

**STATE BOARD OF EDUCATION OF OHIO
MINUTES**

November 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	Paul LaRue
Mark Lamoncha	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Eric Poklar
Mike Toal	Lisa Woods

EX OFFICIO MEMBERS

Senator Peggy Lehner	Representative Don Jones
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SECRETARY

Paolo DeMaria
Superintendent of Public Instruction

The State Board convened a virtual Board meeting on Monday, November 9, 2020.

The Board's Teaching, Leading and Learning Committee met beginning at 8:15 a.m.

Topics of discussion were:

- Discuss: OAC 3301-43 Adult High School Continuation Programs (Possible Vote)
- Discuss: OAC-56-02 Reading Achievement Improvement Plans (Possible Vote)
- Discuss: Adopt the Revised Reading Test for Ohio Teachers of Reading -ORC 3313.608(H)(1)(e) (Possible Vote)
- Presentation: Ohio Mathematics Pathways
- Discuss: OAC 3301-24-11 Alternative Principal License & OAC 3301-24-12 Alternative Superintendent License & Alternative Administrative Specialist License

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

Topics of discussion were:

Minutes of the November 2020 Meeting of the State Board of Education of Ohio

- Discuss: Statewide Technology Initiatives and Supports
- Discuss: Strategic Plan Core Principle: Quality Schools

The Board's Assessment & Accountability Committee met beginning at 1:00 p.m.

Topics of discussion were:

- Discuss: Research, Evaluation and Advanced Analytics Continued

The Board's Integrated Student Supports Committee met beginning at 2:30 p.m.

Topics of discussion were:

- Discuss: OAC 3301-5-01 Requirements for the Emergency Management Plan Test
- Discuss: Ohio Youth Risk Behavior Surveillance System Results
- Discuss: Strategy Updates

The Board's Executive Committee met beginning at 4:15 p.m.

Topics of discussion were:

- Ohio Teacher of the Year Partnership Program – Invitation to Apply (Possible Vote)
- 3301-1-01 For Giving Public Notice of Hearings (Possible Vote)

STATE BOARD BUSINESS MEETING

President Kohler convened the Business meeting of the State Board of Education on Monday, November 9, at 5:17 p.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	Jenny Kilgore
Laura Kohler	Paul LaRue
Mark Lamoncha	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Mike Toal
Lisa Woods	

Motion carried.

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

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

There were no corrections.

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

Motion carried.

Review of Written Reports and Items for Vote

EQUITY PROFESSIONAL DEVELOPMENT OPPORTUNITY

Presenter: Jordan Harder, Office of Diversity & Inclusion, State Human Resources Division

The State Board received professional development training titled:
Education Equity: Linking the Institutional and Interpersonal

Our Charge:

Ohio's greatest education challenge remains equity in education achievement for each child. The path to equity begins with a deep understanding of the history of discrimination and bias and how it has come to impact current society. This plan renews Ohio's commitment to creating the learning conditions that ensure each child acquires the knowledge and skills across all four equal learning domains to be successful.

Personal Goals:

Expand knowledge, develop a common language, and adopt an inclusive mindset to do the work for achieving equity in schools.

President Kohler recessed the Board meeting at 6:30 p.m.

RECONVENE STATE BOARD BUSINESS MEETING

President Kohler reconvened the Business meeting of the State Board of Education on Tuesday, November 10, at 9:00 a.m.

President Kohler asked the Recording Secretary to call the roll.

YES VOTES

Stephanie Dodd	Sarah Fowler Arthur
Linda Haycock	Meryl Johnson
Jenny Kilgore	Laura Kohler
Paul LaRue	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Mike Toal
Lisa Woods	

Motion carried.

Chapter 119 Hearing

November 10, 2020
9:00 a.m.

Hearing Regarding the Amending, Rescinding and Adoption of Rules

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

- The rescission and adoption of new OAC 3301-45-01 Purpose.
- The rescission and adoption of new OAC 3301-45-02 Definitions
- The rescission and adoption of new OAC 3301-45-03 Provider application.
- The rescission and adoption of new OAC 3301-45-04 Provider requirements.
- The amendment of OAC 3301-45-05 Enrollment.
- The amendment of OAC 3301-45-06 Measurement of provider performance.
- The rescission and adoption of new OAC 3301-45-07 Process to earn a high school diploma.
- The rescission and adoption of new OAC 3301-45-08 Contracting educational services.
- The adoption of new OAC 3301-45-09 District of residence.
- The adoption of new OAC 3301-45-10 Standards for competency-based education.

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 Exhibit 2 would be a true and accurate copy of the resolution adopted by the State Board of Education regarding these rules;

- Board Exhibit 3 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 4.

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

PUBLIC TESTIMONY ON THE PROPOSED RULE ACTIONS

There were no requests.

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

President Kohler stated that the exhibits were so received. As there was no more testimony, she declared the public hearing closed at 9:07 a.m.

FULL BOARD ETHICS TRAINING

Presenter: Susan Willeke, Education & Communications Manager, Ohio Ethics Commission.

The State Board of Education received required biennial ethics training from the Ohio Ethics Commission.

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.

Ms. Woods Seconded the motion.

The President called for a roll call vote.

YES VOTES

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

Motion carried.

The Board went into Executive Session and Quasi-Judicial discussion at 10:05 a.m.

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

The State Board recessed for lunch.

PUBLIC PARTICIPATION ON VOTING AGENDA ITEMS

There was no Public Participation on Voting Agenda Items.

PUBLIC PARTICIPATION ON NON-VOTING AGENDA ITEMS

1) Mr. Mark Raczynski, Ashland County. Mr. Raczynski spoke to the Board in opposition to the July 2020 resolution to condemn racism.

2) Mr. Timothy Barton. Mr. Barton spoke to the Board regarding the 1619 Project.

3) Mr. David Barton. Mr. Barton spoke to the Board regarding the 1619 Project.

4) Ms. Angela Marvin, Parma, Ohio. Ms. Marvin spoke to the Board in support of the resolution to Condemn Racism and to Advance Equity and Opportunity for Black Students, Indigenous Students and Students of Color.

5) Ms. Kerstin Sjoberg, Executive Director, Disability Rights Ohio (DRO). Disability Rights Ohio provided written testimony in support of the Department's recent revisions to OAC Rule 3301-35-15,

Standards for the Implementation of Positive Behavior Intervention Supports and the use of Restraint and Seclusion.

This concludes Public Participation on Non-Voting Agenda Items.

REPORT OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION

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

- Update on Customer Service Process (Lori Kelly)
- Update on Business Partnership Activity (Cassie Palsgrove)

CUSTOMER SERVICE GOAL

Presenter: Dr. John Richard, Deputy Superintendent, and Lori Kelly, Chief of Organizational Effectiveness, Office of Organizational Effectiveness.

Customer Service Goal – 5A:

Promote a customer service focus to ensure the Department is professional and responsive to questions and requests from individuals and entities seeking assistance.

Customer Service Satisfaction Plan:

Routinely assess Department's responses to customers in terms of:

- Timeliness
- Accuracy
- Professionalism
- Use Multiple Data Points
- Generate Actionable Data
- Leverage Partnerships
- Align to Department's Customer Service Standards

Considerations:

- Customer response rate
- Reliability of data collected
- Identifying specific Improvement Areas

Customer Contact:

- Telephone Calls
- Emails
- Service Desks
- Website

Customer Service Satisfaction Plan:

Phase 1 (Oct-Nov 2020)

- Analyze existing data
- Design new data collection

Phase 2 (Nov-Dec 2020)

- Initial data collection

Phase 3 (Beginning Jan 2021)

- Ongoing implementation

Phase 1:

Analyze existing data to:

- Identify high volume areas for pilot
- Establish benchmarks
- Inform customer service questions

Phase 1 Timelines:

- 1-2 weeks to gather existing data
- 1-3 weeks to analyze collected data, establish benchmarks and develop satisfaction questions

Phase 2:

- “On the Spot” email feedback (pilot)
- “Stay on the Line” phone call feedback
- Routine stakeholder feedback loops

Phase 3 Rotating Timelines:

- Data Collection: 1-2 months
- Data Analysis: 1 month
- Data Reporting: quarterly

GOAL 5.B: PARTNERSHIP UPDATE

Presenter: Cassie Palsgrove, Program Administrator, Career Connections & SuccessBound, Center for Teaching, Leading and Learning.

Goal 5.B - Part 1: Multi—Sector Partnerships:

Identify, document and support local, multi-sector partnerships to address local education and workforce through the Department’s activity regarding:

- Business Advisory Councils
- SuccessBound

Business Advisory Council Background and Requirements:

- Councils originally established in Ohio law
- Law requires all districts and ESC’s to have a council
- A district may leverage an ESC’s council

Business Advisory Councils Overview:

- Over 120 Business Advisory Councils across the state.
- Councils submit plans annually (December 15).
- Councils submit year-end reports
- Highlight exemplars and connect councils

Key Activities:

- Operating Standards
- Planning Template
- Highlight Report
- Virtual Professional Learning

Ohio’s Business-Education Leaders Award for Excellent Business Advisory Councils:

- Recognize and incentivize excellent Councils
- who create dynamic, career-focused learning environments for students.
- Awards of excellence and star ratings based on three Quality Practices.
- Department’s webpage on Business Advisory Councils has more information.

Quality Practices Overview:

Developing Professional Skills for Future Careers

- Identify professional skills needed for future jobs. Develop curriculum that aligns to these skills. Advise on changes in the economy and market.

Building Partnerships

- Develop working relationships among businesses, labor and education personnel.

Coordinating Career-Related Experiences

- Create environments that allow students to demonstrate critical professional and specialized skills that aid in future employment

Business Advisory Council Highlight - Muskingum Valley Educational Service Center:

- Identified key “professional skills” to integrate into students’ curriculum.
 - Seven videos and a website guide for students, educators and families
 - Businesses provided employee interviews and testimonials on importance of each skill.

Business Advisory Council Highlight - Brooklyn City School District:

- Grants to develop “hire-an-intern” programs.
 - Provide authentic summer work opportunities
 - Students build professional skills
 - Students earn money

Part 2: Agency Partnerships:

The Department will seek and engage in partnerships that further the strategies and goals of Each Child, Our Future.

- Education stakeholders
- Other Departments of State Government
- External Partnerships

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, LaRue, Manchester.

OAC 3301-43 Adult High School Continuation Programs (*Strategy 10*)

- Department staff provided Members with an overview of Ohio Administrative Code 3301-43 Adult High School Continuation Programs, currently due for five-year-review. The Department presented the rules to committee with no changes.
- Committee members reviewed and discussed the rules, survey responses from the education community and public comment.
- During discussion, Members noted that they would like to further discuss the rules and clarify student eligibility prior to a vote to adopt. Chair Fowler Arthur encouraged Members to forward proposed revisions, amendments, or questions to Department staff prior to the December 2020 meeting when the committee will again consider a possible vote to adopt these rules.

OAC 3301-56-02 Reading Achievement Improvement Plans (*Strategy 7 & 9*)

- Department staff provided Members with an overview of the proposed revised Ohio Administrative Code 3301-56-02 Reading Achievement Improvement Plans, currently due for five-year-review.
- Committee members reviewed and discussed the revised rule and additional materials supplied by Department staff to address questions raised at previous Committee meetings.
- Following discussion, Members voted 7-0 in favor of recommending approval of the proposed revised rule as presented. A resolution to adopt the revised rule will appear on the State Board's December 2020 voting agenda.
- At the Committee's December meeting, the Department will provide a revised Reading Achievement Plan template, identifying items required by statute, for Member review and discussion.

Adopt the Revised Reading Test for Ohio Teachers of Reading (*Strategy 1, 7 & 9*)

- Department staff provided Members with an overview of the State Board's responsibility per Ohio Revised Code 3313/608(H)(1)(e) to approve a rigorous test of principles of scientifically research-based reading instruction.
- Committee Members reviewed and discussed the information provided by the Department and Educational Testing Service.
- Following discussion, Members voted 8-0 in favor of recommending approval of the proposed Praxis 5205 exam and passing score of 159. A resolution to adopt the exam and passing score rules will appear on the State Board's December 2020 voting agenda.

Ohio's Mathematics Pathways (*Strategy 10*)

- Committee Members and Department staff discussed the ongoing efforts to strengthen Ohio's mathematics pathways.

OAC 3301-24-11 Alternative Principal License & OAC 3301-24-12 Alternative Superintendent License and Alternative Administrative Specialist License (*Strategy 1*)

- Due to time constraints these rules were not discussed during the meeting.
- Chair Fowler Arthur encouraged Committee Members to review the proposed revised rules and forward any questions or proposed revisions to Department staff so that they may be addressed in advance of the December 2020 meeting.
- These revised rules will appear on the Committee's December 2020 agenda for discussion and a possible vote to recommend adoption.

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: All committee members were present.

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

- Technology-specific Grants and Subsidies to Benefit Districts and Schools
- Discuss Strategic Plan Core Principle: Quality Schools

Technology-Specific Grants and Subsidies to Benefit Districts and Schools

- Department staff shared the current listing of the FY21 grants, memorandums of understandings, and subsidies that support Ohio districts and schools through connectivity

projects and programs. This includes the funds that were made available by the CARES Act for COVID-19 pandemic response.

- Staff also provided a brief overview how districts receive broadband connectivity through Information Technology Centers and OARnet, a division of the Ohio Technology Consortium that serves as the high capacity internet service provider for Ohio's government services.
- Committee member Dodd asked for the number of district applicants for the CARES Act BroadbandOhio Connectivity grants; of the money requested, how much was not given, and if the CARES Act funding would be available beyond December 30. Staff responded that the Department had 960 applicants for the funds and that 948 were deemed eligible. The applicants requested an excess of \$80 million which was beyond the \$50 million available. Any district that requested \$20,000 or less received the full amount. Districts that requested more than \$20,000 received a prorated amount. Of the 12 applicants who were ineligible for the funds, 10 were online schools who already had remote options in place. The other two were the Ohio School for the Deaf and the Ohio School for the Blind which received connectivity funding from other sources. The funds will not be available after December 30 per the deadlines set by the federal CARES Act.
- Chair Miranda requested that the board receive a report on how the BroadbandOhio funds were spent. Staff shared that data would be compiled after the December 30 deadline and shared with the board.
- Vice Chair Toal asked if there was any activity in identifying gaps in connectivity around the state and if districts were responsible for creating their own infrastructure to support connectivity. Staff explained that the infrastructure was already in place through the Information Technology Centers and that the CARES Act does not provide for long term connectivity solutions beyond the hardware that was purchased as part of allowable expenses. Staff also shared that there would be a better sense of gaps in statewide connectivity with the report that will be compiled regarding CARES Act expenses.
- Board member Haycock asked about the impact of House Bill 13 on the statewide educational landscape. Committee member Dodd shared that while House Bill 13 does not address education directly, it does increase connectivity for citizens which will impact students. She is drafting a resolution for the state board of education to support this legislation.

Strategic Plan Core Principle: Quality Schools

- Staff from the Center for Continuous Improvement and the Unit of Field Relations provided the committee with updates about their work that connect to the strategic plan's core principle of quality schools.
 - The Office of Ohio School Sponsorship shared many examples of how sponsors help create and support quality community schools.
 - Chair Miranda asked how a community school earned the designation of "quality." Staff from the Office of Community Schools explained that the criteria to be identified as a "community school of quality" are set out in statute which provides additional funding to those community schools through the Quality Community School Support Fund. During the 2019-2020 school year, 62 of the 317 total community schools in Ohio were identified as quality.
 - Staff from the Office for Improvement and Innovation shared their work with the State Support Teams in developing an improvement infrastructure and how the State Support Teams use that capacity to support districts.
 - Lynn McKahan, director of State Support Team 1, provided a case study of how the State Support Team supported Washington Local Schools, a district near Toledo.
 - Board member Johnson asked how districts move from a compliance mindset to an achievement mindset and if State Support Teams provided professional development on working with parents. Staff shared that the State Support Teams

- were narrowly focused on building capacity in the districts, but that districts have other resources to support their family engagement initiatives.
- Vice Chair Toal asked for the number of State Support Team staff and how individual State Support Teams are held accountable for the districts in their regions. Staff shared that there were around 300 State Support Teams staff spread around the state and explained that State Support Teams have service delivery agreements with each district they support. Data on those initiatives are collected monthly and is reviewed every six months by the Department. The Department then provides feedback and publishes the evidence of progress to the Department's website.
 - Office of Intensive Supports staff shared the crosswalk of Warrensville Heights City Schools as an example of how districts connect the recommendations from the Department's review with the district's strategic plan and improvement process.
 - Vice President McGuire asked how the Department monitored districts on the verge of needing an Academic Distress Commission and how does the Department engage those districts. She also asked about legislation that prevented the creation of new Academic Distress Commissions because of the COVID-19 pandemic. Staff shared the matrix of supports that the Department offers for Academic Distress Commission districts and those at risk. They also explained that there was legislation that addressed the lack of report card data because of the COVID-19 pandemic. However, the 2018-2019 school year data did not show any districts at risk of state control, so no districts would be in danger during the 2021-2022 school year. State Superintendent DeMaria offered to provide more precise information from the legislation as well.

Items Voted on and Outcome of Vote:

No items were voted on in committee this month.

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

No items will be presented to the full board from this committee in December.

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, Paul LaRue and Antoinette Miranda.

Ohio Administrative Code (OAC) 3301-5-01 Requirements for the Emergency Management Plan and Test

- Staff presented proposed revisions to OAC 3301-5-01 Requirements for the Emergency Management Plan and Test being revised as part of the 3-year rule review. The rule is posted for public comment through Nov. 24, 2020.
- Committee member Johnson suggested revisions to clarify two definitions in the rule.
- Committee member LaRue shared his experience on the Attorney General's Task Force on Safety. Committee Chair McGuire discussed her experiences with development of an emergency management plan as part of a large stakeholder group.

- The rules were presented for committee discussion this month and the committee will consider a resolution to approve the proposed changes to the rules in December, with full board consideration in February 2021.

Youth Risk Behaviors: 2019 Youth Risk Behavior Survey Results

- Staff presented information on the Center for Disease Control's Youth Risk Behavior Survey including the nationwide data, Ohio data and data from surrounding and similar size states. The staff also shared information about how the data are used at the state, regional and local level to inform prevention efforts.
- The agenda item was discussion only, therefore, there was no action by the committee and the item is not scheduled for full board.

Strategy Updates

- Staff shared information on the Family Resource Guide Restart Resources recently released. Staff also shared information on the release of Ohio's Whole Child Framework. Committee Members Johnson and Lamoncha shared their experience serving on the Whole Child Advisory Group. Lastly, staff presented an update on the Plan to Improve Educational Experiences and Outcomes for Students with Disabilities and shared information on free school meals to all Ohio students during the 2020-2021 school year.
- Committee members discussed which schools are part of the school lunch program and therefore receiving free meals for their students. All public schools who are part of the school lunch program are eligible.
- The committee members requested links to the Whole Child Framework. Staff will follow-up to provide the information.
- The agenda item was discussion only, therefore, there was no action by the committee and the item is not scheduled for full board.

BOARD PRESENTATIONS AND DISCUSSION FROM THE ASSESSMENTS & ACCOUNTABILITY COMMITTEE

Chair: John Hagan, Vice Chair: Lisa Woods

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

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

Research, Evaluation and Advanced Analytics Discussion Continued

Presentation by Dr. Heather Boughton, Director of the Office of Research, Evaluation and Advanced Analytics with guest speakers:

- Dr. David Hersh, Director, Proving Ground
- Dr. Charles Keenan, Superintendent, Maple Heights City Schools
- Ms. Deidre Stokes-Davis, Director of Human Resources, Canton City Schools

Proving Ground – The Department's research partnership with Proving Ground is an example of a partnership focused on actionable, practitioner-focused research. The Proving Ground process is designed to meet districts and educators where they are to address challenges and questions they have about improving student outcomes. Proving Ground works closely with districts to build high quality evidence that can support districts in their decision-making about interventions. Proving Ground works with districts across the country. For the last three years, Ohio's three participating districts have had the opportunity to work with all the other districts in the network to share ideas,

lessons learned and evidence. To date, Ohio's districts have used Proving Ground to address concerns related to chronic absenteeism; however, the goal of the Proving Ground program is broader than absenteeism or any other specific challenge. Rather, Proving Ground is meant to help districts strengthen their capacity to apply a continuous improvement cycle to *any* challenge they face.

- **Maple Heights City Schools**, Dr. Keenan shared his appreciation for the partnership to co-design solutions and interventions, and then analyze the data. Being able to continue what is successful and drop what is not successful has been the key. Dr. Keenan and his team have taken the process from Proving Ground and expanded it beyond attendance and chronic absenteeism to support student success – from language arts to math, curriculum alignment, etc. Dr. Keenan shared that the process has been used to develop the district's improvement planning as well.
- **Canton City Schools**, Ms. Stokes-Davis reiterated the value of the research process taught by Proving Ground. Canton City Schools began this partnership in the 2018-2019 school year focused on chronic absenteeism and attendance. Stakeholders were engaged in the root cause analysis which was critical for developing their successful post-card intervention. Attendance increased with the pilot group and there was buy-in to scale up the post-card initiative because of the positive results. The results were also shared with the other partner districts in the network. Now Canton City is working on implementing interventions at the high school level.

Planning for Next Meeting & Adjourn

- Lisa Chandler (Director, Office of Assessment) will provide further details on the standards confirmation process at December's meeting. The work is continuing through November.
- Heather Boughton will continue discussing research and research partnerships.

BOARD PRESENTATIONS AND DISCUSSION FROM THE EXECUTIVE COMMITTEE

Chair: Laura Kohler, Vice Chair: Charlotte McGuire

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

Members Present: Laura Kohler, Charlotte McGuire, Sarah Fowler-Arthur, John Hagan, Mark Lamoncha, Antoinette Miranda, Steve Dackin.

Ohio Teacher of the Year Partnership Program – Invitation to Apply

- Staff spent time answering Board members questions from the October State Board of Education meeting. Staff also had additional questions for Board members to consider.

3301-1-01 For Giving Public Notice of Hearings

- Executive Committee members voted 7-0 to rescind rule 3301-1-01. This was a duplicative rule that was also in statute. Executive Committee members made the request that the statute be put into the State Board of Education's Policies and Procedures Manual. This will come to the full Board in December

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 1-3) on the Consent Agenda:

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

WHEREAS on October 6, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Yvette Battle 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. Battle's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31; and

WHEREAS the form specifies that Yvette Battle is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

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

- 2. RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY CHRISTIAN R. HARSHMAN 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 Christian R. Harshman has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on October 16, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Christian R. Harshman 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. Harshman's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Christian R. Harshman 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** Christian R. Harshman'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. Harshman'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 Christian R. Harshman 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. Harshman of this action.

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

WHEREAS on October 14, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Shawn P. Holloway 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. Holloway's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Shawn P. Holloway 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** Shawn P. Holloway'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. Holloway'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 Shawn P. Holloway 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. Holloway of this action.

It was Moved by Mr. Hagan and Seconded by Mr. LaRue that the Consent Agenda (Items 1-3) 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
Paul LaRue	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Eric Poklar
Mike Toal	Lisa Woods

NOTE: Mrs. Haycock confirmed her YES vote in the chat box.

Motion carried.

Mrs. McGuire presented the following recommendation (Item 4):

4. RESOLUTION TO ADOPT OHIO ADMINISTRATIVE RULES 3301-32-01 THROUGH 3301-32-12 / RULES FOR SCHOOL CHILD PROGRAMS

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

Ohio Revised Code Section 3301.53(C) requires the State Board of Education, in consultation with the Director of Job and Family Services, to adopt rules for school child programs that are consistent with and meet or exceed the requirements of the rules adopted for child day-care centers that serve school-age children under Chapter 5104. of the Revised Code;

The State Board of Education adopted Ohio Administrative Code (OAC) Chapter 3301-32 as a result, and all rules from the chapter are being reviewed as part of the five-year rule review; and

OAC 3301-32-01 through 3301-32-12 are being amended to meet or exceed ORC Chapter 5104.; to eliminate words, definitions or programs that are duplicative or no longer exist; to comply with the federal Child Care Development Block Grant, as required by also needing to meet or exceed Ohio Revised Code Chapter 5104; and to bring language in alignment with the Ohio Department of Job and Family Services to reduce confusion or inconsistency between programs licensed by the Ohio Department of Education and Ohio Department of Job and Family Services.

The Integrated Student Supports Committee recommended at its October 2020 meeting that the Board adopt OAC 3301-32-01 through 3301-32-12 / Rules for School Child Programs;

NOW, THEREFORE, BE IT RESOLVED, the Board approves adopting OAC 3301-32-01 through 3301-32-12 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. McGuire that the above recommendation (Item 4) be approved.

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin
Sarah Fowler Arthur
Linda Haycock
Meryl Johnson
Laura Kohler
Paul LaRue
Charlotte McGuire
Nick Owens
Mike Toal

Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Martha Manchester
Antoinette Miranda
Eric Poklar
Lisa Woods

Motion carried.

Mrs. McGuire presented the following recommendation (Item 5):

5. RESOLUTION TO RECOMMEND AMENDING OHIO ADMINISTRATIVE RULE 3301-35-15 / STANDARDS FOR THE IMPLEMENTATION OF POSITIVE BEHAVIOR INTERVENTION SUPPORTS AND THE USE OF RESTRAINT AND SECLUSION

The Integrated Student Supports Committee **RECOMMENDS** adopting the following Preambles and Resolution regarding Rule 3301-35-15 / Standards for the implementation of positive behavior intervention supports and the use of restraint and seclusion.

Ohio Revised Code (“ORC”) Section 3319.46(A) requires the State Board of Education (the “Board”) to adopt rules that establish a policy and standards for the implementation of positive behavior intervention and supports (PBIS) framework; and a policy and standards for the use of physical restraint or seclusion on students. House Bill 318 (132nd General Assembly) added language to ORC 3319.46 stating that the Department shall oversee each school district’s and school’s compliance with that section.

On January 15, 2013, the Board adopted a policy on Positive Behavior Intervention Supports, Restraint and Seclusion, the purpose of which was to create a statewide policy that applies to all school districts regarding the use of positive behavior intervention supports, and the limited use of restraint and seclusion. As ORC 3319.46 requires the Board to adopt these items by rule, portions of that policy, which are not already contained in OAC 3301-35-15, have now been incorporated into the proposed OAC 3301-35-15.

OAC 3301-35-15 is being amended as part of the five-year rule review process to provide for additional definitions; to provide for professional development requirements for the implementation of positive behavior intervention and supports; to account for students with multiple incidents of restraint and/or seclusion; and to provide a restraint and seclusion complaint process for parents who believe a school district has violated certain provisions of the rule.

NOW, THEREFORE, BE IT RESOLVED, that the Integrated Student Supports Committee hereby recommends that the Board approve amending OAC 3301-35-15 in the form attached hereto.

BE IT FURTHER RESOLVED, that the Integrated Student Supports Committee recommends rescinding the January 15, 2013 Board policy on Positive Behavior Intervention Supports, Restraint and Seclusion, as all relevant portions have been incorporated into OAC 3301-35-15.

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

Mrs. Fowler Arthur stated she was appreciative of the role that parents would have in the rule and the committee adding a feed-back loop for parents to be able to address concerns.

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
Paul LaRue	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Eric Poklar
Mike Toal	Lisa Woods

Motion carried.

Mrs. McGuire presented the following recommendation (Item 6):

6. RESOLUTION TO ADOPT OHIO ADMINISTRATIVE RULES 3301-37-01 THROUGH 3301-37-12 / RULES FOR CHILD DAY-CARE PROGRAMS

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

Ohio Revised Code Section 3301.53(A) requires the State Board of Education (the Board), in consultation with the Director of Job and Family Services, to prescribe minimum standards for preschool/child day-care programs operated by school district boards of education, county boards of developmental disabilities, community schools, or eligible nonpublic schools. Further, the rules must contain the following:

- (1) Standards ensuring that the preschool program is located in a safe and convenient facility that accommodates the enrollment of the program, is of the quality to support the growth and development of the children according to the program objectives, and meets the requirements of section 3301.55 of the Revised Code;
- (2) Standards ensuring that supervision, discipline, and programs will be administered according to established objectives and procedures;

(3) Standards ensuring that preschool staff members and nonteaching employees are recruited, employed, assigned, evaluated, and provided in-service education without discrimination on the basis of age, color, national origin, race, or sex; and that preschool staff members and nonteaching employees are assigned responsibilities in accordance with written position descriptions commensurate with their training and experience;

(4) A requirement that boards of education intending to establish a preschool program demonstrate a need for a preschool program prior to establishing the program;

(5) Requirements that children participating in preschool programs have been immunized to the extent considered appropriate by the state board to prevent the spread of communicable disease;

(6) Requirements that the parents of preschool children complete the emergency medical authorization form specified in section 3313.712 of the Revised Code.

Ohio Revised Code Section 3301.53(B) further requires the Board, in consultation with the Director of Job and Family Services, to ensure that the rules adopted by the Board are consistent with and meet or exceed the requirements of Chapter 5104. of the Revised Code with regard to child day-care centers that serve preschool children.;

The State Board of Education adopted Ohio Administrative Code (OAC) Chapter 3301-37 as a result, and all rules from the chapter are being reviewed as part of the five-year rule review; and

OAC 3301-37-01 through 3301-37-12 are being amended to meet or exceed ORC Chapter 5104.; to eliminate words, definitions or programs that are duplicative or no longer exist; to comply with the federal Child Care Development Block Grant, as required by also needing to meet or exceed Ohio Revised Code Chapter 5104; and to bring language in alignment with the Ohio Department of Job and Family Services to reduce confusion or inconsistency between programs licensed by the Ohio Department of Education and Ohio Department of Job and Family Services.

The Integrated Student Supports Committee recommended at its October 2020 meeting that the Board adopt OAC 3301-37-01 through 3301-37-12 / Rules for Child Day-Care Programs;

NOW, THEREFORE, BE IT RESOLVED, the Board approves adopting OAC 3301-37-01 through 3301-37-12 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. McGuire 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
Paul LaRue	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Eric Poklar
Mike Toal	Lisa Woods

Motion carried.

President Kohler presented the following recommendation (Item 6.A.):

6.A. RESOLUTION OF THE STATE BOARD OF EDUCATION TO DETAIL THE REASON OR REASONS EXPLAINING ITS REJECTION OF THE HEARING OFFICER'S RECOMMENDATION TO TRANSFER THE LAND FROM THE JEFFERSON LOCAL SCHOOL DISTRICT, MONTGOMERY COUNTY, TO THE VALLEYVIEW LOCAL SCHOOL DISTRICT, MONTGOMERY COUNTY PURSUANT TO SECTION 3311.24 OF THE OHIO REVISED CODE.

The State Board of Education hereby **ADOPTS** the following:

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

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

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

The State Board of Education at its meeting on February 12, 2019 rejected the recommendations of the hearing officer in light of the persuasiveness of Jefferson Local School District's objections. The State Board of Education further rejected petitioners request for a territory transfer; and

The Petitioners who had requested the transfer appealed the State Board's order disapproving the transfer to the Franklin County Court of Common Pleas in Case Number 2019 CV 001945; and

On June 28, 2019, the Franklin County Court of Common Pleas reversed the State Board's decision and granted the transfer of land from Jefferson Township Local School District to Valley View Local School District; and

On July 19, 2019, Jefferson Township Local School District Board of Education appealed this decision to the Tenth District Court of Appeals in Case Number 19AP-463; and

On April 30, 2020, the Tenth District Court of Appeals rendered a decision affirming the judgment of the Franklin County Court of Common Pleas and remanding the case so that the Franklin County Court of Common Pleas may return it to the State Board for disposition; and

On May 19, 2020, the Franklin County Court of Common Pleas rendered a decision remanding the case to the State Board for further review and directing the State Board to specifically detail the reason or reasons explaining its rejection of the hearing officer's recommendation to transfer the land from Jefferson Township to Valley View Local School District.

NOW, THEREFORE, BE IT RESOLVED, that the State Board of Education hereby APPROVES the reasons set forth below to explain its rejection of the hearing officer's recommendation in support of the resolution dated February 13, 2019; and

BE IT FURTHER RESOLVED, that the State Board of Education has considered the entire record in this case including the report and recommendation of the hearing officer, documents provided by Petitioners, Jefferson Local School District, and Valley View Local School District as part of the hearing process, Jefferson Township Local School District's objections, and Petitioners' response to Jefferson Township Local School District's objections; and

BE IT FURTHER RESOLVED, that the State Board of Education rejects the following portions of the hearing officer's recommendation: the analysis of racial isolation on pages 10 and 11, the analysis of loss of revenue on pages 12 and 13 and the conclusion and recommendation on page 13 and 14; and

BE IT FURTHER RESOLVED, that the State Board of Education finds that the transfer would significantly negatively impact the future revenue in the Jefferson LSD. In State's exhibit 3, addendum B it states that "The cumulative effect of the valuation loss and the corresponding revenue loss will reduce the ending cash balance [on the five-year-forecast] in fiscal year 2022 by 33%, from \$5.4 m to 3.6m. In addition, deficit spending (the excess of expenditures over revenue) will nearly double from \$(521,171) to \$(964,490) by the end of the five-year forecast period." This projection is undisputed, and the State Board of Education finds this projected revenue reduction to be significant. While the Hearing Officer is correct to note that Jefferson LSD is operating at a surplus (Report and Recommendation p. 12-13), the State Board of Education acknowledges that testimony stated that Jefferson LSD has only recently

emerged from financial emergency and that this was due to significant programming cuts. (Tr. 101). Further, testimony stated that revenue losses would necessitate further programming cuts. (Tr. 140, Jefferson LSD Objections p. 10). The State Board of Education finds that further programming cuts would have an adverse impact on the students at Jefferson LSD. The State Board agrees with Jefferson Township Local School District's objections which state that there "should be no genuine dispute that a loss of more than \$450k in a school district the size of Jefferson Township is going to have an adverse impact on the district and its remaining students." (Jefferson LSD Objections p. 11). The State Board also agrees with the Jefferson Township LSD's objections when they state that, "Valley View would be acquiring over \$450k in tax revenues while assuming the duty to educate 2 to 5 children." This is a disproportionate increase in revenue compared to the educational responsibilities they would assume. At the same time, Jefferson would be losing 14% of their initial revenue (State's exhibit 3, addendum A) when only losing 1-3% of their population (State's exhibit 4). This was also similar to the fact pattern in *Concerned Citizens for Quality Ed. v. Ohio Dep't of Ed.* (Jefferson LSD Objections p. 11).; and

BE IT FURTHER RESOLVED, that the State Board of Education finds that the transfer causes, preserves or increase racial isolation. The State Board agrees with Jefferson Township LSD's objections that, "the hearing officer's report and recommendation in this regard failed to give appropriate consideration to racial segregation issues." As noted in Jefferson Township Local School District's Objections, it is undisputed that the requested transfer would have moved a group of primarily non-minority students from a predominantly minority district to a predominantly non-minority district. (Jefferson LSD Objections p. 3). The State Board of Education rejects the hearing officer's analysis which was based on the overall racial composition of the school. (Report and Recommendation p. 10-11). In any territory transfer between schools with large populations, the overall effect on the racial compositions of the schools will be de minimis due to sheer numbers of students, but this racial isolation factor should still be taken into account. As noted in the Jefferson Township LSD objections, this case is similar to *Concerned Citizens for Quality Ed. v. Ohio Dep't of Ed.*, in which the court found there to be racial isolation implications in a situation where a territory transfer involved relatively few Caucasian students, but they were to be transferred from a majority minority district to predominantly Caucasian district (Jefferson LSD Objections p. 7-8); and

BE IT FURTHER RESOLVED, that the State Board of Education accepts the Franklin County Common Pleas Court's position in its June 28, 2019 decision that the State Board's concern about precedence setting for future territory transfers is not an issue available for consideration by the State Board as petitioners followed the appropriate procedures to seek the transfer under Revised Code section 3311.24 and as set forth in Ohio Administrative Code Section 3301-89-02.

BE IT FURTHER RESOLVED, that the State Board of Education has fully weighed the factors outlined in OAC 3301-89-02(D) and OAC 3301-89-03(B) and relevant law, in consideration of the reasons explaining its rejection of the hearing officer's recommendation to transfer the land from the Jefferson LSD, Montgomery County, to the Valley View LSD, Montgomery County; and

BE IT FURTHER RESOLVED, that the Superintendent of Public Instruction be, and he hereby is, directed to serve a true copy of this resolution on the Petitioners, the Jefferson LSD, Montgomery County, the Valley View LSD, Montgomery County, and counsel of record, if applicable.

It was Moved by Ms. Johnson and Seconded by Mrs. Haycock that the above recommendation (Item 6.A.) be approved.

Mrs. Fowler Arthur stated she still agreed with the recommendation of the Hearing Officer and would not support the resolution out of concern that it does not represent her viewpoint she has from the standpoint of the record. She complimented staff for their work.

President Kohler called for a roll call vote.

YES VOTES

Stephanie Dodd	Linda Haycock
Meryl Johnson	Jenny Kilgore
Laura Kohler	Mark Lamoncha
Martha Manchester	Antoinette Miranda
Nick Owens	Eric Poklar
Lisa Woods	

NO VOTES

Sarah Fowler Arthur	John Hagan
Kirsten Hill	Mike Toal

ABSTAIN

Stephen Dackin	Paul LaRue
Charlotte McGuire	

Motion carried.

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

7. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY REBECCA J. WEAVER 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 Rebecca J. Weaver has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

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WHEREAS on September 30, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Rebecca J. Weaver 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. Weaver's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31; and

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

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

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

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin
Sarah Fowler Arthur
Linda Haycock
Meryl Johnson
Laura Kohler
Paul LaRue
Antoinette Miranda
Eric Poklar
Lisa Woods

Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Martha Manchester
Nick Owens
Mike Toal

ABSTAIN

Charlotte McGuire

Motion carried.

Aaron Ross, Director, Office of Professional Conduct, presented the following recommendation (Item 8):

8. RESOLUTION TO REVOKE PERMANENTLY THE ONE-YEAR EDUCATIONAL AIDE PERMIT OF RAENELL J. ALLEN

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

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

WHEREAS on April 2, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Raenell J. Allen of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year educational aide permit issued in 2016 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(a). The notice was based upon Ms. Allen's 2017 conviction in the Mahoning County Court of Common Pleas for one felony count of endangering children after being charged with three felony counts of involuntary manslaughter, two felony counts of corrupting another with drugs, and one felony count of endangering children; and

WHEREAS the notice informed Ms. Allen that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Ohio Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke her one-year educational aide permit issued in 2016; and

WHEREAS the thirty-day deadline to request a hearing was tolled until July 30, 2020 by Section 22(A) of Am. Sub. H.B. No. 197; and

WHEREAS Raenell J. Allen did not request a hearing in accordance with Section 119.07 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 has reviewed the affidavit of the director of the Office of Professional Conduct, the State Board of Education's Notice of Opportunity for Hearing, certified court records from the Mahoning County Court of Common Pleas, and certified police records from the Youngstown Police Department; and

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

WHEREAS the State Board of Education has considered the factors listed in Rule 3301-73-21 of the Ohio Administrative Code and has considered the *Licensure Code of Professional Conduct for Ohio Educators*, which contains standards for

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(a), hereby **REVOKES** Raenell J. Allen's one-year educational aide permit issued in 2016 based upon Ms. Allen's 2017 conviction in the Mahoning County Court of Common Pleas for one felony count of endangering children after being charged with three felony counts of involuntary manslaughter, two felony counts of corrupting another with drugs, and one felony count of endangering children. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Raenell J. Allen 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. Allen of this action.

It was Moved by Ms. Johnson and Seconded by Mrs. Manchester that the above recommendation (Item 8) be approved.

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin
Sarah Fowler Arthur
Linda Haycock
Meryl Johnson
Laura Kohler
Paul LaRue
Charlotte McGuire
Nick Owens
Mike Toal

Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Martha Manchester
Antoinette Miranda
Eric Poklar
Lisa Woods

Motion carried.

Aaron Ross, Director, Office of Professional Conduct, presented the following recommendation (Item 9):

9. RESOLUTION TO DENY PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT APPLICATION OF JACOB D. BURK

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

WHEREAS Jacob D. Burk has applied for a three-year pupil activity permit; and

WHEREAS on April 2, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Jacob D. Burk of its intent to deny or permanently deny his application for a three-year pupil activity permit

pursuant to Ohio Revised Code 3319.31(B)(1) and (F). The notice was based upon Mr. Burk's 2019 conviction in the Hamilton County Municipal Court for two misdemeanor counts of disorderly conduct after being originally charged with two misdemeanor counts of sexual imposition, 2016 conviction in the Dayton Municipal Court for one misdemeanor count of open container, and 2015 conviction in the Darke County Municipal Court for one misdemeanor count of criminal trespass; and

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

WHEREAS the thirty-day deadline to request a hearing was tolled until July 30, 2020 by Section 22(A) of Am. Sub. H.B. No. 197; and

WHEREAS Jacob D. Burk did not request a hearing in accordance with Section 119.07 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 has reviewed the affidavit of the director of the Office of Professional Conduct, the State Board of Education's Notice of Opportunity for Hearing, certified court records from the Hamilton County Municipal Court, Dayton Municipal Court, and Darke County Municipal Court, and certified police records from the University of Cincinnati Police Division and Greenville Police Department; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and (F), hereby **DENIES** Jacob D. Burk's application for a three-year pupil activity permit based upon Mr. Burk's 2019 conviction in the Hamilton County Municipal Court for two misdemeanor counts of disorderly conduct after being originally charged with two misdemeanor counts of sexual imposition, 2016 conviction in the Dayton Municipal Court for one misdemeanor count of open container, and 2015 conviction in the Darke County Municipal Court for one misdemeanor count of criminal trespass. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders that Jacob D. Burk 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. Burk of this action.

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

President Kohler called for a roll call vote.

YES VOTES

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

Motion carried.

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

10. RESOLUTION TO REVOKE PERMANENTLY THE ONE-YEAR EDUCATIONAL AIDE PERMIT OF JAIME M. DAVIDSON

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

WHEREAS Jaime M. Davidson held a one-year educational aide permit issued in 2016; and

WHEREAS on April 23, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Jaime M. Davidson of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year educational aide permit issued in 2016 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (B)(2)(b), and (B)(3). The notice was based upon Ms. Davidson's 2018 plea of guilty in the Vinton County Court of Common Pleas to one felony count of aggravated assault, one misdemeanor count of aggravated menacing, one misdemeanor count of criminal trespassing, one misdemeanor count of obstructing official business, one misdemeanor count of resisting arrest, and one misdemeanor count of carrying concealed weapons and her subsequent entry into the court's intervention in lieu of conviction program; and her 2017 conviction in the Chillicothe Municipal Court for one minor misdemeanor count of disorderly conduct; and

WHEREAS the notice informed Ms. Davidson that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Ohio Revised Code, the State Board of Education will proceed to determine whether to limit, suspend,

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revoke, or permanently revoke her one-year educational aide permit issued in 2016; and

WHEREAS the thirty-day deadline to request a hearing was tolled until July 30, 2020 by Section 22(A) of Am. Sub. H.B. No. 197; and

WHEREAS Jaime M. Davidson did not request a hearing in accordance with Section 119.07 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 has reviewed the affidavit of the director of the Office of Professional Conduct, the State Board of Education's Notice of Opportunity for Hearing, certified court records from the Vinton County Court of Common Pleas and the Chillicothe Municipal Court, and certified police records from the Vinton County Sheriff's Office; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (B)(2)(b), and (B)(3), hereby **REVOKES** Jaime M. Davidson's one-year educational aide permit issued in 2016 based upon Ms. Davidson's 2018 plea of guilty in the Vinton County Court of Common Pleas to one felony count of aggravated assault, one misdemeanor count of aggravated menacing, one misdemeanor count of criminal trespassing, one misdemeanor count of obstructing official business, one misdemeanor count of resisting arrest, and one misdemeanor count of carrying concealed weapons and her subsequent entry into the court's intervention in lieu of conviction program; and her 2017 conviction in the Chillicothe Municipal Court for one minor misdemeanor count of disorderly conduct. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Jaime M. Davidson 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. Davidson of this action.

It was Moved by Ms. Johnson and Seconded 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
Paul LaRue
Charlotte McGuire
Nick Owens
Mike Toal

Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Martha Manchester
Antoinette Miranda
Eric Poklar
Lisa Woods

Motion carried.

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

11. RESOLUTION TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL INTERVENTION SPECIALIST TEACHING LICENSE OF SHANNON L. DAY

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

WHEREAS Shannon L. Day held a five-year professional intervention specialist teaching license issued in 2015; and

WHEREAS on April 1, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Shannon L. Day of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional intervention specialist teaching license issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(c). The notice was based upon Ms. Day's 2019 conviction in the Brown County Court of Common Pleas for one felony count of grand theft and one felony count of identity fraud; and

WHEREAS the notice informed Ms. Day that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Ohio Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional intervention specialist teaching license issued in 2015; and

WHEREAS the thirty-day deadline to request a hearing was tolled until July 30, 2020 by Section 22(A) of Am. Sub. H.B. No. 197; and

WHEREAS Shannon L. Day did not request a hearing in accordance with Section 119.07 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 has reviewed the affidavit of the director of the Office of Professional Conduct, the State Board of Education's Notice of Opportunity for Hearing, and certified court records from the Brown County Court of Common Pleas; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(c), hereby **REVOKES** Shannon L. Day's five-year professional intervention specialist teaching license issued in 2015 based upon Ms. Day's 2019 conviction in the Brown County Court of Common Pleas for one felony count of grand theft and one felony count of identity fraud. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Shannon L. Day 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. Day of this action.

It was Moved by Mrs. Manchester and Seconded by Mrs. McGuire that the above recommendation (Item 11) 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
Paul LaRue	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Eric Poklar
Mike Toal	Lisa Woods

Motion carried.

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

12. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FIVE-YEAR

**PROFESSIONAL ELEMENTARY-KINDERGARTEN TEACHING LICENSE
OF MAXINE R. EDMONDS**

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

WHEREAS Maxine R. Edmonds held a five-year professional elementary-kindergarten teaching license issued in 2014; and

WHEREAS on July 30, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Maxine R. Edmonds of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional elementary-kindergarten teaching license issued in 2014 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Edmonds engaging in the following conduct that is unbecoming to the teaching profession: on or about January 17, 2013, she engaged in a physical altercation with a student and placed her hands on the student's neck and shoved the student to the front of the line; on or about August 24, 2016, she engaged in a physical altercation with a different student (Student 2) by grabbing Student 2 by the chin to make Student 2 look her in the eye and speak to her; on or about September 20, 2016, she behaved unprofessionally during an IEP meeting when she imitated and/or mocked Student 2's speech pattern in front of Student 2's mother and abruptly left the meeting; and on or about September 21, 2016, Ms. Edmonds failed to provide appropriate supervision of students when she locked Student 2 out of her classroom; and

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

WHEREAS a hearing was held on January 14, 2020; and

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

WHEREAS the hearing officer recommends that Ms. Edmonds' license be revoked and that she be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based upon the following: the nature and seriousness of Ms. Edmonds' misconduct; her repeated instances of misconduct over a several year period; and that Ms. Edmonds' age and experience at the time of these events indicate that they were not a result of a lack of training, experience, or immaturity; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Maxine R. Edmonds' five-year professional elementary-kindergarten teaching license issued in 2014 based upon Ms. Edmonds engaging in the following conduct that is unbecoming to the teaching profession: on or about January 17, 2013, she engaged in a physical altercation with a student and placed her hands on the student's neck and shoved the student

to the front of the line; on or about August 24, 2016, she engaged in a physical altercation with a different student (Student 2) by grabbing Student 2 by the chin to make Student 2 look her in the eye and speak to her; on or about September 20, 2016, she behaved unprofessionally during an IEP meeting when she imitated and/or mocked Student 2's speech pattern in front of Student 2's mother and abruptly left the meeting; and on or about September 21, 2016, Ms. Edmonds failed to provide appropriate supervision of students when she locked Student 2 out of her classroom. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Maxine R. Edmonds 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. Edmonds of this action.

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

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin
Sarah Fowler Arthur
Linda Haycock
Meryl Johnson
Laura Kohler
Paul LaRue
Charlotte McGuire
Eric Poklar
Lisa Woods

Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Martha Manchester
Antoinette Miranda
Mike Toal

ABSTAIN

Nick Owens

Motion carried.

Aaron Ross, Director, Office of Professional Conduct, presented the following recommendation (Item 13):

- 13. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL EARLY CHILDHOOD TEACHING LICENSE OF MARY J. FERGUSON**

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

WHEREAS Mary J. Ferguson held a five-year professional early childhood teaching license issued in 2013; and

WHEREAS on May 24, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Mary J. Ferguson of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional early childhood teaching license issued in 2013 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(b). The notice was based upon Ms. Ferguson engaging in conduct that is unbecoming to the teaching profession on or about the 2014-2015 school year, when she used illegal or unauthorized drugs, specifically heroin, and her 2017 guilty plea in the Mount Vernon Municipal Court to one misdemeanor count of domestic violence and her subsequent entry into the court's criminal diversion program; and

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

WHEREAS a hearing was held on January 9, 2020; and

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

WHEREAS the hearing officer recommends that Ms. Ferguson's license be revoked and that she be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based upon Ms. Ferguson: exhibiting poor judgment when she was under the influence of drugs during the school day; returning late to her first grade students who were left unattended; and appearing to care more about her next fix than her class; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Mary J. Ferguson's five-year professional early childhood teaching license issued in 2013 based upon Ms. Ferguson engaging in conduct that is unbecoming to the teaching profession on or about the 2014-2015 school year, when she used illegal or unauthorized drugs, specifically heroin, and in 2017 when she hit her husband with a shovel in front of her minor child. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Mary J. Ferguson 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. Ferguson of this action.

It was Moved by Mrs. McGuire and Seconded by Mrs. Manchester that the above recommendation (Item 13) 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
Paul LaRue	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Eric Poklar
Mike Toal	Lisa Woods

Motion carried.

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

14. RESOLUTION TO DENY THE ONE-YEAR EDUCATIONAL AIDE PERMIT APPLICATION OF ROSAN M. GREENLEE

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

WHEREAS Rosan M. Greenlee has applied for a one-year educational aide permit; and

WHEREAS on April 30, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Rosan M. Greenlee of its intent to deny or permanently deny his application for a one-year educational aide permit pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (B)(2)(c), and (B)(3). The notice was based upon Mr. Greenlee's 2019 guilty plea in the Montgomery County Court of Common Pleas to two felony counts of attempted tampering with evidence and one felony count of theft and his subsequent entry into the court's intervention in lieu of conviction program; and

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

WHEREAS the thirty-day deadline to request a hearing was tolled until July 30, 2020 by Section 22(A) of Am. Sub. H.B. No. 197; and

WHEREAS Rosan M. Greenlee did not request a hearing in accordance with Section 119.07 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 has reviewed the affidavit of the director of the Office of Professional Conduct, the State Board of Education's Notice of Opportunity for Hearing, and certified court records from the Montgomery County Court of Common Pleas; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (B)(2)(c), and (B)(3), hereby **DENIES** Rosan M. Greenlee's application for a one-year educational aide permit based upon Mr. Greenlee's 2019 guilty plea in the Montgomery County Court of Common Pleas to two felony counts of attempted tampering with evidence and one felony count of theft and his subsequent entry into the court's intervention in lieu of conviction program. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(a), orders that Rosan M. Greenlee be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after November 9, 2025, and that upon reapplication, he must provide written verification to the Ohio Department of Education that he has completed the theft prevention course included in his intervention in lieu of conviction program and provide written verification to the Ohio Department of Education that he has completed, at his own expense, eight hours of ethics, with the training to be approved in advance by the Ohio Department of Education; and, Be It Further

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

It was Moved by Ms. Woods and Seconded by Mrs. Fowler Arthur that the above recommendation (Item 14) be approved.

Ms. Johnson moved to Amend the resolution by substitution. She proposed the following additions; "and a drug and alcohol assessment, by a licensed chemical dependency counselor who is approved in advance by the Ohio Department of Education, as well as any recommendations made by the licensed counselor". Mrs. Haycock Seconded the motion.

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

YES VOTES

Stephen Dackin
Sarah Fowler Arthur
Linda Haycock
Jenny Kilgore
Mark Lamoncha
Martha Manchester

Stephanie Dodd
John Hagan
Meryl Johnson
Laura Kohler
Paul LaRue
Charlotte McGuire

Antoinette Miranda
Eric Poklar
Lisa Woods

Nick Owens
Mike Toal

NO VOTES

Kirsten Hill

Motion carried.

Resolution as amended:

14. RESOLUTION TO DENY THE ONE-YEAR EDUCATIONAL AIDE PERMIT APPLICATION OF ROSAN M. GREENLEE

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

WHEREAS Rosan M. Greenlee has applied for a one-year educational aide permit; and

WHEREAS on April 30, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Rosan M. Greenlee of its intent to deny or permanently deny his application for a one-year educational aide permit pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (B)(2)(c), and (B)(3). The notice was based upon Mr. Greenlee's 2019 guilty plea in the Montgomery County Court of Common Pleas to two felony counts of attempted tampering with evidence and one felony count of theft and his subsequent entry into the court's intervention in lieu of conviction program; and

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

WHEREAS the thirty-day deadline to request a hearing was tolled until July 30, 2020 by Section 22(A) of Am. Sub. H.B. No. 197; and

WHEREAS Rosan M. Greenlee did not request a hearing in accordance with Section 119.07 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 has reviewed the affidavit of the director of the Office of Professional Conduct, the State Board of Education's Notice of Opportunity for Hearing, and certified court records from the Montgomery County Court of Common Pleas; and

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

WHEREAS the State Board of Education has considered the factors listed in Rule 3301-73-21 of the Ohio Administrative Code and has considered the *Licensure*

Code of Professional Conduct for Ohio Educators, which contains standards for the teaching profession and provides guidelines for conduct that is unbecoming to the teaching profession: Therefore, Be It

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), (B)(2)(c), and (B)(3), hereby **DENIES** Rosan M. Greenlee's application for a one-year educational aide permit based upon Mr. Greenlee's 2019 guilty plea in the Montgomery County Court of Common Pleas to two felony counts of attempted tampering with evidence and one felony count of theft and his subsequent entry into the court's intervention in lieu of conviction program. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(a), orders that Rosan M. Greenlee be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after November 9, 2025, and that upon reapplication, he must provide written verification to the Ohio Department of Education that he has completed, at his own expense the following: the theft prevention course included in his intervention in lieu of conviction program; eight hours of ethics training, with the training to be approved in advance by the Ohio Department of Education; and a drug and alcohol assessment, by a licensed chemical dependency counselor who is approved in advance by the Ohio Department of Education, as well as any recommendations made by the licensed counselor; and, Be It Further

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

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
Paul LaRue	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Eric Poklar
Mike Toal	Lisa Woods

Motion carried.

Aaron Ross, Director, Office of Professional Conduct, presented the following recommendation (Item 15):

15. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF DANIEL L. IRVING

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

WHEREAS Daniel L. Irving held a three-year pupil activity permit issued in 2016; and

WHEREAS on March 28, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Daniel L. Irving of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2016 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Irving engaging in the following conduct that is unbecoming to the teaching profession: on or about June 2013, while coaching for the Gahanna-Jefferson Public School District, he failed to maintain appropriate student-athlete/coach boundaries by inappropriately text messaging a student; on or about the summer of 2016, he misrepresented his employment history on his application for employment to the Columbus School for Girls by failing to indicate his previous employment with the Gahanna-Jefferson Public School District; on or about the summer of 2016, he failed to maintain student-athlete/coach boundaries while coaching for the Columbus School for Girls including, but not limited to, regularly texting student-athletes even after being directed never to do so by the athletic director and discussing his wife's chest size with a student; and on or about June 15, 2017, he misrepresented his employment history on his application for employment to the Athens City School District by failing to indicate his previous employment with the Gahanna-Jefferson Public School District and the Columbus School for Girls; and

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

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

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

WHEREAS the hearing officer recommends that Mr. Irving's permit be revoked and that he be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based upon the following: Mr. Irving deliberately omitting his employment experience on employment applications in order to influence the employment decisions of two school districts; Mr. Irving repeatedly stepping over the boundary between student and teacher to engage in inappropriate personal communications and/or discuss inappropriate subjects; and Mr. Irving's history of multiple boundary issues and chronic dishonesty which establish that he is not the type of individual who should be employed in a school setting; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Daniel L. Irving's three-year pupil activity permit issued in 2016 based upon Mr. Irving engaging in the following conduct that is unbecoming to the teaching profession: on or about June 2013, while coaching for the Gahanna-Jefferson Public School District, he failed to maintain appropriate student-athlete/coach boundaries by inappropriately text messaging a

student; on or about the summer of 2016, he misrepresented his employment history on his application for employment to the Columbus School for Girls by failing to indicate his previous employment with the Gahanna-Jefferson Public School District; on or about the summer of 2016, he failed to maintain student-athlete/coach boundaries while coaching for the Columbus School for Girls including, but not limited to, regularly texting student-athletes even after being directed never to do so by the athletic director and discussing his wife's chest size with a student; and on or about June 15, 2017, he misrepresented his employment history on his application for employment to the Athens City School District by failing to indicate his previous employment with the Gahanna-Jefferson Public School District and the Columbus School for Girls. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Daniel L. Irving 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. Irving of this action.

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

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin
John Hagan
Kirsten Hill
Jenny Kilgore
Paul LaRue
Charlotte McGuire
Nick Owens
Mike Toal

Sarah Fowler Arthur
Linda Haycock
Meryl Johnson
Mark Lamoncha
Martha Manchester
Antoinette Miranda
Eric Poklar
Lisa Woods

ABSTAIN

Stephanie Dodd

Laura Kohler

Motion carried.

Aaron Ross, Director, Office of Professional Conduct, presented the following recommendation (Item 16):

16. RESOLUTION TO REVOKE THE FIVE-YEAR PROFESSIONAL ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE OF CORINA M. KUPKA

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

WHEREAS Corina M. Kupka holds a five-year professional adolescence to young adult teaching license issued in 2016; and

WHEREAS on May 5, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Corina M. Kupka of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional adolescence to young adult teaching license issued in 2016 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Kupka's 2019 conviction in the Hamilton County Municipal Court for one misdemeanor count of disorderly conduct; and

WHEREAS the notice informed Ms. Kupka that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Ohio Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional adolescence to young adult teaching license issued in 2016; and

WHEREAS the thirty-day deadline to request a hearing was tolled until July 30, 2020 by Section 22(A) of Am. Sub. H.B. No. 197; and

WHEREAS Corina M. Kupka did not request a hearing in accordance with Section 119.07 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 has reviewed the affidavit of the director of the Office of Professional Conduct, the State Board of Education's Notice of Opportunity for Hearing, certified court records from the Hamilton County Municipal Court, and certified police records from the Montgomery Police Department; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Corina M. Kupka's five-year professional adolescence to young adult teaching license issued in 2016 based upon Ms. Kupka's 2019 conviction in the Hamilton County Municipal Court for one misdemeanor count of disorderly conduct. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Corina M. Kupka be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after July 1, 2023, and that within ninety days of reapplication, she must provide written verification to the Ohio Department of Education that she has completed, at her own expense, training in ethics that is preapproved by the Ohio Department of Education and a drug/alcohol assessment by a licensed counselor who is preapproved by the Ohio

Department of Education and any additional counseling and/or treatment recommended by the licensed counselor; and, Be It Further

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

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

It was Moved by Ms. Woods and Seconded by Mrs. McGuire that the above recommendation (Item 16) 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
Paul LaRue	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Eric Poklar
Mike Toal	Lisa Woods

Motion carried.

Aaron Ross, Director, Office of Professional Conduct, presented the following recommendation (Item 17):

17. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE ONE-YEAR SUBSTITUTE TEACHING LICENSE OF STEPHANIE D. SHEPPARD

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

WHEREAS Stephanie D. Sheppard held a one-year substitute teaching license issued in 2018; and

WHEREAS on December 2, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Stephanie D. Sheppard of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year substitute teaching license issued in 2018 pursuant to Ohio Revised Code

3319.31(B)(1). The notice was based upon Ms. Sheppard engaging in conduct that is unbecoming to the teaching profession from on or about November 2017 to on or about January 2018, when she claimed that she provided at home services as follows: she submitted information that she provided services to a student in November 2017, December 2017, and January 2018, which was discovered to be false; she submitted information that she provided services to a second student in December 2017 and January 2018, which she admitted was false; she submitted information that she provided services to a third student in December 2017, which she admitted was false; and she submitted information that she provided services to a fourth student in January 2018, which she admitted was false; and

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

WHEREAS a hearing was held on February 25, 2020; and

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

WHEREAS the hearing officer recommends that Ms. Sheppard's license be revoked and that she be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based upon the following: Ms. Sheppard taking advantage of self-reporting timesheets to obtain money she did not earn; no evidence being presented that Ms. Sheppard would be honest in the future; and the negative impact that Ms. Sheppard's continued licensure would have on the welfare of the school community; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Stephanie D. Sheppard's one-year substitute teaching license issued in 2018 based upon Ms. Sheppard engaging in conduct that is unbecoming to the teaching profession from on or about November 2017 to on or about January 2018, when she claimed that she provided at home services as follows: she submitted information that she provided services to a student in November 2017, December 2017, and January 2018, which was discovered to be false; she submitted information that she provided services to a second student in December 2017 and January 2018, which she admitted was false; she submitted information that she provided services to a third student in December 2017, which she admitted was false; and she submitted information that she provided services to a fourth student in January 2018, which she admitted was false. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Stephanie D. Sheppard 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. Sheppard of this action.

It was Moved by Ms. Woods and Seconded by Mrs. Manchester 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
Paul LaRue	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Eric Poklar
Mike Toal	Lisa Woods

Motion carried.

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

18. RESOLUTION TO MODIFY THE REPORT OF THE HEARING OFFICER AND TO ACCEPT THE RECOMMENDATION OF THE HEARING OFFICER TO REVOKE THE FIVE-YEAR PROFESSIONAL ELEMENTARY TEACHING LICENSE OF LESLEY A. SNYDER

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

WHEREAS Lesley A. Snyder held a five-year professional elementary teaching license issued in 2013; and

WHEREAS on June 11, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Lesley A. Snyder of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional elementary teaching license issued in 2013 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Snyder engaging in conduct that is unbecoming to the teaching profession on or about May 11, 2017, when, while at a school-sponsored student camp, she left the camp and consumed alcohol on one occasion; and

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

WHEREAS a hearing was held on March 5, 2020; and

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

WHEREAS the hearing officer recommends that Ms. Snyder's license be revoked and that she not be permitted to reapply for any license, certificate, or permit until October 1, 2021, provided that she completes twenty hours of community service and eight hours of training in ethics or professionalism, at her own expense. The hearing officer's recommendation is based upon the seriousness of Ms. Snyder's conduct in leaving a school-sponsored overnight day camp and consuming alcohol on one occasion when was in a supervisory capacity of students; and

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

WHEREAS the State Board of Education modifies Finding of Fact numbered 1 by deleting the language in the sentence that reads, "Respondent Megan K. Tuttle" and replacing it with language that reads, "Respondent Lesley A. Snyder"; and

WHEREAS the State Board of Education adopts the remaining portions of the hearing officer's report and recommendation: Therefore, Be It

RESOLVED That the State Board of Education modifies Finding of Fact numbered 1 by deleting the language in the sentence that reads, "Respondent Megan K. Tuttle" and replacing it with language that reads, "Respondent Lesley A. Snyder"; and Be It Further

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Lesley A. Snyder's five-year professional elementary teaching license issued in 2013 based upon Ms. Snyder engaging in conduct that is unbecoming to the teaching profession on or about May 11, 2017, when, while at a school-sponsored student camp, she left the camp and consumed alcohol on one occasion. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Lesley A. Snyder be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until on or after October 1, 2021, and upon reapplication, she must submit written verification to the Ohio Department of Education that she has completed, at her own expense, eight hours of training in ethics or professionalism and twenty hours of community service, with the training and community service to be approved in advance by the Ohio Department of Education; and, Be It Further

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

It was Moved by Mrs. Fowler Arthur and Seconded by Mr. LaRue that the above recommendation (Item 18) be approved.

Ms. Johnson moved to Amend the resolution by substitution. She proposed that:

“Lesley A. Snyder be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until on or after October 1, 2021, and upon reapplication, she must submit written verification to the Ohio Department of Education that she has completed, at her own expense, eight hours of training in ethics or professionalism and twenty hours of community service, with the training and community service to be approved in advance by the Ohio Department of Education; and a drug and alcohol assessment, by a licensed chemical dependency counselor, with the counselor to be approved in advance by the Ohio Department of Education, as well as any recommendations made by the licensed counselor”. Additional comments are stated in the proposed substitute resolution. Mr. Lamoncha Seconded the motion.

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
Paul LaRue
Charlotte McGuire
Eric Poklar
Lisa Woods

Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Martha Manchester
Antoinette Miranda
Mike Toal

ABSTAIN

Nick Owens

Motion carried.

Resolution as amended:

18. RESOLUTION TO MODIFY THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE THE FIVE-YEAR PROFESSIONAL ELEMENTARY TEACHING LICENSE OF LESLEY A. SNYDER

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

WHEREAS Lesley A. Snyder held a five-year professional elementary teaching license issued in 2013; and

WHEREAS on June 11, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Lesley A. Snyder of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional elementary teaching license issued in 2013 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Snyder engaging in conduct that is unbecoming to the teaching profession on or about May 11, 2017, when, while at a school-sponsored student camp, she left the camp and consumed alcohol on one occasion; and

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

WHEREAS a hearing was held on March 5, 2020; and

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

WHEREAS the hearing officer recommends that Ms. Snyder's license be revoked and that she not be permitted to reapply for any license, certificate, or permit until October 1, 2021, provided that she completes twenty hours of community service and eight hours of training in ethics or professionalism, at her own expense. The hearing officer's recommendation is based upon the seriousness of Ms. Snyder's conduct in leaving a school-sponsored overnight day camp and consuming alcohol on one occasion when she was in a supervisory capacity of students; and

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

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

WHEREAS the State Board of Education modifies Finding of Fact numbered 1 by deleting the language in the sentence that reads, "Respondent Megan K. Tuttle" and replacing it with language that reads, "Respondent Lesley A. Snyder"; and

WHEREAS the State Board of Education modifies the following portions of the hearing officer's Report and Recommendation: modify the Summary Fact Sheet by adding the following language to the last sentence of the second paragraph of the Recommendation section, " , and submit written verification that she has completed, at her own expense, a drug and alcohol assessment, by a licensed chemical dependency counselor, with the counselor to be approved in advance by the Ohio Department of Education, as well as any recommendations made by the licensed counselor."; modify the Report and Recommendation by adding the following language to the last sentence of the second paragraph of the Recommendation section, " , and submit written verification that she has completed, at her own expense, a drug and alcohol assessment, by a licensed chemical dependency counselor, with the counselor to be approved in advance by the Ohio Department of Education, as well as any recommendations made by the licensed counselor."; and

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

WHEREAS the State Board may determine that a penalty outside the range of the disciplinary guidelines listed in the *Licensure Code of Professional Conduct for Ohio Educators* is more appropriate in an individual case based on the aggravating and mitigating factors as outlined in Section 3301-73-21 of the Ohio Administrative Code and any other factors the State Board considers relevant; and

WHEREAS the State Board of Education finds that the administrative record identifies the following aggravating factors: The nature and seriousness of Ms. Snyder's conduct in leaving a school-sponsored student overnight day camp where she was responsible for supervising students 24 hours per day to consume alcohol; Ms. Snyder's licensure will negatively impact the health, safety and welfare of the school community if measures are not taken to ensure that Ms. Snyder does not repeat her misconduct; and Ms. Snyder's failure to request a hearing or provide evidence in this matter means that there is no evidence that she understands the severity of this situation; and

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

WHEREAS the State Board of Education concludes, that based on the aggravating factors in this case, a more appropriate sanction would be to add a requirement that prior to reapplying for a license, Ms. Snyder submit written verification that she has completed, at her own expense, a drug and alcohol assessment, by a licensed chemical dependency counselor, with the counselor to be approved in advance by the Ohio Department of Education, as well as any recommendations made by the licensed counselor: Therefore, Be It

RESOLVED, That the State Board of Education modifies Finding of Fact numbered 1 by deleting the language in the sentence that reads, "Respondent Megan K. Tuttle" and replacing it with language that reads, "Respondent Lesley A. Snyder"; and, Be It Further

RESOLVED, That the State Board of Education modifies the following portions of the hearing officer's Report and Recommendation: modify the Summary Fact Sheet by adding the following language to the last sentence of the second paragraph of the Recommendation section, ", and submit written verification that she has completed, at her own expense, a drug and alcohol assessment, by a licensed chemical dependency counselor, with the counselor to be approved in advance by the Ohio Department of Education, as well as any recommendations made by the licensed counselor."; modify the Report and Recommendation by adding the following language to the last sentence of the second paragraph of the Recommendation section, ", and submit written verification that she has completed, at her own expense, a drug and alcohol assessment, by a licensed chemical dependency counselor, with the counselor to be approved in advance by the Ohio Department of Education, as well as any recommendations made by the licensed counselor."; and, Be It Further

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

RESOLVED, That the State Board of Education finds that the administrative record identifies the following aggravating factors: The nature and seriousness of Ms. Snyder's conduct in leaving a school-sponsored student overnight day camp where she was responsible for supervising students 24 hours per day to consume alcohol; Ms. Snyder's licensure will negatively impact the health, safety and welfare of the school community if measures are not taken to ensure that Ms. Snyder does not repeat her misconduct; and Ms. Snyder's failure to request a

hearing or provide evidence in this matter means that there is no evidence that she understands the severity of this situation; and, Be It Further

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

RESOLVED, That the State Board of Education concludes, that based on the aggravating factors in this case, a more appropriate sanction would be to add a requirement that prior to reapplying for a license, Ms. Snyder submit written verification that she has completed, at her own expense, a drug and alcohol assessment, by a licensed chemical dependency counselor, with the counselor to be approved in advance by the Ohio Department of Education, as well as any recommendations made by the licensed counselor; and, Be It Further

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Lesley A. Snyder's five-year professional elementary teaching license issued in 2013 based upon Ms. Snyder engaging in conduct that is unbecoming to the teaching profession on or about May 11, 2017, when, while at a school-sponsored student camp, she left the camp and consumed alcohol on one occasion. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Lesley A. Snyder be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until on or after October 1, 2021, and upon reapplication, she must submit written verification to the Ohio Department of Education that she has completed, at her own expense, eight hours of training in ethics or professionalism and twenty hours of community service, with the training and community service to be approved in advance by the Ohio Department of Education; and a drug and alcohol assessment, by a licensed chemical dependency counselor, with the counselor to be approved in advance by the Ohio Department of Education, as well as any recommendations made by the licensed counselor; and, Be It Further

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

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
Paul LaRue
Charlotte McGuire
Eric Poklar
Lisa Woods

Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Martha Manchester
Antoinette Miranda
Mike Toal

ABSTAIN

Nick Owens

Motion carried.

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

19. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE THE FIVE-YEAR PROFESSIONAL ELEMENTARY TEACHING LICENSE AND FIVE-YEAR PROFESSIONAL EDUCATION OF THE HANDICAPPED TEACHING LICENSE OF MEGAN K. TUTTLE

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

WHEREAS Megan K. Tuttle held a five-year professional elementary teaching license issued in 2012 and a five-year professional education of the handicapped teaching license issued in 2012; and

WHEREAS on September 6, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Megan K. Tuttle of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional elementary teaching license issued in 2012 and five-year professional education of the handicapped teaching license issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Tuttle engaging in conduct that is unbecoming to the teaching profession on or about May 8, 2017 through May 12, 2017, when, while at a school sponsored student camp, on at least one occasion, she left the camp and consumed alcohol; and

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

WHEREAS a hearing was held on March 5, 2020; and

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

WHEREAS the hearing officer recommends that Ms. Tuttle's licenses be revoked and that she not be permitted to reapply for any license, certificate, or permit until September 1, 2021, provided that she completes twenty hours of community service and eight hours of training in ethics or professionalism, at her own expense. The hearing officer's recommendation is based upon the seriousness of Ms. Tuttle's conduct in leaving a school-sponsored overnight day camp and consuming alcohol on at least one occasion when she was in a supervisory capacity of students; and

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

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

elementary teaching license issued in 2012 and five-year professional education of the handicapped teaching license issued in 2012 based upon Ms. Tuttle engaging in conduct that is unbecoming to the teaching profession on or about May 8, 2017 through May 12, 2017, when, while at a school sponsored student camp, on at least one occasion, she left the camp and consumed alcohol. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Megan K. Tuttle be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until on or after September 1, 2021, and upon reapplication, she must submit written verification to the Ohio Department of Education that she has completed, at her own expense, eight hours of training in ethics or professionalism and twenty hours of community service, with the training and community service to be approved in advance by the Ohio Department of Education; and, Be It Further

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

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

Ms. Johnson moved to Amend the resolution by substitution. She proposed that; “Megan K. Tuttle be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until on or after September 1, 2021, and upon reapplication, she must submit written verification to the Ohio Department of Education that she has completed, at her own expense, eight hours of training in ethics or professionalism; twenty hours of community service, with the training and community service to be approved in advance by the Ohio Department of Education and a drug and alcohol assessment, by a licensed chemical dependency counselor, with the counselor to be approved in advance by the Ohio Department of Education, as well as any recommendations made by the licensed counselor”. Mrs. Haycock Seconded the motion.

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
Paul LaRue	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Eric Poklar	Mike Toal
Lisa Woods	

ABSTAIN

Nick Owens

Motion carried.

Resolution as amended

19. RESOLUTION TO MODIFY THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE THE FIVE-YEAR PROFESSIONAL ELEMENTARY TEACHING LICENSE AND FIVE-YEAR PROFESSIONAL EDUCATION OF THE HANDICAPPED TEACHING LICENSE OF MEGAN K. TUTTLE

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

WHEREAS Megan K. Tuttle held a five-year professional elementary teaching license issued in 2012 and a five-year professional education of the handicapped teaching license issued in 2012; and

WHEREAS on September 6, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Megan K. Tuttle of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional elementary teaching license issued in 2012 and five-year professional education of the handicapped teaching license issued in 2012 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Tuttle engaging in conduct that is unbecoming to the teaching profession on or about May 8, 2017 through May 12, 2017, when, while at a school sponsored student camp, on at least one occasion, she left the camp and consumed alcohol; and

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

WHEREAS a hearing was held on March 5, 2020; and

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

WHEREAS the hearing officer recommends that Ms. Tuttle's licenses be revoked and that she not be permitted to reapply for any license, certificate, or permit until September 1, 2021, provided that she completes twenty hours of community service and eight hours of training in ethics or professionalism, at her own expense. The hearing officer's recommendation is based upon the seriousness of Ms. Tuttle's conduct in leaving a school-sponsored overnight day camp and consuming alcohol on at least one occasion when she was in a supervisory capacity of students; and

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

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

WHEREAS the State Board of Education modifies the following portions of the hearing officer's Report and Recommendation: modify the Summary Fact Sheet by adding the following language to the last sentence of the second paragraph of the Recommendation section, “, and submit written verification that she has completed, at her own expense, a drug and alcohol assessment, by a licensed chemical dependency counselor, with the counselor to be approved in advance by

the Ohio Department of Education, as well as any recommendations made by the licensed counselor.”; modify the Report and Recommendation by adding the following language to the last sentence of the second paragraph of the Recommendation section, “, and submit written verification that she has completed, at her own expense, a drug and alcohol assessment, by a licensed chemical dependency counselor, with the counselor to be approved in advance by the Ohio Department of Education, as well as any recommendations made by the licensed counselor.”; and

WHEREAS the State Board of Education adopts the remaining portions of the hearing officer’s Report and Recommendation; and

WHEREAS the State Board may determine that a penalty outside the range of the disciplinary guidelines listed in the *Licensure Code of Professional Conduct for Ohio Educators* is more appropriate in an individual case based on the aggravating and mitigating factors as outlined in Section 3301-73-21 of the Ohio Administrative Code and any other factors the State Board considers relevant; and

WHEREAS the State Board of Education finds that the administrative record identifies the following aggravating factors: The nature and seriousness of Ms. Tuttle’s conduct in leaving a school-sponsored student overnight day camp where she was responsible for supervising students 24 hours per day to consume alcohol on at least on occasion; Ms. Tuttle’s licensure will negatively impact the health, safety and welfare of the school community if measures are not taken to ensure that Ms. Tuttle does not repeat her misconduct; and Ms. Tuttle’s failure to request a hearing or provide evidence in this matter means that there is no evidence that she understands the severity of this situation; and

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

WHEREAS the State Board of Education concludes, that based on the aggravating factors in this case, a more appropriate sanction would be to add a requirement that prior to reapplying for a license, Ms. Tuttle submit written verification that she has completed, at her own expense, a drug and alcohol assessment, by a licensed chemical dependency counselor, with the counselor to be approved in advance by the Ohio Department of Education, as well as any recommendations made by the licensed counselor: Therefore, Be It

RESOLVED, That the State Board of Education modifies the following portions of the hearing officer’s Report and Recommendation: modify the Summary Fact Sheet by adding the following language to the last sentence of the second paragraph of the Recommendation section, “, and submit written verification that she has completed, at her own expense, a drug and alcohol assessment, by a licensed chemical dependency counselor, with the counselor to be approved in advance by the Ohio Department of Education, as well as any recommendations made by the licensed counselor.”; modify the Report and Recommendation by adding the following language to the last sentence of the second paragraph of the Recommendation section, “, and submit written verification that she has completed, at her own expense, a drug and alcohol assessment, by a licensed chemical dependency counselor, with the counselor to be approved in advance by

the Ohio Department of Education, as well as any recommendations made by the licensed counselor.”; and, Be It Further

RESOLVED, That the State Board of Education adopts the remaining portions of the hearing officer’s Report and Recommendation; and, Be It Further

RESOLVED, That the State Board of Education finds that the administrative record identifies the following aggravating factors: The nature and seriousness of Ms. Tuttle’s conduct in leaving a school-sponsored student overnight day camp where she was responsible for supervising students 24 hours per day to consume alcohol on at least on occasion; Ms. Tuttle’s licensure will negatively impact the health, safety and welfare of the school community if measures are not taken to ensure that Respondent does not repeat her misconduct; and Ms. Tuttle’s failure to request a hearing or provide evidence in this matter means that there is no evidence that she understands the severity of this situation; and, Be It Further

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

RESOLVED, That the State Board of Education concludes, that based on the aggravating factors in this case, a more appropriate sanction would be to add a requirement that prior to reapplying for a license, Ms. Tuttle submit written verification that she has completed, at her own expense, a drug and alcohol assessment, by a licensed chemical dependency counselor, with the counselor to be approved in advance by the Ohio Department of Education, as well as any recommendations made by the licensed counselor and, Be It Further

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Megan K. Tuttle's five-year professional elementary teaching license issued in 2012 and five-year professional education of the handicapped teaching license issued in 2012 based upon Ms. Tuttle engaging in conduct that is unbecoming to the teaching profession on or about May 8, 2017 through May 12, 2017, when, while at a school sponsored student camp, on at least one occasion, she left the camp and consumed alcohol. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Megan K. Tuttle be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until on or after September 1, 2021, and upon reapplication, she must submit written verification to the Ohio Department of Education that she has completed, at her own expense, eight hours of training in ethics or professionalism; twenty hours of community service, with the training and community service to be approved in advance by the Ohio Department of Education and a drug and alcohol assessment, by a licensed chemical dependency counselor, with the counselor to be approved in advance by the Ohio Department of Education, as well as any recommendations made by the licensed counselor; and, Be It Further

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

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
Paul LaRue
Charlotte McGuire
Eric Poklar
Lisa Woods

Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Martha Manchester
Antoinette Miranda
Mike Toal

ABSTAIN

Nick Owens

Motion carried.

Vice President McGuire presented the following recommendation (Item 20):

- 20. RESOLUTION TO ADOPT THE RECOMMENDATION OF THE HEARING OFFICER AND TO APPROVE BRUNSWICK CITY SCHOOL DISTRICT'S DETERMINATION OF IMPRACTICAL TRANSPORTATION AND PAYMENT IN LIEU OF TRANSPORTATION OF CERTAIN STUDENTS ATTENDING INCARNATE WORD ACADEMY AND HOLY NAME HIGH SCHOOL, CUYAHOGA COUNTY.**

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

Pursuant to Ohio Revised Code Sections 3327.01 and 3327.02, Brunswick City School District ("Brunswick CSD") determined it is impractical to transport students from Brunswick CSD to Incarnate Word Academy and Holy Name High School, Cuyahoga County;

A hearing was held on July 28, 2020, before a duly appointed hearing officer;

In the Report and Recommendations of the Hearing Officer, filed on or about September 30, 2020, hearing officer Linda Mosbacher recommends the State Board of Education approve Brunswick CSD's determination of impractical transportation and payment in lieu of transporting certain resident students attending Incarnate Word Academy and Holy Name High School; and

Based on the evidence presented and factors set forth in ORC 3327.02, the hearing officer found Brunswick CSD's arguments persuasive, and determined the following: 1) Brunswick CSD decided to offer payment in lieu of transportation due to economic feasibility, as it would cost Brunswick CSD \$4,788 per student to transport to and from Incarnate Word Academy and Holy Name High School by school bus; and 2) Brunswick CSD lacked other viable options.

NOW, THEREFORE, BE IT RESOLVED, that upon consideration of the hearing officer's report and recommendation and the relevant law, the State Board of

Education hereby adopts the recommendation of the hearing officer and approves Brunswick CSD's determination of impractical transportation and payment in lieu of transporting certain students attending Incarnate Word Academy and Holy Name High School for all the reasons set forth in the hearing officer's report and recommendation; and

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

It was Moved by Ms. Johnson and Seconded by Mrs. Haycock that the above recommendation (Item 20) 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
Paul LaRue	Martha Manchester
Charlotte McGuire	Antoinette Miranda
Nick Owens	Eric Poklar
Mike Toal	

NO VOTES

Lisa Woods

Motion carried.

Vice President McGuire presented the following recommendation (Item 21):

21. RESOLUTION TO ADOPT THE RECOMMENDATION OF THE HEARING OFFICER AND TO APPROVE WATERLOO LOCAL SCHOOL DISTRICT'S DETERMINATION OF IMPRACTICAL TRANSPORTATION AND PAYMENT IN LIEU OF TRANSPORTATION OF CERTAIN STUDENTS ATTENDING BIO-MED ACADEMY, PORTAGE COUNTY.

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

Pursuant to Ohio Revised Code Sections 3327.01 and 3327.02, Waterloo Local School District ("Waterloo LSD") determined it is impractical to transport students from Waterloo LSD to Bio-Med Academy, Portage County;

A hearing was held on August 25, 2020, before a duly appointed hearing officer;

In her report, filed on or around October 13, 2020, hearing officer Lisa Finnegan recommends the State Board of Education approve Waterloo LSD's determination of impractical transportation and payment in lieu of transporting certain students attending Bio-Med Academy; and

Based on the evidence presented and factors set forth in ORC 3327.02, the hearing officer found Waterloo LSD's arguments persuasive, and she determined the following: 1) Waterloo LSD decided to offer payment in lieu of transportation because of economic feasibility, as it would cost Waterloo LSD \$32,712.98 to add a new bus route to transport to and from Bio-Med Academy; 2) Waterloo could not add these students to an existing bus route as it would unavoidably disrupt the current transportation schedules; and 3) Waterloo LSD lacked other viable options.

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

FURTHER RESOLVED, that the department shall order Waterloo LSD to pay to the pupil's parent, guardian, or other person in charge of the pupil, an amount equal to the state average daily cost of transportation as determined by the state board of education for the previous year. Waterloo LSD shall make payments on a schedule ordered by the department.

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

It was Moved by Mrs. Haycock and Seconded by Mr. Hagan that the above recommendation (Item 21) be approved.

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin
Sarah Fowler Arthur
Linda Haycock
Meryl Johnson
Laura Kohler
Paul LaRue
Charlotte McGuire
Nick Owens
Mike Toal

Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Martha Manchester
Antoinette Miranda
Eric Poklar
Lisa Woods

Motion carried.

Non-Resolutions
Old Business

President Kohler stated she and Vice President McGuire would be having a meeting with Superintendent DeMaria regarding his Board approved goals. She requested that Board members provide feedback to the list of questions she had sent to Board members.

New Business

Ms. Woods stated she was concerned with the web-link on the Department website and the Superintendent did not share it with Board members with ample time for discussion. She asked Board members to review the links and asked who posted the web-link and how did it get posted. She also thanked the individuals who provided testimony to the Board.

Ms. Johnson congratulated Board members that had been re-elected and newly elected to the state Board.

Mrs. Dodd presented the following recommendation (Item 22):

22. RESOLUTION APPROVING RECOMMENDATION TO THE GENERAL ASSEMBLY REGARDING HOUSE BILL 13 OF THE 133RD GENERAL ASSEMBLY, TO ESTABLISH OHIO RESIDENTIAL BROADBAND EXPANSION GRANT PROGRAM

The State Board of Education ("Board) hereby **APPROVES** the recommendation for a legislative change as follows:

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death, is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person. The virus is spread between individuals who are in close contact with each other;

WHEREAS, on March 9, 2020 Governor Mike DeWine declared a state of emergency "for the entire State to protect the well-being of the citizens of Ohio from the dangerous effects of COVID-19...to protect the lives, safety, and health of the citizens of Ohio";

WHEREAS, House Bill 164, of the 133rd General Assembly permits, for the 2020-2021 school year, a school district, site-based community school, or STEM school that has not otherwise been approved to use a blended learning model under continuing law to adopt a plan to provide instruction using a remote learning model;

WHEREAS, schools throughout the State have adopted flexible remote learning approaches, including virtual learning, so they can reopen safely for students in the 2020-2021 school year in the midst of the ongoing concerns over COVID-19;

WHEREAS, one of the core principles of Ohio's Strategic Plan for Education, *Each Child Our Future*, is equity and many Ohio families lack access to digital resources, technology and the internet, which limits access to virtual learning;

WHEREAS, educational technology depends on having access to highspeed internet and the devices required to utilize it;

WHEREAS, the Ohio Residential Broadband Expansion Grant Program in House Bill 13 of the 133rd General Assembly will fill the funding gap of internet providers to provide broadband to residential areas throughout Ohio that lack broadband connectivity;

WHEREAS, the Ohio Residential Broadband Expansion Grant Program will support Ohio students and families to engage in remote learning opportunities; and

WHEREAS, the Ohio House of Representatives passed House Bill 13 on June 11, 2020;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby approves recommending to the General Assembly the passage of House Bill 13 of the 133rd General Assembly and the Ohio Residential Broadband Expansion Grant Program.

BE IT FURTHER RESOLVED, that the Board hereby directs the Superintendent of Public Instruction to prepare a correspondence, subject to the approval of the President of the Board, to the Primary and Co-sponsors of House Bill 13, the Primary and Secondary Education Committee, the Finance Committee of the Ohio House of Representatives, the Education Committee, and the Energy and Public Utilities Committee of the Ohio Senate containing the recommendation approved herein;

BE IT FURTHER RESOLVED, that the Superintendent submit the recommendation to the aforementioned committees of the General Assembly and take any appropriate action to advocate for its adoption.

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

Mrs. Dodd requested Emergency Consideration for Item 22. After consideration, Board leadership granted Emergency Consideration.

Mrs. Dodd stated the Board had discussed the need for expanded Broadband for many years and requested Board members support the proposed legislative recommendation.

Mrs. Haycock thanked Mrs. Dodd for her foresight in bringing this forward and would fully support the proposed resolution.

Mr. Hagan thanked Mrs. Dodd for bringing this resolution forward and would support the resolution.

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin
Sarah Fowler Arthur
Linda Haycock
Meryl Johnson
Laura Kohler
Paul LaRue
Charlotte McGuire
Nick Owens
Mike Toal

Stephanie Dodd
John Hagan
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Martha Manchester
Antoinette Miranda
Eric Poklar
Lisa Woods

Motion carried.

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

23. RESOLUTION TO ADVOCATE FOR THE ENACTMENT OF EQUITABLE SCHOOL FUNDING LEGISLATION

The State Board of Education (“Board”) hereby **APPROVES** the recommendation for a legislative change as follows:

WHEREAS, Article VI, Section 2 of the Ohio Constitution requires a thorough and efficient system of common schools throughout Ohio;

WHEREAS, since the Supreme Court of Ohio’s landmark decision and subsequent reviews in *DeRolph v. State*, in which the Court held Ohio’s system of school funding to be unconstitutional, the General Assembly has modified Ohio’s school funding structure but has not enacted a new system of funding for Ohio public schools;

WHEREAS, in an effort to address concerns over Ohio’s structure of school funding, House Bill 305 was introduced in the Ohio House of Representatives of the 133rd General Assembly to create a new school financing system;

WHEREAS, it is anticipated that similar legislation has been or will be introduced in the Ohio Senate with the goal of enacting a new school financing system before the adjournment sine die of the 133rd General Assembly;

WHEREAS, equity and quality schools are two core principles in *Each Child, Our Future*, Ohio’s strategic plan for education in Ohio; and

WHEREAS, the State Board of Education believes that Ohio’s system of school funding should be equitable and ensure quality schools so that each child is challenged, prepared, and empowered for his or her future.

NOW, THEREFORE, BE IT RESOLVED, that the State Board of Education advocates for the 133rd General Assembly to enact school funding legislation that establishes an equitable structure for providing quality schools for Ohio’s children.

BE IT FURTHER RESOLVED, that the Board hereby directs the Superintendent of Public Instruction to prepare a correspondence, subject to the approval of the

President of the Board, to the Primary and Secondary Education Committee of the Ohio House of Representatives and the Education Committee of the Ohio Senate containing the recommendation approved herein;

BE IT FURTHER RESOLVED, that the Superintendent submit the recommendation to the aforementioned committees of the General Assembly and take any appropriate action to advocate for its adoption.

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

Mrs. Dodd requested Emergency Consideration for Item 23. After consideration, President Kohler stated she was in favor of granting Emergency Consideration. Vice President McGuire responded that with all due respect to her colleagues, she believed this was an important issue but do the unprecedented financial situation, a more in-depth discussion should be taken before considering this item for a vote, therefore, she would not support Emergency Consideration for the proposed resolution.

President Kohler stated Emergency Consideration could not be granted by Board leadership. However, the decision by Board leadership could be over-ruled by a majority vote of the Board who were in attendance and voting.

Mrs. Dodd moved to over-rule the decision by Board leadership to not grant Emergency Consideration for item 23. Mr. Owens Seconded the motion. Mrs. Dodd spoke in favor of the need for Emergency Consideration of this item.

Dr. Kilgore stated she believed that due to the importance and impact of this issue, a more in-depth discussion should take place.

Mr. Hagan stated he believed the Board should take a more measured approach as to what they were supporting and would not support the current motion.

Ms. Johnson spoke in favor of the current motion and stated no bill numbers were referenced in the resolution at it was time the Board advocated to the legislature to do what all of our children deserve.

Mr. Owens spoke in favor of the proposed motion and the need for the state Board to have input in the legislative process.

Mr. Dackin stated he had trouble moving this forward when he was not familiar with the bills introduced in the legislature.

Mrs. McGuire stated the challenge was no discussion has taken place regarding the proposed resolution advocating for something where the details were not known.

Mrs. Haycock spoke in favor of the proposed resolution and stated it was the time the state Board advocated for a fair and equitable funding formula for the students of Ohio.

Ms. Johnson stated that if the Board voted to override the decision to not grant emergency consideration, she would offer an amendment to remove the second, third and fourth whereas clauses which would eliminate the specificity of the resolution and speak more to equitable funding.

Mr. Toal stated he believed the resolution wished to establish an equitable school funding structure for providing quality schools. He did not agree with the urgency of the resolution for an issue that has been around for so long.

President Kohler called for a roll call vote.

YES VOTES

Stephanie Dodd
Meryl Johnson
Nick Owens

Linda Haycock
Antoinette Miranda

NO VOTES

Stephen Dackin
John Hagan
Jenny Kilgore
Paul LaRue
Charlotte McGuire
Lisa Woods

Sarah Fowler Arthur
Kirsten Hill
Mark Lamoncha
Martha Manchester
Mike Toal

ABSTAIN

Laura Kohler

Motion denied.

President Kohler invited Mrs. Dodd to bring back the proposed resolution at the December meeting of the Board. Mrs. Dodd responded she would consider bringing it back but would likely not. She further stated this was a missed opportunity for the Board to show its relevance and this was a moment where the Board showed it is irrelevant and to not support this was quite unfortunate.

Mrs. Fowler Arthur stated that while she agreed with the concerns raised with the resolution, Board members are free to communicate with members of the General Assembly about a particular aspect of the bill on an individual basis.

Mrs. Haycock urged Board members to look at their role as a Board member and stated Boards' spoke through their votes.

Ms. Johnson encouraged Board members to become familiar with the pending bills in the legislature regarding school funding.

Dr. Kilgore reminded Board members that tomorrow was Veteran's Day and thanked all individuals that had served their country.

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

The President requested a voice vote.

Minutes of the November 2020 Meeting of the State Board of Education of Ohio

Motion carried.

President Kohler adjourned the meeting at 6:35 p.m. The next regularly scheduled meeting of the State Board of Education is December 14-15, 2020.

ATTEST:



Laura Kohler
President
State Board of Education



Paolo DeMaria
Superintendent of Public Instruction

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