

**STATE BOARD OF EDUCATION OF OHIO  
MINUTES**

July 2020

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

**MEMBERS OF THE STATE BOARD OF EDUCATION**

Stephen Dackin	Stephanie Dodd
Sarah Fowler Arthur	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	Representative Don Jones
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**SECRETARY**

Paolo DeMaria  
Superintendent of Public Instruction

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The State Board convened a virtual Board meeting on Monday, July 13.

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The Board's Teaching, Leading and Learning Committee met beginning at 9:00 a.m.

Topics of discussion were:

- Discuss: OAC 3301-45 Adult High School Diploma Program (22+ Program) (Possible Vote)
- Discuss: OAC 3301-24-23: Resident Educator License Renewal
- Discuss: OAC 3301-24-24: Alternative Resident Educator License Renewal

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The Board's Continuous Improvement Committee met beginning at 10:30 a.m.

Topics of discussion were:

- Discuss: Expanding Opportunities for Each Child Grant
- Discuss: Elementary and Secondary School Emergency Relief Fund (established as part of the CARES Act)

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The Board's Integrated Student Supports Committee met beginning at 1:00 p.m.

Topics of discussion were:

- Discuss: Whole Child Framework
- Discuss: Reset/Restart Supports and Resources

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The Board's Assessment & Accountability Committee met beginning at 2:30 p.m.

Topics of discussion were:

- Discuss: Performance Level Framework and Confirmation Process
- Discuss: OAC 3301-18-01: Calculating Attendance Rate Rule
- Discuss: Research Office Agenda

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The Board's Executive Committee met beginning at 4:00 p.m.

Topics of discussion were:

- Ohio Teacher of the Year Acceptance of Gifts and Privileges

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President Kohler recessed the Board meeting at 5:15 p.m.

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## **STATE BOARD BUSINESS MEETING**

President Kohler convened the Business meeting of the State Board of Education on Tuesday, July 14, at 9:00 a.m.

President Kohler asked the Recording Secretary to call the roll.

### **YES VOTES**

Stephen Dackin	Stephanie Dodd
Sarah Fowler Arthur	John Hagan
Linda Haycock	Kirsten Hill
Meryl Johnson	Laura Kohler
Martha Manchester	Charlotte McGuire
Antoinette Miranda	Eric Poklar
Mike Toal	Reginald Wilkinson
Lisa Woods	

Motion carried.

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

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President Kohler called for the approval of the Minutes of the June 2020 meeting. She asked if there were any corrections to the Minutes.

There were no corrections.

It was Moved by Mrs. Manchester 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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### **Chapter 119 Hearing**

July 14, 2020  
9:05 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:

- 3301-20-03 Employment of Non-Licensed Individuals with Certain Criminal Convictions (Rescind/New)
- 3301-91-02 Schedule of Payments (Amend)
- 3301-91-03 Report Required (Amend)
- 3301-98-01 Reimbursement of Background Checks for Individuals Participating in OhioReads Classroom Reading Grants Program (Rescind)

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 actions subject to this hearing;
- Board Exhibits 2-4 would be true and accurate copies of the resolutions adopted by the State Board of Education regarding these rules;
- Board Exhibits 5-7 would be true and accurate copies of the rules as filed with the Joint Committee on Agency Rule Review (JCARR), Legislative Service Commission (LSC) and the Secretary of State.

Ms. 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 8.

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**

1) 3301-20-03; Employment of Non-Licensed Individuals with Certain Criminal Convictions (Rescind/New) Helen Fite, Law Clerk, Ohio Poverty Law Center. Ms. Fite provided testimony regarding the administrative rule. A written copy of her testimony was provided.

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President Kohler called on Ms. Yaniko, who submitted into evidence State Board Exhibits 1 through 8.

President Kohler stated that the exhibits were so received. As there was no more testimony, she declared the public hearing closed at 9:20 a.m.

President Kohler re-opened the Chapter 119 Hearing for questions from Board members. After discussion, President Kohler announced that 3301-20-03; Employment of Non-Licensed Individuals with Certain Criminal Convictions (Rescind/New), would be pulled and brought forward to the full Board for consideration at the September meeting of the Board.

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Review of Written Reports and Items for Vote

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**EXECUTIVE SESSION**

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

Dr. Kilgore Seconded the motion.

The President called for a roll call vote.

**YES VOTES**

Stephen Dackin  
Sarah Fowler Arthur  
Linda Haycock  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Nick Owens  
Mike Toal  
Lisa Woods

Stephanie Dodd  
John Hagan  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire  
Eric Poklar  
Reginald Wilkinson

Motion carried.

The Board went into Executive Session and Quasi-Judicial discussion at 10:00 a.m.

The Board recessed from Executive Session and Quasi-Judicial discussion at 12:00 p.m.

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**PUBLIC PARTICIPATION ON VOTING AGENDA ITEMS**

- 1) Mr. Keith Hamblen, Director, Mr. Izaak VanderSchel, Legislative Director, Buckeye Christian School Association. Mr. Hamblen spoke to the Board regarding the Operating Standards, 3301-35-08. Copies of written testimony were provided.

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

- 1) Ms. Aubrey Hoyt, Ms. Jenny Lee, Ms. Shannon Mitchell, Ms. Bria Stephens, Mr. Michael Tighe. The individuals spoke to the Board regarding School-Based Occupational Therapy. A Power point presentation was provided.
- 2) Ms. Jessica Greenberg, University of Cincinnati. Ms. Greenberg spoke to the Board regarding the replacement of history and science textbooks with multi-text study.
- 3) Ms. Kathy Johnson, Assistant State of Ohio Director of Proclaiming Justice to the Nations. Ms. Johnson spoke to the Board regarding support in removal of the 1619 Project and all associated curriculum from the Ohio Department of Education website as a resource for education of Ohio students.
- 4) Mr. Michael Goldstein, State of Ohio Director and General Counsel of Proclaiming Justice to the Nations. Mr. Goldstein spoke to the Board regarding support in removal of the 1619 Project and all associated curriculum from the Ohio Department of Education website as a resource for education of Ohio students.

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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:

- Office of Professional Conduct Annual Report and Hearing Officer Practices Briefing

**Professional Conduct Annual Report**

**Educator Disciplinary Process:**

- Intake
- Investigation
- Disposition
- Post-Disposition

**2019 at a Glance:**

- 326,381 Licensed Educators
- 13,160 Referrals
- 1,153 Investigations
- 1,110 Dispositions
- 532 Disciplines

**Non-Application Referrals: Sources since 2019**

- School District – 635
- Rapback – 2047
- Prosecutor Report – 9
- NASDTEC – 59
- Media Report – 26
- Internal Referral – 100
- External Agency – 14
- Citizen Complaint – 398
- Children Services – 342
- Background Report - 73

**Investigations: 2019 Investigations by Referral Source**

- School District – 333
- Rapback – 306
- Prosecutor Report – 1
- NASDTEC – 8
- Media Report – 10
- Internal Referral – 44
- External Agency – 9
- Citizen Complaint – 63
- Children Services – 58
- Background Report – 3
- Application - 318

**Dispositions: 2019 Case Dispositions by Decision-Maker**

- Advising Board Member – 24%
- State Superintendent – 60%
- State Board – 16%

**Dispositions: 2019 Case Dispositions - Disciplinary Versus Non-disciplinary**

- Non-disciplinary – 578
- Disciplinary - 532

**Dispositions: 2019 Disciplinary Actions**

- Letter of Admonishment – 51
- Limitation – 79
- Denial – 10
- Revocation – 25
- Stayed Suspension – 47
- Suspension – 204
- Permanent Limitation – 30
- Permanent Denial – 78
- Permanent Revocation – 166

**Post-Disposition**

- Appeals
- Monitoring Compliance
- Records and Databases

**Chapter 119 Overview**

**Revised Code Chapter 119:**

- Due Process
- Administrative Hearing
- Hearing Officer Role
- Office of Professional Conduct
- State Board of Education

**Hearing Officer Training**

**Training Manual:**

- Purpose
- Development

**Training Manual – Overview:**

- Types of Disciplinary Actions
  - Educator Rehabilitative Measures
- Content of a Report and Recommendation
- Disciplinary Considerations
- Preserving Due Process

**Future Training:**

- Training Manual
- Implicit Bias
  - Kirwan Institute
- Future Training

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**BUDGET DISCUSSION**

**Department Budget Request Discussion: FY2022-2023 Biennium**

**Budget Work Continues:**

- Timeline

- OBM Budget Guidance
- ODE Appendix A
- Board Priorities
- Next Steps

**FY 22-23 Budget Timeline:**

- **June:** Overview of ODE Budget and Budget Process
- **July:** Discussion of State Board priorities-OBM Budget guidance released (expected)
- **September:** State Board discussion of draft recommendations
- **October:** State Board approval of ODE recommendations and submission to OBM.
- **January 2021:** Governor submits FY22-FY23 budget proposal to legislature
- **February - June 2021:** Budget moves through the legislative process
- **July 1, 2021:** FY22-FY23 biennium begins (Beginning of 21-22 school year)

**OBM Guidance:**

- Available later in July; Focused on GRF requests for FY22/FY23
- Baseline likely to be FY20 or FY21 levels
- Two scenarios – likely to be lower than in the past (90%/100%)
- Non-GRF requests based on estimated revenue.
- Budget submission due following board approval.

**Exempt from Consideration:**

- What is exempt from ODE's budget prep?
  - Foundation Formula
  - Transportation Funding
  - Special Education Enhancements
  - Others

**ODE Appendix A:**

- Statement of Additional Priorities for Consideration (beyond highest scenario)

**Board Budget Priorities:**

**Early Childhood Education (Strategy 8):**

- Maintain and project funding for quality early childhood education programs. (*Line items 200408, 200442*)

**Literacy (Strategy 9):**

- Continue the work of the federal Striving Readers and State Comprehensive Literacy program grants.
- Broaden the reach of Ohio's Plan to Raise Literacy Achievement. (*Line item 200566*)

**Effective Teaching & Excellent Instruction (Strategy 1 & 3):**

- Meet needs for use of Remote Learning, use of technology
- School climate; PBIS, Trauma informed practices. (*Line items 200420, 200465, 200426*)

**High School Success - Post-Secondary Connections (Strategy 10):**

- Maintain and promote Career-Technical Education programs
- Maintain adult education, dropout prevention and recovery, high school equivalency programs. (*Line items 200572, 200545*)

**Meeting the Needs of the Whole Child (Strategy 7):**

- Support maintenance of Governor's Success and Wellness funds

**Streamlining & Saving:**

- Assessments
- Report Card
- ODE Administrative Costs

**Next Steps:**

- September - Draft Budget Recs & Appendix A
- October - Approve Budget Recs. & Appendix A

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

Chair: Sarah Fowler Arthur, Vice Chair: Nick Owens

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

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

**OAC 3301-45 Adult High School Diplomas (22+ Program) (Strategy 10)**

- At its March 2020 meeting, this Committee recommended adoption of the rules in the form presented. At the June State Board meeting, several stakeholders provided testimony regarding the rules. As a result of that testimony, the rules were recommitted to the Teaching, Leading and Learning Committee for further discussion.
- In response to testimony, the Department convened meets with interested stakeholders on June 24 and July 1 to discuss changes in processes that would address concerns raised at the June State Board meeting. The conversations were productive and resulted in amenable solutions. Staff provided the Committee with an update regarding these process changes.
- Following discussion, Members voted 7-0, with Mr. Dackin abstaining, in favor of recommending approval of the proposed revised rules as they were presented to the State Board at its June 2020 meeting. A resolution to approve the revised rules will be scheduled to appear on the State Board's September 2020 voting agenda.

**OAC 3301-24-23 Resident Educator License Renewal & OAC 3301-24-24 Alternative Resident Educator License Renewal (Strategy 1)**

- Department staff provided Members with an overview of the proposed revised Ohio Administrative Code 3301-24-23 Resident Educator License Renewal and 3301-24-24 Alternative Resident Educator License Renewal, currently due for five-year-review.
- Committee members reviewed and discussed the revised rules, currently posted for public comment.
- These rules appeared on July's agenda for discussion only and will return in September for a possible vote to recommend adoption.

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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:** Chair Antoinette Miranda, Vice Chair Mike Toal, Stephanie Dodd, John Hagan, and Mark Lamoncha. Committee member Eric Poklar was absent.

**Purpose(s) and/or Goal(s) of Meeting:**

- Discuss the Expanding Opportunities for Each Child Grant
- Discuss the Elementary and Secondary School Emergency Relief Fund (established as part of the CARES Act)

**Expanding Opportunities for Each Child Grant:**

- Bryan Hoynacke, the administrator for the grant, shared information regarding the Expanding Opportunities for Each Child grant, including:
  - Funding formula,
  - Allowable uses of the funds, and
  - Funds need to be focused on priority schools, students in focus schools, and covering costs for other low-achieving students.
- Staff shared examples of ways that districts use their funds.
- Staff discussed the internal collaborations and resources available to districts to utilize the grant funds.

**Elementary and Secondary School Emergency Relief Fund:**

- Jeremy Marks, director of the Office of Federal Programs, provided information about the \$489.2 million in funds that Ohio received for emergency education costs from the federal government in response to COVID-19.
- Ohio also received a federal blanket waiver from the U.S. Department of Education that provides flexibility and extends the period of availability for some federal funds.
- Committee members requested updates in September on how districts are using these funds and how the Ohio Department of Education is providing support. Specifically, members would like to know how the 10% of these funds will be used.

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**BOARD PRESENTATIONS AND DISCUSSION FROM THE INTEGRATED STUDENT SUPPORTS COMMITTEE**

Chair: Charlotte McGuire, Vice Chair: Martha Manchester

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

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

**Whole Child Framework:**

- Staff presented the draft Whole Child Framework developed by the Whole Child Advisory Group. Staff shared how the Whole Child Advisory Group was established and reviewed how the Advisory has been engaged over the past eleven months. A draft of Ohio's Whole Child Framework was presented as well as a document explaining the various components of the framework. Next steps for the Advisory, including plans for developing implementation materials and other resources for districts to use were shared.
- Committee members discussed the components of the Whole Child Framework, asked if there are any funding streams that can support the work to meet the needs of the whole child, and how the implementation of the framework will be evaluated. Committee members also commented on the importance of teacher training programs to focus on the components of the

Whole Child Framework. Also, multiple committee members complemented the graphic design of the Whole Child Framework.

- Committee members requested a link to the Association for Supervision and Curriculum Development (ASCD) website as well as whether the membership of the Whole Child Advisory includes the Big 8 urban schools.
- The item was discussion only, therefore, there was no action by the committee.

**Reset and Restart Supports and Resources:**

- Staff shared information on the supplemental Reset and Restart Resources recently released on social-emotional learning, English language learners and early learning. Staff also shared information on updates to COVID-19 early learning resources.
- The agenda item was discussion only, therefore, there was no action by the committee and the item is not scheduled for full board.

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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), Eric Poklar, Linda Haycock, Steve Dackin, Stephanie Dodd, Mike Toal, Jenny Kilgore

**Performance Level Framework and Confirmation Process:**

The Department is planning the Standards Confirmation Process recommended by Greg Cizek, who spoke to the committee in June. In the coming months, the Department will solicit nominations of educators to participate in panels to examine the previous standards process. Committee members Dodd and Dackin were recommended to participate in the confirmation process.

Potential outcomes of the panel are the following:

- The current Performance Level Descriptors accurately classify students as belonging in the various performance level.
- Students are accurately classified, but some minor revisions need to be made to the Performance Level Descriptors.
- The Performance Level Descriptors do not accurately classify students in the performance levels, which then would necessitate a new standard-setting process.

The schedule for the process to take place is tentative given unknown aspects of the opening of schools. The panels will be convened in virtual meetings set to begin in October. The process is expected to conclude late November or December at which point results will be shared with committee members.

Staff provided insight into the development and structure of the current Performance Level Descriptors. Elizabeth Bridges, Office of Assessment, reviewed examples from the grade 3 and grades 11-12 performance level descriptors. Brian Roget, Office of Learning and Instructional Strategies, reviewed performance descriptors for the grade 4 mathematics and Algebra I test. Their discussion exemplified how student abilities and skills progress across the performance levels of Limited, Basic, Proficient, Accelerated and Advanced.

**Attendance Rate Calculation Rule-3301-18-01(Five-Year Review)**

Presentation by Shelby Robertson, Director, Office of Accountability

- This rule addresses the Department’s calculation of student attendance in schools. The Department’s proposed revisions reflect statutory changes regarding the switch from days to hours required for students’ attendance.
- All references to days in the rule will be updated to hours or time to reflect ORC changes.
- This rule was posted for public comment, which will close on August 12<sup>th</sup>.

**Office of Accountability/ Assessment Budget**

- This was not an agenda item, but it was discussed by committee members. Committee members raised questions about funding for the Department’s SAS contract. They also want to understand who is responsible for managing Accountability Data within school districts. Aaron Rausch Director of the Office of Budget and School Funding will work with staff to provide additional budget documents to the committee at a later meeting.

**Planning for Next Meeting**

- The committee will continue its conversation on the Performance Level Descriptors and the Confirmation Process.
- The Department will provide feedback on any comments received on Rule 3301-18-01; a possible vote will occur.
- The committee and staff will continue budget discussions.

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**BOARD PRESENTATIONS AND DISCUSSION FROM THE EXECUTIVE COMMITTEE**

Chair: Laura Kohler, Vice Chair: Charlotte McGuire

Mrs. Kohler 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, Steve Dackin, Mark Lamoncha.

**Purpose of meeting:** The Executive Committee met to discuss the Ohio Teacher of the Year Acceptance of Gifts and Privileges. Committee and staff members discussed the pros and cons of having the program as well as the benefits of developing external partnerships to allow the program to be more robust. It was noted that Executive Committee members wanted to allow additional conversations to happen at the September State Board of Education meeting with all members present.

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

The Executive Committee voted on the Ohio Teacher of the Year Acceptance of Gifts and Privileges program resolution. The vote passed 7-0 will come to the full Board at the September meeting.

The Board took a brief recess.

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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 1-4) on the Consent Agenda:

- 1. RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY LISA E. BRUSH 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 Lisa E. Brush has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on June 1, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Lisa E. Brush 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. Brush's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Lisa E. Brush 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** Lisa E. Brush'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. Brush'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 Lisa E. Brush 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. Brush of this action.

- 2. RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY DAVID B. SKELLY 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 David B. Skelly has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on May 11, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from David B. Skelly 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. Skelly's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

WHEREAS the form specifies that David B. Skelly is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS David B. Skelly 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** David B. Skelly'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. Skelly'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 David B. Skelly 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. Skelly of this action.

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

WHEREAS on June 5, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Timothy R. Stover 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. Stover's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Timothy R. Stover 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 R. Stover'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. Stover'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 R. Stover 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. Stover of this action.

4. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY TAYLOR K. WILLIAMS 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 Taylor K. Williams has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on May 22, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Taylor K. Williams 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. Williams' decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

WHEREAS the form specifies that Taylor K. Williams is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Taylor K. Williams 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** Taylor K. Williams'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. Williams' 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 Taylor K. Williams 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. Williams of this action.

It was Moved by Dr. Wilkinson and Seconded by Mrs. Manchester that the Consent Agenda (Items 1-4) be approved.

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin	Stephanie Dodd
Sarah Fowler Arthur	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

Motion carried.

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Mrs. Fowler Arthur presented the following recommendation (Item 5):

**5. RESOLUTION TO ADOPT OHIO ADMINISTRATIVE RULE 3301-24-29 / TEMPORARY MILITARY DUTY LICENSE**

The State Board of Education (“Board”) hereby **ADOPTS** the new administrative rule Ohio Administrative Code (OAC) 3301-24-29 / Temporary Military Duty License as follows:

Ohio Revised Code (ORC) 4743.04 requires a department, agency, or office of this state that issues a license or certificate to practice a trade or profession to issue a temporary license or certificate to practice the trade or profession as provided in section 4743.041 of the Revised Code;

ORC 4743.041 requires such departments, agencies, or offices to issue a temporary license or certificate to practice a trade or profession to an individual, provided that all of the following qualifications are met:

- 1) The individual holds a valid license or certificate to practice the trade or profession issued by any other state or jurisdiction;
- 2) The individual is in good standing in the state or jurisdiction of licensure or certification;
- 3) The individual presents adequate proof to the department, agency, or office of this state that the individual or the individual's spouse is on military duty in this state; and
- 4) The individual complies with sections 4776.01 to 4776.04 of the Revised Code if a department, agency, or office of this state requires an applicant under the law governing the applicable trade or profession to submit to a criminal records check to receive a license or certificate.

ORC 4743.041 requires each department, agency, or office that issues a license or certificate to practice a trade or profession to adopt rules under Chapter 119 of the Revised Code as necessary to implement the temporary license under that section;

The temporary military duty license issued under this rule will be issued in the category, type, and level of license that is substantively comparable to the applicant's out-of-state license;

The Educator Standards Board recommended adoption of the rule in the form attached hereto at its May 2020 meeting;

The Teaching, Leading, and Learning Committee recommended adoption of the rule in the form attached hereto at its June 2020 meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby adopts the new administrative rule OAC 3301-24-29 in the form attached hereto;

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

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

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

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin	Stephanie Dodd
Sarah Fowler Arthur	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

Motion carried.

---

Dr. Miranda presented the following recommendation (Item 6):

**6. RESOLUTION TO APPROVE AMENDMENTS TO SECTION 3301-35-01 OF THE OHIO ADMINISTRATIVE CODE**

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

Ohio Revised Code Section 3301.07(D)(2) requires the Board to formulate and prescribe minimum standards to be applied to all elementary and secondary schools in Ohio for the purpose of providing children access to a general education of high quality according to the learning needs of each individual, including students with disabilities, economically disadvantaged students, English learners, and students identified as gifted (those minimum standards, the “Operating Standards”);

These Operating Standards were adopted by the Board and are codified under Ohio Administrative Code Sections 3301-35-01 through 3301-35-10;

The Board is reviewing these rules as part of a five-year review as required by law;

Section 3301-35-01 provides the definitions of terms that are used in Chapter 3301-35 of the Ohio Administrative Code; and

The Continuous Improvement Committee recommended amending Ohio Administrative Code Section 3301-35-01.

NOW, THEREFORE, BE IT RESOLVED, that the Board approves the proposed revisions to Ohio Administrative Code Section 3301-35-01 in the form attached hereto.

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

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

It was Moved by Dr. Miranda that the above recommendation (Item 6) be approved.

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin	Stephanie Dodd
Sarah Fowler Arthur	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

Motion carried.

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Dr. Miranda presented the following recommendation (Item 7):

**7. RESOLUTION TO APPROVE AMENDMENTS TO SECTION 3301-35-02 OF THE OHIO ADMINISTRATIVE CODE**

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

Ohio Revised Code Section 3301.07(D)(2) requires the Board to formulate and prescribe minimum standards to be applied to all elementary and secondary schools in Ohio for the purpose of providing children access to a general education of high quality according to the learning needs of each individual, including students with disabilities, economically disadvantaged students, English learners, and students identified as gifted (those minimum standards, the “Operating Standards”);

These Operating Standards were adopted by the Board and are codified under Ohio Administrative Code Sections 3301-35-01 through 3301-35-10;

The Board is reviewing these rules as part of a five-year review as required by law;

Section 3301-35-02 addresses the governance, leadership, and strategic planning of school districts and schools; and

The Continuous Improvement Committee recommended amending Ohio Administrative Code Section 3301-35-02.

NOW, THEREFORE, BE IT RESOLVED, that the Board approves the proposed revisions to Ohio Administrative Code Section 3301-35-02 in the form attached hereto.

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

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

It was Moved by Dr. Miranda that the above recommendation (Item 7) be approved.

Mrs. Fowler Arthur moved to substitute for division (B) of Ohio Administrative Code Section 3301-35-02. She proposed to insert the word “may” in place of “shall”. She stated the amendment by substitution would keep the revisions to division (B) as recommended by the Continuous Improvement Committee, but would eliminate the requirement for a school district or school to implement a strategic plan. She further stated she felt it was more appropriate to offer this as guidance rather than a mandate to districts. Mr. Hagan seconded the motion.

**Amendment Rule02-Number01-FowlerArthur-StrategicPlans**

(B) ~~For the proper governance, leadership, organization, administration, and supervision of a school district or school, a board of education of a school district or the governing authority of a chartered nonpublic school, or the board’s or authority’s designee, shall, in consultation with stakeholders require effective and focused and after engaging in strategic planning, implement a strategic plan. A strategic plan that guides the school district or school and key stakeholders in the ongoing measurement of school district or school performance to assure adequate progress ensure continuous improvement is being made toward strategic goals and objectives. Strategic planning identifies short- and long-range goals and the strategies necessary to achieve them. Strategic planning is the responsibility of the board of education, the superintendent and other key stakeholders.~~

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

YES VOTES

Stephen Dackin	Stephanie Dodd
Sarah Fowler Arthur	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

Motion carried.

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

YES VOTES

Stephen Dackin  
Sarah Fowler Arthur  
Linda Haycock  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Reginald Wilkinson

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

Motion carried.

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

**8. RESOLUTION TO APPROVE AMENDMENTS TO SECTION 3301-35-03 OF THE OHIO ADMINISTRATIVE CODE**

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

Ohio Revised Code Section 3301.07(D)(2) requires the Board to formulate and prescribe minimum standards to be applied to all elementary and secondary schools in Ohio for the purpose of providing children access to a general education of high quality according to the learning needs of each individual, including students with disabilities, economically disadvantaged students, English learners, and students identified as gifted (those minimum standards, the “Operating Standards”);

These Operating Standards were adopted by the Board and are codified under Ohio Administrative Code Sections 3301-35-01 through 3301-35-10;

The Board is reviewing these rules as part of a five-year review as required by law;

Section 3301-35-03 provides the standards for the operation of blended learning in school districts and schools; and

The Continuous Improvement Committee recommended amending Ohio Administrative Code Section 3301-35-03.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board approves the proposed revisions to Ohio Administrative Code Section 3301-35-03 in the form attached hereto.

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

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

Stephen Dackin	Stephanie Dodd
Sarah Fowler Arthur	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

Motion carried.

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Dr. Miranda presented the following recommendation (Item 9):

**9. RESOLUTION TO APPROVE AMENDMENTS TO SECTION 3301-35-04 OF THE OHIO ADMINISTRATIVE CODE**

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

Ohio Revised Code Section 3301.07(D)(2) requires the Board to formulate and prescribe minimum standards to be applied to all elementary and secondary schools in Ohio for the purpose of providing children access to a general education of high quality according to the learning needs of each individual, including students with disabilities, economically disadvantaged students, English learners, and students identified as gifted (those minimum standards, the “Operating Standards”);

These Operating Standards were adopted by the Board and are codified under Ohio Administrative Code Sections 3301-35-01 through 3301-35-10;

The Board is reviewing these rules as part of a five-year review as required by law;

Section 3301-35-04 provides the standards that are focused on students and other stakeholders; and

The Continuous Improvement Committee recommended amending Ohio Administrative Code Section 3301-35-04.

NOW, THEREFORE, BE IT RESOLVED, that the Board approves the proposed revisions to Ohio Administrative Code Section 3301-35-04 in the form attached hereto.

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

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

It was Moved by Dr. Miranda that the above recommendation (Item 9) be approved.

Dr. Miranda moved to Amend the resolution by substitution. The amendment by substitution would delete division (B)(1), which is currently in effect. Under this amendment, school districts and schools would no longer be required to provide study in foreign language, technology, family and consumer sciences, and business education. School districts and schools are required under Revised Code section 3313.60(A)(5)(d) to provide, in grades kindergarten through six, study in personal safety and assault prevention. Mrs. Fowler Arthur Seconded the motion.

**Amendment Rule04-Number01-Miranda-CourseOfferings**

(B)The school district or chartered nonpublic school shall implement a curriculum and instructional program that is characterized by systematic planning, articulation, and evaluation. The school district's or chartered nonpublic school's curriculum shall be developed with input from and dialogue with parents, community members, and other stakeholders.

~~(1) In addition to those subjects required by the Revised Code, school districts also shall provide for study of the following:~~

- ~~(a) Personal safety and assault prevention in grades kindergarten through six;~~
- ~~(b) Foreign language;~~
- ~~(c) Technology;~~
- ~~(d) Family and consumer sciences; and~~
- ~~(e) Business education.~~

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

YES VOTES

Stephen Dackin  
John Hagan  
Kirsten Hill

Sarah Fowler Arthur  
Linda Haycock  
Meryl Johnson

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Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire  
Nick Owens  
Reginald Wilkinson

Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Mike Toal  
Lisa Woods

ABSTAIN

Stephanie Dodd

Motion carried.

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

YES VOTES

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

Sarah Fowler Arthur  
Linda Haycock  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Reginald Wilkinson

ABSTAIN

Stephanie Dodd

Motion carried.

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Dr. Miranda presented the following recommendation (Item 10):

**10. RESOLUTION TO APPROVE AMENDMENTS TO SECTION 3301-35-05 OF THE OHIO ADMINISTRATIVE CODE**

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

Ohio Revised Code Section 3301.07(D)(2) requires the Board to formulate and prescribe minimum standards to be applied to all elementary and secondary schools in Ohio for the purpose of providing children access to a general education of high quality according to the learning needs of each individual, including students with disabilities, economically disadvantaged students, English learners, and students identified as gifted (those minimum standards, the “Operating Standards”);

These Operating Standards were adopted by the Board and are codified under Ohio Administrative Code Sections 3301-35-01 through 3301-35-10;

The Board is reviewing these rules as part of a five-year review as required by law;

Section 3301-35-05 provides the standards that are focused on faculty and staff; and

The Continuous Improvement Committee recommended amending Ohio Administrative Code Section 3301-35-05.

NOW, THEREFORE, BE IT RESOLVED, that the Board approves the proposed revisions to Ohio Administrative Code Section 3301-35-05 in the form attached hereto.

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

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

It was Moved by Dr. Miranda that the above recommendation (Item 10) be approved.

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin  
Sarah Fowler Arthur  
Linda Haycock  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Mike Toal  
Lisa Woods

Stephanie Dodd  
John Hagan  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire  
Nick Owens  
Reginald Wilkinson

Motion carried.

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Dr. Miranda presented the following recommendation (Item 11):

**11. RESOLUTION TO APPROVE AMENDMENTS TO SECTION 3301-35-06 OF THE OHIO ADMINISTRATIVE CODE**

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

Ohio Revised Code Section 3301.07(D)(2) requires the Board to formulate and prescribe minimum standards to be applied to all elementary and secondary

schools in Ohio for the purpose of providing children access to a general education of high quality according to the learning needs of each individual, including students with disabilities, economically disadvantaged students, English learners, and students identified as gifted (those minimum standards, the “Operating Standards”);

These Operating Standards were adopted by the Board and are codified under Ohio Administrative Code Sections 3301-35-01 through 3301-35-10;

The Board is reviewing these rules as part of a five-year review as required by law;

Section 3301-35-06 provides the standards that are focused on educational programs and support; and

The Continuous Improvement Committee recommended amending Ohio Administrative Code Section 3301-35-06.

NOW, THEREFORE, BE IT RESOLVED, that the Board approves the proposed revisions to Ohio Administrative Code Section 3301-35-06 in the form attached hereto.

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

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

It was Moved by Dr. Miranda that the above recommendation (Item 11) be approved.

Mrs. Fowler Arthur moved to substitute for division (A)(4) of Ohio Administrative Code Section 3301-35-06. Dr. Kilgore Seconded the motion. She stated the amendment by substitution would add a reference to the Revised Code provision that requires the State Board of Education to formulate and prescribe minimum standards requiring the use of phonics as a technique in the teaching of reading in grades kindergarten through three.

**Amendment Rule06-Number01-FowlerArthur-AddPhonicsK-3ORCReference**

(4) ~~Include P~~phonics shall be used as a technique to teach reading in kindergarten through third grade in accordance with section 3301.07 of the Ohio Revised Code.

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

YES VOTES

Stephen Dackin  
Sarah Fowler Arthur  
Linda Haycock

Stephanie Dodd  
John Hagan  
Kirsten Hill

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Meryl Johnson  
Mark Lamoncha  
Mike Toal

Jenny Kilgore  
Martha Manchester  
Lisa Woods

NO VOTES

Charlotte McGuire  
Nick Owens  
Laura Kohler

Antoinette Miranda  
Reginald Wilkinson

Motion carried.

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

YES VOTES

Stephen Dackin  
Sarah Fowler Arthur  
Linda Haycock  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Mike Toal  
Lisa Woods

Stephanie Dodd  
John Hagan  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire  
Nick Owens  
Reginald Wilkinson

Motion carried.

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Dr. Miranda presented the following recommendation (Item 12):

**12. RESOLUTION TO APPROVE AMENDMENTS TO SECTION 3301-35-07 OF THE OHIO ADMINISTRATIVE CODE**

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

Ohio Revised Code Section 3301.07(D)(2) requires the Board to formulate and prescribe minimum standards to be applied to all elementary and secondary schools in Ohio for the purpose of providing children access to a general education of high quality according to the learning needs of each individual, including students with disabilities, economically disadvantaged students, English learners, and students identified as gifted (those minimum standards, the “Operating Standards”);

These Operating Standards were adopted by the Board and are codified under Ohio Administrative Code Sections 3301-35-01 through 3301-35-10;

The Board is reviewing these rules as part of a five-year review as required by law;

Section 3301-35-07 provides the standards that are focused on data-driven improvement; and

The Continuous Improvement Committee recommended amending Ohio Administrative Code Section 3301-35-07.

NOW, THEREFORE, BE IT RESOLVED, that the Board approves the proposed revisions to Ohio Administrative Code Section 3301-35-07 in the form attached hereto.

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

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

It was Moved by Dr. Miranda that the above recommendation (Item 12) be approved.

Mrs. Fowler Arthur moved to substitute for division (I) of Ohio Administrative Code Section 3301-35-07. Mrs. Hill Seconded the motion. She stated the amendment by substitution would retain the existing phrase “in accordance with standards determined by the state board of education.” She further stated this language was in the previous rule and added clarification to the responsibilities of the Board.

**Amendment Rule07-Number01-FowlerArthur-Waivers**

(I) In accordance with section 3301.07 of the Revised Code, Exceptions waivers to the provisions of the rules of this chapter, excluding rule 3301-35-08 of the Administrative Code, may be granted by the state superintendent of public instruction in accordance with standards determined by the state board of education upon evidence of good and sufficient reason and recommendation by the superintendent of public instruction.

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

**YES VOTES**

Stephen Dackin  
Sarah Fowler Arthur  
Linda Haycock  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Mike Toal  
Lisa Woods

Stephanie Dodd  
John Hagan  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire  
Nick Owens  
Reginald Wilkinson

Motion carried.

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

YES VOTES

Stephen Dackin  
Sarah Fowler Arthur  
Linda Haycock  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Mike Toal  
Lisa Woods

Stephanie Dodd  
John Hagan  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire  
Nick Owens  
Reginald Wilkinson

Motion carried.

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Dr. Miranda presented the following recommendation (Item 13):

**13. RESOLUTION TO APPROVE AMENDMENTS TO SECTION 3301-35-08 OF THE OHIO ADMINISTRATIVE CODE**

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

Ohio Revised Code Section 3301.07(D)(2) requires the Board to formulate and prescribe minimum standards to be applied to all elementary and secondary schools in Ohio for the purpose of providing children access to a general education of high quality according to the learning needs of each individual, including students with disabilities, economically disadvantaged students, English learners, and students identified as gifted (those minimum standards, the “Operating Standards”);

These Operating Standards were adopted by the Board and are codified under Ohio Administrative Code Sections 3301-35-01 through 3301-35-10;

The Board is reviewing these rules as part of a five-year review as required by law;

Section 3301-35-08 provides the standards for non-chartered, non-tax supported schools; and

The Continuous Improvement Committee recommended amending Ohio Administrative Code Section 3301-35-08.

NOW, THEREFORE, BE IT RESOLVED, that the Board approves the proposed revisions to Ohio Administrative Code Section 3301-35-08 in the form attached hereto.

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

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

It was Moved by Dr. Miranda that the above recommendation (Item 13) be approved.

Mrs. Dodd moved to Amend the resolution by substitution. She proposed no changes to the rule as previously written. Mrs. Fowler Arthur Seconded the motion. Mrs. Dodd referred to public testimony on this rule by Mr. Keith Hamblen, Director, Buckeye Christian School Association, who stated the proposed changes did not bring value to the rule. Mrs. Fowler Arthur stated she had a concern that there might be additional schools who did not testify that might be impacted by this and unintended consequences to a well-intentioned change.

**Amendment Rule08-No Change-Dodd**

(C) Teacher and administrator qualifications. Teachers and administrators shall have received a bachelor's degree or the equivalent thereof from a recognized college or university.

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

YES VOTES

Stephen Dackin	Stephanie Dodd
Sarah Fowler Arthur	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

Motion carried.

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

YES VOTES

Stephen Dackin	Stephanie Dodd
Sarah Fowler Arthur	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

Motion carried.

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Dr. Miranda presented the following recommendation (Item 14):

**14. RESOLUTION TO APPROVE AMENDMENTS TO SECTION 3301-35-09 OF THE OHIO ADMINISTRATIVE CODE**

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

Ohio Revised Code Section 3301.07(D)(2) requires the Board to formulate and prescribe minimum standards to be applied to all elementary and secondary schools in Ohio for the purpose of providing children access to a general education of high quality according to the learning needs of each individual, including students with disabilities, economically disadvantaged students, English learners, and students identified as gifted (those minimum standards, the “Operating Standards”);

These Operating Standards were adopted by the Board and are codified under Ohio Administrative Code Sections 3301-35-01 through 3301-35-10;

The Board is reviewing these rules as part of a five-year review as required by law;

Section 3301-35-09 provides the standards for chartered nonpublic schools; and

The Continuous Improvement Committee recommended amending Ohio Administrative Code Section 3301-35-09.

NOW, THEREFORE, BE IT RESOLVED, that the Board approves the proposed revisions to Ohio Administrative Code Section 3301-35-09 in the form attached hereto.

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

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

It was Moved by Dr. Miranda that the above recommendation (Item 14) be approved.

President Kohler called for a roll call vote.

YES VOTES

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

Sarah Fowler Arthur  
Linda Haycock  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Reginald Wilkinson

ABSTAIN

Stephanie Dodd

Motion carried.

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Dr. Miranda presented the following recommendation (Item 15):

**15. RESOLUTION TO APPROVE RESCISSION OF SECTION 3301-35-10 OF THE OHIO ADMINISTRATIVE CODE**

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

Ohio Revised Code Section 3301.07(D)(2) requires the Board to formulate and prescribe minimum standards to be applied to all elementary and secondary schools in Ohio for the purpose of providing children access to a general education of high quality according to the learning needs of each individual, including students with disabilities, economically disadvantaged students, English learners, and students identified as gifted (those minimum standards, the “Operating Standards”);

These Operating Standards were adopted by the Board and are codified under Ohio Administrative Code Sections 3301-35-01 through 3301-35-10;

The Board is reviewing these rules as part of a five-year review as required by law;

Section 3301-35-10 provides the procedures for beginning a new chartered nonpublic school and for changing the location or ownership of a chartered nonpublic school; and

The Continuous Improvement Committee recommended incorporating the provisions of Ohio Administrative Code Section 3301-35-10 in Ohio Administrative Code Section 3301-35-09.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board approves the rescission of Ohio Administrative Code Section 3301-35-10.

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

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

It was Moved by Dr. Miranda that the above recommendation (Item 15) be approved.

Mrs. Fowler Arthur stated the committee had received feedback with concerns regarding interpretation of this rule and the previous rule and revised code and caution should be used when interpreting the rule in accordance to the intent of the revised code.

President Kohler called for a roll call vote.

YES VOTES

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

Sarah Fowler Arthur  
Linda Haycock  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Reginald Wilkinson

ABSTAIN

Stephanie Dodd

Motion carried.

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Dr. Miranda presented the following recommendation (Item 16):

**16. RESOLUTION TO ADOPT CHANGES TO OHIO ADMINISTRATIVE RULE 3301-46-01 / INNOVATIVE EDUCATION PILOT PROGRAMS**

The State Board of Education (“Board”) hereby **ADOPTS** changes to Ohio Administrative Code (OAC) 3301-46-01 / Innovative Education Pilot Programs as follows:

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

ORC 3302.07 requires the Board to adopt standards for the approval of innovative education pilot program applications;

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This rule sets forth the standards for approval and application requirements for innovative pilot program applicants;

The rule is being amended to add a definition for “innovation” and to emphasize innovation during the application process;

Further, the rule is being amended to provide for more comprehensive and robust application standards that will allow for a more meaningful review of applications and determination of the efficacy of approved programs;

Additionally, the rule is being amended to remove redundant language of that contained in statute and to provide clarity;

The rule is also being amended to add a provision for termination of programs;

The Continuous Improvement Committee recommended adoption of the rule in the form attached hereto at its June meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby adopts the changes to OAC 3301-46-01 in the form attached hereto;

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

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

It was Moved by Dr. Miranda that the above recommendation (Item 16) be approved.

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin  
Sarah Fowler Arthur  
Linda Haycock  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Reginald Wilkinson

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

Motion carried.

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

**17. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY PERMANENTLY THE FIVE-YEAR SUBSTITUTE GENERAL EDUCATION TEACHING LICENSE APPLICATION OF DENNIS B. DOLAN**

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

WHEREAS Dennis B. Dolan has applied for a five-year substitute general education teaching license; and

WHEREAS on August 12, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Dennis B. Dolan of its intent to deny or permanently deny his application for a five-year substitute general education teaching license pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(b), (B)(2)(3) and (F). The notice was based upon Mr. Dolan's 2011 conviction in the Clark County District Court, Washington for one misdemeanor count of malicious mischief and two misdemeanor counts of reckless endangerment, 2009 conviction in the Cowlitz County District Court, Washington for one misdemeanor count of disorderly conduct, 2009 conviction in the Clark County District Court, Washington for one misdemeanor count of assault and one misdemeanor count of criminal trespassing, and Mr. Dolan engaging in conduct that is unbecoming to the teaching profession on or about December 12, 2018, when he failed to disclose his criminal convictions on his 2018 application to the Ohio Department of Education; and

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

WHEREAS a hearing was held on March 4, 2020; and

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

WHEREAS the hearing officer recommends that Mr. Dolan's application be denied. Further it is recommended that Mr. Dolan 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. Dolan engaging in conduct that is unbecoming to the teaching profession as a result of his convictions in 2011 and 2009 that involved unacceptable behavior and Mr. Dolan acting dangerously in several situations over a period of years; and

WHEREAS the ten-day deadline to file objections was tolled until July 30, 2020 by Section 22(A) of Am. Sub. H.B. 197; and

WHEREAS Mr. Dolan filed objections in accordance with Section 119.09 of the Ohio Revised Code and within the additional time provided by Am. Sub. H.B. No. 197; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(b), (B)(2)(3) and (F), hereby **DENIES** Dennis B. Dolan's application for a five-year substitute general education teaching license based upon Mr. Dolan's 2011 conviction in the Clark County District Court, Washington for one misdemeanor count of malicious mischief and four misdemeanor counts of reckless endangerment, 2009 conviction in the Cowlitz County District Court, Washington for one misdemeanor count of disorderly conduct, and 2009 conviction in the Clark County District Court, Washington for one misdemeanor count of assault and one misdemeanor count of criminal trespassing. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Dennis B. Dolan 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. Dolan of this action.

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

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin	Stephanie Dodd
Sarah Fowler Arthur	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

Motion carried.

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President Kohler presented the following recommendation (Item 18):

18. **RESOLUTION TO APPROVE THE ADDITION OF A DELPHOS CITY SCHOOLS BOARD OF EDUCATION MEMBER TO THE VANTAGE JOINT VOCATIONAL SCHOOL DISTRICT BOARD OF EDUCATION**

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The State Board of Education hereby **APPROVES** the addition of a Delphos City Schools Board of Education Member to the Vantage Joint Vocational School District Board of Education as follows:

Ohio Revised Code (ORC) 3311.213 sets forth the procedure for a district to join an existing joint vocational school district;

In accordance with that section, on March 5, 2020, the Vantage Joint Vocational School District Board of Education (Vantage JVSD) passed a resolution under O.R.C. 3311.213 adding Delphos City Schools to the Vantage JVSD, effective July 1, 2020;

On the adoption of the resolution by Vantage JVSD, Vantage JVSD advertised a copy of the resolution in a newspaper of general circulation in Delphos City Schools once each week for two weeks, immediately following the date of the adoption of the resolution;

During the sixty-day period following the date of the adoption of the resolution, the electors of Delphos City Schools did not petition for a referendum vote on the resolution of and the resolution became effective;

When the resolution became effective, Vantage JVSD notified the Van Wert, Putnam and Allen county auditors, which are the auditors of the counties in which the Delphos City School District is located;

In accordance with 3311.213(C), on the addition of Delphos City Schools to the Vantage JVSD, Vantage JVSD submitted to the State Board of Education a proposal to enlarge the membership of the Vantage JVSD by the addition of one person who is a member of the Delphos City Schools Board of Education for a three-year term of office.

NOW, THEREFORE, BE IT RESOLVED, that the State Board of Education hereby approves the addition of a Delphos City Schools Board of Education member to the Vantage Joint Vocational School District Board of Education.

It was Moved by Mrs. Kohler and Seconded by Mrs. Haycock that the above recommendation (Item 18) be approved.

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin  
Sarah Fowler Arthur  
Linda Haycock  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Mike Toal  
Lisa Woods

Stephanie Dodd  
John Hagan  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire  
Nick Owens  
Reginald Wilkinson

Motion carried.

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Dr. Kilgore presented the following recommendation (Item 19):

**19. RESOLUTION TO ACKNOWLEDGE THE ABILITY AND INGENUITY OF COMMUNITIES TO MAKE THE BEST, INFORMED DECISIONS REGARDING THEIR SCHOOLS AND THEIR DISTRICTS' POLICIES FOR OPENING IN FALL 2020**

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

WHEREAS, a global pandemic, caused by Covid-19, previously unknown, presented, rapidly spread, and infected many with initially an unknown cause, viability, and rate at which those infected succumb. Governments mobilized to protect their citizens, developed policies to isolate the 'most at risk' including those with the potential to be the most susceptible and those who may have the ability to carry and infect others at high risk. As a preventative measure pre-emptive quarantines were imposed impacting many aspects of contemporary society, including public education. In order to mitigate any adverse consequences resulting from the abrupt closing of Ohio school districts mid-way through the spring semester, parameters for expeditiously re-opening schools for the fall 2020 semester are being considered, as emergency measure, by the governor in collaboration with the state health director;

WHEREAS, children are one of our most valuable assets and are largely dependent upon adults for nurture, protection, and providing for health and well-being; and

WHEREAS, the quarantine of 2020, a consequence of Covid-19, has affected every student in Ohio, disrupting the structure of teaching and learning with a potential of long-term impact on student future success and therefore that of the American economy; and

WHEREAS, young Ohioans birth to age 19, are largely not susceptible to the virus; and

WHEREAS, the local community consisting of students, their parents, teachers, school and district administrators, are ultimately the most acquainted with, and heavily invested, in their students, their success, their values; and are the most informed regarding when and how their schools should open.

NOW, THEREFORE, BE IT RESOLVED, it is the contention of the Board, tasked to support student learning success by providing oversight of K-12 public education, to acknowledge the ingenuity and competency of an informed, invested community, and acknowledge the collaboration of community, district administrators, and the local health department, as the best caretaker of its students and use of its assets and resources to support student learning, and has the wherewithal to determine the best policies for opening its schools fall of 2020, and should be given full power and trust to do so.

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

Ms. Johnson moved to amend the resolution by substitution. Ms. Johnson proposed to strike the following Whereas clause: “WHEREAS, young Ohioans birth to age 19, are largely not susceptible to the virus; and” Mrs. Dodd seconded the motion. Ms. Johnson stated that it is not known as fact if this statement is true.

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

YES VOTES

Stephen Dackin  
Sarah Fowler Arthur  
Linda Haycock  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Mike Toal  
Lisa Woods

Stephanie Dodd  
John Hagan  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Charlotte McGuire  
Nick Owens  
Reginald Wilkinson

Motion carried.

Mr. Dackin moved to amend the resolution by substitution. He proposed to make the following change to the last clause. Mr. Hagan seconded the motion:

NOW, THEREFORE, BE IT RESOLVED, it is the contention of the Board, tasked to support student learning success by providing oversight of K-12 public education, to acknowledge the ingenuity and competency of an informed, invested community, and acknowledge the collaboration of community, district administrators, and the local health department, as the best caretaker of its students and use of its assets and resources to support student learning, and has the wherewithal to determine the best policies for opening its schools fall of 2020, ~~and should be given full power and trust to do so~~ and have been given the authority to do so.

Mrs. Haycock suggested adding the following (highlighted) language;

NOW, THEREFORE, BE IT RESOLVED, it is the contention of the Board, tasked to support student learning success by providing oversight of K-12 public education, to acknowledge the ingenuity and competency of an informed, invested community, and acknowledge the collaboration of community, district administrators, and the local health department, as the best caretaker of its students and use of its assets and resources to support student learning, and has the wherewithal to determine the best policies for opening its schools fall of 2020, ~~and should be given full power and trust to do so~~ and have been given the authority by the Governor to do so. Mr. Dackin stated he was comfortable with the addition.

Mr. Owens stated he was uncomfortable with the wording the Governor having unilateral power over schools.

Mrs. Fowler Arthur moved to amend the proposed amendment. She proposed the following amendment: To strike through everything after 2020.

NOW, THEREFORE, BE IT RESOLVED, it is the contention of the Board, tasked to support student learning success by providing oversight of K-12 public education, to acknowledge the ingenuity and competency of an informed, invested community, and acknowledge the collaboration of community, district administrators, and the local health department, as the best caretaker of its students and use of its assets and resources to support student learning, and has the wherewithal to determine the best policies for opening its schools fall of 2020, ~~and should be given full power and trust to do so and have been given the authority by the Governor to do so.~~ Mr. Hagan seconded the motion.

Ms. Johnson called the question. Mrs. Manchester seconded the motion.

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

YES VOTES

Stephen Dackin	Sarah Fowler Arthur
John Hagan	Kirsten Hill
Meryl Johnson	Jenny Kilgore
Laura Kohler	Mark Lamoncha
Martha Manchester	Charlotte McGuire
Antoinette Miranda	Nick Owens
Mike Toal	Reginald Wilkinson
Lisa Woods	

NO VOTES

Stephanie Dodd  
Linda Haycock

Motion carried.

President Kohler called for a roll call vote on Mrs. Fowler Arthur's motion to amend the proposed amendment by Mr. Dackin which included additional language proposed by Mrs. Haycock.

YES VOTES

Sarah Fowler Arthur	John Hagan
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Mark Lamoncha
Martha Manchester	Charlotte McGuire
Antoinette Miranda	Nick Owens
Mike Toal	Reginald Wilkinson
Lisa Woods	

NO VOTES

Stephen Dackin	Stephanie Dodd
Linda Haycock	Laura Kohler

Motion carried.

Mrs. Dodd stated she could not support the resolution without including language that stated the Governor, ODH, General Assembly, and others have a role to play in the decision making regarding school re-openings.

Mrs. Haycock stated she was uncomfortable omitting the Governor and the medical community from at least part of the conversation and inclusion in the resolution, and would not support the resolution without such language.

Ms. Johnson called the question. Dr. Kilgore seconded the motion.

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

**YES VOTES**

Stephen Dackin	Sarah Fowler Arthur
John Hagan	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Charlotte McGuire
Antoinette Miranda	Nick Owens
Eric Poklar	Mike Toal
Reginald Wilkinson	

**NO VOTES**

Stephanie Dodd	Linda Haycock
Kirsten Hill	Martha Manchester
Lisa Woods	

Motion carried.

Resolution as amended:

**19. RESOLUTION TO ACKNOWLEDGE THE ABILITY AND INGENUITY OF COMMUNITIES TO MAKE THE BEST, INFORMED DECISIONS REGARDING THEIR SCHOOLS AND THEIR DISTRICTS' POLICIES FOR OPENING IN FALL 2020**

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

WHEREAS, a global pandemic, caused by Covid-19, previously unknown, presented, rapidly spread, and infected many with initially an unknown cause, viability, and rate at which those infected succumb. Governments mobilized to protect their citizens, developed policies to isolate the 'most at risk' including those with the potential to be the most susceptible and those who may have the ability to carry and infect others at high risk. As a preventative measure pre-emptive quarantines were imposed impacting many aspects of contemporary society, including public education. In order to mitigate any adverse consequences resulting from the abrupt closing of Ohio school districts mid-way through the spring semester, parameters for expeditiously re-opening schools for

the fall 2020 semester are being considered, as emergency measure, by the governor in collaboration with the state health director;

WHEREAS, children are one of our most valuable assets and are largely dependent upon adults for nurture, protection, and providing for health and well-being; and

WHEREAS, the quarantine of 2020, a consequence of Covid-19, has affected every student in Ohio, disrupting the structure of teaching and learning with a potential of long-term impact on student future success and therefore that of the American economy; and

WHEREAS, the local community consisting of students, their parents, teachers, school and district administrators, are ultimately the most acquainted with, and heavily invested, in their students, their success, their values; and are the most informed regarding when and how their schools should open.

NOW, THEREFORE, BE IT RESOLVED, it is the contention of the Board, tasked to support student learning success by providing oversight of K-12 public education, to acknowledge the ingenuity and competency of an informed, invested community, and acknowledge the collaboration of community, district administrators, and the local health department, as the best caretaker of its students and use of its assets and resources to support student learning, and has the wherewithal to determine the best policies for opening its schools fall of 2020.

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

YES VOTES

Sarah Fowler Arthur  
Kirsten Hill  
Jenny Kilgore  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Reginald Wilkinson

John Hagan  
Meryl Johnson  
Mark Lamoncha  
Charlotte McGuire  
Nick Owens  
Mike Toal  
Lisa Woods

NO VOTES

Stephen Dackin  
Linda Haycock

Stephanie Dodd  
Laura Kohler

Motion carried.

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President Kohler presented the following recommendation (Item 20):

- 20. RESOLUTION TO CONDEMN RACISM AND TO ADVANCE EQUITY AND OPPORTUNITY FOR BLACK STUDENTS, INDIGENOUS STUDENTS AND STUDENTS OF COLOR**

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

As our nation grapples with the hard truths of racism and inequality, we are listening with broken hearts and engaging with determined spirits. We acknowledge that Ohio’s education system has not been immune to these problems, and while we earnestly strive to correct them, we have a great deal of work left to do.

Whereas Each Child, Our Future, the State Board of Education’s adopted strategic plan, begins with the vision that in Ohio each child is challenged to discover and learn, prepared to pursue a fulfilling post-high school path and empowered to become a resilient, lifelong learner who contributes to society; and

Whereas, Equity is our plan’s greatest imperative and number one principle; and

Whereas profound disparities between Black, Indigenous and People of Color (BIPOC) students and their white peers exist in all parts of the Ohio education system; and

Whereas gaps between test performance of Black, Indigenous and People of Color (BIPOC) students and their white peers have been observed since Ohio began disaggregating the data; and

Whereas progress to close these gaps has been uneven and unsatisfactory; and

Whereas a culturally responsive curriculum reflects the history and background of all students, and empowers students to value all cultures, not just their own; and

Whereas research has shown that a culturally responsive curriculum can motivate students of color to a higher level of academic achievement and in many cases increase the graduation rate of previously disengaged students; and

Whereas, black male students lag far behind their white counterparts in several measures of educational attainment, including graduation rates, which keeps gainful employment out of reach, and

Whereas starting as early as preschool, black male students are affected disproportionately by suspensions, expulsions and zero-tolerance discipline policies in schools; and

Whereas “separate but equal” is no longer the law of the land, but systemic inequity in education has relegated millions of children of color to under-resourced, struggling schools; and

Whereas significant gaps between the performance of Black students compared to their white peers exist even in generously resourced schools; and

Whereas the State Board of Education believes that public schools are fundamental to our democratic society and that we must be dedicated to equity and thoughtful teaching of future citizens where racism, bigotry and hatred have no place; and

Whereas, the path to equity begins with a deep understanding of the history of inequalities and inhumanity and how they have come to impact current society; therefore be it

Resolved, that the State Board of Education condemns, in the strongest possible terms, white supremacy, hate speech, hate crimes and violence in the service of hatred. These immoral ideologies and actions deserve no place in our country, state and school system. And be it

Further resolved, that the starting point of our work in racial equity must be reflection and internal examination, whereby the board will look for ways to engage our members in open and courageous conversations on racism, inequity and white privilege; and be it

Further resolved that the State Board of Education shall offer training to members to identify our own implicit biases so that we can perform our duties to the citizens of Ohio without unconscious racism; and be it

Further resolved, that the State Board of Education will be led by our guiding document Each Child, Our Future and advocate for it as a framework for developing policy and action; and be it

Further resolved that the State Board of Education directs the Ohio Department of Education to reexamine Standards and Model Curriculums in Language Arts, Social Studies, Mathematics and Science, making recommendations to the State Board of Education as necessary to eliminate bias and ensure that America's white supremacy, racism and the struggle for equality are accurately addressed; and be it

Further resolved that the State Board of Education directs the Ohio Department of Education to examine all state administered tests for racial bias; and be it

Further resolved that the State Board of Education strongly recommends that all Ohio school districts begin a reflection and internal examination of their own involving teachers, parents, students and community to examine curriculum; hiring practices; discipline strategies, suspension and expulsions; classroom resources including text books; and professional development; and be it

Further resolved that the State Board of Education directs the Ohio Department of Education to provide support for school districts' reflection and internal examination, including identifying and sharing curricular models and resources; holding sessions to allow districts to share and collaborate on their findings and related corrective actions; and to track progress in implementing these changes.

Mrs. Hill Moved to postpone Item 20 to the September meeting of the Board. Mr. Hagan seconded the motion. Mrs. Hill stated that due to the late hour and the Board had been meeting all day, it would be advantageous to postpone this item.

Ms. Johnson, Dr. Wilkinson, Mrs. Dodd and Mrs. Haycock spoke to the urgency of the issue and would not support the motion to postpone.

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Ms. Woods stated she agreed with almost all of the comments except more time was needed to address the added amendments and would support the motion to postpone.

Mrs. McGuire called the question to end debate and proceed to a vote on the motion to postpone Item 20 to the September meeting of the Board. Mrs. Fowler Arthur seconded the motion.

President Kohler called for a roll call vote to call the question to end debate and proceed to a vote on the motion to postpone Item 20 to the September meeting of the Board.

YES VOTES

Stephen Dackin	Sarah Fowler Arthur
John Hagan	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

NO VOTES

Stephanie Dodd	Linda Haycock
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Motion carried.

President Kohler called for a roll call vote on the proposed motion by Mrs. Hill to postpone Item 20 to the September meeting of the Board.

YES VOTES

Sarah Fowler Arthur	John Hagan
Kirsten Hill	Jenny Kilgore
Charlotte McGuire	Nick Owens
Eric Poklar	Lisa Woods

NO VOTES

Stephen Dackin	Stephanie Dodd
Linda Haycock	Meryl Johnson
Mark Lamoncha	Martha Manchester
Antoinette Miranda	Mike Toal
Reginald Wilkinson	Laura Kohler

Motion defeated.

President Kohler requested Vice President McGuire to chair the meeting from this point forward.

It was Moved by President Kohler and Seconded by Mrs. Dodd that the above recommendation (Item 20) be approved.

President Kohler presented the following remarks to the Board regarding her proposed resolution:

“Each and every child in Ohio deserves an education that challenges, prepares and empowers him. Why? So that he can find happiness and earn a living doing work that is fulfilling, meaningful and enjoyable. And so that he can contribute to society and strengthen our democracy through his choices and actions.

We know that despite the good work of Ohio’s many excellent teachers and administrators that students do not have equal access to resources, opportunities or family support. This creates a system in which some students are “more equal” than others. Students living in poverty and students of color have been historically handicapped, and are ultimately less likely to achieve fulfilling, meaningful and enjoyable work.

Part of the equity disconnect can be addressed through resource allocation. Ohio has made steady progress in providing safe, functional and efficient school buildings through the Facilities Management Program. School buildings without internet access, working HVAC systems, safe playground equipment and other essential features are not equal and cannot provide an equitable learning environment. Similarly, equity of opportunity cannot be achieved in a school building handicapped by antiquated textbooks and supplies and inflexible learning spaces.

Access to broadband, geography, and economic climate also impact opportunity equity for students across the state. Certainly, it’s hard to imagine the frustration and limitations of attempting to teach and learn without access to the resources provided through broadband connection. Now, more than ever before, internet access is the key to determining how robust, engaging and successful learning can be. It’s unconscionable that broadband access is not universally available throughout Ohio.

Geography can also present barriers to equal access to opportunity. Rural districts as well as urban districts in communities with stressed infrastructures may not provide convenient access to internships, career-technical programs or early college experiences. And economics - community and personal - are barriers to access, opportunities and outcomes for students.

Inequality of resources, opportunity and family support impacts students of all races, creeds and colors.

But Black students often face another, more insidious obstacle to success. The long lasting and still present effects of our country’s history of slavery, oppression, and exclusion have created barriers to access, opportunity and outcomes. Black students have been at a disadvantage for over 100 years. Originally forbidden to read and write, later attending schools inferior to those of their white peers, later subjected to “separate but equal” and Jim Crow laws, generations of Black Americans have been neglected by education policymakers. Generational poverty and the absence of two parent families have depressed Black student’s educational attainment. In addition, some of the people and systems assigned to lift them up have let them down because of their own bias and racism. Is it any wonder that Black students are less likely to perform as well as their white peers? That they are less likely to graduate? That they are less likely to be engaged in fulfilling, meaningful and enjoyable work that earns a living wage?

What must we, as members of the SBOE, do to ensure equity for all students? First, we must recognize that some students need more support, more resources, perhaps even more time. We must advocate for these students. To catch up, to enjoy equitable opportunities, we must provide them with the best teachers. We need to support these

teachers and make sure that many of them look like their students and that they all believe in the importance of a culturally responsive classroom.

We must work to educate policymakers about students who are living in poverty, are victims of historic racism, and whose schools have been under resourced and under-served. We must advocate that to lift up one, we must lift up all. Ohio cannot become a leader until we have an educated citizenry ready to take on jobs that require specialized training and/or higher education.

We must confront our own bias. We must learn about how racism impacts society and how to recognize and eliminate racism perhaps even in our own hearts. We must begin to understand people who have experienced things that we have not. We must recognize the humanity in each of us, and affirm that each child is equally important and deserves an equal opportunity to thrive.

We want to work with others internal and external who are also willing to do this work on behalf of Ohio's students.

We must celebrate the work that many Ohio teachers, administrators and communities are doing to condemn racism and advance equity of opportunity for all students. We must encourage districts to continue and advance this work and we must provide vehicles and opportunities for this work to be shared.

And we have the perfect template for making necessary change in Each Child, Our Future.

What's motivating my vote in favor of this resolution? For me, it's the reason why I think it's a privilege to do this life changing work.

I think about my little granddaughter Clare. She seems to have every advantage. She'll attend a great school, she has a stable family and a huge support system and generations of relatives who trust and value the education system. I want what Clare has for every single student in Ohio. Maybe we can't give every child a stable family, but we can give them a great school, a support system and people in his or her life who trust and value the education system. That's how and when we'll know if we have achieved equity. When each child in Ohio has an equal opportunity to find happiness and success."

Mrs. Dodd stated she appreciated Mrs. Kohler extending the opportunity to Board members to provide input and improve the resolution. She felt that personally this is something that needed to be done and supports the resolution. We need to address the issue of opportunity and fully supported the resolution.

Mrs. Haycock presented the following remarks to the Board regarding the proposed resolution:

"I hope each board member took the time to watch the short video titled "Race in America" by Phil Vischer in preparation for this discussion. I thought it was an accurate introduction to the historical roots and present-day consequences of racial bias in American society.

I also think it is notable to draw attention to Phil Vischer, who produced and narrated the entire video. Vischer is probably best known as the creator, producer, and voice actor of

the children's animated series, Veggie Tales, that taught biblical stories to its audience. My children grew up on these videos.

Many of us are accustomed to only speaking of racial bias or harm in relation to overt, vocal, and unabashed white supremacist groups, like Neo-Nazis or the Ku Klux Klan. However, and sadly, racial bias is more widespread. "White privilege" is a way to describe particular ways in which racial bias manifests itself more prevalently and subtly.

White privilege is defined as societal practices that benefit white people beyond what is commonly experienced by people of color under the same social, political, and economic circumstances. In my economic training, we commonly spoke of holding "all else equal" besides the variable we wanted to test. Here, all else held equal, I, as a white person, have benefited more than my fellow citizens of color.

White privilege exists as the legacy of historic and enduring biases, practices, and even overt racism that were created, designed, and adopted to marginalize and disadvantage people of color. As white people, we have unintentionally benefited from this difference in treatment.

As a white person, I've found it uncomfortable to admit not only that white privilege exists, but that I have directly benefited. This does not mean that you or I have not had hardships in our lives. It simply means that my skin color has not added to the difficulties you and I have endured.

White privilege does not implicate all white people as "RACISTS". In fact, white privilege is enjoyed by decent, honest, well-intended white people. In fact, one consequence of past racially biased policies like "redlining," which I'll summarize in a bit, has been that our communities, schools, and churches are often de facto racially segregated, meaning that we don't regularly get exposure to the perspectives of people of other races. Without regular personal interaction or deliberate research, therefore it's hard to see how our life experiences differ because of race -- it's hard to see white privilege.

What's more, talking about "white privilege" can feel uncomfortable to white people for several reasons:

1. We as white people are not used to being identified, described, or defined by our race.
2. It can feel like an accusation against us instead of what it actually is: a mere description of a phenomenon we've unconsciously experienced
3. The words "white privilege" just doesn't sound like words that apply to poor or rural white people, who certainly face unique sets of challenges. We're used to associating "privilege" with being wealthy.
4. The words "white privilege" also seem to imply that white people have never struggled, which is not true. White people struggle, but *not because of the color of their skin* -- in contrast to non-white people.

I want to explain a way in which I have benefited from white privilege, and which I did not come to understand until recently. I, personally, had absolutely nothing to do with the creation of banking and zoning laws that were adopted decades ago across the entire country, a system now known as "redlining." "Redlining" prohibited people of color from getting mortgages and purchasing homes in neighborhoods where property value has since increased, where residents could own their homes, send their children to well-funded schools, and gain equity and personal wealth, which they then could pass to their

children. I never had heard of the word "redlining" and did not even know the laws existed until far into my adulthood. However, I have benefited from the system of "redlining": my parents and I could purchase decent homes in neighborhoods serviced by decent schools. Meanwhile, people of color have regularly been denied such access to home ownership, equity, and education. To learn more, you can read the book *The Color of Law* by Richard Rothstein. It's eye-opening.

Throughout my life I have been on a journey of slowly gaining understanding of white privilege. It has grown from hearing the word, to understanding its meaning, then coming to the uncomfortable truth that I have benefited, and now it is easier for me to identify and acknowledge.

We are all on our own individual journeys of awareness of white privilege. Thankfully, we live in a historic time in which it's easier than ever to learn and come to understand the truth of white privilege.

However, it is still a difficult individual decision to step back and honestly evaluate how our societal, political and economic systems affect white people and people of color differently.

Adopting resolutions like this will lay the foundation of moving our society forward without systemic racism. Recognizing white privilege is the vital first step in coming together in unity and love where, in the words of Paul's letter to the Galatians, "...there is neither bond nor free."

I applaud President Kohler for offering this visionary resolution to the State Board of Education. I will be supporting it, and encourage each board member to support it."

Mrs. Hill Moved to amend the resolution by substitution. She proposed to insert "of opportunity" after the word "Equity." Whereas, Equity of opportunity is our plan's greatest imperative and number one principle; and." Dr. Kilgore Seconded the motion. Mrs. Hill stated this would give some definition and clarity to the word equity.

Ms. Johnson responded the word equity is explained in the strategic plan.

Pres. Kohler referred Mrs. Hill to page 8 of the strategic plan for the definition of equity. She stated, "...the reason that equity is called out as our plan's greatest imperative and number one principle is that we list three core principles. Equity is the first and it is defined that Ohio's education challenge remains equity in education achievement for each child. So, it's not opportunity. It's education achievement and further it says the path to equity begins with a deep understanding of the history of discrimination and bias and how it has come to impact the society. So that's the definition of equity in this particular context."

Ms. Dodd said that adding the words 'of opportunity' would change equity from referencing the strategic plan and that it is equity with a capital 'e' because it's specifically talking about the strategic plan. She suggested to board member Hill she might consider withdrawing the motion to amend.

Mrs. Hill responded, "'Of opportunity' was what President Kohler mentioned in her comments on this item for voting. Opportunity was threaded throughout but now a few people who have spoken said we need to refer back to the strategic plan for the definition of equity. So, President Kohler brought up the definition of equity as shown on page 8 (I don't have it right in front of me.) as equity of

achievement. So equity of achievement is not the same as equity of opportunity. Even though she spoke at length about equity of opportunity in support of this member-provided resolution.”

Dr. Kilgore responded that the knowledge that the word equity is capitalized and implies our strategic plan might not be evident to a casual reader.

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

YES VOTES

John Hagan	Kirsten Hill
Jenny Kilgore	Nick Owens

NO VOTES

Stephen Dackin	Stephanie Dodd
Sarah Fowler Arthur	Linda Haycock
Meryl Johnson	Laura Kohler
Mark Lamoncha	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Eric Poklar	Mike Toal
Reginald Wilkinson	Lisa Woods

Motion defeated.

Dr. Wilkinson spoke in support of the resolution as presented and would likely not support any proposed amendments. We have an obligation to serve all children.

Mr. Toal Moved to amend the resolution by substitution. He proposed the following amendments to the resolution which contained language he felt was unnecessarily politically charged and could potentially add acrimony to the issue. Dr. Kilgore Seconded the motion.

Resolved, that the State Board of Education condemns, in the strongest possible terms, ~~white supremacy, white supremacy ideology,~~ hate speech, hate crimes and violence in the service of hatred. These immoral ideologies and actions deserve no place in our country, state and school system. And be it

Further resolved, that the starting point of our work in racial equity must be reflection and internal examination, whereby the board will look for ways to engage our members in open and courageous conversations on racism and, inequity ~~and white privilege~~; and be it

Further resolved that the State Board of Education shall offer training to Board members to identify our own ~~implicit~~ biases so that we can perform our duties to the citizens of Ohio without racial bias ~~unconscious racism~~; and be it

Further resolved that the State Board of Education shall require training for all state employees and contractors working with the Department of Education to identify their own ~~implicit~~ biases so that they can perform their duties to the citizens of Ohio without unconscious racial bias; and be it

Further resolved that the State Board of Education directs the Ohio Department of Education to reexamine Standards and Model Curriculums in Language Arts,

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Social Studies, Mathematics and Science, making recommendations to the State Board of Education as necessary to eliminate bias and ensure that America's ~~white supremacy~~, racism and the struggle for equality are accurately addressed; and be it

Ms. Johnson spoke in favor of the proposed amendment.

Mrs. Dodd offered the following friendly amendments to Mr. Toal.

Resolved, that the State Board of Education condemns, in the strongest possible terms, ~~white supremacy, white supremacy ideology culture~~, hate speech, hate crimes and violence in the service of hatred. These immoral ideologies and actions deserve no place in our country, state and school system. And be it

Further resolved, that the starting point of our work in racial equity must be reflection and internal examination, whereby the board will look for ways to engage our members in open and courageous conversations on racism ~~and~~, inequity and white privilege; and be it

Mr. Toal stated he would accept the first proposed friendly amendment but would not accept the second proposed friendly amendment.

Mrs. Manchester offered the following friendly amendments to Mr. Toal's proposed amendment. Her proposed friendly amendment would be to add back the words "implicit."

Further resolved that the State Board of Education shall offer training to Board members to identify our own ~~implicit implicit~~ biases so that we can perform our duties to the citizens of Ohio without ~~racial bias unconscious racism~~; and be it

Further resolved that the State Board of Education shall require training for all state employees and contractors working with the Department of Education to identify their own ~~implicit implicit~~ biases so that they can perform their duties to the citizens of Ohio without unconscious racial bias; and be it

Mr. Toal stated he would accept the proposed friendly amendment's by Mrs. Manchester.

Mr. Hagan offered the following friendly amendments to Mr. Toal's proposed amendment. He also stated this should not be done in such a late fashion as this and should be addressed by a committee of the Board.

Whereas profound disparities between some Black, Indigenous and People of Color (BIPOC) students and some of their white peers exist in all parts of the Ohio education system; and

Whereas gaps between test performance of some Black, Indigenous and People of Color (BIPOC) students and some of their white peers have been observed since Ohio began disaggregating the data; and

Whereas, some black male students lag far behind some of their white counterparts in several measures of educational attainment, including graduation rates, which keeps gainful employment out of reach, and

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Whereas starting as early as preschool, some black male students are affected disproportionately by suspensions, expulsions and zero-tolerance discipline policies in schools; and

Mr. Toal stated while he appreciated Mr. Hagan's proposed friendly amendments, he would not accept them.

Mr. Dackin called the question. Ms. Johnson seconded the motion.

Vice President McGuire called for a roll call vote to call the question.

YES VOTES

Stephen Dackin	Stephanie Dodd
Linda Haycock	Meryl Johnson
Laura Kohler	Mark Lamoncha
Martha Manchester	Charlotte McGuire
Antoinette Miranda	Nick Owens
Eric Poklar	Mike Toal
Reginald Wilkinson	

NO VOTES

Sarah Fowler Arthur	John Hagan
Kirsten Hill	Jenny Kilgore
Lisa Woods	

Motion carried.

Vice President McGuire called for a roll call vote on the proposed amendments by Mr. Toal including the friendly amendments by Mrs. Dodd and Mrs. Manchester.

YES VOTES

Stephen Dackin	Stephanie Dodd
Linda Haycock	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Eric Poklar
Mike Toal	Reginald Wilkinson

NO VOTES

Sarah Fowler Arthur	John Hagan
Kirsten Hill	Lisa Woods

Motion carried.

Mr. Dackin offered the following friendly amendments to Mrs. Kohler's proposed resolution that included previous friendly amendments;

Resolved, that the State Board of Education condemns, in the strongest possible terms, white supremacy, hate speech, hate crimes and violence in the service of

hatred. These immoral ideologies and actions deserve no place in our country, state and school system. And be it

Further resolved, that the starting point of our work in racial equity must be reflection and internal examination, whereby the board will look for ways to engage our members in open and courageous conversations on racism, inequity and white privilege; and be it

Further resolved that the State Board of Education shall offer training to members to identify our own implicit biases so that we can perform our duties to the citizens of Ohio without unconscious racism; and be it

Further resolved, that the State Board of Education will be led by our guiding document Each Child, Our Future and advocate for it as a framework for developing policy and action; and be it

Further resolved that the State Board of Education directs the Ohio Department of Education to reexamine the Academic Content Standards and Model Curriculums in Language Arts, Social Studies, Mathematics and Science, making to make recommendations to the State Board of Education as necessary to eliminate bias and ensure that ~~America's white supremacy~~, racism and the struggle for equality are accurately addressed; and be it

Further resolved that the State Board of Education directs the Ohio Department of Education to continue the practice of ensuring ~~examine~~ all state administered tests for racial bias; and be it

Further resolved that the State Board of Education strongly recommends that all Ohio school districts begin a reflection and internal examination of their own involving all members of their school ~~teachers, parents, students and~~ community to examine all facets of the school's operation; with a special emphasis on curriculum; hiring practices; staff development practices, and student discipline e.g. suspension/expulsion; strategies, suspension and expulsions; classroom resources including text books; and professional development; and be it

Further resolved that the State Board of Education directs the Ohio Department of Education to provide support for school districts' reflection and internal examination, including identifying and sharing curricular models and resources; holding sessions to allow districts to share and collaborate on their findings and related corrective actions; and to track progress in implementing these changes.

Mrs. Kohler stated she would accept the proposed friendly amendment's by Mr. Dackin.

Vice President McGuire called for a roll call vote to accept the proposed amendments by Mr. Dackin.

YES VOTES

Stephen Dackin  
Linda Haycock  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Reginald Wilkinson

Stephanie Dodd  
Meryl Johnson  
Mark Lamoncha  
Charlotte McGuire  
Nick Owens  
Mike Toal  
Lisa Woods

NO VOTES

Sarah Fowler Arthur  
Kirsten Hill

John Hagan

ABSTAIN

Jenny Kilgore

Motion carried.

Dr. Miranda commended President Kohler for her courage in bringing forth this resolution.

Mrs. Hill asked if the requirements brought forth in the “Further Resolved” clauses will be incorporated as funded mandates in the budget discussion. Superintendent DeMaria responded the Department would do its best to facilitate the actions outlined in the resolution.

Ms. Woods presented the following remarks to the Board regarding the proposed resolution:

I would respectfully request that Item 20 be referred to Committee and much more research and work be done to study and justify assertions made in the Resolution. Getting it right is more important than rushing to judgement, and improving upon a solid idea is warranted.

The key is whether or not the conclusions reached in Item 20 are supported by fact and or if other important factors need to be included in this proposal to make this a more effective policy statement.

One of the most important parts of this process, in order to truly effectuate the goals of the Resolution is to assign specific definitions and also to explain how the concerns raised are actually impacting education adversely. There is no definition of “hate speech” under Ohio law, by way of example, yet the Resolution condemns it. A more thorough review of this Resolution may allow an actual definition that Ohio schools can use as a statewide model. Remember that what some people term “hate speech” may well be protected free speech under the Constitution. We must be specific when terms like “hate speech,” “white supremacy,” “implicit bias” and others are used. I have seen some rather outrageous and overly broad statements that some have used on this topic. These are serious but unproven accusations.

Item 20 jumps to many conclusions about the educational condition of African-American Ohioans. I would urge that before we pass a Resolution containing these assertions, that they be researched and specific facts be used to support the contentions as well as the inclusion of factors not included in the current construction of the Resolution. We must be comprehensive and thorough.

The term “systematic racism” is used repeatedly and in current vogue due to its frequent usage by the Black Lives Matter organization. But, ask yourself, what system in Ohio is racist? Examine our history. The State of Ohio never once since its inception in 1803 had a system of racism in its laws and rules. Certainly not today or in the immediate past either. Has Ohio or this Board ever employed an organized system of racism? Slavery was never legal in Ohio; it was abolished by the Northwest Territory before Ohio became a state. Segregation was never legal in Ohio. Discriminatory housing and lending patterns have been illegal for over 50 years, and were never part of Revised or Administrative Code. Did this Board or local school boards prior in recent memory ever practice organized and lawful discrimination? Federal Courts ruled that school districts were segregated based on population, in a defacto setting, not laws or rules, and they were forcefully desegregated by Court orders in the 1970’s. The Courts ruled that segregation was based on the composition of

neighborhoods, not actions by this board or local boards that led to segregated schools, there was no system of lawful segregation.

This is not factual and to perpetuate this argument by endorsing it in an official Resolution does a disservice to what we are truly trying to accomplish. It is not intellectually honest to assert that Ohio has currently or ever employed a systematic policy of racism. If this were the Board of Education in any of the former Confederate and Jim Crow states, this would be true. It is not in Ohio. We are enlightened. We rejected evil centuries ago. Ohioans were some of the original abolitionists. Ohioans were key components to the Underground Railroad. Ohioans helped establish the Republican Party in 1854 that elected Abraham Lincoln to crush slavery. We sent hundreds of hundreds of thousands of troops to the Union Army and scores of great officers like U.S. Grant, Benjamin Harrison, James Garfield, and William McKinley to put down a system of racism. Ohio Presidents enforced Reconstruction to break the actual system of racism. Ohio's representatives to Congress helped bring about the end of bigotry and Jim Crow laws. Embrace our truth, it is something we should be proud of, and we should not deny our history but celebrate it. No honest assessment of Ohio can conclude that Ohio did in its past or currently employs a system of racism, contrary to this Resolution's statements, and not supported by identified facts.

Since the Resolution essentially indicts Ohio of systematic racism, the prosecution needs to offer some facts to back up the indictment. I would strongly suggest that while other states have certainly employed systems of racism, Ohio never has and currently does not. That is not to deny racism, or its effects on its victims, but let's not make accusations without factual backup. If this Board passed Administrative Rules that are systematic of racism, by all means change them. If the Ohio General Assembly passed laws that are racist, let us point them out and get them changed. Also, the Resolution does not speak to other factors that can contribute to the discrepancies in performance between black, brown, and white students. It contends that all of these differences have to be racially motivated. Can it be possible that the gap is only related to race or would other factors be included? I would hope that by sending this to Committee, a more comprehensive and thorough answer to this question can be sought. Please consider the wide array of programs we already have in place that address the issues of inequality and educational attainment in this Resolution. Ohio already deploys billions of dollars in closing the gap between Ohio's school children. Should we not review those programs and policies and see if they are working the way they were intended? That review would appear to put some real substance around the goals of this Resolution. If programs in place are not working to satisfaction, and the points of this Resolution state that they are not, then a strong review should be in order as to why that is not helping, and what specific reforms can be brought to existing remedies that are not working. There are certainly others, and a comprehensive approach to this topic, with input from a truly diverse and informed public will allow for a strong result. The sincerity of this Resolution is to be admired, but some of the language used and accusations about racism being the sole cause of achievement gaps just does not seem to be plausible in addressing the big picture of solving problems. I respectfully suggest that Item 20 be given proper consideration in Committee. That if assertions of racism as causes of deficient academic performance are made, that they be backed up with factual information to prove those accusations, and that a thorough review of all existing programs, their alleged deficiencies, and specific remedies emerge to bolster the effectiveness of the intended result. Assign potential costs to each action. Make referrals to the Governor and General Assembly. Achievement affects all Ohioans, let's roll up our sleeves and get it right for the sake of all Ohioans, our black and brown citizens deserve nothing less.

Dr. Kilgore stated this would be an important, permanent, document and could not support a document she cannot see in its final form at this time.

Mr. Hagan questioned the political motivation for rushing the resolution through so quickly and recommended referring to committee for further review which could improve the final document. He pointed out that the document as presented included inaccuracies and untruths that should be addressed so that the resolution could achieve its goals. As it currently stands, he stated, that it

would be unable to do so. He repeatedly called upon the Board President Laura Kohler to postpone or refer to a committee to thoroughly vet the document and ensure board unity prior to voting.

Mr. Toal made comments about getting the resolution done right and requested that the board get a completed resolution and then coming together for a vote during a special emergency board meeting, although he expressed willingness to vote if the will of the board was to vote yet that evening.

Mrs. McGuire also expressed her desire to have a separate emergency meeting for voting.

Mrs. Fowler Arthur agreed with concerns raised by fellow board members about the resolution and stated that she has been receiving concerns all day from constituents about aspects of the language that the board hasn't yet had an opportunity to discuss.

Mrs. Fowler Arthur urged that time should be taken to ensure that the board "got it right." She felt that there were many additional areas of the resolution where compelling testimony from speakers in the afternoon had been received and which was discussed in brief but where the board didn't apply the comments to the resolution. She also referenced receiving letters from constituents with concerns about the language.

Mrs. Fowler Arthur expressed appreciated Mrs. Kohler's opening statements about equity but urged that the action points didn't really get at the equity points that the board could be a part of, rather than focusing on areas the board could impact like literacy and career tech for urban areas. She referred to Mr. Dackin's earlier comments about the resolution being more aspirational than practical and urged that the board take time to consider practical, actionable points.

Finally, she had concerns with the general lack of understanding amongst board members on what the board members are voting for and that there were not clear, concise definitions for the terminology being used in all cases throughout the document.

Mrs. Dodd stated she did not agree with statements that this resolution was rushed through and that President Kohler had been receptive to Board members providing input.

Mrs. Dodd called the question. Dr. Wilkinson seconded the motion.

Vice President McGuire called for a roll call vote to call the question by Mrs. Dodd.

YES VOTES

Stephen Dackin  
Sarah Fowler Arthur  
Linda Haycock  
Meryl Johnson  
Mark Lamoncha  
Charlotte McGuire  
Nick Owens  
Mike Toal  
Lisa Woods

Stephanie Dodd  
John Hagan  
Kirsten Hill  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Reginald Wilkinson

NO VOTES

Jenny Kilgore

Motion carried.

Resolution as amended:

**20. RESOLUTION TO CONDEMN RACISM AND TO ADVANCE EQUITY AND OPPORTUNITY FOR BLACK STUDENTS, INDIGENOUS STUDENTS AND STUDENTS OF COLOR**

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

As our nation grapples with the hard truths of racism and inequality, we are listening with broken hearts and engaging with determined spirits. We acknowledge that Ohio’s education system has not been immune to these problems, and while we earnestly strive to correct them, we have a great deal of work left to do.

Whereas the Ohio Strategic Plan for Education: 2019-2024 Each Child, Our Future, adopted by a resolution of the State Board of Education in June, 2018 begins with the vision that in Ohio each child is challenged to discover and learn, prepared to pursue a fulfilling post-high school path and empowered to become a resilient, lifelong learner who contributes to society; and

Whereas, Equity is our plan’s greatest imperative and number one principle; and

Whereas profound disparities between Black, Indigenous and People of Color (BIPOC) students and their white peers exist in all parts of the Ohio education system; and

Whereas gaps between test performance of Black, Indigenous and People of Color (BIPOC) students and their white peers have been observed since Ohio began disaggregating the data; and

Whereas progress to close these gaps has been uneven and unsatisfactory; and

Whereas a culturally responsive curriculum reflects the history and background of all students, and empowers students to value all cultures, not just their own; and

Whereas research has shown that a culturally responsive curriculum can motivate students of color to a higher level of academic achievement and in many cases increase the graduation rate of previously disengaged students; and

Whereas, black male students lag far behind their white counterparts in several measures of educational attainment, including graduation rates, which keeps gainful employment out of reach, and

Whereas starting as early as preschool, black male students are affected disproportionately by suspensions, expulsions and zero-tolerance discipline policies in schools; and

Whereas “separate but equal” is no longer the law of the land, but systemic inequity in education has relegated millions of children of color to under-resourced, struggling schools; and

Whereas significant gaps between the performance of Black students compared to their white peers exist even in generously resourced schools; and

Whereas the State Board of Education believes that public schools are fundamental to our democratic society and we must be dedicated to equity and thoughtful teaching of future citizens that racism, bigotry and hatred have no place; and

Whereas, the path to equity begins with a deep understanding of the history of inequalities and inhumanity and how they have come to impact current society; therefore be it

Resolved, that the State Board of Education condemns, in the strongest possible terms, white supremacy culture, hate speech, hate crimes and violence in the service of hatred. These immoral ideologies and actions deserve no place in our country, state and school system. And be it

Further resolved, that the starting point of our work in racial equity must be reflection and internal examination, whereby the board will look for ways to engage our members in open and courageous conversations on racism and inequity; and be it

Further resolved that the State Board of Education shall offer training to Board members to identify our own implicit biases so that we can perform our duties to the citizens of Ohio without racial bias; and be it

Further resolved that the State Board of Education shall require training for all state employees and contractors working with the Department of Education to identify their own implicit biases so that they can perform their duties to the citizens of Ohio without unconscious racial bias; and be it

Further resolved that the State Board of Education directs the Ohio Department of Education to reexamine the Academic Content Standards and Model Curriculums to make recommendations to the State Board of Education as necessary to eliminate bias and ensure that racism and the struggle for equality are accurately addressed; and be it

Further resolved that the State Board of Education directs the Ohio Department of Education to continue the practice of ensuring all state administered tests are free of racial bias; and be it

Further resolved that the State Board of Education strongly recommends that all Ohio school districts begin a reflection and internal examination of their own involving all members of their school community to examine all facets of the school's operations ; with a special emphasis on curriculum, hiring practices, staff development practices, and student discipline e.g. suspension/expulsion; and be it

Further resolved that the State Board of Education directs the Ohio Department of Education to provide support for school districts' reflection and internal examination, including identifying and sharing curricular models and resources; promoting sessions to allow districts to share and collaborate on their actions; and to share progress in implementing these changes; and be it

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Further resolved, that the State Board of Education will be led by our guiding document Each Child, Our Future and advocate for it as a framework for developing policy and action.

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

YES VOTES

Stephen Dackin	Stephanie Dodd
Linda Haycock	Meryl Johnson
Laura Kohler	Mark Lamoncha
Martha Manchester	Antoinette Miranda
Nick Owens	Eric Poklar
Mike Toal	Reginald Wilkinson

NO VOTES

Sarah Fowler Arthur	John Hagan
Kirsten Hill	Charlotte McGuire
Lisa Woods	

ABSTAIN

Jenny Kilgore

Motion carried.

Mrs. McGuire stated she could not support the resolution as she sought a more caring, creative, aspirational document that acknowledges work that had already been completed while recognizing areas for improvement.

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

Mrs. Fowler Arthur stated she did not have a resolution prepared regarding updates to the Board's Policy & Procedures Manual and urged Board members to contact her with additional suggestions.

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

The President requested a voice vote.

Motion carried.

President Kohler adjourned the meeting at 11:06 p.m. The next regularly scheduled meeting of the State Board of Education is September 21-22, 2020.

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.