

**STATE BOARD OF EDUCATION OF OHIO  
MINUTES**

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

**MEMBERS OF THE STATE BOARD OF EDUCATION**

Cindy Collins	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	

**EX OFFICIO MEMBERS**

Senator Peggy Lehner

**SECRETARY**

Paolo DeMaria  
Superintendent of Public Instruction

NOTE: Mrs. Collins was absent on Monday. Mr. Poklar was absent on Tuesday. Mrs. Haycock was absent from the meeting.

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The State Board convened on Monday, October 14, 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, October 14, at 8:32 a.m.

President Kohler asked the Recording Secretary to call the roll.

**YES VOTES**

Stephen Dackin	Stephanie Dodd
Sarah Fowler	John Hagan
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Martha Manchester

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Charlotte McGuire  
Nick Owens  
Mike Toal  
Lisa Woods

Antoinette Miranda  
Eric Poklar  
Reginald Wilkinson

Motion carried.

**EXECUTIVE SESSION**

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

Mrs. Hill Seconded the motion.

The President called for a roll call vote.

**YES VOTES**

Stephen Dackin  
Sarah Fowler  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire  
Nick Owens  
Mike Toal  
Lisa Woods

Stephanie Dodd  
John Hagan  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Reginald Wilkinson

Motion carried.

The Board went into Executive Session at 8:32 a.m.

The Board recessed from Executive Session at 9:34 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.

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Following Executive Session, The Board's Teaching, Leading and Learning and Continuous Improvement Committees met beginning at 10:00 a.m.

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The State Board recessed for lunch.

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## **RECONVENE STATE BOARD BUSINESS MEETING**

President Kohler reconvened the Business meeting of the State Board of Education on Monday, October 14, at 1:00 p.m.

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

Review of Written Reports and Items for Vote.

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## **REPORT OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

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

### **Report Card Reform**

#### **Report Card Workgroup:**

- 2018 Committee membership:
  - 8 State Board of Education members
  - 9 external members representing education stakeholders such as administrators, educators, and parents
- Committee meetings March 2018 – June 2018; October 2018
- Initial recommendations presented to Board in July 2018; final recommendations presented to Board in November 2018

#### **Recommendations:**

1. Design Principles
2. Achievement Component
3. K-3 Literacy Component
4. Prepared for Success Component
5. Progress Component (Value-Added)
6. A – F Letter Grades
7. Design & Communications
8. Additional Considerations

#### **Report Card Purpose:**

Report Cards are annual, summative snapshots of performance and are not meant to be formative.

Report Card should inform ongoing instructional decisions but are not intended to be the primary source of information used during the school year to make adjustments to instructional activity.

**Design Principles:**

- Fair
- Honest
- Reliable and Valid
- Clear and easy to understand

**Legislative:**

**Achievement Component:**

Achievement Component should rely solely on the performance index.

- Indicators Met measure should be eliminated as a graded measure.
- Percentage of students performing proficient or higher still reported.

**K-3 Literacy Component:**

The K-3 Literacy Component should be eliminated. If an early literacy measure continues to be included, it should be the Promotion Rate.

**Consideration: K-3 Literacy**

If the current measure is maintained, it should be renamed to more accurately reflect its focus on struggling readers.

Note: This consideration was implemented for the 2018 Ohio School Report Cards. The measure was renamed “Improving At-Risk K-3 Readers”.

**Prepared for Success:**

The Prepared for Success measure should be refined to include additional measures of college, career and life preparedness.

For example: military enlistment, ASVAB, CLEP, CTAG, career prep program credentials, OhioMeansJobs Readiness Seal, etc.

**Board: Prepared for Success:**

Eliminate the dual tier structure of Prepared for Success and go to a single tier that provides similar credit for all measures.

The recommendations should apply to the Career Technical Planning District Report Card as well.

**Board: Progress (Value-Added):**

Include the Value-Added Technical Advisory Group report as an appendix to the Committee’s final report (see Appendix B).

**Legislative: Progress (Value-Added)**

- Use one-year value-added for accountability purposes, while *reporting* multi-year value-added for the benefit of seeing trends.
- Eliminate the subgroup demotion.
- Eliminate the Value-Added Rankings required in Ohio Revised Code 3302.21(A)(2).

**Legislative: A – F Letter Grades**

Eliminate A – F letter grades for the entire report card; and adopt an ESSA-compliant dashboard while still maintaining high expectations and aspirational goals.

**ODE: Design and Communications**

- Descriptive narratives on purpose of report card added to landing page
- Improve clarity of language

- Relocate District Profile link  
(*Note: Implemented on 2018 Ohio School Report Cards*)

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President Kohler recessed the Board meeting at 2:30 p.m.

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Following the Board meeting, the Board's Executive Committee met.

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President Kohler reconvened the meeting of the State Board of Education on Tuesday, October 15, at 8:30 a.m.

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### **Chapter 119 Hearing**

October 15, 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:

- The amendment of 3301-83-22 Vehicle maintenance.

President Kohler called on Mia Yaniko, from the Office of the Attorney General, Chief, Education section. Ms. Yaniko called on Immy Singh, Chief Legal Counsel for the Ohio Department of Education.

Ms. Singh presented the following Board Exhibits:

- Board Exhibit 1 is the public notice that appears in the Register of Ohio and references the proposed rule action subject to this hearing;
- Board Exhibit 2 would be a true and accurate copy of the resolution adopted by the State Board of Education regarding this rule;
- Board Exhibit 3 would be a true and accurate copy of the rule as filed with the Joint Committee on Agency Rule Review (JCARR), Legislative Service Commission (LSC) and the Secretary of State.

Ms. Singh 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 4.

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

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**PUBLIC TESTIMONY ON THE PROPOSED RULE ACTIONS**

There were no requests.

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President Kohler called on Ms. Yaniko, who submitted into evidence State Board Exhibits 1 through 3.

President Kohler stated that the exhibits were so received. As there was no more testimony, she declared the public hearing closed at 8:35 a.m.

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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, October 15, at 10:50 a.m.

President Kohler asked the Recording Secretary to call the roll.

**MEMBERS PRESENT**

Cindy Collins  
Stephanie Dodd  
John Hagan  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Mike Toal  
Lisa Woods

Stephen Dackin  
Sarah Fowler  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire  
Nick Owens  
Reginald Wilkinson

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

There were no corrections.

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

Motion carried unanimously.

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## LEGISLATIVE REPORT

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

### Senate Bill 121 - Health Standards:

#### Current Health Standards Law:

- 3301.0718(A) – “The state board of education shall not adopt or revise any standards of curriculum in the area of health unless, by concurrent resolution, the standards, curriculum, or revisions are approved by both houses of the general assembly.”
- 3313.60 – health education requirement
- 3313.6011 – instruction in venereal disease to emphasize abstinence

#### Proposed S.B. 121:

- Introduced by Senator Stephanie Kunze (R-Hilliard) and Senator Vernon Sykes (D-Akron)
- Currently pending in the Senate Education Committee
  - Has received 2 hearings (May 7, Oct 1)
- Limits concurrent resolution provision only to adoption of standards or curriculum in venereal disease education
- Requires State Board of Education to adopt health education standards for k-12 by July 1, 2020
- Schools may utilize the new standards

#### Other Pending Legislation:

##### Pending Legislation:

- House Bill 154 – Academic Distress
  - Pending in Senate Education Committee
- House Bill 123 – School Safety
  - Passed House 85-7 (October 2)
- Senate Bill 89 – Career-Technical Education
  - In Senate Education Committee
  - Scheduled for 4<sup>th</sup> hearing, substitute bill, possible committee vote on October 15

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The State Board recessed for lunch.

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## **OHIO TEACHER OF THE YEAR RECOGNITION CEREMONY**

Presenter: Angela Dicke, State Coordinator of Teacher Recognition Programs.

Since 1964, Ohio has recognized educators with the distinguished Ohio Teacher of the Year award.

The mission of this program is to honor, promote and celebrate excellence in teaching and the teaching profession. Additionally, the goal is to incorporate this network of exemplary teachers as leaders in school improvement initiatives and in the recruitment, preparation and retention of quality teachers. They advocate and elevate the profession!

Nominations for the award come from traditional and community public school superintendents, principals, students and community members throughout Ohio.

A regional selection process is organized and facilitated by (11) Territory Leads in each State Board District represented by an elected

Board member with the goal of naming one teacher in their region as the State Board District Teacher of the Year.

All State Board District Teachers of the Year move forward as candidates in the Ohio Teacher of the Year selection process where up to 5 finalists are chosen to be interviewed and provide professional presentations. A rigorous deliberation process ensues until one Ohio Teacher of the Year is selected. Every year, the awardee represents Ohio in the National Teacher of the Year selection process.

- (7) State Board District Teachers of the Year:
  - District 2: Mary Darr, Perkins Local Schools
  - District 3: Matthew Szozda, Centerville City Schools
  - District 5: Sharyn Kish, Brunswick City Schools
  - District 6: Cecelia Peirano, Ohio State School for the Blind
  - District 8: Tiffany Lewis, Youngstown City Schools
  - District 10: Andrea Harpen, Blanchester Local Schools
  - District 11: Richard Wakefield, Maple Heights City School District
- (3) State Finalists
  - District 1: Tonya Thorbahn, Findlay City Schools
  - District 7: David Murduck, Champion Local
  - District 9: Robert Niedermeyer, Reynoldsburg City Schools
- 2020 Ohio Teacher of the Year
  - District 4: Leila Kubesch -Norwood City Schools
  - State Superintendent, Paolo DeMaria, announced Ms. Kubesch as Ohio's 2020 Teacher of the Year on October 4th at Norwood Middle School in front of staff, students, community and family members.
  - Ms. Kubesch was first selected as the 2020 State Board District 4 Teacher of the Year and moved forward as a finalist for this state title, supported by Board member, Dr. Jenny Kilgore. As Ohio's 2020 Teacher of the Year, she will represent Ohio in the 2020 National Teacher of the Year selection process.

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## **PUBLIC PARTICIPATION ON VOTING AGENDA ITEMS**



There was no Public Participation on Voting Agenda items.

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**PUBLIC PARTICIPATION ON NON-VOTING AGENDA ITEMS**

1) Senator Stephanie Kunze, Senator Vernon Sykes and Ms. Holly Raffle, Ohio University. Senator Kunze, Senator Sykes and Ms. Raffle spoke to the Board regarding SB 121.

2) Mrs. Karen Petro, Ms. Mary Ellen Huber and Mrs. Laurie Bortolotto. Mrs. Petro, Ms. Huber and Mrs. Bortolotto spoke to the Board regarding Positive Behavioral Interventions & Supports (PBIS).

3) Mr. Jarrod Hartzler and Mr. Mike Collins, Ohio Alliance for Arts Education. Mr. Hartzler and Mr. Collins spoke to the Board regarding arts education.

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**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:

**Members Present:** Laura Kohler (Chair) Charlotte McGuire (Vice Chair) Antoinette Miranda, John Hagan, Sarah Fowler.

The Executive Committee met to discuss and review the State Superintendent of Public Instruction compensation. The Executive Committee will continue to review the Superintendent's goals for 2019-2020. In October the Board approved travel for Board members McGuire and Wilkinson.

**Items Voted on and Outcome of Vote:**

The Executive Committee voted out the State Superintendent of Public Instruction Compensation Resolution.

**Will There be a Vote or Information in Front of the Full Board at Next or Upcoming Meeting?**

The Board will vote on the State Superintendent of Public Instruction compensation resolution at the November Board meeting.

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**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, Hill, Johnson, Manchester, Wilkinson. Not present: Haycock.

**Financial Literacy Model Curriculum** (*Strategies 4 & 10*)

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- Department staff provided Members with the revised Financial Literacy Model Curriculum. The revised Model Curriculum incorporates revisions following review of State Board Member and Advisory Group Member comments, as well as comments obtained through a public survey.
- Committee Members discussed the revisions as presented and made requests for additional revisions to the Model Curriculum.
- Department staff will incorporate the requested revisions into Model Curriculum and present the revised document to the Committee at its November 2019 meeting for a possible vote.

### **Ohio Administrative Code 3301-25-01 through -08 Educational Aide Permits**

*(Strategies 1 & 2)*

- Department staff provided a brief overview to Members of proposed revisions to OAC 3301-25-01 through -08, Educational Aide Permits. The revisions incorporate public comment and have been recommended by the Educator Standards Board.
- Committee Members discussed the proposed revisions, intended to provide clarity to the education community and align with language contained in statute.
- Following discussion, the Committee voted to recommend adoption of the revised rules to the State Board. The rules will be on the State Board's November 2019 agenda for a vote.

### **Credential Review Board (CRB) Framework Revision** *(Strategy 1 & 2)*

- Department staff provided Members with an overview of the functions of the Credential Review Board and a proposed revised framework. The State Board is responsible for adopting the Credential Review Board's framework, which outlines its duties and responsibilities.
- Committee Members discussed the proposed revisions with staff and requested additional edits and clarification prior to a vote to recommend adoption to the State Board.
- A revised Credential Review Board Framework, incorporating Committee requested revisions and clarifications will be presented to the Committee in November 2019 for a possible vote.

### **Alternative Measure of Professional Knowledge of Teaching (Pedagogy)**

*(Strategies 1 & 2)*

- Department staff provided members with a presentation regarding a resolution recently passed by the Educator Standards Board. The resolution recommends 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.
- During discussion, Committee Members requested staff provide a comparison of the alternative performance-based assessment to the written assessment currently used for initial licensure and the summative assessment required for advancement to professional licensure.
- The Committee will continue discussion of performance-based assessments at its November 2019 with a possible vote to recommend action to the State Board.

### **Career-Technical Workforce Development Teaching Licenses** *(Strategies 1 & 2)*

- The Committee reviewed Career-Technical Workforce Development Teaching Licensure and Preparation program data that was requested at the September 2019 meeting.
- The Committee requested that the Department work with Career-Technical Associations to gather any data available regarding Career-Technical Workforce Development teacher vacancies and report back when possible.

### **Teaching Leading & Learning Committee Visit to Riverside Local Schools (DeGraff, Ohio)**

- Committee Leadership and Department Staff have arranged a visit to Riverside Local Schools in Degraff, Ohio on Tuesday, October 29, 2019. Representatives for Lima City Schools will also be in attendance.
- District Staff will share literacy improvement strategies and successes and Committee members will have an opportunity to observe English language arts lessons for grades Pre-K, K-3 and 4-6. The visit will also include a round table discussion about literacy.

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## **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) and Eric Poklar (Member) Stephanie Dodd (member), John Hagan (member), Mark Lamoncha (member), Lisa Woods and Jenny Kilgore.

### **Purpose(S) and/or Goal(S) of Meeting:**

- The purpose of the meeting was to discuss and review the Operating Standards for Kindergarten through Twelfth Grade which are being amended pursuant to the five-year rule review. We planned to review rules 3301-35-01 through 3301-35-07.
- Discuss and review functions of the Unit of Field Relations.

### **Operating Standards – OAC 3301-35-01 Through OAC 3301-35-05**

- 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.
  - Department staff provided a summary of the stakeholder engagement meetings, which was a 3-day, in-person meeting where attendees reviewed and discussed rules in 3-4 small groups; 111 targeted stakeholders were invited and approximately 45% of the targeted stakeholders attended.
  - Additionally, the public comment period allowed *all* stakeholders to provide input into the Operating Standards from August 9<sup>th</sup> through September 9<sup>th</sup>.
- Members reviewed and discussed proposed changes to the Operating Standards for 3301-35-01 Purposes and definitions; 3301-35-05 Faculty and staff focus; 3301-35-02 Governance, leadership and strategic planning; 3301-35-03 Blended learning; and a portion of 3301-35-04 Student and stakeholder focus.
- The Committee will continue the discussion next month by completing the discussion on 3301-35-04 and continuing through the completion of 3301-35-10.

### **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; we 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 3301-35-02 through 07 during the December 2019 State Board meeting and OAC 3301-35-01, 08, 09 and 10 during the January 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:** Martha Manchester, Committee Vice Chair, Kirsten Hill, Cindy Collins, Meryl Johnson, Mark Lamoncha, Antoinette Miranda and Reginald Wilkinson.

### **Kindergarten Readiness Assessment (KRA):**

- Staff presented a brief overview of kindergarten readiness in Ohio and where we have been since the 2014 implementation of Ohio's Kindergarten Readiness Assessment. Staff also presented information on the May 2019 Early Childhood Comprehensive Assessment Advisory Group recommendations on improving the Kindergarten Readiness Assessment as well as the activities underway to implement those recommendations.
- The committee discussed the longitudinal study the Department has conducted to understand the relationship between performance on the KRA and third grade reading and math proficiency.
- Member Johnson requested information on the interventions being used in kindergarten be presented at next month's committee meeting.
- 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 on the new graduation requirements established in House Bill 166. The presentation included a discussion of the required Board action related to the establishment of the system of state diploma seals.
- Board members discussed the newly passed graduation requirements and required board action regarding the establishment of the system of state diploma seals.
- The agenda item was discussion only this month. Committee approval will be requested in November with full board approval subsequently requested in December.

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## **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, Mike Toal, Stephen Dackin, Stephanie Dodd

### **Report Card Rule Review**

- Committee members continued discussion on the report card rules currently up for five-year rule review. After a lengthy discussion the committee proceeded with "no change" at this

time, except for technical changes required to align with changes in House Bill 166 specific to the value-added grade scale.

- The next step is to move forward with posting the rules for public comment. The rules will be posted this week and Department staff will bring all comments to the Committee in November. The intention is then for a possible vote in Committee in November and to move a resolution to the full board in December.

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## **BOARD PRESENTATIONS AND DISCUSSION FROM THE DROP OUT PREVENTION AND RECOVERY WORKGROUP**

Chair: John Hagan, Vice Chair: Lisa Woods

Mr. Hagan gave a report from the Drop-Out Prevention and Recovery Workgroup meeting focusing on the following issues:

The Workgroup over the past month of meetings has had Department staff members Aaron Rausch, Chris Woolard and Marianne Mottley from the Department engage with the workgroup to tie in portions of the discussion from the workgroup and their responsibilities at the Department.

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## **BOARD PRESENTATIONS AND DISCUSSION FROM THE GRADUATION REQUIREMENTS AND HIGH SCHOOL REDESIGN TASK FORCE**

Chair: Martha Manchester

**Members Present:** Manchester (Chair), Johnson, Lamoncha, Tanya Ficklin, Lisa Gray, Shelly Vaughn

### **Recently Adopted Graduation Requirements:**

- Members received an update on the recently adopted graduation requirements.
- Members discussed the potential definition of “competency” for graduation purposes.
- Members discussed state and local diploma seals and accompanying guidance documents.

### **Scope of Work:**

- Members discussed the proposed scope of work as it relates to high school redesign.
- Chair Manchester asked Task Force members to come to the next meeting with an example of a high school that is making positive strides in the redesign space. This will be used as a starting point for the redesign discussion.

### **Expansion of Task Force:**

- Members discussed the expansion of the Task Force to include more representatives from the education community.
- Members asked the Department to reach out to the professional associations representing educators, principals, superintendents, school counselors, career-technical educators and administrators, student services personnel, the business and philanthropic communities and higher education.
- Members would also like to include students and recent high school graduates on the Task Force.

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**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 1-6) on the Consent Agenda:

- 1. RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY TIMOTHY J. DELK 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 Timothy J. Delk has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on September 17, 2019, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Timothy J. Delk 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. Delk's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

WHEREAS the form specifies that Timothy J. Delk is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Timothy J. Delk 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** Timothy J. Delk'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. Delk'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 Timothy J. Delk 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. Delk of this action.

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

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

WHEREAS Elizabeth G. Hayes has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on September 19, 2019, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Elizabeth G. Hayes that authorizes the State Board of Education to enter an order permanently revoking all of her current and previously held licenses, permits, and certificates and permanently denying any pending applications that she has submitted for a license, permit, or certificate based upon Ms. Hayes' decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

WHEREAS the form specifies that Elizabeth G. Hayes is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and Ohio Revised Code 3319.311(F), hereby **REVOKES** Elizabeth G. Hayes' current and any previously held licenses, permits, and certificates and **DENIES** any pending applications that she has submitted for a license, permit, or certificate based upon Ms. Hayes' 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 Elizabeth G. Hayes 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. Hayes of this action.

3. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY JEFFREY M. LEVINE 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 Jeffrey M. Levine has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on September 23, 2019, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Jeffrey M. Levine 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. Levine's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and Ohio Revised Code 3319.311(F), hereby **REVOKES** Jeffrey M. Levine'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. Levine'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 Jeffrey M. Levine 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. Levine of this action.

4. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY MIGUEL A. MONGE 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 Miguel A. Monge has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and



WHEREAS on September 12, 2019, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Miguel A. Monge 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. Monge's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Miguel A. Monge 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** Miguel A. Monge'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. Monge'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 Miguel A. Monge 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. Monge of this action.

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

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

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

WHEREAS on August 29, 2019, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Amy D. Pruzan that authorizes the State Board of Education to enter an order permanently revoking all of her current and previously held licenses, permits, and certificates and permanently denying any pending applications that she has submitted for a license, permit, or certificate based upon Ms. Pruzan's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and Ohio Revised Code 3319.311(F), hereby **REVOKES** Amy D. Pruzan's current and any previously held licenses, permits, and certificates and **DENIES** any pending applications that she has submitted for a license, permit, or certificate based upon Ms. Pruzan'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 Amy D. Pruzan 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. Pruzan of this action.

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

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

WHEREAS Dawn M. Wheeler has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on September 9, 2019, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Dawn M. Wheeler that authorizes the State Board of Education to enter an order permanently revoking all of her current and previously held licenses, permits, and certificates and permanently denying any pending applications that she has submitted for a license, permit, or certificate based upon Ms. Wheeler's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

WHEREAS the form specifies that Dawn M. Wheeler is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and Ohio Revised Code 3319.311(F), hereby **REVOKES** Dawn M. Wheeler's current and any previously held licenses, permits, and certificates and **DENIES** any pending applications that she has submitted for a license, permit, or certificate based upon Ms. Wheeler'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 Dawn M. Wheeler 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. Wheeler of this action.

It was Moved by Mrs. Manchester and Seconded by Ms. Fowler that the Consent Agenda (Items 1-6) be approved.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins  
Sarah Fowler  
Kirsten Hill  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Lisa Woods

Stephanie Dodd  
John Hagan  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire  
Mike Toal

Motion carried.

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Mr. Hagan presented the following recommendation (Item 7):

**7. RESOLUTION TO ADOPT CHANGES TO OHIO ADMINISTRATIVE RULE 3301-13-09/PROVISIONS FOR AN EXCUSE FROM TAKING ANY ASSESSMENT REQUIRED FOR GRADUATION OF FOR AN ADULT WITH DISABILITIES, OR FOR PROVIDING ACCOMMODATIONS ON ANY ASSESSMENT REQUIRED FOR GRADUATION FOR AN ADULT**

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

Ohio Revised Code (ORC) Section 3313.532 requires the State Board of Education ("Board") to adopt rules which allow for any applicant to a board of education for a diploma of adult education under either ORC 3313.531 (the "adult high school continuation program") or ORC 3313.611 (related to the "22+ program") to request that the board of education conduct an evaluation to determine: (1) whether they are student with a disability and (2) if the evaluation indicates that they are a

student with a disability, to determine whether to excuse that student from taking any of his or her required assessments;

Ohio Administrative Code (OAC) 3301-13-09 is being amended as part of the five-year rule review process;

The Assessment and Accountability Committee recommended at its September 2019 meeting that the Board adopt OAC 3301-13-09 / Provisions for an Excuse from Taking any Assessment Required for Graduation of for an Adult with Disabilities, or for Providing Accommodations on any Assessment Required for Graduation for an Adult in the form attached hereto;

NOW, THEREFORE, BE IT RESOLVED, the Board approves adopting OAC 3301-13-09 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 Mr. Hagan that the above recommendation (Item 7) be approved.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins  
Sarah Fowler  
Kirsten Hill  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Lisa Woods

Stephanie Dodd  
John Hagan  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire  
Mike Toal

Motion carried.

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

**7.A. RESOLUTION TO ADOPT CHANGES TO OHIO ADMINISTRATIVE RULE 3301-24-05 / LICENSURE**

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

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

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

OAC 3301-24-05 is being reviewed as part of the five-year rule review;

OAC 3301-24-05 is being amended due to changes in grade bands in ORC 3319.22, as amended by Senate Bill 216;

Further, OAC 3301-24-05 is being amended to remove credentials for which there are no institutions of higher education offering educator preparation programs, to remove requirements set forth in rule that are duplicative of the requirements for the respective educator preparation programs, and to provide clarity and align with current policies and practices;

The Educator Standards Board recommended at its March 2019 meeting that the rule be amended in the form attached hereto, except for two revisions pertaining to required internships for the school psychologist license and the school counselor license that were made due to feedback from the education community; and

The Teaching, Leading, and Learning Committee recommended at its May 2019 meeting that the rule be amended in the form attached hereto, except for a revision pertaining to the required internship for the school counselor license that was made due to feedback from the education community;

The Board adopted at its June 2019 meeting that the rule be adopted in the form attached hereto, except for a revision pertaining to the required internship for the school counselor license that was made due to feedback from the education community.

NOW, THEREFORE, BE IT RESOLVED, that the Board rescinds its resolution from the June 2019 meeting adopting changes to OAC 3301-24-05 / Licensure;

FURTHER RESOLVED, that the Board adopts the changes to OAC 3301-24-05 / Licensure in the form attached hereto;

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

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

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

Ms. Fowler stated she was concerned about the process in which the language change was made. She felt the item should have come back to the committee for discussion first.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins	Stephanie Dodd
John Hagan	Kirsten Hill
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Mike Toal	Lisa Woods

NO VOTES

Sarah Fowler

Motion carried.

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Dr. Miranda presented the following recommendation (Item 8):

8. **RESOLUTION TO ADOPT CHANGES TO OHIO ADMINISTRATIVE RULES 3301-83-06 PERSONNEL QUALIFICATIONS; 3301-83-11 SCHOOL BUS INSPECTIONS; AND 3301-83-20 GENERAL RULES**

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

Ohio Revised Code (ORC) Section 4511.76(B) mandated the Department of Education, by and with the advice of the director of the Department of Public Safety, to adopt and enforce rules relating to the operation of all vehicles used for pupil transportation;

The State Board of Education adopted Ohio Administrative Code (OAC) Chapter 3301-83 as a result, and several rules from the chapter are being reviewed as part of the five-year rule review; and

OAC 3301-83-06, 3301-83-11, and 3301-83-20 are being amended to align with current Ohio law, clarify requirements, and allow Ohio School for the Deaf and Ohio State School for the Blind employees to transport students in vehicles other than school buses.

NOW, THEREFORE, BE IT RESOLVED, that the State Board approves changes to 3301-83-06, 3301-83-11, and 3301-83-20 in the form presented to the State Board;

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 Dr. Miranda that the above recommendation (Item 8) be approved.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins  
Sarah Fowler  
Kirsten Hill  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Lisa Woods

Stephanie Dodd  
John Hagan  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire  
Mike Toal

Motion carried.

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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 DENY THE FIVE-YEAR PROFESSIONAL PRE-KINDERGARTEN TEACHING LICENSE AND FIVE-YEAR PROFESSIONAL ELEMENTARY TEACHING LICENSE APPLICATIONS AND TO REVOKE THE FIVE-YEAR PROFESSIONAL PRE-KINDERGARTEN TEACHING LICENSE AND FIVE-YEAR PROFESSIONAL ELEMENTARY TEACHING LICENSE OF KAREN L. BAUMANN**

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

WHEREAS Karen L. Baumann has applied for a five-year professional pre-kindergarten teaching license and five-year professional elementary teaching license, and held a five-year professional pre-kindergarten teaching license issued in 2013 and five-year professional elementary teaching license issued in 2013; and

WHEREAS on October 9, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Karen L. Baumann of its intent to deny or permanently deny her application for a five-year professional pre-kindergarten teaching license and a five-year professional elementary teaching license, and to limit, suspend, revoke, or permanently revoke her five-year

professional pre-kindergarten teaching license issued in 2013 and five-year professional elementary teaching license issued in 2013 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Baumann engaging in the following conduct that is unbecoming to the teaching profession: on or about January 6, 2016, she failed to appropriately handle an altercation between two students when she held one student by the arms in front of a second student and encouraged the second student to hit the first student, and she specifically made a comment to the second student to the effect of, "Hit her. Go ahead and hit her." and also made a comment to the first student to the effect of, "Maybe I should hit you?"; and on or about January 4, 2016, Ms. Baumann used excessive force to redirect a student back into his chair and forced his arms onto the table. The notice further included as an aggravating factor that on or about February 28, 2011, Ms. Baumann entered into a consent agreement after the Ohio Department of Education determined that she engaged in conduct unbecoming to the teaching profession by using inappropriate interventions to redirect a student with autism; and

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

WHEREAS a hearing was held on May 15-16, 2019; and

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

WHEREAS the hearing officer recommends that Ms. Baumann's expired five-year professional pre-kindergarten teaching license issued in 2013 and her five-year professional elementary teaching license issued in 2013 be revoked and her applications for renewal of those credentials be denied. The hearing officer further recommends that Ms. Baumann not be permitted to reapply for any license for a period of six months and upon reapplication, she must submit written proof that she has completed, at her own cost, twenty-four hours of anger management training with an entity approved by the Ohio Department of Education. The hearing officer further recommends that if Ms. Baumann obtains a license from the State Board of Education, she must complete three years of administrative reporting that indicates whether she has engaged in any conduct unbecoming to the teaching profession or any other conduct giving rise to discipline. The hearing officer's recommendation is based upon Ms. Baumann engaging in conduct that is unbecoming to the teaching profession when she emotionally abused and put her hands unnecessarily on the shoulders and arms of students, when she roughly placed a student in his chair and slapped his hands on the table, and when she yelled at another student and threatened to hit the student before encouraging another student to hit the student whom Ms. Baumann was holding, but finding in mitigation that during the time that has elapsed since her misconduct, Ms. Baumann appears to have rehabilitated herself and has been employed by another school district for three years without incident; 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** Karen L. Baumann's applications for a five-year professional pre-kindergarten teaching license and five-year professional elementary teaching license, and **REVOKES** Karen L. Baumann's five-year professional pre-kindergarten teaching license issued in 2013 and five-year professional elementary teaching license issued in 2013 based upon Ms. Baumann engaging in the following conduct that is unbecoming to the teaching profession: on or about January 6, 2016, she failed to appropriately handle an altercation between two students when she held one student by the arms in front of a second student and encouraged the second student to hit the first student, and she specifically made a comment to the second student to the effect of, "Hit her. Go ahead and hit her." and also made a comment to the first student to the effect of, "Maybe I should hit you?"; and on or about January 4, 2016, Ms. Baumann used excessive force to redirect a student back into his chair and forced his arms onto the table. Pursuant to Ohio Administrative Code Rule 3301-73-21(B), the State Board of Education further considers in aggravation that on or about February 28, 2011, Ms. Baumann entered into a consent agreement after the Ohio Department of Education determined that she engaged in conduct unbecoming to the teaching profession by using inappropriate interventions to redirect a student with autism. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(a), orders that Karen L. Baumann be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until on or after April 15, 2020, and upon reapplication, Ms. Baumann must provide written verification to the Ohio Department of Education that she has successfully completed, at her own expense, twenty-four hours of anger management training, with the training to be approved in advance by the Ohio Department of Education. Further, should the State Board of Education issue a license, permit, or certificate to Ms. Baumann, she must then complete a three-year period of administrative reporting at scheduled intervals to be determined by the Ohio Department of

Education, indicating whether she has engaged in any conduct unbecoming to the teaching profession or any other conduct giving rise to discipline; and, Be It Further

RESOLVED, That the State Board of Education directs the Ohio Department of Education, on its behalf, to implement the aforementioned terms and conditions regarding Ms. Baumann's application(s). Further, if said terms and conditions have not been fulfilled completely upon Ms. Baumann applying for a new license, permit, or certificate, the State Board of Education directs the Ohio Department of Education to evaluate any new application in accordance with its orders and ensure all outstanding terms and conditions are addressed; and, Be It Further

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

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

Dr. Kilgore Moved to amend the resolution by substitution. She proposed a permanent denial/permanent revocation with no right to reapply. She believed there was no excuse for the behavior that was displayed and it would be inappropriate to place Ms. Baumann back into a classroom. Ms. Woods Seconded the motion.

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

YES VOTES

Cindy Collins	Sarah Fowler
John Hagan	Jenny Kilgore
Mark Lamoncha	Lisa Woods

NO VOTES

Kirsten Hill	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Mike Toal	Laura Kohler

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	Laura Kohler
Mark Lamoncha	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Mike Toal	Lisa Woods

Motion carried.

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

**10. RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF TUCKER C. BENDER**

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

WHEREAS Tucker C. Bender holds a three-year pupil activity permit issued in 2018 with an effective year of 2017; and

WHEREAS on July 9, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Tucker C. Bender of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2018 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(b). The notice was based upon Mr. Bender's 2019 conviction in the Holmes County Municipal Court for one misdemeanor count of

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assault and 2016 conviction in the Ashland Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol or drugs (OVI); and

WHEREAS the notice informed Mr. Bender 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 2018; and

WHEREAS Tucker C. Bender 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 Holmes County Municipal Court and Ashland Municipal Court, and police records from the Holmes 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)(b), hereby **REVOKES** Tucker C. Bender's three-year pupil activity permit issued in 2018 with an effective year of 2017 based upon Mr. Bender's 2019 conviction in the Holmes County Municipal Court for one misdemeanor count of assault and 2016 conviction in the Ashland Municipal Court for one misdemeanor count of operating a vehicle while under the influence of alcohol or drugs (OVI). Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Tucker C. Bender 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. Bender of this action.

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

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins  
John Hagan  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire  
Mike Toal

Sarah Fowler  
Kirsten Hill  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Lisa Woods

Motion carried.

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

**11. RESOLUTION TO REVOKE PERMANENTLY THE ONE-YEAR  
SUBSTITUTE GENERAL EDUCATION TEACHING LICENSE OF JOVON  
A. BRAGG**

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

WHEREAS Jovon A. Bragg held a one-year substitute general education teaching license issued in 2018; and

WHEREAS on August 2, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Jovon A. Bragg of its intent to determine whether to limit, suspend, revoke, or permanently revoke his one-year substitute general education teaching license issued in 2018 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(b). The notice was based upon Mr. Bragg's 2018 conviction in the Toledo Municipal Court for one misdemeanor count of domestic violence and one misdemeanor count of criminal damaging or endangering property; and

WHEREAS the notice informed Mr. Bragg 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 substitute general education teaching license issued in 2018; and

WHEREAS Jovon A. Bragg 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 Toledo Municipal Court, and certified police records from the University of Toledo 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) and (B)(2)(b), hereby **REVOKES** Jovon A. Bragg's one-year substitute general education teaching license issued in 2018 based upon Mr. Bragg's 2018 conviction in the Toledo Municipal Court for one misdemeanor count of domestic violence and one misdemeanor count of criminal damaging or endangering property. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Jovon A. Bragg 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. Bragg of this action.

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

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins  
John Hagan  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire  
Mike Toal

Sarah Fowler  
Kirsten Hill  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Lisa Woods

Motion carried.

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

**12. RESOLUTION TO REVOKE THE THREE-YEAR PUPIL ACTIVITY PERMIT OF ROBERT S. CROTTY, JR.**

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

WHEREAS Robert S. Crotty, Jr. holds a three-year pupil activity permit issued in 2017; and

WHEREAS on July 9, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Robert S. Crotty, 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). The notice was based upon Mr. Crotty's 2019 conviction in the Bowling Green Municipal Court for one misdemeanor count of disorderly conduct with persistence; and

WHEREAS the notice informed Mr. Crotty that if he fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2017; and

WHEREAS Robert S. Crotty, 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, certified court records from the Bowling Green Municipal Court, and certified police records from the Bowling Green 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** Robert S. Crotty, Jr.'s three-year pupil activity permit issued in 2017 based upon Mr. Crotty engaging in conduct that is unbecoming to the teaching profession as a result of his 2019 conviction in the Bowling Green Municipal Court for one misdemeanor count of disorderly conduct with persistence. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Robert S. Crotty, Jr. be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after he provides written verification to the Ohio Department of Education that he has completed at his own expense a drug/alcohol assessment by a licensed counselor, who is approved in advance by the Ohio Department of Education, and he has successfully completed all counseling and/or treatment recommended by the licensed counselor; and, Be It Further

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

It was Moved by Mrs. Collins and Seconded by Mrs. Hill that the above recommendation (Item 12) be approved.

President Kohler called for a roll call vote.

**YES VOTES**

Cindy Collins	Sarah Fowler
John Hagan	Kirsten Hill
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Mike Toal	

Motion carried.

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

**13. RESOLUTION TO REVOKE PERMANENTLY THE PERMANENT NON-TAX TEACHING CERTIFICATE OF ANNE M. GERDES**

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

WHEREAS Anne M. Gerdes holds a permanent non-tax teaching certificate issued in 2015; and

WHEREAS on August 2, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Anne M. Gerdes of its intent to determine whether to limit, suspend, revoke, or permanently revoke her permanent non-tax teaching certificate issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(b). The notice was based upon Ms. Gerdes' 2018 conviction in the Hamilton Municipal Court for one misdemeanor count of domestic violence; and

WHEREAS the notice informed Ms. Gerdes that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke her permanent non-tax teaching certificate issued in 2015; and

WHEREAS Anne M. Gerdes 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 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) and (B)(2)(b), hereby **REVOKES** Anne M. Gerdes' permanent non-tax teaching certificate issued in 2015 based upon Ms. Gerdes' 2018 conviction in the Hamilton Municipal Court for one misdemeanor count of domestic violence. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Anne M. Gerdes 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. Gerdes of this action.

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

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins  
John Hagan  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire  
Mike Toal

Sarah Fowler  
Kirsten Hill  
Laura Kohler  
Martha Manchester  
Antoinette Miranda

Motion carried.

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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 REVOKE PERMANENTLY THE FOUR-YEAR RESIDENT EDUCATOR ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE OF JENNIFER R. GREENLESE**

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



WHEREAS Jennifer R. Greenlese held a four-year resident educator adolescence to young adult teaching license issued in 2013; and

WHEREAS on January 8, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Jennifer R. Greenlese of its intent to determine whether to limit, suspend, revoke, or permanently revoke her four-year resident educator adolescence to young adult teaching license issued in 2013 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Greenlese engaging in the following conduct that is unbecoming to the teaching profession: on or about October 12, 2016, she failed to provide appropriate supervision of students while employed as a school teacher for the Canal Winchester Local School District when, during the school day, she abandoned her employment responsibilities, walked out of the building and did not return, and in her absence a bottle of vodka was discovered in her classroom amongst her personal effects; she was convicted in 2017 in the Fairfield County Municipal Court of one misdemeanor count of

operating a vehicle while under the influence (OVI); and she was convicted in 2018 in the Franklin County Municipal Court of one misdemeanor count of operating a vehicle while under the influence (OVI); and

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

WHEREAS a hearing was held on June 4, 2019; and

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

WHEREAS the hearing officer recommends that Ms. Greenlese'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. Greenlese's conduct being unbecoming to the teaching profession, her actions demonstrating a serious pattern of abuse of alcohol involving the presence of alcohol in the classroom, abandonment of students, and two OVI convictions, and her continued licensure would negatively impact the health, safety, or welfare of the school community and/or 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 **REVOKES** Jennifer R. Greenlese's four-year resident educator adolescence to young adult teaching license issued in 2013 based upon Ms. Greenlese engaging in the following conduct that is unbecoming to the teaching profession: on or about October 12, 2016, she failed to provide appropriate supervision of students while employed as a school teacher for the Canal Winchester Local School District when, during the school day, she

abandoned her employment responsibilities, walked out of the building and did not return, and in her absence a bottle of vodka was discovered in her classroom amongst her personal effects; she was convicted in 2017 in the Fairfield County Municipal Court of one misdemeanor count of operating a vehicle while under the influence (OVI); and she was convicted in 2018 in the Franklin County Municipal Court of one misdemeanor count of operating a vehicle while under the influence (OVI). Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Jennifer R. Greenlese 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. Greenlese of this action.

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

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins  
John Hagan  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire  
Mike Toal

Sarah Fowler  
Kirsten Hill  
Laura Kohler  
Martha Manchester  
Antoinette Miranda

Motion carried.

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

**15. RESOLUTION TO REVOKE PERMANENTLY THE ONE-YEAR SUBSTITUTE GENERAL EDUCATION TEACHING LICENSE OF CARISSA E. LEWIS**

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

WHEREAS Carissa E. Lewis held a one-year substitute general education teaching license issued in 2018; and

WHEREAS on August 5, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Carissa E. Lewis of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year substitute general education teaching license issued in 2018 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(c). The notice was based upon Ms. Lewis' 2019 conviction in the Union County Court of Common Pleas for one felony count of grand theft, three felony counts of forgery, and two felony counts

of tampering with records. Further, the notice included as an aggravating factor that on or about August 15, 2017, Ms. Lewis was disciplined by the State Board of Education when she entered into a consent agreement with the State Board of Education relating to her 2017 conviction in the Union County Court of Common Pleas for one misdemeanor count of theft; and

WHEREAS the notice informed Ms. Lewis 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 substitute general education teaching license issued in 2018; and

WHEREAS Carissa E. Lewis 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 Union County Court of Common Pleas, certified police records from the Union County Sheriff's Office, and the 2017 consent agreement between Ms. Lewis and the State Board of Education; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(c), hereby **REVOKES** Carissa E. Lewis' one-year substitute general education teaching license issued in 2018 based upon Ms. Lewis' 2019 conviction in the Union County Court of Common Pleas for one felony count of grand theft, three felony counts of forgery, and two felony counts of tampering with records. Pursuant to Ohio Administrative Code Rule 3301-73-21(B), the State Board of Education further considers in aggravation that on or about August 15, 2017, Ms. Lewis was disciplined by the State Board of Education when she entered into a consent agreement with the State Board of Education relating to her 2017 conviction in the Union County Court of Common Pleas for one misdemeanor count of theft. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Carissa E. Lewis 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. Lewis of this action.

It was Moved by Mrs. Hill and Seconded by Mr. Lamoncha that the above recommendation (Item 15) be approved.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins	Sarah Fowler
John Hagan	Kirsten Hill
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Mike Toal	

Motion carried.

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

**16. RESOLUTION TO ACCEPT THE REPORT, TO AMEND AND RECONCILE THE RECOMMENDATION OF THE HEARING OFFICER, AND TO SUSPEND THE FIVE-YEAR PROFESSIONAL ELEMENTARY TEACHING LICENSE AND FIVE-YEAR PROFESSIONAL ELEMENTARY PRINCIPAL LICENSE OF PATRICIA A. MASTERSON-BROWN**

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

WHEREAS Patricia A. Masterson-Brown holds a five-year professional elementary teaching license issued in 2015 and a five-year professional elementary principal license issued in 2015; and

WHEREAS on March 8, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Patricia A. Masterson-Brown of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional elementary teaching license issued in 2015 and five-year professional elementary principal license issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Masterson-Brown engaging in the following conduct that is unbecoming to the teaching profession: on or about November 10, 2015, she appeared to be intoxicated at school in the presence of students and subsequently failed an employment-related alcohol screen by testing positive for alcohol with a blood alcohol content of .118; and on or about October 26, 2016, she was convicted in the Euclid Municipal Court of one misdemeanor count of physical control after initially being charged with driving a vehicle under the influence of alcohol or drugs and endangering children for driving erratically with her minor children in the vehicle and subsequently refusing field sobriety tests; and

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

WHEREAS a hearing was held on February 26-27, 2019; and

WHEREAS Ms. Masterson-Brown was present at the hearing, and she was represented by counsel; and

WHEREAS the hearing officer recommends that Ms. Masterson-Brown's teaching and principal licenses be suspended for a period of three years from the date of the final order issued by the State Board of Education and that she not be permitted to reapply for any license, permit, or certificate issued by the State Board of Education until the end of the suspension period, provided she submits to the Ohio Department of Education a written report from a certified substance abuse or addiction counselor, who is approved in advance by the Ohio Department of Education, which verifies that Ms. Masterson-Brown has been sober and not used any alcohol or drugs not prescribed by a physician for at least two years prior to her reapplication for licensure and that Ms. Masterson-Brown is fully capable of performing the duties and functions of the teaching and/or principal positions for which she has applied and also is capable of complying with standard school/workplace rules or policies regarding a drug free workplace and/or substance abuse and all provisions of the *Licensure Code of Professional Conduct for Ohio Educators*. The hearing officer's recommendation is based upon Ms. Masterson-Brown engaging in conduct unbecoming to the teaching profession when she used alcohol on school premises and was legally intoxicated while in the presence of students during class and subsequently failed an alcohol screen by testing positive for alcohol, in addition to being convicted of physical control after being arrested for driving under the influence of alcohol or drugs and endangering children; and

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

WHEREAS Ms. Masterson-Brown's five-year professional elementary teaching license issued in 2015 and five-year professional elementary principal license issued in 2015 will expire on June 30, 2020; and

WHEREAS the State Board of Education must reconcile the hearing officer's recommendation to suspend Ms. Masterson-Brown's teaching and principal licenses for a total period of three years with the 2020 expiration of her licenses; 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** Patricia A. Masterson-Brown's five-year professional elementary teaching license issued in 2015 and five-year professional elementary principal license through June 30, 2020, their expiration date based upon Ms. Masterson-Brown engaging in the following conduct that is unbecoming to the teaching profession: on or about November 10, 2015, she appeared to be intoxicated at school in the presence of students and subsequently failed an

employment-related alcohol screen by testing positive for alcohol with a blood alcohol content of .118; and on or about October 26, 2016, she was convicted in the Euclid Municipal Court of one misdemeanor count of physical control after initially being charged with driving a vehicle under the influence of alcohol or drugs and endangering children for driving erratically with her minor children in the vehicle and subsequently refusing field sobriety tests. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Patricia A. Masterson-Brown be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until on or after October 15, 2022, provided that prior to reapplication, Ms. Masterson-Brown must submit to the Ohio Department of Education a written report from a certified substance abuse or addiction counselor, who is approved in advance by the Ohio Department of Education, which verifies that for a period of two years prior to her reapplication, Ms. Masterson-Brown has been sober and refrained from using alcohol or drugs not prescribed by a physician and that Ms. Masterson-Brown is fully capable of performing the duties and functions of the teaching and/or principal positions for which she has applied and also is capable of complying with standard school/workplace rules or policies for maintaining a drug free workplace and/or substance abuse, as well as all provisions of the *Licensure Code of Professional Conduct for Ohio Educators*; and, Be It Further

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

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

Mrs. McGuire Moved to amend the resolution by substitution. She proposed to suspend Patricia A. Masterson-Brown's five-year professional elementary teaching license issued in 2015 and five-year professional elementary principal license through June 30, 2020, their expiration date. Further, the State Board of Education hereby stays the suspension provided Ms. Masterson-Brown remains in compliance with her last chance agreement with her employing district, has no further disciplinary actions, and submits, at her own expense, to random drug/alcohol tests as determined by the Ohio Department of Education with the results of the tests being negative. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(1)(e), orders that Patricia A. Masterson-Brown be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until on or after June 30, 2020 provided that prior to reapplication, Ms. Masterson-Brown must provide verification to the Ohio Department of Education that she has maintained her sobriety. Mrs. Hill Seconded the motion. Mrs. McGuire stated Ms. Masterson-Brown had a stellar record and had an incident in her life which led to the conduct unbecoming actions.

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

YES VOTES

Cindy Collins  
John Hagan  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire

Sarah Fowler  
Kirsten Hill  
Laura Kohler  
Martha Manchester

NO VOTES

Mike Toal

ABSTAIN

Lisa Woods

Motion carried.

**16. RESOLUTION TO MODIFY THE REPORT OF THE HEARING OFFICER, TO MODIFY THE RECOMMENDATION OF THE HEARING OFFICER, AND TO SUSPEND THE FIVE-YEAR PROFESSIONAL ELEMENTARY TEACHING LICENSE AND FIVE-YEAR PROFESSIONAL ELEMENTARY PRINCIPAL LICENSE OF PATRICIA A. MASTERSON-BROWN**

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

WHEREAS Patricia A. Masterson-Brown holds a five-year professional elementary teaching license issued in 2015 and a five-year professional elementary principal license issued in 2015; and

WHEREAS on March 8, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Patricia A. Masterson-Brown of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional elementary teaching license issued in 2015 and five-year professional elementary principal license issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Masterson-Brown engaging in the following conduct that is unbecoming to the teaching profession: on or about November 10, 2015, she appeared to be intoxicated at school in the presence of students and subsequently failed an employment-related alcohol screen by testing positive for alcohol with a blood alcohol content of .118; and on or about October 26, 2016, she was convicted in the Euclid Municipal Court of one misdemeanor count of physical control after initially being charged with driving a vehicle under the influence of alcohol or drugs and endangering children for driving erratically with her minor children in the vehicle and subsequently refusing field sobriety tests; and

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

WHEREAS a hearing was held on February 26-27, 2019; and

WHEREAS Ms. Masterson-Brown was present at the hearing, and she was represented by counsel; and

WHEREAS the hearing officer recommends that Ms. Masterson-Brown's teaching and principal licenses be suspended for a period of three years from the date of the final order issued by the State Board of Education and that she not be permitted to reapply for any license, permit, or certificate issued by the State Board of Education until the end of the suspension period, provided she submits to the Ohio Department of Education a written report from a certified substance abuse or addiction counselor, who is approved in advance by the Ohio Department of Education, which verifies that Ms. Masterson-Brown has been sober and not

used any alcohol or drugs not prescribed by a physician for at least two years prior to her reapplication for licensure and that Ms. Masterson-Brown is fully capable of performing the duties and functions of the teaching and/or principal positions for which she has applied and also is capable of complying with standard school/workplace rules or policies regarding a drug free workplace and/or substance abuse and all provisions of the *Licensure Code of Professional Conduct for Ohio Educators*. The hearing officer's recommendation is based upon Ms. Masterson-Brown engaging in conduct unbecoming to the teaching profession when she used alcohol on school premises and was legally intoxicated while in the presence of students during class and subsequently failed an alcohol screen by testing positive for alcohol, in addition to being convicted of physical control after being arrested for driving under the influence of alcohol or drugs and endangering children; and

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

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

WHEREAS the State Board of Education has considered the hearing officer's report and recommendation; and

WHEREAS the State Board of Education rejects the following portions of the hearing officer's Report and Recommendation: reject in its entirety the Recommendation section of the Summary Fact Sheet; reject in its entirety Conclusion of Law lettered I in the Report and Recommendation; reject in its entirety the first full paragraph on page 26 of the Report and Recommendation that begins, "Upon considering both aggravating and mitigating factors..."; and reject in its entirety the Recommendation section 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: Ms. Masterson-Brown has been licensed as an educator since 1995 and has no prior disciplinary action with her employing schools or the State Board of Education; Ms. Masterson-Brown's performance is exemplary and both her assistant principal and superintendent testified about her performance in the most glowing terms, including Ms. Masterson-Brown being lauded for her leadership qualities and the guidance she provided to



younger teachers over the years; many school teachers and administrators testified at the administrative hearing that Ms. Masterson-Brown's conduct in being under the influence of alcohol at school was not normal behavior and out of character for her; Ms. Masterson-Brown accepted responsibility for her conduct when she was under the influence of alcohol during the school day by admitting to her conduct and entering into and completing a dual diagnosis treatment program; Ms. Masterson-Brown notified her employing district of her arrest and subsequent conviction for misdemeanor physical control; Ms. Masterson-Brown submitted evidence during the administrative hearing of her rehabilitation efforts including the last chance agreement she entered into with her employing district, her compliance with the terms of the last chance agreement with all random drug/alcohol tests being negative, and her on-going monthly counseling; and Ms. Masterson-Brown returned to the classroom in October 2016 without any issues and all evidence indicates that Ms. Masterson-Brown has maintained her sobriety since that time; 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 a three-year suspension of Ms. Masterson-Brown's license is not warranted based on the mitigating factors in this case and a more appropriate sanction would be to suspend Ms. Masterson-Brown's licenses through their expiration date, but stay the suspension provided Ms. Masterson-Brown remains in compliance with her last chance agreement with her employing district, has no further disciplinary actions, and submits to random drug/alcohol tests as determined by the Ohio Department of Education with the results of the tests being negative, and upon reapplication Ms. Masterson-Brown must provide verification to the Ohio Department of Education that she has maintained her sobriety: Therefore, Be It

RESOLVED, That the State Board of Education rejects the following portions of the hearing officer's Report and Recommendation: reject in its entirety the Recommendation section of the Summary Fact Sheet; reject in its entirety Conclusion of Law lettered I in the Report and Recommendation; reject in its entirety the first full paragraph on page 26 of the Report and Recommendation that begins, "Upon considering both aggravating and mitigating factors..."; and reject in its entirety the Recommendation section of the Report and Recommendation; and, Be it Further

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

RESOLVED, That the State Board finds that the administrative record identifies the following mitigating factors: Ms. Masterson-Brown has been licensed as an educator since 1995 and has no prior disciplinary action with her employing schools or the State Board of Education; Ms. Masterson-Brown's performance is exemplary and both her assistant principal and superintendent testified about her performance in the most glowing terms, including Ms. Masterson-Brown being lauded for her leadership qualities and the guidance she provided to younger teachers over the years; many school teachers and administrators testified at the administrative hearing that Ms. Masterson-Brown's conduct in being under the influence of alcohol at school was not normal behavior and out of

character for her; Ms. Masterson-Brown accepted responsibility for her conduct when she was under the influence of alcohol during the school day by admitting to her conduct and entering into and completing a dual diagnosis treatment program; Ms. Masterson-Brown notified her employing district of her arrest and subsequent conviction for misdemeanor physical control; Ms. Masterson-Brown submitted evidence during the administrative hearing of her rehabilitation efforts including the last chance agreement she entered into with her employing district, her compliance with the terms of the last chance agreement with all random drug/alcohol tests being negative, and her on-going monthly counseling; and Ms. Masterson-Brown returned to the classroom in October 2016 without any issues and all evidence indicates that Ms. Masterson-Brown has maintained her sobriety since that time; 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 a three-year suspension of Ms. Masterson-Brown's license is not warranted based on the mitigating factors in this case and a more appropriate sanction would be to suspend Ms. Masterson-Brown's licenses through their expiration date, but stay the suspension provided Ms. Masterson-Brown remains in compliance with her last chance agreement with her employing district, has no further disciplinary actions, and submits to random drug/alcohol tests as determined by the Ohio Department of Education with the results of the tests being negative, and upon reapplication Ms. Masterson-Brown must provide verification to the Ohio Department of Education that she has maintained her sobriety; and, Be It Further

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **SUSPENDS** Patricia A. Masterson-Brown's five-year professional elementary teaching license issued in 2015 and five-year professional elementary principal license through June 30, 2020, their expiration date based upon Ms. Masterson-Brown engaging in the following conduct that is unbecoming to the teaching profession: on or about November 10, 2015, she appeared to be intoxicated at school in the presence of students and subsequently failed an employment-related alcohol screen by testing positive for alcohol with a blood alcohol content of .118; and on or about October 26, 2016, she was convicted in the Euclid Municipal Court of one misdemeanor count of physical control after initially being charged with driving a vehicle under the influence of alcohol or drugs and endangering children for driving erratically with her minor children in the vehicle and subsequently refusing field sobriety tests. Further, the State Board of Education hereby **STAYS** the suspension provided Ms. Masterson-Brown remains in compliance with her last chance agreement with her employing district, has no further disciplinary actions, and submits, at her own expense, to random drug/alcohol tests as determined by the Ohio Department of Education with the results of the tests being negative. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(1)(e), orders that Patricia A. Masterson-Brown be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until on or after June 30, 2020 provided that prior to reapplication, Ms. Masterson-Brown must provide verification to the Ohio Department of Education that she has maintained her sobriety; and, Be It Further

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

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

YES VOTES

Cindy Collins  
John Hagan  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire

Sarah Fowler  
Kirsten Hill  
Laura Kohler  
Martha Manchester

NO VOTES

Mike Toal

Motion carried.

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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 PERMANENTLY THE FIVE-YEAR PROFESSIONAL MIDDLE CHILDHOOD TEACHING LICENSE OF ASHLEY L. MILLER**

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

WHEREAS Ashley L. Miller holds a five-year professional middle childhood teaching license issued in 2015; and

WHEREAS on October 4, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Ashley L. Miller of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional middle childhood teaching license issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Miller engaging in the following conduct that is unbecoming to the teaching profession: on or about the 2014-2015 school year, she failed to maintain appropriate student-teacher boundaries with a student and her conduct included exchanging nude photos and other communication with the student via text and/or Snapchat, giving the student rides home, and kissing the student, with the inappropriate relationship culminating in a physical relationship that occurred between the student's graduation and the middle of June 2015; and on or about June 2015 through April 2016, she failed to follow Westerville City School District Board policies and mishandled \$375.00 of school funds from a fundraiser that took

place in June 2015 and she did not return the funds to the school until approximately April 15, 2016, after several months of communication from the school district; and

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

WHEREAS a hearing was held on April 22, 2019; and

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

WHEREAS the hearing officer recommends that Ms. Miller'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. Miller engaging in conduct unbecoming to the teaching profession as a result of her failure to recognize and adhere to appropriate student/teacher boundaries when she had an inappropriate relationship with a student and her actions in retaining student fundraising monies over an extended period of time until pressed for their return; 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** Ashley L. Miller's five-year professional middle childhood teaching license issued in 2015 based upon Ms. Miller engaging in the following conduct that is unbecoming to the teaching profession: on or about the 2014-2015 school year, she failed to maintain appropriate student-teacher boundaries with a student and her conduct included exchanging nude photos and other communication with the student via text and/or Snapchat, giving the student rides home, and kissing the student, with the inappropriate relationship culminating in a physical relationship that occurred between the student's graduation and the middle of June 2015; and on or about June 2015 through April 2016, she failed to follow Westerville City School District Board policies and mishandled \$375.00 of school funds from a fundraiser that took place in June 2015 and she did not return the funds to the school until approximately April 15, 2016, after several months of communication from the school district. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Ashley L. Miller 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. Miller of this action.

It was Moved by Mrs. Manchester and Seconded by Mrs. Collins that the above recommendation (Item 17) be approved.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins  
John Hagan  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire

Sarah Fowler  
Kirsten Hill  
Laura Kohler  
Martha Manchester  
Mike Toal

Motion carried.

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

**18. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL INTERVENTION SPECIALIST TEACHING LICENSE AND THREE-YEAR PUPIL ACTIVITY PERMIT OF CARA B. NYARDY**

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

WHEREAS Cara B. Nyardy holds a five-year professional intervention specialist teaching license issued in 2015 and held a three-year pupil activity permit issued in 2015; and

WHEREAS on April 9, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Cara B. Nyardy of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional intervention specialist teaching license issued in 2015 and three-year pupil activity permit issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(c). The notice was based upon Ms. Nyardy engaging in the following conduct that is unbecoming to the teaching profession: on or about February 6, 2018, she was convicted in the Mahoning County Court #2 of one misdemeanor count of theft; on or about November 23, 2015 through March 1, 2016, while employed as an intervention specialist teacher for the Lisbon Exempted Village School District, she misappropriated public funds for personal use and then embarked on a series of actions to cover up her activities, including, but not limited to, falsifying school records and forging

business receipts; and on or about March 19, 2019, she was convicted in the Warren Municipal Court of one minor misdemeanor count of disorderly conduct; and

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

WHEREAS a hearing was held on May 20, 2019; and

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

WHEREAS the hearing officer recommends that Ms. Nyardy's teaching license and permit 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. Nyardy being convicted of a theft offense and exhibiting a continuing pattern of poor judgement surrounding funds that is further exacerbated by an attempted cover up and her behavior demonstrating a disregard for the entire education and school community with no indication that her decisions would improve in the future; 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** Cara B. Nyardy's five-year professional intervention specialist teaching license issued in 2015 and three-year pupil activity permit issued in 2015 based upon Ms. Nyardy engaging in the following conduct that is unbecoming to the teaching profession: on or about February 6, 2018, she was convicted in the Mahoning County Court #2 of one misdemeanor count of theft; on or about November 23, 2015 through March 1, 2016, while employed as an intervention specialist teacher for the Lisbon Exempted Village School District, she misappropriated public funds for personal use and then embarked on a series of actions to cover up her activities, including, but not limited to, falsifying school records and forging business receipts; and on or about March 19, 2019, she was convicted in the Warren Municipal Court of 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 Cara B. Nyardy 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. Nyardy of this action.

It was Moved by Mrs. Hill 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  
John Hagan  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire

Sarah Fowler  
Kirsten Hill  
Laura Kohler  
Martha Manchester  
Mike Toal

Motion carried.

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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 FIVE-YEAR PROFESSIONAL HIGH SCHOOL TEACHING LICENSE AND THREE-YEAR PUPIL ACTIVITY PERMIT OF DAVID M. RIBAR**

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

WHEREAS David M. Ribar held a five-year professional high school teaching license issued in 2014 and three-year pupil activity permit issued in 2015; and

WHEREAS on October 17, 2018, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified David M. Ribar of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional high school teaching license issued in 2014 and three-year pupil activity permit issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Ribar engaging in conduct that is unbecoming to the teaching profession on or about January 28, 2016, when he was charged in the Franklin County Municipal Court with one misdemeanor count of sexual imposition with the complaint stating that on September 18, 2015 he had sexual contact with a minor when he inappropriately touched a student on the thigh while giving the student a ride home. Mr. Ribar subsequently pled guilty on June 27, 2016 to an amended charge of one misdemeanor count of disorderly conduct; and

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

WHEREAS a hearing was held on June 25, 2019; and

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

WHEREAS the hearing officer recommends that Mr. Ribar's teaching license and permit be revoked and that he 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. Ribar engaging in conduct unbecoming to the teaching profession when he engaged in physical contact with a student while driving her home after she babysat for his children and his actions and subsequent plea of guilty to disorderly conduct were both criminal and unprofessional and not exemplary of the teaching profession; 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** David M. Ribar's five-year professional high school teaching license issued in 2014 and three-year pupil activity permit issued in 2015 based upon Mr. Ribar engaging in conduct that is unbecoming to the teaching profession on or about January 28, 2016, when he was charged in the Franklin County Municipal Court with one misdemeanor count of sexual imposition with the complaint stating that on September 18, 2015 he had sexual contact with a minor when he inappropriately touched a student on the thigh while giving the student a ride home. Mr. Ribar subsequently pled guilty on June 27, 2016 to an amended charge of one 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 David M. Ribar 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. Ribar of this action.

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

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins  
John Hagan  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire

Sarah Fowler  
Kirsten Hill  
Laura Kohler  
Martha Manchester  
Mike Toal

Motion carried.

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

**20. RESOLUTION TO DENY PERMANENTLY THE ONE-YEAR EXTENSION OF A FOUR-YEAR RESIDENT EDUCATOR ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE APPLICATION OF MARK E. VROOMAN**

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

WHEREAS Mark E. Vrooman has applied for a one-year extension of his four-year resident educator adolescence to young adult teaching license issued in 2012; and

WHEREAS on July 24, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Mark E. Vrooman of its intent to deny or permanently deny his application for a one-year extension of his four-year



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resident educator adolescence to young adult teaching license issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(b). The notice was based upon Mr. Vrooman's 2018 conviction in the Youngstown Municipal Court for one misdemeanor count of assault; and

WHEREAS the notice informed Mr. Vrooman that if he fails within thirty days to request a hearing in accordance with Section 119.07 of the Revised Code, the State Board of Education will proceed to deny or permanently deny his application for a one-year extension of his four-year resident educator adolescence to young adult teaching license issued in 2012; and

WHEREAS Mark E. Vrooman 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, and certified police records from the Youngstown 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) and (B)(2)(b), hereby **DENIES** Mark E. Vrooman's application for a one-year extension of his four-year resident educator adolescence to young adult teaching license issued in 2012 based upon Mr. Vrooman's 2018 conviction in the Youngstown Municipal Court for one misdemeanor count of assault. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders that Mark E. Vrooman 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. Vrooman of this action.

It was Moved by Ms. Fowler and Seconded by Mrs. Hill that the above recommendation (Item 20) be approved.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins  
John Hagan  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire

Sarah Fowler  
Kirsten Hill  
Laura Kohler  
Martha Manchester  
Mike Toal

Motion carried.

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

**21. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY THE ONE-YEAR EXTENSION OF A FOUR-YEAR RESIDENT EDUCATOR MIDDLE CHILDHOOD TEACHING LICENSE APPLICATION OF BRANDON F. WELLS**

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

WHEREAS Brandon F. Wells has applied for a one-year extension of a four-year resident educator middle childhood teaching license and held a four-year resident educator middle childhood teaching license issued in 2015; and

WHEREAS on May 21, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Brandon F. Wells of its intent to deny or permanently deny his application for a one-year extension of a four-year resident educator middle childhood teaching license, and to limit, suspend, revoke, or permanently revoke his four-year resident educator middle childhood teaching license issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Wells engaging in conduct unbecoming to the teaching profession on or about November 13, 2015, when he pushed a student into the hallway outside of his classroom and repeatedly yelled at the student, "Stay out of my doorway"; and

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

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

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

WHEREAS the hearing officer recommends that Mr. Wells' pending application be denied. Further it is recommended that Mr. Wells be ineligible to apply for any license, permit, or certificate issued by the State Board of Education for a period of six months and that upon reapplication, Mr. Wells must provide written verification to the Ohio Department of Education that he has successfully completed sixteen hours of anger management training and eight hours of professional boundaries training. The hearing officer's recommendation is based upon Mr. Wells engaging in inappropriate and unprofessional behavior when he

yelled at a student and physically and aggressively pushed the student out of his classroom door; 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** Brandon F. Wells' application for a one-year extension of a four-year resident educator middle childhood teaching license based upon Mr. Wells engaging in conduct unbecoming to the teaching profession on or about November 13, 2015, when he pushed a student into the hallway outside of his classroom and repeatedly yelled at the student, "Stay out of my doorway". Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(a), orders that Brandon F. Wells be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until April 15, 2020, and upon reapplication, Mr. Wells must provide written verification to the Ohio Department of Education that he has successfully completed, at his own expense, sixteen hours of anger management training and eight hours of professional boundaries training, with all training to be approved in advance 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. Wells of this action.

It was Moved by Mrs. Collins and Seconded by Mrs. Manchester that the above recommendation (Item 21) be approved.

Ms. Fowler Moved to amend the resolution by substitution. She proposed to issue and suspend Brandon F. Wells' application for a one-year extension of his four-year resident educator middle childhood teaching license with the suspension to begin on October 15, 2019 and ending on April 15, 2020 provided he has completed, at his own costs, sixteen hours of anger management training and eight hours of student/teacher boundary training, with the trainings to be approved in advance by the Ohio Department of Education. If Mr. Wells does not complete the required trainings prior to April 15, 2020, the suspension will continue indefinitely until Mr. Wells provides proof to the Ohio Department of Education that he has completed the trainings. Further, the State Board of Education hereby stays the suspension provided Mr. Wells has no further disciplinary actions and he completes the required trainings prior to April 15, 2020. Mr. Hagan Seconded the motion. Ms. Fowler stated the conduct occurred more than three years ago and Mr. Wells voluntarily sought rehabilitation. Mr. Wells has a mentor and is working on improving his teaching capabilities. Additionally, there has been no further disciplinary action since this occurrence.

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

YES VOTES

Cindy Collins  
John Hagan  
Jenny Kilgore

Sarah Fowler  
Kirsten Hill  
Laura Kohler

Mark Lamoncha  
Charlotte McGuire

Martha Manchester  
Mike Toal

Motion carried.

**21. RESOLUTION TO MODIFY THE REPORT OF THE HEARING OFFICER, TO REJECT THE RECOMMENDATION OF THE HEARING OFFICER, AND TO ISSUE WITH A STAYED SUSPENSION THE ONE-YEAR EXTENSION OF A FOUR-YEAR RESIDENT EDUCATOR MIDDLE CHILDHOOD TEACHING LICENSE APPLICATION OF BRANDON F. WELLS**

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

WHEREAS Brandon F. Wells has applied for a one-year extension of a four-year resident educator middle childhood teaching license and held a four-year resident educator middle childhood teaching license issued in 2015; and

WHEREAS on May 21, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Brandon F. Wells of its intent to deny or permanently deny his application for a one-year extension of a four-year resident educator middle childhood teaching license, and to limit, suspend, revoke, or permanently revoke his four-year resident educator middle childhood teaching license issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Wells engaging in conduct unbecoming to the teaching profession on or about November 13, 2015, when he pushed a student into the hallway outside of his classroom and repeatedly yelled at the student, "Stay out of my doorway"; and

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

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

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

WHEREAS the hearing officer recommends that Mr. Wells' pending application be denied. Further it is recommended that Mr. Wells be ineligible to apply for any license, permit, or certificate issued by the State Board of Education for a period of six months and that upon reapplication, Mr. Wells must provide written verification to the Ohio Department of Education that he has successfully completed sixteen hours of anger management training and eight hours of professional boundaries training. The hearing officer's recommendation is based upon Mr. Wells engaging in inappropriate and unprofessional behavior when he yelled at a student and physically and aggressively pushed the student out of his classroom door; 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 has considered the hearing officer's report and recommendation; and

WHEREAS the State Board of Education rejects the following portions of the hearing officer's Report and Recommendation: reject in its entirety the Recommendation section of the Summary Fact Sheet; reject in its entirety Conclusion of Law numbered 12 in the Report and Recommendation; reject in its entirety the last sentence of the first full paragraph on page 15 of the Report and Recommendation that begins, "Thus the rationale..."; and reject in its entirety the Recommendation section on page 15 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: Mr. Wells has taught continuously since his misconduct without further incidence; Mr. Wells has been a teacher since 2008 and other than this misconduct he has not had any disciplinary actions by his employing schools or the State Board of Education; since his misconduct, a teacher mentored Mr. Wells for a year, and he completed basic classroom management, rewards, and consequences training; Mr. Wells' misconduct occurred over three years ago and it appears it was one-time incidence of poor judgment and overreaction; Mr. Wells sent the disruptive student to the office for a detention and instead the student was permitted to return almost immediately to the classroom without the student's behavior being addressed; and Mr. Wells testified that he has good rapport with students and colleagues as evidenced by two letters of support from colleagues being admitted into the administrative record; and

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

WHEREAS the State Board concludes a denial of Mr. Wells' application for a one-year extension of his four-year resident educator license is not warranted based on the mitigating factors in this case and a more appropriate sanction would be to issue Mr. Well's license with a six-month stayed suspension provided Mr. Wells has no further disciplinary actions and he successfully completes sixteen hours of anger management training and eight hours student/teacher boundary training: Therefore, Be It

RESOLVED, That the State Board of Education rejects the following portions of the hearing officer's Report and Recommendation: reject in its entirety the

Recommendation section of the Summary Fact Sheet; reject in its entirety Conclusion of Law numbered 12 in the Report and Recommendation; reject in its entirety the last sentence of the first full paragraph on page 15 of the Report and Recommendation that begins, "Thus the rationale..."; and reject in its entirety the Recommendation section on page 15 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: Mr. Wells has taught continuously since his misconduct without further incidence; Mr. Wells has been a teacher since 2008 and other than this misconduct he has not had any disciplinary actions by his employing schools or the State Board of Education; since his misconduct, a teacher mentored Mr. Wells for a year, and he completed basic classroom management, rewards, and consequences training; Mr. Wells' misconduct occurred over three years ago and it appears it was one-time incidence of poor judgment and overreaction; Mr. Wells sent the disruptive student to the office for a detention and instead the student was permitted to return almost immediately to the classroom without the student's behavior being addressed; and Mr. Wells testified that he has good rapport with students and colleagues as evidenced by two letters of support from colleagues being admitted into the administrative record; and, Be It Further

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

RESOLVED, That the State Board concludes a denial of Mr. Wells' application for a one-year extension of his four-year resident educator license is not warranted based on the mitigating factors in this case and a more appropriate sanction would be to issue Mr. Well's license with a six-month stayed suspension provided Mr. Wells has no further disciplinary actions and he successfully completes sixteen hours of anger management training and eight hours student/teacher boundary training; and, Be It Further

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **ISSUES AND SUSPENDS** Brandon F. Wells' application for a one-year extension of his four-year resident educator middle childhood teaching license with the suspension to begin on October 15, 2019 and ending on April 15, 2020 provided he has completed, at his own costs, sixteen hours of anger management training and eight hours of student/teacher boundary training, with the trainings to be approved in advance by the Ohio Department of Education. If Mr. Wells does not complete the required trainings prior to April 15, 2020, the suspension will continue indefinitely until Mr. Wells provides proof to the Ohio Department of Education that he has completed the trainings. Further, the State Board of Education hereby **STAYS** the suspension provided Mr. Wells has no further disciplinary actions and he completes the required trainings prior to April 15, 2020. The suspension is based upon Mr. Wells engaging in conduct unbecoming to the teaching profession on or about November 13, 2015, when he pushed a student into the hallway outside of his classroom and repeatedly yelled at the student, "Stay out of my doorway". Further, the State Board of Education,

in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(a), orders that Brandon F. Wells be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until he provides written verification to the Ohio Department of Education that he has successfully completed, at his own expense, sixteen hours of anger management training and eight hours of professional boundaries training, with all training to be approved in advance 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. Wells of this action.

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

YES VOTES

Cindy Collins  
John Hagan  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire

Sarah Fowler  
Kirsten Hill  
Laura Kohler  
Martha Manchester  
Mike Toal

Motion carried.

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

**22. RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF MARK B. WILLIAMSON**

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

WHEREAS Mark B. Williamson held a three-year pupil activity permit issued in 2015; and

WHEREAS on August 2, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Mark B. Williamson of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(a). The notice was based upon Mr. Williamson's 2019 conviction in the Montgomery County Court of Common Pleas for one felony count of obstructing official business for which he was ordered, as part of his sentence, to have no contact, including through the use of social media, with a student and the student's family, or to come within one thousand feet of their person, residence, or place of employment; and

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

WHEREAS Mark B. Williamson 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 Montgomery County Court of Common Pleas, and certified police records from the Huber Heights 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) and (B)(2)(a), hereby **REVOKES** Mark B. Williamson's three-year pupil activity permit issued in 2015 based upon Mr. Williamson's 2019 conviction in the Montgomery County Court of Common Pleas for one felony count of obstructing official business for which he was ordered, as part of his sentence, to have no contact, including through the use of social media, with a student and the student's family, or to come within one thousand feet of their person, residence, or place of employment. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Mark B. Williamson 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. Williamson of this action.

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

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins  
John Hagan  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire

Sarah Fowler  
Kirsten Hill  
Laura Kohler  
Martha Manchester  
Mike Toal

Motion carried.



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Mrs. McGuire presented the following recommendation (Item 23):

**23. RESOLUTION FOR ADDITIONAL COMPENSATION HOURS FOR MEMBERS OF THE STATE BOARD OF EDUCATION**

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

Ohio Revised Code (“ORC”) Section 3301.03 authorizes each voting member of the State Board of Education (“State Board”) to be paid a salary fixed pursuant to division (J) of ORC Section 124.15, together with the member’s actual and necessary expenses incurred while engaged in the performance of the member’s official duties or in the conduct of authorized board business, and while en-route to and from the member’s home for such purposes.

Division (J) of ORC 124.15 provides that unless the compensation of a member of a board or commission is otherwise set by statute, the director of administrative services shall establish the rate and method of payment for members of boards and commissions pursuant to the pay schedules listed in ORC 124.152.

It is not the intention of the State Board to modify the pay schedules established under ORC 124.15, but rather to increase the number of hours for which a member may be compensated at the hourly rate set by statute.

Paragraph G of the State Board’s Policies and Procedures Manual sets forth the policies for State Board Member compensation and expenses.

At its April 2019 meeting, the Executive Committee recommended the following changes to Paragraph G of the State Board’s Policies and Procedures Manual regarding State Board Member Compensation:

- Members may include up to 144 hours for meeting preparation time and constituent services time per year. Members may choose whether they want to count those hours.
- Members who hold the following positions are eligible for additional compensation as follows:
  - Committee/Task Force Vice Chair – up to 36 additional hours of preparation time.
  - Committee/Task Force Chair – up to 72 additional hours of preparation time.
  - State Board Vice President – up to 108 additional hours of preparation time.
  - State Board President – up to 144 additional hours of preparation time.

**NOW, THEREFORE, BE IT RESOLVED**, that based on the recommendation from the Executive Committee, the Board hereby approves the additional compensation hours outlined above.

**BE IT FURTHER RESOLVED**, that Attorney General Opinion 2019-019 states that a State Board member may not take advantage of the increase unless the

amended version of the State Board's Policies and Procedures Manual was in effect at the start of the voting member's current term in office.

It was Moved by Mrs. McGuire that the above recommendation (Item 23) be approved.

President Kohler stated she was concerned about funds flowing in this direction and would not support the resolution.

President Kohler called for a roll call vote.

YES VOTES

Cindy Collins  
John Hagan  
Mark Lamoncha  
Charlotte McGuire

Sarah Fowler  
Kirsten Hill  
Martha Manchester

NO VOTES

Jenny Kilgore  
Laura Kohler

Mike Toal

Motion carried.

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President Kohler presented the following recommendation (Item 24):

24. **RESOLUTION TO ADOPT THE RECOMMENDATION OF THE HEARING OFFICER AND TO APPROVE NEWTON FALLS EXEMPTED VILLAGE SCHOOL DISTRICT'S DETERMINATION OF IMPRACTICAL TRANSPORTATION AND PAYMENT IN LIEU OF TRANSPORTATION OF CERTAIN STUDENTS ATTENDING BIO-MED SCIENCE ACADEMY, PORTAGE COUNTY.**

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

Pursuant to Ohio Revised Code Sections 3327.01 and 3327.02, Newton Falls Exempted Village School District ("Newton Falls EVSD") determined it is impractical to transport students from Newton Falls to Bio-Med Science Academy ("Bio-Med"), Portage County;

A hearing was held on July 31, 2019, before a duly appointed hearing officer;

In her report, filed on or around September 15, 2019, hearing officer Melissa Riggins recommends the State Board of Education approve Newton Falls EVSD's determination of impractical transportation and payment in lieu of transporting certain students attending Bio-Med; and

Based on the evidence presented and factors set forth in ORC 3327.02, the hearing officer found Newton Falls EVSD's arguments persuasive, and she determined the following: 1) Newton Falls EVSD spent \$4,634.88 during the 2018-2019 school year transporting one student on a 72 passenger bus; 2) Newton Falls EVSD currently has no bus routes that run anywhere near Bio-Med and both schools have the same start and end times; and 3) Newton Falls EVSD contacted neighboring school districts to request assistance in transporting the one student but none are able to assist.

NOW, THEREFORE, BE IT RESOLVED, that upon consideration of the hearing officer's report and recommendation and the relevant law, the State Board of Education hereby adopts the recommendation of the hearing officer and approves Newton Falls EVSD's determination of impractical transportation and payment in lieu of transporting certain students attending Bio-Med for all the reasons set forth in the hearing officer's report and recommendation; and

FURTHER RESOLVED, that the Superintendent of Public Instruction be, and hereby is, directed to serve a true copy of this resolution on the petitioners, Newton Falls EVSD, and counsel of record, if applicable.

It was Moved by Ms. Fowler and Seconded by Mr. Hagan that the above recommendation (Item 24) be approved.

Ms. Fowler stated the district went above and beyond in offering options to the family and appreciated that and would be bringing up an issue in new business regarding Payment-In-Lieu.

President Kohler called for a roll call vote.

**YES VOTES**

Cindy Collins  
John Hagan  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire

Sarah Fowler  
Kirsten Hill  
Laura Kohler  
Martha Manchester  
Mike Toal

Motion carried.

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**Non-Resolutions**  
**New Business**

Ms. Fowler requested that OAC 3301-83-19 be assigned to a committee for review. Specifically, if it would be legal to add van transportation for regular education students under appropriate circumstances.

Mr. Hagan presented the following recommendation (Item 25):

Emergency consideration was requested and granted for Item 25 by Board leadership.

**25. MOTION TO ADD ONE MEMBER TO THE DROPOUT PREVENTION AND RECOVERY WORKGROUP**

I **RECOMMEND** that the State Board of Education **ADOPT** the above motion.

It was Moved by Mr. Hagan and Seconded by Mrs. Hill that the above recommendation (Item 25) be approved.

President Kohler called for a roll call vote.

**YES VOTES**

Cindy Collins  
John Hagan  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire

Sarah Fowler  
Kirsten Hill  
Laura Kohler  
Martha Manchester  
Mike Toal

Motion carried.

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Mr. Hagan Moved to adjourn the meeting. Mr. Lamoncha Seconded the motion.

The President requested a voice vote.

Motion carried.

President Kohler adjourned the meeting at 5:30 p.m. The next regularly scheduled meeting of the State Board of Education is November 13-14, 2019.

ATTEST:



Laura Kohler  
President  
State Board of Education

Paolo DeMaria  
Superintendent of Public Instruction

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