The State Board convened on Monday, November 13, at the Ohio Department of Education in Columbus.

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STATE BOARD BUSINESS MEETING

President Kohler convened the Business meeting of the State Board of Education on Monday, November 13, at 8:30 a.m.

President Kohler asked the Recording Secretary to call the roll.

YES VOTES

Stephen Dackin, Stephanie Dodd, Sarah Fowler, John Hagan, Linda Haycock, Meryl Johnson, Laura Kohler, Mark Lamoncha, Martha Manchester, Antoinette Miranda, Mike Toal
EXECUTIVE SESSION

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

Mr. Hagan Seconded the motion.

The President called for a roll call vote.

YES VOTES
Stephen Dackin Stephanie Dodd
Sarah Fowler John Hagan
Linda Haycock Kirsten Hill
Meryl Johnson Jenny Kilgore
Laura Kohler Mark Lamoncha
Martha Manchester Charlotte McGuire
Antoinette Miranda Reginald Wilkinson
Lisa Woods

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

Motion carried.

The Board went into Executive Session at 8:30 a.m.

The Board recessed from Executive Session at 8:55 a.m.

Following the recess of the State Board Business meeting, the Board held a Quasi-Judicial discussion, including those functions outlined in the State Board of Education’s Policies and Procedures Manual.

Following Executive Session, The Board's Teaching, Leading and Learning and Continuous Improvement Committees met beginning at 9:00 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, November 13, at 1:05 p.m.

Anna Poklar, Sophomore, Thomas Worthington High School welcomed Board members and guests, and led the Board in the Pledge of Allegiance.

Review of Written Reports and Items for Vote

REPORT OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION

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

Community School Sponsor Evaluation Process:
What are Sponsors:
- Also known as “authorizers”
- Entities able to establish a community school
- Have legal obligations to provide technical assistance, oversight and monitoring
- Ensure that community schools are meeting all fiscal, academic and operational requirements

Community School Sponsor Types for 2018-2019:
- ESC’s – 5
- Federal Nonprofits – 7
- JVSD’s – 1
- Public School Districts – 11
- State Universities – 1
- Office of School Sponsorship - 1

Sponsor Evaluation (ORC 3314.016):
Three Equally Weighted Components:
1. Academic performance
2. Compliance with laws and rules
3. Adherence to quality practices

Academic Component:
- Determines how well students are performing academically at all sponsor’s community schools combined
- Includes all applicable Ohio School Report Card measures
- Weighted by number of students in each school
Compliance Component:
- Review of sponsor’s adherence to applicable laws and rules for itself and for its oversight of its schools’ adherence to all applicable laws and rules

Quality Component:
- The adherence of a sponsor to follow nationally established quality sponsor practices in six critical areas, which are based on standards of the National Association of Charter School Authorizers and Ohio law

Overall Sponsor Rating:
- Once each of the three components has been evaluated, rated, and scored, those scores are then combined to determine the sponsor’s overall evaluation rating. The points received for academic performance plus the points received for compliance plus the points received for quality practice equals the overall sponsor evaluation rating.

Overall Sponsor Evaluation Performance Ratings:
- Each sponsor receives one of four possible ratings: poor, ineffective, effective or exemplary.

Outcomes of Sponsor Evaluation Ratings:
- Determines eligibility to sponsor any new or additional community schools
- Impacts future actions:
  - Renewal of sponsorship agreements
  - Sponsorship application and approval
  - Revocation of sponsorship

Outcomes for an Exemplary or Effective Rating:
- May sponsor new or additional community schools
- Sponsored community schools may apply for a Charter School Program grant
- If rated Exemplary or Effective for three consecutive years, sponsor will be evaluated by the Department once every three years

Outcomes for an Exemplary Rating for Two or More Consecutive Years:
Sponsor may participate in the following incentives:
- Renewal of sponsorship agreement with the Department
- Ability to extend contract term with school beyond the term included in agreement with the Department
- Exemption from the preliminary agreement, contract adoption and execution deadline requirements
- Exemption from automatic contract expiration requirement if a new school fails to open by Sept. 30 of the year in which the contract is executed
- No limit on the number of community schools sponsored (May be subject to other statutory provisions)
- No territorial restrictions on sponsorship

Outcomes for an Ineffective Rating:
- Cannot sponsor any new or additional community schools
- Must develop and implement a quality improvement plan with the Department

Outcomes for an Ineffective Rating for Three Consecutive Years:
- Sponsorship revocation
- Sponsor may appeal the revocation within 30 days of receiving the rating
- If a sponsor’s authority is revoked, the official revocation will not occur until the appeal process is finished
Outcomes for a Poor Rating:
- Sponsorship revocation
- Sponsor may appeal the revocation within 30 days of receiving the rating
- If a sponsor’s authority is revoked, the official revocation will not occur until the appeal process is finished

Sponsorship Revocation:
- Schools are assumed by the Office of School Sponsorship (OSS) at the Department for the remainder of the school year
- OSS may continue to sponsor a school for up to two additional years or until the school finds a new sponsor, whichever comes first

Timeline of Sponsor Ratings:
- The ratings and results of the 2018-2019 sponsor evaluations will be available on the Ohio Department of Education website no later than November 15, 2019. Sponsors received their preliminary component ratings on September 20th and then had 10 business days to review their ratings and submit an adjustment request if they want.

Sponsor Evaluation Results:

<table>
<thead>
<tr>
<th>Overall Rating</th>
<th>2015-2016</th>
<th>2016-2017</th>
<th>2017-2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exemplary</td>
<td>0</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Effective</td>
<td>5</td>
<td>21</td>
<td>19</td>
</tr>
<tr>
<td>Ineffective</td>
<td>39</td>
<td>13</td>
<td>11</td>
</tr>
<tr>
<td>Poor</td>
<td>21</td>
<td>8</td>
<td>1</td>
</tr>
</tbody>
</table>

Number of Community School Sponsors in Ohio:
- 2015-2016 – 65
- 2016-2017 – 45
- 2017-2018 – 35
- 2018-2019 – 26

Sponsor Evaluation Resources:
- Review instruments (rubric and worksheets)
- Technical document
- Change logs
- FAQs

President Kohler recessed the Board meeting at 2:40 p.m.

President Kohler reconvened the meeting of the State Board of Education on Tuesday, November 14, at 8:30 a.m.
Minutes of the November 2019 Meeting of the State Board of Education of Ohio

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

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RECONVENE STATE BOARD BUSINESS MEETING

President Kohler reconvened the Business meeting of the State Board of Education on Tuesday, November 14, at 11:10 a.m.

President Kohler asked the Recording Secretary to call the roll.

MEMBERS PRESENT

Stephen Dackin                               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                                  Mike Toal
Reginald Wilkinson                           Lisa Woods

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

There were no corrections.

It was Moved by Mrs. Hill and Seconded by Ms. Fowler that the Minutes be approved as presented. The President called for a voice vote. Mrs. Haycock was absent from the October meeting and abstained from the vote.

Motion carried.

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LEGISLATIVE REPORT

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

Senate Bill 34: Regards School Employment, Educator Licensure, and Conduct

Goals of Proposed S.B. 34:

- Ensure thorough criminal records checks for school employees
- Provide the Department of Education with timely notice of educator arrests and convictions from the Attorney General's office
- Comply with Federal Every Student Succeeds Act

Bill Status:
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- 2/12/19 – Introduced by Senator Stephanie Kunze (R-Hilliard)
- 2/13/19 – Referred to the Senate Education Committee
  - Hearings:
    - 2/27/19 – Sponsor Testimony
    - 3/19/19 – ODE Proponent Testimony
    - 3/26/19 – No witnesses testified
    - 4/9/19 – No witnesses testified
    - 5/07/19 – Juvenile Justice Coalition Interested Party Testimony
    - 11/12/19 – Scheduled for all testimony and adoption of a substitute bill – Committee Canceled

Proposed S.B. 34 – Key Provisions:
- Requires contractors with a school to hold the same State Board-issued licenses as individuals directly employed by the school
- Allows the State Board of Education to consider prior conduct in deciding whether to issue a license, even if conduct is unrelated to ability to perform typical duties of the license
- Requires the Department to inactivate an educator license during a criminal trial.
- Ensures that individuals who have committed the most serious absolute bar offenses cannot seek relief from the collateral sanction of being barred from receiving an educator license.

Proposed S.B. 34 – Substitute Bill:
- Original bill included language that would have made a certain group of juvenile offenses an absolute bar to licensure or working in a school.
- Concerns raised by stakeholders and members of the Senate Education Committee.
- This language was removed in the substitute bill – all other provisions remain the same as the As Introduced version.

Other Legislative Activity:
Report Card Study Committee:
- Members:
  - Superintendent Paolo DeMaria
  - Rep. Don Jones (R-Freeport)*
  - Rep. Tracy Richardson (R-Marysville)
  - Rep. Lisa Sobecki (D-Toledo)
  - Sen. Peggy Lehner (R-Kettering)
  - Sen. Louis W. Blessing III (R-Colerain Twp)*
  - Sen. Teresa Fedor (D-Toledo)
  - Superintendent Cameron Ryba (Strongsville)
  - Superintendent Marlon Styles Jr. (Middletown)
  - Superintendent Stephanie Starcher (Fort Frye)
  *Co-Chair

(D) In conducting its study, the committee shall investigate at least all of the following:
(1) How many years of data should be included in, and how grades are assigned to, the progress component;
(2) How to structure the prepared for success component, including considering additional ways to earn points;
(3) How the gap closing component meets requirements established under federal law and applies to all schools;
(4) How the graduation component includes students with disabilities and mobile students;
(5) If the overall grades should be a letter grade or some other rating system that clearly communicate the performance of school districts and other public schools to families and communities.
(E) Not later than December 15, 2019, the committee shall submit a report to the General Assembly in accordance with section 101.68 of the Revised Code. In addition to addressing the topics prescribed under division (D) of this section, the report shall make recommendations, including any necessary changes to the Revised Code or Administrative Code, about at least all of the following:

1. How to calculate each graded measure included in the state report card;
2. How to assign a grade to each graded measure, including ranges of scores associated with letter grades or any other rating system determined appropriate by the committee;
3. How to weight the graded measures for school buildings that do not have all measures;
4. Which state report card calculations should be prescribed in statute and which should be prescribed in administrative rule;
5. What additional, non-graded information families and communities want to see on the state report card;
6. What additional items can be used for bonus points in the prepared for success component.

- First meeting held on 11/6/19
  – Overview presentation of federal law requirements and current Ohio report card
- Second meeting held on 11/13/19
  – Superintendent DeMaria and President Kohler presented the State Board’s recommendations
- Additional meetings to be scheduled

Other Pending Legislation:

- Senate Bill 89 – Career-Technical Education
  – Passed by the Senate 31-0 (10/23)
  – Pending in the House Primary & Secondary Education Committee

The State Board recessed for lunch.

PUBLIC PARTICIPATION ON VOTING AGENDA ITEMS

There was no Public Participation on Voting Agenda Items.

PUBLIC PARTICIPATION ON NON-VOTING AGENDA ITEMS

1) Dr. Ron Iarussi, Superintendent, Marion City Schools. Superintendent Iarussi spoke to the Board regarding the Operating Standards.

2) Mr. Gary Barber, Superintendent, Tiffin City Schools. Superintendent Barber spoke to the Board regarding the Operating Standards.

3) Ms. Cari Buehler, Superintendent, Danbury Local Schools. Superintendent Buehler spoke to the Board regarding the Operating Standards.

4) Ms. Deborah Jones, McDermott, Ohio. Ms. Jones spoke to the Board regarding vulnerable youth.
5) Dr. David Glasner, Superintendent, Shaker Heights Schools. Dr. Glasner spoke to the Board regarding the Ed Choice program.

6) Mrs. Michelle Timmons, EnvisionEdPlus. Mrs. Timmons spoke to the Board regarding graduation requirements.

7) Mrs. Lindsey Evans. Mrs. Evans spoke to the Board regarding health standards and S.B. 121.

8) Mrs. Linda Harvey, Mission America. Mrs. Harvey spoke to the Board regarding health standards.

9) Ms. Michelle Cotterman. Ms. Cotterman spoke to the Board regarding health standards.


BOARD PRESENTATIONS AND DISCUSSION FROM THE TEACHING, LEADING AND LEARNING COMMITTEE
Chair: Sarah Fowler, Vice Chair: Mike Toal
Ms. Fowler gave a report from the Teaching, Leading and Learning Committee meeting focusing on the following issues:

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

Ohio Assessments for Educators: Computer Science Licensure Test Adoption & Score Setting (Strategies 1 & 2)
- Department staff and representatives from the Evaluation Systems Group of Pearson provided committee members with an overview of the development and qualifying score setting processes of the Ohio Assessment for Educators Computer Science Licensure test required for educator licensure in this subject area in Ohio.
- The Ohio Educator Standards Board recommended that the State Board adopt the Ohio Assessment for Educators Computer Science Licensure test and a raw qualifying score of 69 (one standard error of measurement below the Ohio educator panel recommended raw score of 74).
- Following discussion and review of the Educator Standards Board recommendations, Committee Members voted seven FOR and one AGAINST to recommend adoption of the Ohio Assessment for Educators Computer Science Licensure test and the Ohio educator panel recommended raw qualifying score of 74. A resolution to adopt this test and associated qualifying score will appear on the State Board’s December 2019 voting agenda.

Credential Review Board (CRB) Framework Revision (Strategy 1 & 2)
- Department staff provided Members with the revised Credential Review Board Framework that incorporates revisions recommended by Members at their October 2019 meeting. The State Board is responsible for adopting the framework, which outlines the Credential Review Board’s duties and responsibilities.
- Following discussion, Members voted unanimously to recommend adoption of the Credential Review Board Framework, as presented to the State Board.
• A resolution to adopt the revised Framework will appear on the State Board’s December 2019 voting agenda.

Financial Literacy Model Curriculum (Strategies 4 & 10)
• Department staff provided Members with the revised Financial Literacy Model Curriculum that incorporates revisions following review of State Board Members at its October 2019 meeting and revisions submitted by Member Hill on November 12.
• Following discussion, Members voted unanimously to recommend adoption of the revised Financial Literacy Model Curriculum to the State Board.
• A resolution to adopt the Financial Literacy Model Curriculum, as revised, will appear on the State Board’s December 2019 voting agenda.

OAC 3301-20-03 Employment of non-licensed individuals with certain criminal convictions (Strategy 7)
• Department staff provided Members with an overview of a revised OAC 3301-20-03 Employment of non-licensed individuals with certain criminal convictions, currently up for five-year review.
• Committee members discussed the proposed revisions, which align with OAC 3301-20-01 regarding employment of licensed educators and offered additional revisions for inclusion.
• This rule is currently posted for public comment and will return to this committee’s agenda in December 2019 for further discussion and a possible vote.

OAC 3301-20-02 Circumstances upon which individuals with certain convictions may participate in the OhioReads program (RESCIND) (Strategy 7)
• Members discussed the Department’s recommendation to rescind Ohio Administrative Code 3301-20-02 Circumstances Upon Which Individuals with Certain Convictions may Participate in the OhioReads Program. This rule amplified Ohio Revised Code 3301.88, which was repealed by House Bill 477 of the 132nd General Assembly, effective April 8, 2019.
• As the State Board no longer has the authority to create rules relating to an OhioReads program, the Committee voted unanimously to recommend rescission of this rule to the State Board.
• A resolution to adopt this rule will appear on the State Board’s December 2019 voting agenda.

OAC 3301-69-01 Stipends for National Board Certified Teachers (Strategy 1 & 2)
• Department staff provided Members with an overview of a revised OAC 3301-69-01 Stipends for National Board Certified Teachers, currently up for five-year review.
• Committee members discussed the proposed revisions, which primarily remove redundant language from the Ohio Revised Code.
• This rule is currently posted for public comment and will return to this committee’s agenda in December 2019 agenda for further discussion and a possible vote.

Performance-Based Assessment as an Alternative Measure of Professional Knowledge of Teaching (Pedagogy) (Strategy 1 & 2)
• The Committee reviewed a resolution passed by the Educator Standards Board recommending an optional performance-based assessment as an alternative assessment to measure professional knowledge of teaching. The current measure is a written test prescribed by the State Board.
• Following discussion, the Committee voted unanimously to recommend that the State Board accept nationally recognized and scored performance-based assessments, as determined by the Department of Higher Education, to measure knowledge of professional education as an alternative to the written examination that is currently administered.
• A resolution to adopt this recommendation will appear on the State Board’s December 2019 voting agenda.

Teaching Leading & Learning Committee Visit to Riverside Local Schools (DeGraff, Ohio)
• On Tuesday, October 29, Riverside Local Schools graciously hosted Members of the State Board of Education’s Teaching, Leading and Learning Committee.
• Members participated in classroom observations of live literacy lessons in pre-kindergarten, kindergarten, second grade and sixth grade classrooms. Members also toured Riverside’s Pre-K through grade 12 school.
• Members completed their visit with participation in a round table discussion with staff from Riverside Local Schools, Lima City Schools and the Ohio Department of Education. Discussion focused on Riverside’s experience and success with early literacy instruction and reading achievement in Ohio.

BOARD PRESENTATIONS AND DISCUSSION FROM THE CONTINUOUS IMPROVEMENT COMMITTEE
Chair: Antoinette Miranda, Vice Chair: Mike Toal
Dr. Miranda gave a report from the Continuous Improvement Committee meeting focusing on the following issues:

Members Present: Antoinette Miranda (Chair), Mike Toal (Vice Chair) Stephanie Dodd (member), John Hagan (member), Mark Lamoncha (member), Jenny Kilgore and Don Jones. Absent: Eric Poklar (Member)

PURPOSE(S) AND/OR GOAL(S) OF MEETING:
• Discuss and review the Department’s proposed changes to the Operating Standards for Kindergarten through Twelfth Grade which are being amended pursuant to the five-year rule review. The committee planned to review rules 3301-35-01, 04, 06 and 07.
• Discuss and review functions of the Unit of Field Relations.

OPERATING STANDARDS – OAC 3301-35-01, 04, 06 and 07
• Department staff reviewed the timeline for the review process for the Operating Standards and shared actions the Department took to garner feedback from the field.
• The committee and Department staff reviewed and discussed proposed changes to 3301-35-01 Purposes and definitions, 3301-35-04 Student and other stakeholder focus, 3301-35-06 Educational programs and support, and 3301-35-07 Data-driven improvement.
• The committee reviewed the Department’s responses to questions raised during the October meeting. Committee members further reviewed rules discussed during the October meeting and provided recommendations for revisions on the rules to the Department.
• Next month, the committee will discuss and review changes to 3301-35-01 Purpose and definitions, 3301-35-08 non-chartered, non-tax supported school, 3301-35-09 Chartered nonpublic schools, and 3301-35-10 Procedures for beginning a new school and for changing the location or ownership of a school.

UNIT OF FIELD RELATIONS OVERVIEW
• Due to the time spent discussing proposed changes to the Operating Standards, committee members did not review this agenda item; the committee will plan to discuss this in the coming month as time allows.

ITEMS VOTED ON AND OUTCOME OF VOTE:
No items were voted on during this committee meeting.

**WILL THERE BE A VOTE OR INFORMATION IN FRONT OF THE FULL BOARD AT NEXT OR UPCOMING MEETING?**
The full board is expected to vote on OAC 3301-35-01 through OAC 3301-35-10 during the February 2020 State Board meeting.

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**BOARD PRESENTATIONS AND DISCUSSION FROM THE INTEGRATED STUDENT SUPPORTS COMMITTEE**
Chair: Charlotte McGuire, Vice Chair: Martha Manchester
Mrs. McGuire gave a report from the Integrated Student Supports Committee meeting focusing on the following issues:

**Members Present:** Charlotte McGuire, Committee Chair, Martha Manchester, Committee Vice Chair, Cindy Collins, Kirsten Hill, Meryl Johnson, Mark Lamoncha, Antoinette Miranda and Reginald Wilkinson.

**Vulnerable Youth – Military Families and Purple Star Awards**
- Staff presented an overview of the requirements and supports for military connected youth in Ohio. The presentation included a review of the federal policy that led to the identification of military-connected youth. Staff also discussed resources the Department and our partners provide to military-connected youth in Ohio, including the Purple Star recognition program.
- Committee members were asked to share the Purple Star Application with their constituents. The application period ends Dec. 2nd.
- The agenda item was discussion only, therefore, there was no action by the committee and the items is not scheduled for full board.

**Graduation Requirements – System of State Diploma Seals**
- Staff presented information about the new graduation requirements established in House Bill 166. The presentation included information on the state defined diploma seals and the seals with district defined criteria.
- Committee members discussed the new graduation requirements and the required board action regarding the establishment of the system of state diploma seals.
- The Committee approved the resolution to establish the system of state diploma seals. Full board approval will be requested in December.

**Significant Disproportionality**
- Staff presented updates on new federal regulations to address significant disproportionality. Significant disproportionality occurs when children in a specific racial group are identified for special education, placed in more restrictive settings or disciplined at a markedly higher rate than their peers. The presentation included discussion on the impact of the changes for Ohio’s school districts and actions underway to support districts in addressing disproportionality.
- Districts and schools were provided information on the new regulations on Tuesday through EdConnection.
- Committee members discussed the federal regulations and Ohio’s significant disproportionality data.
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- Committee member Johnson requested that the committee receive additional information on the training program on Culturally Responsive Practice Learning Program that was recently released.
- The agenda item was discussion only, therefore, there was no action by the committee and the items is not scheduled for full board.

BOARD PRESENTATIONS AND DISCUSSION FROM THE ASSESSMENTS & ACCOUNTABILITY COMMITTEE
Chair: John Hagan, Vice Chair: Lisa Woods
Mr. Hagan gave a report from the Assessments & Accountability Committee meeting focusing on the following issues:

Members Present: John Hagan (Chair), Lisa Woods (Vice Chair), Jenny Kilgore, Linda Haycock, Mike Toal, Eric Poklar, Stephen Dackin, Stephanie Dodd

Report Card Rule Review
- Committee members discussed the public comments received for Ohio Administrative Codes 3301-28-01 and 3301-28-03 through 07. After review of the comments, committee members decided to proceed with the ‘no change’ decision on these rules at this time. The one rule with changes is due to alignment with recently passed House Bill 166 changes.

- Board member Dackin made the motion to move the resolution on these rules forward to the full Board. Board member Poklar seconded the motion. The committee members voted unanimously, and the resolution will move forward for a full board vote in December.

- The committee members discussed requests for future meetings. Board member Dodd requested a discussion on Geometry and Algebra competency be added to the next agenda. The committee also requested a representative from the Ohio Department of Higher Education and the Governor’s Office of Workforce Transformation attend the December meeting and provide input.

BOARD PRESENTATIONS AND DISCUSSION FROM THE DROP OUT PREVENTION AND RECOVERY WORKGROUP
Chair: John Hagan

The Workgroup heard from Superintendent DeMaria. The report from the workgroup has begun and will continue over the next few weeks. The workgroup will meet November 21, 25 and December 2.

BOARD PRESENTATIONS AND DISCUSSION FROM THE GRADUATION REQUIREMENTS AND HIGH SCHOOL REDESIGN TASK FORCE
Task Force Members:
Martha Manchester, Co-Chair Shader Vaughn, Co-Chair
Rachel Dobney Emily Fabiano
Tanya Ficklin Joe Glavan
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Michelle Grimm        Susan Gunnell
Julie Holderbaum      Keith Horner
Michael King          Mark Lamoncha
Senator Peggy Lehner   Matt McCorkle
Robert Mehno          Antoinette Miranda
Heather Powell        Michelle Snow
Debbie Tidwell        Dana Weber
Bill Wise

Recently Adopted Graduation Requirements:
• Members received an update on the recently adopted graduation requirements.
• Staff shared and members discussed state and local diploma seals and provided feedback on accompanying seal guidelines documents.

High School Redesign Scope of Work and Discussion:
• Members discussed the proposed scope of work as it relates to high school redesign.
• Co-Chair’s Manchester and Vaughn facilitated discussions related to Each Child, Our Future, Strategy 10 and the ongoing implementation efforts. Task force members assembled into small groups to discuss their definition of high school redesign and the foundational principles of an innovative program.

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 1-4) on the Consent Agenda:

1. RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY DENIAL OF LICENSES FORM SIGNED BY VICTOR S. BOGGS AND TO ENTER AN ORDER 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 Victor S. Boggs has applied for a license, permit, or certificate from the Ohio Department of Education; and

WHEREAS on October 21, 2019, the Ohio Department of Education received a permanent voluntary denial of licenses form from Victor S. Boggs that authorizes the State Board of Education to enter an order permanently denying any pending applications that he has submitted for a license, permit, or certificate based upon Mr. Boggs’ decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Victor S. Boggs 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 DENIES any pending applications that Victor S. Boggs has submitted for a license, permit, or certificate based upon Mr. Boggs' decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b) and (A)(3)(b), orders Victor S. Boggs 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. Boggs of this action.

2. RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY JAMES D. HARTER 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 James D. Harter has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on October 7, 2019, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from James D. Harter 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. Harter's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31; and

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

WHEREAS James D. Harter 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 REVOCKES James D. Harter'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. Harter’s decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b) and (A)(3)(b), orders James D. Harter 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. Harter of this action.

3. RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY MICHAEL R. POUSSARD 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 Michael R. Poussard has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on October 8, 2019, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Michael R. Poussard 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. Poussard's conduct as described in the Notice of Opportunity for Hearing dated January 24, 2019; and

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

WHEREAS Michael R. Poussard 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 Michael R. Poussard'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. Poussard's conduct as described in the Notice of Opportunity for Hearing dated January 24, 2019. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b) and (A)(3)(b), orders Michael R. Poussard 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. Poussard of this action.
RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY KAPILA A. RODRIGO 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 Kapila A. Rodrigo has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on October 2, 2019, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Kapila A. Rodrigo 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. Rodrigo's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Kapila A. Rodrigo 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 Kapila A. Rodrigo'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. Rodrigo'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 Kapila A. Rodrigo 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. Rodrigo of this action.

It was Moved by Ms. Fowler and Seconded by Mrs. McGuire that the Consent Agenda (Items 1-4) be approved.

President Kohler called for a roll call vote.

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

5. **RESOLUTION TO ADOPT CHANGES TO OHIO ADMINISTRATIVE RULE 3301-25-01 THROUGH 3301-25-08 / EDUCATIONAL AIDE PERMITS**

The State Board of Education (“Board”) hereby **ADOPTS** changes to Ohio Administrative Code (OAC) 3301-25-01 through 3301-25-08 / Educational Aide Permits as follows:

- Ohio Revised Code (ORC) Section 3301.07 allows the Board to adopt rules necessary for carrying out any function imposed on it by law;
- ORC 3319.088 requires the Board to adopt rules for the issuance and renewal of educational aide permits;
- ORC 3319.22 allows the Board to adopt, amend, or rescind rules for educator licenses;
- OAC 3301-25-01 through 3301-25-08 are being reviewed as part of the five-year rule review;
- Changes to these rules consolidate provisions for the issuance of types of licenses with provisions for the renewals of the respective licenses for clarity and better understanding;
- Changes to these rules also include aligning language to that contained in statute and revising the terms pertaining to the validity of a one-year educational aide permit renewal;
- The Educator Standards Board recommended at its September 2019 meeting that the rules be amended in the form attached hereto;
- The Teaching, Leading and Learning Committee recommended at its October 2019 meeting that the rules be amended in the form attached hereto.

NOW, THEREFORE, BE IT RESOLVED, that the Board adopts the changes to OAC 3301-25-01, 3301-25-03, 3301-25-05, and 3301-25-08 in the form attached hereto;
FURTHER RESOLVED, the Board approves rescinding OAC 3301-25-02, 3301-25-04, and 3301-25-07.

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

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

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

President Kohler called for a roll call vote.

YES VOTES
Stephen Dackin                      Stephanie Dodd
Sarah Fowler                        John Hagan
Linda Haycock                       Kirsten Hill
Jenny Kilgore                       Laura Kohler
Mark Lamoncha                      Martha Manchester
Charlotte McGuire                    Antoinette Miranda
Nick Owens                         Eric Poklar
Mike Toal                           Lisa Woods

Motion carried.

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

6. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT APPLICATION OF MATTHEW M. BELARDINE

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

WHEREAS Matthew M. Belardine has applied for a three-year pupil activity permit; and

WHEREAS on September 4, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Matthew M. Belardine of its intent to deny or permanently deny his application for a three-year pupil activity permit pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Belardine engaging in conduct that is unbecoming to the teaching profession on or about November 25, 2013 through December 8, 2017, when he was involved

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with criminal court proceedings in the Jefferson County Common Pleas Court and Scottsdale (AZ) City Court. Specifically, the court proceedings included the following events: on or about April 22, 2014, Mr. Belardine was convicted in the Jefferson County Common Pleas Court of one misdemeanor count of offenses involving underage persons and one misdemeanor count of falsification; on or about June 20, 2014, the Jefferson County Common Pleas Court sentenced Mr. Belardine to serve one year of community control probation; on or about December 22, 2014, the Jefferson County Common Pleas Court found that Mr. Belardine violated his community control probation after he admitted to violating certain conditions of his community control, which resulted in the Court extending his community control probation through October 22, 2015; on or about July 13, 2015, the Jefferson County Common Pleas Court, found that Mr. Belardine again violated his community control probation when he admitted to consuming alcohol, violating his curfew, and failing to follow all orders of the Court and his probation officer, which resulted in the Court revoking his community control probation and ordering him to serve one hundred and two days in the Jefferson County Jail; on or about December 8, 2017, Mr. Belardine was convicted in the Scottsdale (AZ) City Court of one misdemeanor count of disorderly conduct; and on or about September 15, 2015, Mr. Belardine was convicted in the Jefferson County Common Pleas Court of one misdemeanor count of operating a vehicle while under the influence of alcohol and/or drugs; and

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

WHEREAS a hearing was held on April 16, 2019; and

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

WHEREAS the hearing officer recommends that Mr. Belardine's application be denied. Further it is recommended that Mr. Belardine 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. Belardine engaging in conduct that is unbecoming to the teaching profession as a result of his four criminal convictions, two of which arose from conduct that took place while he was under community control and one of which led to unintended but serious consequences for minor students, and that Mr. Belardine's persistent lack of good judgment could potentially negatively impact the health, safety, or welfare of the school, the school community, and/or the statewide education community; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby DENIES Matthew M. Belardine's application for a three-year pupil activity permit based upon Mr. Belardine engaging in conduct that is unbecoming to the teaching profession on or about November 25, 2013 through December 8, 2017, when he was involved with criminal court proceedings in the Jefferson County Common Pleas Court and Scottsdale (AZ) City Court.
Specifically, the court proceedings included the following events: on or about April 22, 2014, Mr. Belardine was convicted in the Jefferson County Common Pleas Court of one misdemeanor count of offenses involving underage persons and one misdemeanor count of falsification; on or about June 20, 2014, the Jefferson County Common Pleas Court sentenced Mr. Belardine to serve one year of community control probation; on or about December 22, 2014, the Jefferson County Common Pleas Court found that Mr. Belardine violated his community control probation after he admitted to violating certain conditions of his community control, which resulted in the Court extending his community control probation through October 22, 2015; on or about July 13, 2015, the Jefferson County Common Pleas Court, found that Mr. Belardine again violated his community control probation when he admitted to consuming alcohol, violating his curfew, and failing to follow all orders of the Court and his probation officer, which resulted in the Court revoking his community control probation and ordering him to serve one hundred and two days in the Jefferson County Jail; on or about December 8, 2017, Mr. Belardine was convicted in the Scottsdale (AZ) City Court of one misdemeanor count of disorderly conduct; and on or about September 15, 2015, Mr. Belardine was convicted in the Jefferson County Common Pleas Court of one misdemeanor count of operating a vehicle while under the influence of alcohol and/or drugs. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Matthew M. Belardine 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. Belardine of this action.

It was Moved by Mrs. Hill and Seconded by Dr. Kilgore that the above recommendation (Item 6) be approved.

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin
Sarah Fowler
Linda Haycock
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
Nick Owens
Mike Toal
Stephanie Dodd
John Hagan
Kirsten Hill
Laura Kohler
Martha Manchester
Antoinette Miranda
Eric Poklar
Lisa Woods

Motion carried.

Lori Kelly, Director, Office of Professional Conduct, presented the following recommendation (Item 7):
7. RESOLUTION TO DENY PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT APPLICATION OF JEREMY M. FISTER

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

WHEREAS Jeremy M. Fister has applied for a three-year pupil activity permit; and

WHEREAS on August 15, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Jeremy M. Fister of its intent to deny or permanently deny his application for a three-year pupil activity permit pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (B)(2)(d), (B)(3), and (F). The notice was based upon Mr. Fister engaging in the following conduct that is unbecoming to the teaching profession: on or about July 23, 2018, he pled guilty in the Franklin County Court of Common Pleas to one felony count of illegal conveyance or possession of a deadly weapon or dangerous ordnance in a school safety zone and one felony count of possession of heroin with a firearm specification and was subsequently granted entry into the Court's intervention in lieu of conviction program; and on or about November 11, 2018, he failed to disclose his participation in the intervention in lieu of conviction program on his pending application to the Ohio Department of Education; and

WHEREAS the notice informed Mr. Fister that if he fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to deny or permanently deny his application for a three-year pupil activity permit; and

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

WHEREAS the State Board of Education has reviewed the affidavit of the director of the Office of Professional Conduct, Notice of the State Board of Education’s Intended Action and Opportunity for a Hearing, certified court records from the Franklin County Court of Common Pleas, certified police records from the Columbus Division of Police, and Mr. Fister's pending application for a pupil activity permit; 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), (B)(3), and (F), hereby DENIES Jeremy M. Fister’s application for a three-year pupil activity permit based upon Mr. Fister engaging in the following conduct that is unbecoming to the teaching profession: on or about July 23, 2018, he pled guilty in the Franklin County Court of Common
Pleas to one felony count of illegal conveyance or possession of a deadly weapon or dangerous ordnance in a school safety zone and one felony count of possession of heroin with a firearm specification and was subsequently granted entry into the Court's intervention in lieu of conviction program; and on or about November 11, 2018, he failed to disclose his participation in the intervention in lieu of conviction program on his pending application to the Ohio Department of Education.

Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders that Jeremy M. Fister 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. Fister of this action.

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

President Kohler called for a roll call vote.

YES VOTES
Stephen Dackin
Sarah Fowler
Linda Haycock
Jenny Kilgore
Mark Lamoncha
Charlotte McGuire
Nick Owens
Mike Toal

Stephanie Dodd
John Hagan
Kirsten Hill
Laura Kohler
Martha Manchester
Antoinette Miranda
Eric Poklar
Lisa Woods

Motion carried.

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

8. RESOLUTION TO REVOKE PERMANENTLY THE ONE-YEAR EDUCATIONAL AIDE PERMIT OF ABDUL R. HARRIS

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

WHEREAS Abdul R. Harris held a one-year educational aide permit issued in 2015; and

WHEREAS on August 13, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Abdul R. Harris of its intent to determine whether to limit, suspend, revoke, or permanently revoke his one-year educational aide permit issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(b). The notice was based upon Mr. Harris’ 2016 conviction in the Youngstown Municipal Court for one misdemeanor count of
assault stemming from an incident that occurred during a school sanctioned trip to the YMCA when he slammed a student against the wall, causing bruising, while he was working for the Youngstown City School District. Further, the notice included as an aggravating factor that on or about April 16, 2002, Mr. Harris was disciplined by the Youngstown City School District when he was issued a written reprimand for negligence in performing his assigned duties by failing to monitor students in the classroom; and

WHEREAS the notice informed Mr. Harris 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 one-year educational aide permit issued in 2015; and

WHEREAS Abdul R. Harris 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 Youngstown Municipal Court, certified police records from the Youngstown Police Department, and certified written reprimand issued to Mr. Harris by the Youngstown City School District; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(b), hereby REVOKES Abdul R. Harris' one-year educational aide permit issued in 2015 based upon Mr. Harris' 2016 conviction in the Youngstown Municipal Court for one misdemeanor count of assault stemming from an incident that occurred during a school sanctioned trip to the YMCA when he slammed a student against the wall, causing bruising, while he was working for the Youngstown City School District. Pursuant to Ohio Administrative Code Rule 3301-73-21(B), the State Board of Education further considers in aggravation that on or about April 16, 2002, Mr. Harris was disciplined by the Youngstown City School District when he was issued a written reprimand for negligence in performing his assigned duties by failing to monitor students in the classroom. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Abdul R. Harris 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. Harris of this action.
It was Moved by Mr. Hagan and Seconded by Dr. Kilgore that the above recommendation (Item 8) be approved.

President Kohler called for a roll call vote.

YES VOTES
Stephen Dackin  Stephanie Dodd  
Sarah Fowler  John Hagan  
Linda Haycock  Kirsten Hill  
Jenny Kilgore  Laura Kohler  
Mark Lamoncha  Martha Manchester  
Charlotte McGuire  Antoinette Miranda  
Nick Owens  Eric Poklar  
Mike Toal  Lisa Woods

Motion carried.

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

9. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL ELEMENTARY TEACHING LICENSE OF LENA M. PLANICKA

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

WHEREAS Lena M. Planicka holds a five-year professional elementary teaching license issued in 2015; and

WHEREAS on October 2, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Lena M. Planicka of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional elementary teaching license issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Planicka engaging in the following conduct that is unbecoming to the teaching profession: on or about April 14, 2015, she possessed open beer cans on school premises while in her official capacity as a teacher in the Stow-Munroe Falls City School District and she received a written reprimand from the Stow-Munroe Falls City School District for this conduct, as well as for being tardy on forty-five separate occasions during the 2014-2015 school year; in 2016 she was convicted in the Portage County Municipal Court of one misdemeanor count of operating a motor vehicle while under the influence of alcohol and/or drugs (OVI); and in 2010 she was convicted in the Medina Municipal Court of one misdemeanor count of operating a vehicle while under the influence of alcohol and/or drugs (OVI). Further, the notice included as an aggravating factor that on or about April 28, 2015, Ms. Planicka was placed on paid administrative leave while working at the Stow-Munroe Falls
City School District as a result of possessing open alcohol containers on school property on one occasion and being tardy on approximately forty-five occasions during the 2014-2015 school year for which she agreed to engage in an employee assistance counseling program, but she was unsuccessfully dismissed from that program in August 2016 after she failed to comply with the terms of the program; and

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

WHEREAS a hearing was held on June 5, 2019; and

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

WHEREAS the hearing officer recommends that Ms. Planicka's teaching license be revoked and that she be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based upon Ms. Planicka engaging in conduct unbecoming to the teaching profession as a result of her two OVI convictions and her possession of an open beer can in a school classroom while in her official capacity as a teacher and whose continued licensure would have a negative impact on the health, safety, and welfare of the school community; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby REVOKES Lena M. Planicka's five-year professional elementary teaching license issued in 2015 based upon Ms. Planicka engaging in the following conduct that is unbecoming to the teaching profession: on or about April 14, 2015, she possessed an open beer can on school premises while in her official capacity as a teacher in the Stow-Munroe Falls City School District and she received a written reprimand from the Stow-Munroe Falls City School District for this conduct, as well as for being tardy on forty-five separate occasions during the 2014-2015 school year; in 2016 she was convicted in the Portage County Municipal Court of one misdemeanor count of operating a motor vehicle while under the influence of alcohol and/or drugs (OVI); and in 2010 she was convicted in the Medina Municipal Court of one misdemeanor count of operating a vehicle while under the influence of alcohol and/or drugs (OVI). Further, the notice included as an aggravating factor that on or about April 28, 2015, Ms. Planicka was placed on paid administrative leave while working at the Stow-Munroe Falls City School District as a result of possessing open alcohol containers on school property on one occasion and being tardy on approximately forty-five occasions during the 2014-2015 school year for which she agreed to engage in an employee assistance counseling program, but she was unsuccessfully dismissed from that program in August 2016 after she failed to comply with the terms of the program. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Lena M. Planicka 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. Planicka 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
Stephen Dackin  Stephanie Dodd
Sarah Fowler  John Hagan
Linda Haycock  Kirsten Hill
Jenny Kilgore  Laura Kohler
Mark Lamoncha  Martha Manchester
Charlotte McGuire  Antoinette Miranda
Eric Poklar  Mike Toal
Lisa Woods

ABSTAIN
Nick Owens

Motion carried.

Mrs. McGuire presented the following recommendation (Item 10):

10.  RESOLUTION ON THE ANNUAL COMPENSATION FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

The Executive Committee hereby RECOMMENDS that the State Board of Education ADOPT the following:

The State Board adopted a resolution naming Paolo DeMaria as Superintendent on May 13, 2016.

The adopted resolution set compensation of $180,000 (one hundred and eighty thousand dollars), plus the ability to earn an additional $20,000 (twenty thousand dollar) bonus.

The requirements for earning the bonus were not defined.

The bonus is unique in the State for the Superintendent.

The State Board has granted the Superintendent annual pay increases consistent with other state employees but has made no other market adjustment to his compensation.
The compensation of the Superintendent’s peers supports an equitable pay adjustment.

NOW, THEREFORE BE IT RESOLVED, that the Superintendent’s option to earn the bonus be terminated.

BE IT FURTHER RESOLVED, that the Executive Committee recommends that the State Board approve a two and three-quarter percent (2.75%) salary increase for the Superintendent of Public Instruction, effective June 23, 2019, which is consistent with other state employees.

BE IT FURTHER RESOLVED, that the Executive Committee recommends that the State Board approve an equitable pay adjustment of $15,215.59 (fifteen thousand, two hundred and fifteen dollars, and fifty-nine cents) for the Superintendent, Paolo DeMaria, so that his salary is increased to $210,000 (two hundred and ten thousand dollars) effective July 1, 2019. The Superintendent will continue to serve at the pleasure of the State Board as an “at will” employee, and the State Board will review the Superintendent’s performance in 6 (six) months.

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

Mr. Hagan asked what the proper motion would be to refer this matter back to committee to rectify the two resolutions. President Kohler responded that a substitute resolution had been prepared for item 11, which would address the overlap between the two resolutions. References to compensation would be removed from item 11. Mr. Hagan questioned the proper place to address this was the committee which produced both resolutions.

Mr. Hagan stated that he had polled a handful of Board members (five), and those members would like the Superintendent to end his service to the Board. He also reminded Board members that item 11 was a unanimous vote by the Executive Committee and item 10 was a three to two vote.

Ms. Fowler stated she was surprised that item 11 was not brought forth in September or October and was frustrated that it was listed second after item 10 in November. She felt item 11 should be voted on first.

Mr. Owens stated he was supportive of both the compensation and evaluation resolutions.

Mr. Hagan stated the reason he took a poll of Board members regarding the Superintendent’s service was that the Superintendent stated at the last meeting that if there were five members of the Board that wanted him to end his service, he would do so.

Ms. Fowler moved to amend the resolution by substitution. She requested the following substitutions:

BE IT FURTHER RESOLVED, that the Executive Committee recommends that the State Board approve an equitable pay adjustment of $15,215.59 (fifteen thousand, two hundred and fifteen dollars, and fifty-nine cents) for the Superintendent, Paolo DeMaria, so that his salary is increased to $210,000 (two hundred and ten thousand dollars) effective July 1, 2020. The Superintendent will continue to serve at the pleasure of the State Board as an “at will” employee, and the State Board will review the Superintendent’s performance in 6 (six) months January, 2020.
Mrs. Hill seconded the motion.

Mr. Toal stated he believed the resolution was something the Board could stand behind and he supported the resolution.

Mr. Dackin called the question. Mrs. Dodd Seconded the motion. President Kohler asked if there was any objection to calling the question. There were no objections.

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

YES VOTES
Sarah Fowler
Kirsten Hill
Lisa Woods
John Hagan
Jenny Kilgore

NO VOTES
Stephen Dackin
Linda Haycock
Mark Lamoncha
Charlotte McGuire
Nick Owens
Mike Toal
Stephanie Dodd
Laura Kohler
Martha Manchester
Antoinette Miranda
Eric Poklar

Motion denied.

Mrs. Dodd moved to amend the resolution by substitution. She proposed the following changes to different sections;

NOW, THEREFORE BE IT RESOLVED, that the Superintendent be awarded a bonus of $20,000 (twenty thousand dollars) for his performance from July 1, 2018 through June 30, 2019.

NOW, THEREFORE BE IT RESOLVED, that the Superintendent’s option to earn the bonus be terminated, effective July 1, 2019 and beyond.

BE IT FURTHER RESOLVED, that the Executive Committee recommends that the State Board approve an equitable pay adjustment of $15,215.59 (fifteen thousand, two hundred and fifteen dollars, and fifty-nine cents) for the Superintendent, Paolo DeMaria, so that his salary is increased to $210,000 (two hundred and ten thousand dollars) effective July 1, 2019. The Superintendent will continue to serve at the pleasure of the State Board as an “at will” employee, and the State Board will review the Superintendent’s performance in 6 (six) months by January 31, 2020.

Mrs. Haycock Seconded the motion. Mrs. Dodd felt the Executive Committee was in error by not voting for the Superintendent to receive the bonus for the 2018-2019 school year as originally agreed upon. She would also support removing the bonus moving forward.

President Kohler called for a roll call vote on the proposed amendment by Mrs. Dodd.
YES VOTES
  Stephen Dackin  Stephanie Dodd
  Linda Haycock  Jenny Kilgore
  Laura Kohler  Mark Lamoncha
  Martha Manchester  Charlotte McGuire
  Antoinette Miranda  Eric Poklar
  Mike Toal

NO VOTES
  Sarah Fowler  John Hagan
  Kirsten Hill  Nick Owens
  Lisa Woods

Motion carried.

Resolution as amended:

10. RESOLUTION ON THE ANNUAL COMPENSATION FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

The Executive Committee hereby RECOMMENDS that the State Board of Education ADOPT the following:

The State Board adopted a resolution naming Paolo DeMaria as Superintendent on May 13, 2016.

The adopted resolution set compensation of $180,000 (one hundred and eighty thousand dollars), plus the ability to earn an additional $20,000 (twenty thousand dollar) bonus.

The requirements for earning the bonus were not defined.

The bonus is unique in the State for the Superintendent.

The State Board has granted the Superintendent annual pay increases consistent with other state employees but has made no other market adjustment to his compensation.

The compensation of the Superintendent’s peers supports an equitable pay adjustment.

NOW, THEREFORE BE IT RESOLVED, that the Superintendent be awarded a bonus of $20,000 (twenty thousand dollars) for his performance from July 1, 2018 through June 30, 2019.

BE IT FURTHER RESOLVED, that the Superintendent’s option to earn the bonus be terminated, effective July 1, 2019 and beyond.

BE IT FURTHER RESOLVED, that the Executive Committee recommends that the State Board approve a two and three-quarter percent (2.75%) salary increase for the Superintendent of Public Instruction, effective June 23, 2019, which is consistent with other state employees.
BE IT FURTHER RESOLVED, that the Executive Committee recommend that the State Board approve an equitable pay adjustment of $15,215.59 (fifteen thousand, two hundred and fifteen dollars, and fifty-nine cents) to the Superintendent, Paolo DeMaria, so that his salary is increased to $210,000 (two hundred and ten thousand dollars) effective July 1, 2019. The Superintendent will continue to serve at the pleasure of the State Board as an “at will” employee, and the State Board will review the Superintendent’s performance by January 31, 2020.

Ms. Fowler stated she would be voting no on the resolution. She believed the Board needed to address the method of evaluating the Superintendent at the retreat and she is concerned that there were items requested in January regarding Board member request tracking spreadsheets, items not received in the report folder until the day of release, concern by legislative members of receiving conflicting direction and ongoing difficulties with communication. She stated this was taken into consideration by the Executive Committee when they voted to not award a bonus.

Mr. Hagan reminded Board members the vote to not award the bonus by the Executive Committee was unanimous.

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

YES VOTES
Stephen Dackin Stephanie Dodd
Linda Haycock Laura Kohler
Mark Lamoncha Martha Manchester
Charlotte McGuire Antoinette Miranda
Nick Owens Eric Poklar
Mike Toal

NO VOTES
Sarah Fowler John Hagan
Kirsten Hill Jenny Kilgore
Lisa Woods

Motion carried.

Mrs. McGuire presented the following recommendation (Item 11):

11. RESOLUTION ON THE ANNUAL EVALUATION AND COMPENSATION FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

The Executive Committee hereby RECOMMENDS that the State Board of Education ADOPT the following:

Pursuant to Article V, Section D of the State Board of Education’s Policies and Procedures Manual, the State Board annually evaluates the Superintendent of Public Instruction (the Superintendent) by measuring the Department’s performance to the degree it reflects and incorporates State Board policies and
including the State Board members’ feedback regarding the Superintendent’s strengths and opportunities for improvement and indicators of success relative to leadership, communication and policy making and the State Board members’ ratings on the Superintendent’s performance of his goals.

Based on the State Board members’ ratings of the Superintendent’s performance, Paolo DeMaria has been adequate in working on the education system policy and system performance, relationship with the State Board of Education, relationship with education stakeholders, communications, operations of the Ohio Department of Education and the 2018-2019 priority projects.

The Board recognizes the need for improvement in the areas of the relationship with the State Board of Education, communication, and policy advocacy. The Board will review the Superintendent’s performance in six months. The Board seeks improvement in three areas:

1) The Superintendent shall recognize the Board’s direction;
2) The Superintendent shall advocate for and implement the Board’s objectives and designated policies; and
3) The Superintendent shall improve responsiveness and follow-up with the Board’s questions and concerns by creating an excel spreadsheet to be developed with the Executive Committee and by sharing the spreadsheet monthly with the Board.

The State Board appreciates the leadership and performance of Paolo DeMaria and expresses continued confidence in him as the Superintendent.

NOW, THEREFORE, BE IT RESOLVED that the Executive Committee recommends that the State Board of Education approve a two and three-quarter percent (2.75%) salary increase for the Superintendent of Public Instruction, effective June 23, 2019.

It was Moved by Mrs. McGuire that the above recommendation (Item 11) be approved.

Dr. Miranda Moved to amend the resolution by substitution. A substitute resolution was introduced which removed the compensation section from the original resolution.

Mrs. Hill Moved to amend the original resolution by substitution. She proposed the following addition:
4) The Superintendent shall provide monthly financial statements of the Ohio Department of Education and of the Ohio State Board of Education to the Ohio State Board of Education.

Mr. Hagan seconded the motion. Mrs. Hill referred to ORC 3301.07 regarding the powers and duties of the State Board of Education. She stated she did not believe the Board had the necessary information to provide proper financial oversight of state and federal funds.

Senator Lehner questioned the feasibility of the request and stated it was not the Superintendent’s position to control the funding.

Mr. Dackin stated as this is proposed now, he felt it was over-broad and difficult to execute.
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Mrs. Dodd did not disagree with the Board receiving financial information but felt a more in-depth conversation was needed to determine what the Board would receive.

Mr. Toal stated he believed the Board could develop the financial metrics that the Superintendent could provide but would not support the proposed motion.

Mr. Owens referred to the Public Records Act that could provide such requests.

Mrs. Haycock stated it would be interesting to receive financial data on a routine basis but preferred it would be addressed in a separate resolution.

Mrs. McGuire stated that according to the Board’s Policy and Procedures Manual, everything was being provided from a financial standpoint.

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

YES VOTES
John Hagan           Kirsten Hill
Jenny Kilgore       Mark Lamoncha
Nick Owens

NO VOTES
Stephen Dackin       Stephanie Dodd
Sarah Fowler         Linda Haycock
Laura Kohler         Martha Manchester
Charlotte McGuire    Antoinette Miranda
Eric Poklar          Mike Toal
Lisa Woods

Motion defeated.

Proposed substitute resolution:

11. RESOLUTION ON THE ANNUAL EVALUATION FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

The Executive Committee hereby RECOMMENDS that the State Board of Education ADOPT the following:

Pursuant to Article V, Section D of the State Board of Education’s Policies and Procedures Manual, the State Board annually evaluates the Superintendent of Public Instruction (the Superintendent) by measuring the Department’s performance to the degree it reflects and incorporates State Board policies and including the State Board members’ feedback regarding the Superintendent’s strengths and opportunities for improvement and indicators of success relative to leadership, communication and policy making and the State Board members’ ratings on the Superintendent’s performance of his goals.

Based on the State Board members’ ratings of the Superintendent’s performance, Paolo DeMaria has been adequate in working on the education system policy and system performance, relationship with the State Board of Education, relationship
with education stakeholders, communications, operations of the Ohio Department of Education and the 2018-2019 priority projects.

NOW, THEREFORE, BE IT RESOLVED that the Executive Committee recommends that the State Board recognize the need for improvement in the areas of the relationship with the State Board of Education, communication, and policy advocacy.

BE IT FURTHER RESOLVED that the State Board seeks improvement in three areas: 1) The Superintendent shall recognize the Board’s direction; 2) The Superintendent shall advocate for and implement the Board’s objectives and designated policies; and 3) The Superintendent shall improve responsiveness and follow-up with the Board’s questions and concerns by creating an excel spreadsheet to be developed with the Executive Committee and by sharing the spreadsheet monthly with the State Board.

BE IT FURTHER RESOLVED that the State Board shall review the Superintendent’s performance in six months.

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

YES VOTES
Stephen Dackin  Stephanie Dodd
Sarah Fowler  Linda Haycock
Jenny Kilgore  Laura Kohler
Mark Lamoncha  Martha Manchester
Charlotte McGuire  Antoinette Miranda
Nick Owens  Eric Poklar
Mike Toal

NO VOTES
John Hagan  Kirsten Hill
Lisa Woods

Motion carried.

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

YES VOTES
Stephen Dackin  Stephanie Dodd
Sarah Fowler  Linda Haycock
Jenny Kilgore  Laura Kohler
Mark Lamoncha  Martha Manchester
Charlotte McGuire  Antoinette Miranda
Nick Owens  Eric Poklar
Mike Toal

NO VOTES
John Hagan  Kirsten Hill
Lisa Woods

Motion carried.
President Kohler presented the following recommendation (Item 12):

12. RESOLUTION APPOINTING MEMBERS TO THE DROPOUT PREVENTION AND RECOVERY PROGRAM STUDY COMMITTEE

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

Ohio Revised Code Section 3314.017 provides for the creation of a committee (the “Study Committee”) for the purpose of conducting a study regarding the classification, authorization, and report card ratings of community schools that primarily serve students enrolled in dropout prevention and recovery programs as described in division (A)(4)(a) of section 3314.35 of the Revised Code;

The State Board of Education (the “State Board”) is responsible for coordinating the Study Committee;

Ohio Revised Code Section 3314.017 further directs the State Board to appoint one school district superintendent, and one chief administrator of a community school to the Study Committee;

The State Board, on behalf of the Study Committee, shall submit the Study Committee's recommendations to the General Assembly not later than six months after October 17, 2019;

The State Board has nominated two individuals for each open seat on the Study Committee;

The State Board has reviewed the nominations for the Study Committee for the positions noted below;

NOW, THEREFORE, BE IT RESOLVED, that the State Board hereby appoints the following individuals to the Study Committee:

____________________ SCHOOL DISTRICT SUPERINTENDENT
____________________ COMMUNITY SCHOOL CHIEF ADMINISTRATOR

Mr. Hagan stated he and fellow Board members were not aware that potential names of nominees were expected for this item today and the Drop Out Prevention and Recovery Workgroup would not complete its work until December 2.

Mr. Hagan moved to postpone item 12 to the December meeting of the state Board. Mrs. McGuire seconded the motion.

Mrs. Dodd stated she was prepared to move forward with this item today and clarified the Drop Out Prevention and Recovery Workgroup’s recommendations would not be voted on by the Board until next year. After discussion, President Kohler asked Board members to provide names of nominees along with a short biography to Mr. Goodman for inclusion in the December Board materials.
President Kohler called for a roll call vote.

YES VOTES
Stephen Dackin  Sarah Fowler
John Hagan      Linda Haycock
Kirsten Hill   Jenny Kilgore
Laura Kohler   Mark Lamoncha
Martha Manchester  Charlotte McGuire
Nick Owens     Eric Poklar
Mike Toal      Lisa Woods

NO VOTES
Stephanie Dodd

Motion carried.

Non-Resolutions

New Business

Mrs. Hill stated she was putting the Board on notice that she planned to present a resolution at the December meeting regarding financial requests.

Ms. Fowler Moved to adjourn the meeting. Mr. Dackin Seconded the motion.

The President requested a voice vote.

Motion carried.

President Kohler adjourned the meeting at 6:05 p.m. The next regularly scheduled meeting of the State Board of Education is December 9-10, 2019.

ATTEST:

Laura Kohler  Paolo DeMaria
President     Superintendent of Public Instruction
State Board of Education

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.

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