specialist teaching license pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Wittine engaging in conduct that is unbecoming to the teaching profession on or about September 14, 2016 when she submitted to the Ohio Department of Education a falsified form entitled *Approval Verification Form for Educators Leaving an Ohio Local Professional Development Committee(LPDC)* in support of her application for licensure. Specifically, after the form was signed by the director of human resources for the Hudson City School District, Ms. Wittine falsified the form by removing a note written by the director of human resources, adding six hours of LDPC-approved professional

development activities and sixty-eight and three-quarter contact hours approved by the LPDC, and signing the LPDC chairperson's name; and

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

WHEREAS a hearing was held on August 8, 2018; and

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

WHEREAS the hearing officer recommends that Ms. Wittine's pending application for a five-year professional intervention specialist teaching license be denied and that she be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after June 1, 2019 and that prior to reapplication, Ms. Wittine must complete twenty-four hours of ethics training. The hearing officer's recommendation is based upon Ms. Wittine's deliberate and egregious falsification and forgery of documents to renew her license being mitigated by her being honest and upfront about her misconduct at the administrative hearing; 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** Lisa M. Wittine's application for a five-year professional intervention specialist teaching license based upon Ms. Wittine engaging in conduct that is unbecoming to the teaching profession on or about September 14, 2016 when she submitted to the Ohio Department of Education a falsified form entitled *Approval Verification Form for Educators Leaving an Ohio Local Professional Development Committee* (LPDC) in support of her application for licensure. Specifically, after the form was signed by the director of human resources for the Hudson City School District, Ms. Wittine falsified the form by removing a note written by the director of human resources, adding six hours of LDPC-approved professional development activities and sixty-eight and three-quarter contact hours approved by the LPDC, and signing the LPDC chairperson's name. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(a), orders that Lisa M. Wittine be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until on or after June 1, 2019, provided that prior to reapplication, Ms. Wittine must submit written verification to the Ohio Department of Education that she has completed, at her own expense, twenty-four hours of training in ethics with the training 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 Ms. Wittine of this action.

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

Mrs. Haycock Moved to amend the resolution by substitution. She proposed that for clarity, Ms. Wittine needed to complete all requirements for licensure. Ms. Johnson Seconded the motion.

22. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY THE FIVE-YEAR PROFESSIONAL INTERVENTION SPECIALIST TEACHING LICENSE APPLICATION OF LISA M. WITTINE

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

WHEREAS Lisa M. Wittine has applied for a five-year professional intervention specialist teaching license; and

WHEREAS on September 19, 2017, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Lisa M. Wittine of its intent to deny or permanently deny her application for a five-year professional intervention specialist teaching license pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Wittine engaging in conduct that is unbecoming to the teaching profession on or about September 14, 2016 when she submitted to the Ohio Department of Education a falsified form entitled *Approval Verification Form for Educators Leaving an Ohio Local Professional Development Committee(LPDC)* in support of her application for licensure. Specifically, after the form was signed by the director of human resources for the Hudson City School District, Ms. Wittine falsified the form by removing a note written by the director of human resources, adding six hours of LDPC-approved professional development activities and sixty-eight and three-quarter contact hours approved by the LPDC, and signing the LPDC chairperson's name; and

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

WHEREAS a hearing was held on August 8, 2018; and

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

WHEREAS the hearing officer recommends that Ms. Wittine's pending application for a five-year professional intervention specialist teaching license be denied and that she be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after June 1, 2019 and that prior to reapplication, Ms. Wittine must complete twenty-four hours of ethics training. The hearing officer's recommendation is based upon Ms. Wittine's deliberate and egregious falsification and forgery of documents to renew her license being mitigated by her being honest and upfront about her misconduct at the administrative hearing; 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** Lisa M. Wittine's application for a five-year professional intervention specialist teaching license based upon Ms. Wittine engaging in conduct that is unbecoming to the teaching profession on or about September 14, 2016 when she submitted to the Ohio Department of Education a falsified form entitled *Approval Verification Form for Educators Leaving an Ohio Local Professional Development Committee (LPDC)* in support of her application for licensure. Specifically, after the form was signed by the director of human resources for the Hudson City School District, Ms. Wittine falsified the form by removing a note written by the director of human resources, adding six hours of LDPC-approved professional development activities and sixty-eight and three-quarter contact hours approved by the LPDC, and signing the LPDC chairperson's name. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(a), orders that Lisa M. Wittine be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until on or after June 1, 2019, provided that prior to reapplication, Ms. Wittine must submit written verification to the Ohio Department of Education that she has completed, at her own expense, twenty-four hours of training in ethics with the training to be preapproved by the Ohio Department of Education and she must meet all the qualifications for licensure required by Ohio law and/or the Ohio Department of Education for the license for which she is applying; and, Be It Further

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

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

YES VOTES

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

ABSTAIN

Nick Owens

Motion carried.

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

YES VOTES

Cindy Collins	Stephanie Dodd
Sarah Fowler	John Hagan
Linda Haycock	Kirsten Hill
Meryl Johnson	Jenny Kilgore

Laura Kohler
Martha Manchester
Antoinette Miranda
James Sheppard
Lisa Woods

Mark Lamoncha
Charlotte McGuire
Eric Poklar
Mike Toal

ABSTAIN

Nick Owens

Motion carried.

President Kohler presented the following recommendation (Item 23):

23. RESOLUTION TO APPROVE THE NOMINATION PROCESS FOR THE STATE BOARD OF EDUCATION'S APPOINTMENT TO THE STATE LIBRARY BOARD

The State Board of Education hereby **APPROVES** the following nomination process for the State Board of Education's appointment to the State Library Board pursuant to Ohio Revised Code Section 3375.01 for a five-year term beginning January 1, 2019:

1. The floor will be opened for nominations (a second is not required, but only one nomination per Board member);
2. The President of the State Board of Education will invite a motion to close the nominations;
3. Each nominee can then make brief comments about the person they nominated;
4. A vote by roll-call will then be taken, with each member voting by declaring the name of his/her choice for the appointment of the member to the State Library Board;
5. A majority of those present and voting shall be required for the election;
6. Following each vote, the name or names of the person(s) receiving the lowest number of vote shall be dropped; and
7. From the list, a roll call vote will then be taken, with members voting from among the remaining nominees until there is one person left, who will then be the State Board's appointment to the State Library Board by virtue of the final vote.

It was Moved by Mrs. Dodd and Seconded by Mrs. Manchester that the above recommendation (Item 23) be approved.

President Kohler requested a motion to open the floor for nominations. Mrs. Dodd requested the motion.

Mrs. Dodd Moved the nomination for Alan Hall.

President Kohler requested a motion to close the floor for nominations. Ms. Fowler requested the motion.

Mrs. Dodd and Ms. Fowler spoke in favor of the nomination of Mr. Hall.

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

ALAN HALL

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

Alan Hall received 18 votes and the appointment to the State Library Board.

PUBLIC PARTICIPATION ON NONACTION ITEMS

- 1) Mr. Andrew Huffman, GRADS Coalition. Mr. Huffman spoke to the Board regarding OAC rules 3301-102-10.
- 2) Mrs. Cris Gulacy-Worrel, Oakmont Education. Mrs. Gulacy-Worrel spoke to the Board regarding OAC rules 3301-102-10.
- 3) Mrs. Mary Rumpz, Operations Director, Townsend Community School. Mrs. Rumpz spoke to the Board regarding the Ohio school passage rate unique to the Drop-out Prevention Credit Recovery Report Card.
- 4) Mr. Pete Bartkowiak, Townsend Community School. Mr. Bartkowiak spoke to the Board regarding the Ohio school passage rate unique to the Drop-out Prevention Credit Recovery Report Card.

Non-Resolutions
Old Business

Mrs. Dodd requested that elected Board members signatures also appear on recognition letters to school districts.

New Business

Ms. Johnson presented the following recommendation:

USE OF NATIVE AMERICAN MASCOTS, SYMBOLS,
NICKNAMES, LOGOS, AND CHANTS

Whereas people of all cultures, races, and religions have a right to be treated with dignity and respect;

Whereas Ohio is listed on the American Indian Sports Team Mascots website as ranking number one nationally in the use of American Indian team nicknames and logos even though it is number seven in population;

Whereas according to a Cincinnati Enquirer analysis of school websites from elementary through high school, at least 228 public schools in Ohio have a Native American- related mascot or logo;

Whereas in our strategic plan, *Each Child Our Future*, it states- “The path to equity begins with a deep understanding of the history of discrimination and bias and how it has come to impact current society”;

Whereas in our strategic plan *Each Child Our Future*, the whole child model stresses that each student’s learning environment must be physically and emotionally safe;

Whereas the Ohio Board of Education believes it is important that all students learn about the cultural aspects of various groups so that they will understand cultural norms, develop tolerance, respect differences, and become good citizens and productive adults;

Whereas the hateful stereotypes of Jim Crow and anti-Catholic policies have been eliminated in education by listening to the collective voices of African-American citizens and proponents of religious tolerance;

Whereas on two occasions Native Americans approached the Ohio Board of Education with their concerns about how the use of these names and mascots exploits people’s dignity and promotes inaccurate and negative stereotypes that hurt Native American children, including the son of one member who tells friends he’s Mexican because he doesn’t want to be teased by classmates about his Native American heritage;

Whereas in a resolution dated April 13, 2001, the U.S. Commission on Civil Rights called for an end to the use of Native American images and team names by non-Native schools, stating that “while respecting the right to freedom of expression, the Commission believes that the use of Native American images and nicknames in school is insensitive and should be avoided”;

Whereas in a resolution dated September 2005, the American Psychological Association stated the continued use of American Indian mascots, symbols, images and personalities has a negative effect on not only American Indian students but all students by -

- Undermining the educational experiences of members of all communities, especially those who have had little or no contact with indigenous people,
- Establishes an unwelcome and often times hostile learning environment for American Indian students that affirms negative images/stereotypes that are promoted in mainstream society,
- Undermines the ability of American Indian Nations to portray accurate and respectful images of their culture, spirituality and traditions.

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- Presents stereotypical images of American Indians, and such mascots are a contemporary example of prejudice by the dominant culture against racial and ethnic minority groups.
- Is a form of discrimination against American Indian Nations that can lead to negative relations between groups; and

Whereas the Ohio Board of Education recognizes that this is a local issue that will be decided by individual school districts/schools; now, therefore, be it

Resolved, that the Ohio Board of Education:

1. urges school districts/schools to use curricula that is fair, appropriate, and accurate in depicting the cultures and histories of all people;
2. recommends that educators teach all students to be culturally sensitive and respectful of various cultures present in society;
3. endorses the elimination of the use of Native American mascots, symbols, logos, fight songs, insignias, antics, nicknames and team descriptors by all Ohio school districts/schools receiving tax dollars;
4. requests a copy of this resolution be sent by the State Superintendent to all Ohio school districts/schools receiving Ohio tax dollars.

President Kohler announced she would refer this issue to the Integrated Student Supports Committee for consideration. Ms. Johnson and Mrs. Dodd voiced concerns that the issue would not come back to the full Board. President Kohler stated she expected the issue to be voted out of committee after consideration and then return to the full Board for consideration.

Ms. Woods presented the following recommendation:

WHEREAS the State Board of Education has learned of the documented success of several dropout prevention and recovery schools in serving the at-risk population through competency based educational programs that incorporate elements of blended learning and credit flexibility in a more individualized educational program; and

WHEREAS the State Board of Education recognizes the important role that many dropout prevention and recovery schools play in successfully serving their at-risk populations; and

WHEREAS the State Board of Education recognizes that different modes of learning and measurement are necessary to engage at-risk students and promote academic achievement; and

WHEREAS the State Board of Education has learned that questions have arisen as to whether certain successful dropout prevention and recovery school models align with new interpretations for blended learning and credit flexibility; and

WHEREAS questions relating to these models appear to be rooted in the Ohio Department of Education's House Bill 2 Guidance for Blended Learning for Community Schools, as updated in April of 2018, which appears to create a partial seat-time requirement for blended learning models; and

WHEREAS the State Board of Education has been tasked expressly by the General Assembly to develop administrative rules and/or a state plan for both blended learning and credit flexibility; and

WHEREAS the State Board of Education is not aware of any statutes or regulations expressly linking blended learning models to seat time in a school facility; and

WHEREAS the State Board of Education is aware that participation in credit flexibility or blended learning programs may count as funded learning opportunities without regard to a facility seattime requirement; and

WHEREAS the State Board of Education has also developed rules relating to dropout prevention and recovery and is in the process of reviewing those rules; and

WHEREAS the State Board of Education believes further study is needed regarding the status and implementation of accountability and programmatic regulations of dropout prevention and recovery schools before any rules are revised or interpretations of law are enforced that may result in a school closure: Therefore, Be It

RESOLVED, That the State Board of Education shall form a work group to study the status and application of current regulatory requirements for dropout prevention and recovery schools, including accountability measures, full-time equivalency requirements, blended learning requirements, and credit flexibility requirements; and, Be It Further

RESOLVED, That this work group shall produce a report to the State Board of Education outlining its findings and recommendations regarding the above-listed topics by October 1, 2019; and, Be It Further

RESOLVED, the State Superintendent of Public Instruction is hereby instructed to refrain from enforcing seat-time requirements set forth in the House Bill 2 Guidance for Blended Learning for Community Schools until the work group has submitted its report regarding dropout prevention and recovery schools to the State Board of Education.

President Kohler announced she would refer this issue to the Assessments and Accountability Committee for consideration.

Mrs. Hill and Ms. Fowler reported to the Board on their attending the 30th Educational Policy Conference in St. Louis, Missouri.

Mrs. McGuire Moved to adjourn the meeting. Mr. Sheppard Seconded the motion.

The President requested a voice vote.

Motion carried.

President Kohler adjourned the meeting at 4:15 p.m. The next regularly scheduled meeting of the State Board of Education is March 11-12, 2019.

ATTEST:



Laura Kohler



Paolo DeMaria

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President
State Board of Education

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.