

**STATE BOARD OF EDUCATION OF OHIO  
MINUTES**

April 2021

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

**MEMBERS OF THE STATE BOARD OF EDUCATION**

Christina Collins	Stephen Dackin
Diana Fessler	John Hagan
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Paul LaRue
Martha Manchester	Charlotte McGuire
Tim Miller	Antoinette Miranda
Michelle Newman	Eric Poklar
Brendan Shea	Mike Toal

**EX OFFICIO MEMBERS**

Senator Andrew Brenner	Representative Gayle Manning
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**SECRETARY**

Paolo DeMaria  
Superintendent of Public Instruction

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The State Board convened a virtual Board meeting on Monday, April 12, 2021.

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**STATE BOARD BUSINESS MEETING**

President Kohler convened the Business meeting of the State Board of Education on Monday, April 12, at 8:30 a.m.

President Kohler asked the Recording Secretary to call the roll.

**YES VOTES**

Christina Collins	Stephen Dackin
Diana Fessler	John Hagan
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Paul LaRue
Martha Manchester	Charlotte McGuire
Tim Miller	Antoinette Miranda
Michelle Newman	Eric Poklar
Brendan Shea	Mike Toal

Motion carried.

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

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President Kohler called for the approval of the Minutes of the March 2021 meeting. She asked if there were any corrections to the Minutes.

There were no corrections.

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

Motion carried.

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### **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.

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The Board's Teaching, Leading and Learning Committee met beginning at 9:45 a.m.

Topics of discussion were:

- Discuss: OAC 3301-23-41 Twelve Hour or Forty Hour Temporary Teaching Permit for Qualified Non-licensed Individuals
- Discuss: OAC 3301-24-08 Professional or Associate License Renewal
- Discuss: OAC 3301-24-16 Senior Professional Educator License and OAC 3301-24-17 Lead Professional Educator License
- Discuss: Standards-based Framework for the Evaluation of Principals

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The Board's Emerging Issues and Operational Standards Committee met beginning at 11:30 a.m.

Topics of discussion were:

- Discuss: OAC 3301-35-04 Students and Other Stakeholder Focus (Returned by Common Sense Initiative) (Possible Vote)
- Discuss: OAC 3301-3 (7 Rules) Data Acquisition Sites

Minutes of the April 2021 Meeting of the State Board of Education of Ohio

- Discuss: Resolution on the Intended Use and Interpretation of State Testing Data from the 2020-2021 School Year (Possible Vote)

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The Board's Performance & Impact Committee met beginning at 1:30 p.m.

Topics of discussion were:

- Discuss: Assessment Primer
- Discuss: 3301-16-01 GPA Calculation Chart for Alternative Pathway to Graduation
- Discuss: 3301-16-05 Additional Assessment Options for Students Required to Pass the Ohio Graduation Tests
- Discuss: 3301-16-06 Retaking End-of-Course Examinations
- Discuss: 3301-16-07 End-of-Course Examination in Science

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The Board's Integrated Student Supports Committee met beginning at 3:00 p.m.

Topics of discussion were:

- Discuss: Operating Standards for the Education of Children with Disabilities
  - 3301-51-02 Free Appropriate Public Education
  - 3301-51-03 Child Find
  - 3301-51-05 Procedural Safeguards
  - 3301-51-09 Delivery of Services
- Discuss: Support School Safety

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

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

- District Equity Presentation – Northwest Local District Schools (Hamilton County)
- Charter Management Organization Monitoring and Risk Assessment

### **Addressing Equity Through Partnerships Northwest Local Schools - Hamilton County**

#### **Chapter 1**

2015

Partners:

- Legal Aid Society of Cincinnati
- Hamilton County Juvenile Court

Georgetown University Center for Juvenile Justice Reform  
School Justice Partnerships and Diversion Pathway Program

Outcomes:

- Restorative Practices
  - District wide adoption and implementation
- S.A.F.E (Student and Family Engagement) Council
  - Our version of Diversionary Court
    - Problem solving approach
    - Dedicated staff: Enrollment, Student Services, Social Worker, Building Administrator, School Counselor
  - Addressing truancy, theft, drug charges, etc.

## **Chapter 2**

2019 Partners:

- Legal Aid Society of Cincinnati
- Hamilton County Juvenile Court
- Cincinnati Public Schools
- Princeton City Schools
- Hamilton County ESC
- Hamilton County Job and Family Services

Georgetown University

Center for Juvenile Justice Reform

School Justice Partnerships and Diversion Pathway Program

Goal 1:

- To systematically address the process and procedures of referrals to juvenile court for school threats.

Outcomes:

- Threat Assessment Team
  - Researched and developed common language, protocols and forms
  - First Response Team, Multi-disciplinary Team, Plan Implementation Team

Goal 2:

- To address equity and bias through trauma informed responses in the decision-making process when students are removed from school-based settings.

Outcomes:

- Equity and Trauma Team
- Four subgroups

Outcomes:

- Equity and Trauma Team
  - Four subgroups
    - Code of Conduct
    - Alternative Discipline
    - School Removal Tool

Professional Development

- One Vision
  - We create a culture and climate that is supportive and welcoming to all when we have a Code of Conduct utilized on a consistent, equitable basis. The Code of Conduct outlines the foundational beliefs, tools, and alternative discipline strategies implemented by all staff with fidelity. With the focus of reducing disproportionate school and classroom removals, educators will use strategies like the School Removal Tool to reduce implicit bias. All of these are implemented and supported through sustained and aligned, high quality professional development.

## **Chapter 3**

It Takes a Village:

- Rice Educational Consulting
  - Diverse Hiring and Retention Plan
  - <https://www.riceeducationconsulting.com/>
- Hamilton County ESC
  - One Degree Shift Professional Development
  - [https://www.escweb.net/oh\\_hcesc/catalog/session.aspx?session\\_id=38929](https://www.escweb.net/oh_hcesc/catalog/session.aspx?session_id=38929)
- Joining Forces for Children
  - Trauma Informed Strategies
  - <https://www.joiningforcesforchildren.org/>
- The Children’s Home of Cincinnati
  - Mental Health Support and youth groups
  - <https://www.tchcincy.org/page/behavioral-health>
- YWCA
  - Peaceful Solutions – Restorative Circles
  - <https://www.ywca.org/>

**Superintendent’s Report**

**The “White Hat” Legacy: Managing the Risks of Charter Management Organizations Context**

What is a Charter Management Organization (CMO)?

Company hired by a charter school to perform managerial & operational responsibilities

- Educational Services
  - Teachers and support service staff
  - Curriculum
- Administrative Services
  - School leader
  - Fiscal and/or operational support

**The “White Hat” Legacy**

- Charter movement in Ohio began in 1997
- White Hat Management
  - For-profit management organization
  - 95% of school payments; 100% of federal funds
  - No transparency of expenditures
  - Owned buildings, fixtures, materials
  - Could appeal termination by board to sponsor
  - Schools did not generally perform well

**Profit Dilemma**

- Profit is not inherently bad
- Motivation Tension
- Extreme: Spend just enough to.....
  - Maintain and grow enrollment
  - Stay open
  - Maximize profit
- Tension creates risk
- 2010 Litigation – 10 schools
  - Preserved White Hat contract arrangement
- Fordham Report (2014): *The Road to Redemption: Ten Policy Recommendations for Ohio’s Charter School Sector*

- Widespread recognition of questionable practices of “White Hat”
- **H.B. 2 – 2016**
  - Operator contract provisions
  - Transparency of operator contracts
  - Operator performance report
  - Eliminates appeal of school termination of operator contract
  - CMO receiving over 20% of revenues must provide detailed accounting; verification via audit
  - Not intended to eliminate CMOs, but provide protections

#### **Current CMO Landscape**

- 28 For-Profit CMOs – 142 schools
  - \$67.5 million (est.)
- 12 Non-Profit CMOs – 75 schools
  - \$35.8 million (est.)

#### **“Legacy” in Other States**

- Florida
- Texas
- Pennsylvania
- Michigan

#### **Federal Concerns**

- U.S. Dept. of Education – Office of Inspector General Report (2016): “*Nationwide Assessment of Charter and Education Management Organizations*”
- “*charter school relationships with CMOs posed a significant risk to (U.S.) Department program objectives*”
- “*(U.S.) Department did not implement adequate monitoring procedures that would provide sufficient assurance that it could identify and mitigate the risks specific to charter school relationships with CMOs.*”

#### **Federal Response**

- Objectives
  - *Mitigate financial risk*
  - *Ensure accountability over federal funds*
  - *Mitigate performance risks*
- Three Areas of Concern
  - *Conflicts of interest*
  - *Related party transactions*
  - *Segregation of duties*

#### **Compliance Supplement U.S. Office of Management and Budget (2019)**

- Compliance Supplement: Instructions to states (and auditors) about methods of compliance with federal law.
- New Section: “*Oversight and Monitoring Responsibilities with Respect to Charter Schools with relationships with Charter Management Organizations*”

#### **OMB Compliance Supplement *General Monitoring Expectations***

- (1) evaluate each subrecipient’s risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward
- (2) monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, and that subaward performance goals are achieved

**OMB Compliance Supplement *Specific Monitoring Expectations***

- a. Policies in place regarding internal controls over CMO relationships
- b. Policies implemented
- c. Documentation of Monitoring – reports; corrective action
- d. Assurance that charter schools with CMOs have effective controls in place

**State Single Audit (FY2019)**

- 2019-014...the *Department* did not have effective internal controls designed to provide reasonable assurance that *community schools with relationship with CMOs* have effective controls to mitigate financial risks, provide for accountability over federal funds, and mitigate performance risk.
- *Finding repeats in FY2020 audit*

**Corrective Action**

**Design Process**

- Objective: U.S. Department of Education approval; Resolve audit finding
- Objective: Usability by ODE Offices doing required monitoring

**Federal Oversight of Audit Finding**

Determination Letter to Ohio

U.S. Department of Education (Oct. 2020)

- Complete risk assessment pilot process
- Determine next steps
- Finalize review tools; roles and responsibilities of staff
- Identify info to be used by program offices for subgrantee review

**Resources Informing Design**

- Internal Revenue Service – Charter School Reference Guide: Developed by IRS to ensure that charter schools applying for non-profit status operate at arms-length from for-profit CMOs
- U.S. Dept. of Education – Frequently Asked Questions on Risk Management for Charter Schools Affiliated with Management Organizations (2021): Specifically addresses monitoring approaches to be used for federal grants. (Prior “Dear Colleague” letters.)
- Community School Audits – Notes to Financial Statements: Operator related details are included in the notes.

**Subgrantee Monitoring by Ohio Department of Education (ODE) Offices**

- Tiered
  - Self-Assessment
  - Desk Review
  - On-site Review

**Monitoring Tool**

**Part I – Risk Assessment Questionnaire**

- Initial screening to assess potential risk
- Gauge: How much of the fiscal oversight and operational authority is assigned to the CMO?
- 8 factors – point values; based on each contract (not each operator)
- Result: Low/Med/High risk
- Use: Offices determine when closer examination is required

**Part II – Operator Risk Assessment**

- Results of Part I drive level of detail for Part II

- 22 factors across six categories
- Use: Provides greater detail on school internal control related to charter management organization relationship and characteristics

**Use by ODE Offices**

- Results may trigger greater scrutiny through monitoring

**Next Steps**

**Current Status; Next Steps**

- Piloting with 60 schools chosen by office for monitoring (for other purposes)
- Part I for pilot schools has been completed.
- Schools to complete Part II based on Part I outcomes
- Submit corrective action documentation to U.S. Dept. of Education (USED)
- Refine process based on pilot & USED feedback; fully implement for FY2022

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Review of Written Reports and Items for Vote

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President Kohler recessed the Board meeting at 6:35 p.m.

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The Board's Executive Committee met beginning at 6:35 p.m.

Topics of discussion were:

- Parity Increase to the Compensation for the Deputy Superintendent of Public Instruction (Possible Vote)

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**RECONVENE STATE BOARD BUSINESS MEETING**

President Kohler reconvened the Business meeting of the State Board of Education on Tuesday, April 13, at 9:00 a.m.

President Kohler asked the Recording Secretary to call the roll.

**YES VOTES**

Christina Collins	Stephen Dackin
Diana Fessler	Meryl Johnson
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Paul LaRue
Martha Manchester	Tim Miller
Antoinette Miranda	Michelle Newman
Brendan Shea	Mike Toal



Motion carried.

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**Chapter 119 Hearing**

April 13, 2021  
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 adoption, amendment and rescission of OAC Chapter 3301-35 Operating Standards for K-12<sup>th</sup> grade, rules 3301-35-01 through 3301-35-03 and rules 3301-35-05 through 3301-35-10.

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.

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**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 9:11 a.m.

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

There was no Public Participation on Voting Agenda Items.

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

- 1) Ms. Terri Marlow, Marietta. Ms. Marlow spoke to the Board in opposition to the proposed amendment to remove the requirement that schools provide study in foreign language in OAC 3301-35-04(B). A written copy of the testimony was provided.
- 2) Ms. Angela Gardner, Public Relations and Advocacy Chair, Ohio Foreign Language Association. Ms. Gardner spoke to the Board in opposition to the proposed amendment to remove the requirement that schools provide study in foreign language in OAC 3301-35-04(B). A written copy of the testimony was provided.
- 3) Mr. Rudolph Breglia. Mr. Breglia spoke to the Board advocating for lap-shoulder seat belts in school buses. A written copy of the testimony was provided.
- 4) Mr. William Phillis, Executive Director, Ohio Coalition for Equity and Adequacy of School Funding. Mr. Phillis spoke to the Board in support for the Cupp/Patterson Fair School Funding Plan, as embodied in HB305. A written copy of the testimony was provided.
- 5) Representative John Patterson. Representative Patterson spoke to the Board in support for the Cupp/Patterson Fair School Funding Plan, as embodied in HB305. A written copy of the testimony was provided.
- 6) Ms. Wendy Patton, Policy Matters Ohio. Ms. Patton spoke to the Board in support for the Fair School Funding Plan. A written copy of the testimony was provided.
- 7) Mr. Michael Brennan, Mayor, University Heights Ohio. Mayor Brennan spoke to the Board in support of the resolution sponsored by District 11 Board of Education member Meryl Johnson in Support of HB 1. A written copy of the testimony was provided.
- 8) Mr. Lucas Hoffman, Ohio Foreign Language Association, Toledo. Mr. Hoffman spoke to the Board in opposition to the proposed amendment to remove the requirement that schools provide study in foreign language in OAC 3301-35-04(B).
- 9) Mr. Jonathan Broadbent, Beechwood. Mr. Broadbent spoke to the Board regarding local school districts and policy manual changes during the pandemic. A written copy of the testimony was provided.

- 10) Ms. Cheryl Johnson, President, Ohio Foreign Languages Association, Instructional Technologist, Department of Modern Languages, Denison University. Ms. Johnson provided written testimony to the Board in opposition to the proposed amendment to remove the requirement that schools provide study in foreign language in OAC 3301-35-04(B).
- 11) Ms. Kristina Carson. Ms. Carson provided written testimony to the Board in opposition to the proposed amendment to remove the requirement that schools provide study in foreign language in OAC 3301-35-04(B).
- 12) Ms. Maria Polaris, Co-Founder, Cardinal Support Network. Ms. Polaris provided written testimony to the Board regarding sex education.
- 13) Senator Sandra Williams, 21<sup>st</sup> Ohio Senate District. Senator Williams provided proponent testimony in support of House Bill 1, the Fair School Funding Plan.

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The State Board recessed for lunch.

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#### **LEGISLATIVE UPDATE**

Presenter: Marjorie Yano, Director, Office of Policy and Legislative Affairs, Ohio Department of Education.

#### **Overview of Pending Report Card Legislation:**

- House Bill 200
- Senate Bill 145

#### **House Bill 200**

- Replaces A-F letter grades with descriptors and eliminates issuing an overall grade.
- Uses six (rather than current five) rating levels.
- Eliminates current “Prepared for Success” measure.
- Calculates third grade reading metric based on promotion to fourth grade.
- Most graduation data are reported, not rated.
- Eliminates use of sub-group data for Progress component and gives schools option of using 3 years or recent year data.
- Revises triggers for report card consequences to account for change to descriptors and six rating levels.

#### **Senate Bill 145**

- Replaces A-F letter grades with stars plus descriptive context.
- Simplifies report card by eliminating subcomponent grades, indicators met, student group demotions and reading-plan deductions.
- Revises “Prepared for Success” and phases in rating this component.
- Calculates “Early Literacy” component based on reading improvement and proficiency.
- Reframes “Gap Closing” as “Equity” component.

#### **Key Differences in HB 200 and SB 145**

##### **Progress Component**

House Bill 200

- ODE calculates 3-year average of value add and most recent year, uses whichever results in higher score.
- Prohibits use of subgroups in calculation and eliminates subgroup demotion.

Senate Bill 145

- Uses 3-year weighted average, with emphasis on most recent year.
- Moves gifted and students with disabilities to Equity component; eliminates lowest 20% subgroup.

*Equity Lens: Eliminating demotion based on subgroup performance will limit visibility and focus on the performance of these groups of students.*

**Gap Closing Component**

House Bill 200

- Increases N size for subgroups to 20 students.
- Rating based on subgroup performance on performance index OR value-added, whichever results in higher score.

Senate Bill 145

- Replaces Gap Closing with new “Equity” component.
- Rating based on student group performance on performance index, value-added and graduation.
- Indicators for chronic absenteeism, English learner progress and gifted.

*Equity Lens: Increasing N size from 15 (under current law) to 20 will substantially increase the number of Hispanic students and English learners who are excluded from these measures.*

**Improving At-Risk K-3 Readers Component**

House Bill 200

- Renames to “Third-Grade Reading Guarantee.”
- Based on percent of students promoted to 4<sup>th</sup> grade.
- Only includes students who completed all of K-3 in the same district/building.

Senate Bill 145

- Renames to “Early Literacy.”
- Based on both proficiency and improvement in early literacy.

*Equity Lens: Limiting measure to only students who have completed K-3 in the same building or district will remove many students with high mobility, including many students of color, economically disadvantaged, or other vulnerable groups.*

**Prepared for Success Component**

House Bill 200

- Eliminates measure, reports on students who have graduated under the Graduation component.

Senate Bill 145

- Eliminates two-tier approach to a single list of readiness indicators.
- Starts with just reporting, phases into a rated component.

*Equity Lens: Only reporting Prepared for Success outcomes on graduates (as opposed to ALL students) may overlook more vulnerable students who are less likely to graduate.*

## **Grading System and Overall Grade**

### House Bill 200

- Uses descriptors.
- Six performance ratings.
- Eliminates overall letter grade.
- Significantly exceeds expectations
- Exceeds expectations
- Meets expectations
- Making substantial progress toward expectations
- Making moderate progress toward expectations
- In need of support

### Senate Bill 145

- Uses stars plus descriptive context.
- Five performance ratings.
- Retains overall rating.
- Significantly Exceeds State Targets for 5-star
- Exceeds State Targets for 4-star
- Meets State Targets for 3-star
- Meets Few State Targets for 2-star
- Does Not Meet State Targets for 1-star

## **Assessment Scoring**

### House Bill 200

- Requires the State Board to designate at least 6 ranges of scores for achievement assessments.

### Senate Bill 145

- Retains current law requiring five ranges of scores.

*Implementation Consideration: Adding a sixth range of test scores will require new performance level setting for all state tests and may be technically challenging without adding additional test questions/length.*

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## **BOARD PRESENTATIONS AND DISCUSSION FROM THE LEGISLATIVE COMMITTEE**

Chair: Steve Dackin

Mr. Dackin gave a report from the Legislative Committee meeting focusing on the following issues:

### **Purpose:**

The purpose of the committee is to create a venue wherein matters related to pending or upcoming legislation impacting the Department of Education and the larger education community can be discussed in a manner more thoroughly than in full Board meetings with a goal of providing input, direction, advice and perspective to the State Board of Education and State Superintendent.

### **Objectives:**

- Increase understanding and awareness of legislation and the legislative process
- Support meaningful input of the Board into the legislative process

**Work of the Committee:**

- Develop and review executive and legislative proposals
- Create connection with other Board members on policy and legislation

**Criteria for Bills Coming Before the Committee:**

- Impact on State Board Activity
- Alignment with *Each Child, Our Future*
- Status within Legislative Process
- Referral from State Board President

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**EXECUTIVE SESSION AND QUASI-JUDICIAL DISCUSSION**

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. Johnson Seconded the motion.

The President called for a roll call vote.

**YES VOTES**

Christina Collins	Stephen Dackin
Diana Fessler	John Hagan
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Paul LaRue	Martha Manchester
Charlotte McGuire	Tim Miller
Antoinette Miranda	Michelle Newman
Eric Poklar	Brendan Shea
Mike Toal	

Motion carried.

The Board went into Executive Session and Quasi-Judicial discussion at 1:30 p.m.

The Board recessed from Executive Session and Quasi-Judicial discussion at 1:50 p.m.

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

Chair: Laura Kohler, Vice Chair: Charlotte McGuire

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

**Members Present:** Laura Kohler-Committee Chair, Charlotte McGuire-Committee Vice Chair, Mike Toal, Antoinette Miranda, Paul LaRue, Steve Dackin, and Martha Manchester.

**Parity Increase to the Compensation for the Deputy Superintendent of Public Instruction:**

- The committee voted on a parity increase to Deputy State Superintendent of Public Instruction John Richard. This was a parity increase that is in line with all other State employees.
- This was voted out of Executive Committee by a 7-0 vote.

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

Chair: Martha Manchester, Vice Chair: Meryl Johnson

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

**Members Present:** Manchester (Chair), Johnson (Vice-Chair), Fessler, Hill, Miller, Newman, Poklar

**OAC 3301-23-41 Twelve Hour or Forty Hour Temporary Teaching Permit for Qualified Non-licensed Individuals (Strategy 1 & 2):**

- Thomas McGee, Director of the Office of Educator Licensure, provided members with an overview of this Ohio Administrative Code rule pursuant to the five-year rule review process and due to recent legislative changes.
- Legislation amended Ohio Revised Code 3319.301 to expand the range of eligible applicants for a forty-hour permit under this rule to include individuals teaching industry-recognized credential programs offered at dropout recovery community schools.
- Committee members reviewed and discussed the proposed rules with department staff.
- This revised rule will appear on the Committee's May 2021 agenda for discussion and a possible vote to recommend adoption.

**OAC 3301-24-08 Professional or Associate License Renewal (Strategy 1 & 2):**

- Thomas McGee, Director of the Office of Educator Licensure, provided members with an overview of this Ohio Administrative Code rule pursuant to the five-year rule review process.
- Rule revisions reduce the number of continuing education hours required to renew a license that has lapsed for more than five years and create a new licensure option for educators whose licenses have lapsed for more than one year to re-enter the education profession more easily.
- Committee members reviewed and discussed the proposed rules with department staff.
- This revised rule will appear on the Committee's May 2021 agenda for discussion and a possible vote to recommend adoption.

**OAC 3301-24-16 Senior Professional Educator License & OAC 3301-24-17 Lead Professional Educator License (Strategy 1 & 2):**

- Thomas McGee, Director of the Office of Educator Licensure, provided members with an overview of this Ohio Administrative Code rule pursuant to the five-year rule review process.
- Committee members reviewed and discussed the proposed rule with department staff.
- These revised rules will appear on the Committee's May 2021 agenda for discussion and a possible vote to recommend adoption.

**Standards-Based Framework for the Evaluation of Principals** (*Strategy 2*):

- Yenetta Harper, Director, and Jill Grubb, Associate Director, of the Office of Educator Effectiveness provided committee members with a presentation outlining the development of a revised Standards-Based Framework for the Evaluation of Principals.
- Committee members discussed principal evaluation and the revised framework as well as the use and definition of high-quality student data.
- Department staff will provide committee members with additional information including the Ohio Principal Evaluation System model and rubric, high-quality student data and principal standards.
- The revised framework will appear on the Committee's May 2021 agenda for additional discussion and a possible vote to recommend adoption.

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**BOARD PRESENTATIONS AND DISCUSSION FROM THE EMERGING ISSUES AND OPERATIONAL STANDARDS COMMITTEE**

Chair: Antoinette Miranda, Vice Chair: Steve Dackin

Dr. Miranda gave a report from the Emerging Issues and Operational Standards Committee meeting focusing on the following issues:

**Members Present:** All committee members were present.

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

- Discuss: OAC 3301-35-04 Students and other Stakeholder Focus (Possible Vote)
- Discuss: OAC 3301-3 (7 Rules) Data Acquisition Sites
- Discuss: Resolution on the Intended Use and Interpretation of State Testing Data from the 2020-2021 School Year (Possible Vote)

**OAC 3301-35-04 Students and Other Stakeholder Focus:**

- Department staff reviewed the background relevant to 3301-35-04 and why it returned to committee. This included previous board action as well as the recommendation of the Common Sense Initiative. Staff also summarized the public comments that were received during the second public comment period.
- Committee members asked questions regarding:
  - How chartered nonpublic schools were impacted by this rule
  - Receiving the entire public comment document
  - Whether chartered nonpublic schools were previously following the rule and how the Department was ensuring compliance

**OAC 3301-3 Data Acquisition Sites:**

- Department staff introduced the seven rules in OAC chapter 3301-3 and described the purpose of each of the rules and the stakeholder engagement process. No changes were being suggested for this set of rules.
- Staff addressed committee member questions around how these rules related to the RemotEdx Connectivity Champions and minimum standards for connectivity.

**Resolution on the Intended use and Interpretation of State Testing Data from the 2020-2021 School Year:**

- This resolution was assigned to the Emerging Issues committee from the full state board in March. Department staff discussed data considerations that are already being implemented by the Department and available federal waivers around data reporting.



- Department staff addressed questions around definitions of the different education delivery modes.
- Committee member Collins withdrew her proposed resolution.

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## **BOARD PRESENTATIONS AND DISCUSSION FROM THE PERFORMANCE & IMPACT COMMITTEE**

Chair: Paul LaRue, Vice Chair: Mark Lamoncha

Mr. LaRue gave a report from the Performance & Impact Committee meeting focusing on the following issues:

**Members Present:** Paul LaRue (Chair), Mark Lamoncha (Vice Chair), Christina Collins, Steve Dackin, John Hagan, Jenny Kilgore and Brendan Shea

### **Assessment Primer:**

David Brauer, Education Program Specialist, and Lisa Chandler, Director, Office of Assessment

**Fundamental Assessment Concepts:** These concepts need to be considered when administering and developing assessments:

- Assessment Validity
- Scoring and Reporting
- Fairness
- Comprehensive Assessment: Formative tests, Interim tests, Summative tests

**Ohio's State Assessments:** A general background was outlined on the topics below:

- Ohio's Major Assessment Programs
- Federal vs. State-Required Testing
- Student Testing Times

**Assessment Development:** Ohio's tests are developed through a comprehensive and thorough multi-step process outlined below:

- Review Learning Standards
- Create blueprint
- Develop items and prompts
- Convene Content Advisory Committees
- Convene Fairness and Sensitivity Committees
- Field Test
- Review Field-Test Data
- Convene Standard-Setting Committees

### **Performance Standards for Ohio's Alternate Assessment:**

- Learning Standards - Extended
- Performance levels
- Standard setting
- Timeline

### **Rule Introduction: May and June Committee discussion and vote on rule review:**

- 3301-16-01 GPA Calculation chart for alternative pathway to graduation
- 3301-16-05 Additional assessment options for students required to pass the Ohio Graduation Tests
- 3301-16-06 Retaking End-of-Course Exams

- 3301-16-07 End-of-Course Exam in Science

#### **Planning for Next Meeting & Adjourn**

- Continued discussions on Ohio's Accountability System and Report Cards
- Follow up on the Standards Confirmation.
- Standard Setting: Alternate Assessment for Students with the Most Significant Cognitive Disabilities

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

Chair: Charlotte McGuire, Vice Chair: Jenny Kilgore

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

**Members Present:** Charlotte McGuire-Committee Chair, Jenny Kilgore-Committee Vice Chair, Diana Fessler, Meryl Johnson, Mark Lamoncha, Paul LaRue, Martha Manchester and Michelle Newman.

#### **Operating Standards for the Education of Children with Disabilities:**

- The *Operating Standards for the Education of Children with Disabilities* are being revised as part of the five-year rule review process. Staff provided a detailed presentation on the proposed rule revisions and stakeholder engagement for four of the Ohio Administrative Code rules:
  - 3301-51-02 Free appropriate public education;
  - 3301-51-03 Child find;
  - 3301-51-05 Procedural safeguards; and
  - 3301-51-09 Delivery of services.
- There were several requests from the Committee Members.
  - Ohio Administrative Code 3301-51-02 - Board Member Fessler requested the definition of extended school year and requested the definition of child find. She also asked if the rule's reference to nonpublic schools is clear about the type of nonpublic school.
  - Ohio Administrative Code 3301-51-09 - Board Member Johnson requested the caseload language for adapted physical education and intervention specialists serving children with multiple disabilities be clarified. She also asked the difference between a special education teacher and an intervention specialist as both terms are used in the rules which could cause confusion.
- The rules were introduced to the committee this month and committee vote for all twelve rules is tentatively scheduled for May, full board presentation and vote anticipated in June.

#### **Supporting School Safety:**

- Department staff presented on the collaboration with Ohio Departments of Public Safety and Mental Health and Addiction Services to create a comprehensive approach to supporting student safety. Staff presented on the programs and support to increase student and staff physical safety. The team also shared information on the new Safety and Violence Education Students (SAVE Students) Act and resources available to support district implementation, including a webpage which outlines state and district requirements.
- 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:**

- Department staff provided updates on the Whole Child Framework and Advisory Group, as well as updates on implementation of *Each Child Means Each Child* – Ohio’s Plan to Improve Educational Experiences and Outcomes for Students with Disabilities.
- The agenda item was discussion only, therefore, there was no action by the committee and the item is not scheduled for full board.

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

Chair: Mike Toal

Mr. Toal gave a report from the Budget Committee meeting focusing on the following issues:

**Members Present:** Mike Toal (Chair) Jenny Kilgore, Brendan Shea, Tim Miller, and Ex Officio member Charlotte McGuire.

**Budget Committee Purpose and Objectives:**

Committee Objectives

- Increase understanding and awareness of the Department’s budget.
- Support meaningful input by the Board into the budget and the budget development process.
- Provide oversight to effective budget implementation and compliance.
- Resource utilization and impact.

The committee’s discussion started by giving an overview of the State Board of Education and Department’s timeline of our budget discussion. These discussions started in June 2020 and concluded in October 2020 when the State Board of Education approved the Department’s budget to be submitted to the Governor’s Office.

Aaron Rausch gave a high-level overview of where the Department’s funds come from and where they are allocated. He also presented how the Department’s budget fit into the state of Ohio’s budget.

**Follow Up Action Items:**

- Spending breakdown by the type of school

**Planning for Next Meeting & Adjourn:**

- Committee members will submit any follow up questions from today’s presentation or areas of interest for future meetings.

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

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

President Kohler presented the following recommendations (Items 1-3) on the Consent Agenda:

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

WHEREAS on July 6, 2020, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Rebecca S. Downerd 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. Downerd's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Rebecca S. Downerd 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 S. Downerd'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. Downerd'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 Rebecca S. Downerd 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. Downerd of this action.

2. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY STEVEN S. PRYOR 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 Steven S. Pryor has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on February 24, 2021, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Steven S. Pryor 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. Pryor's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Steven S. Pryor 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** Steven S. Pryor'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. Pryor'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 Steven S. Pryor 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. Pryor of this action.

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

WHEREAS on February 22, 2021, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Andrew A. Walsh 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. Walsh's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Andrew A. Walsh 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** Andrew A. Walsh'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. Walsh'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 Andrew A. Walsh 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. Walsh of this action.

It was Moved by Ms. Johnson and Seconded by Mr. Hagan that the Consent Agenda (Items 1-3) be approved.

President Kohler called for a roll call vote.

YES VOTES

Christina Collins  
Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Paul LaRue  
Charlotte McGuire  
Antoinette Miranda  
Brendan Shea

Stephen Dackin  
John Hagan  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Tim Miller  
Michelle Newman  
Mike Toal

Motion carried.

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Dr. Miranda presented the following recommendation (Item 4):

4. **RESOLUTION TO ADOPT CHANGES TO OHIO ADMINISTRATIVE RULE 3301-19-01 / DEFINITIONS, 3301-19-02 / PURPOSE, AND 3301-19-03**

**/ PROCEDURES FOR SUBMITTING DATA AND PRESENTING INFORMATION**

The State Board of Education (“Board”) hereby **ADOPTS** changes to Ohio Administrative Code (OAC) 3301-19-01 / Definitions, 3301-19-02 / Purpose, and 3301-19-03 / Procedures for Submitting Data and Presenting Information as follows:

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

ORC Section 3301.12(B) requires the State Board of Education to adopt rules setting forth the procedures and standards for the performance of the inspection and analysis of the expenditures of each school district. Additionally, ORC 3301.12(B) gives authority to the Superintendent of Public Instruction to annually inspect and analyze the expenditures of each school district and to make a determination as to the efficiency of each district’s costs, relative to the school districts in the state, for instructional, administrative, and student support services. The Superintendent is then required to notify each school district as to the nature of, and reasons for, his determination;

OAC 3301-19-01 addresses definitions used in the Chapter concerning the procedures for the issuance of school district expenditure flow reports and for submitting data. OAC 3301-19-02 addresses the purpose of the rules within the Chapter and the procedures for the Department to establish procedures enabling the Superintendent of Public Instruction to annually inspect and analyze school district expenditures. OAC 3301-19-03 addresses the standards for school districts to submit data to be used in the Superintendent of Public Instruction’s inspection and analysis of district expenditures;

These rules are being amended as part of the five-year rule review process to provide greater clarity in the issuance and analysis of school district expenditure flow reports;

The Emerging Issues and Operational Standards Committee recommended adoption of the rules in the form attached hereto at its March 2021 meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Board adopts changes to OAC 3301-19-01 / Definitions, 3301-19-02 / Purpose, and 3301-19-03 / Procedures for Submitting Data and Presenting Information in the form attached hereto;

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

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

It was Moved by Dr. Miranda that the above recommendation (Item 4) be approved.

President Kohler called for a roll call vote.

YES VOTES

Christina Collins  
John Hagan  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Tim Miller  
Michelle Newman  
Brendan Shea

Stephen Dackin  
Kirsten Hill  
Jenny Kilgore  
Paul LaRue  
Charlotte McGuire  
Antoinette Miranda  
Eric Poklar  
Mike Toal

ABSTAIN

Diana Fessler

Motion carried.

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

**5. RESOLUTION TO ADOPT CHANGES TO OHIO ADMINISTRATIVE CODE 3301-24-11 / ALTERNATIVE PRINCIPAL LICENSE AND OHIO ADMINISTRATIVE CODE 3301-24-12 / ALTERNATIVE SUPERINTENDENT LICENSE AND ALTERNATIVE ADMINISTRATIVE SPECIALIST LICENSE**

The State Board of Education (“Board”) hereby **ADOPTS** changes to Ohio Administrative Code (OAC) 3301-24-11 / Alternative Principal License and OAC 3301-24-12 / Alternative Superintendent License and Alternative Administrative Specialist License as follows:

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

ORC 3319.22 allows the Board to issue any educator licenses of categories, types, and levels the Board elects to provide;

ORC 3319.27 requires the Board to adopt rules to establish an alternative principal license;

ORC 3319.27 requires that the rules the Board adopts for this purpose include a requirement that an applicant have obtained classroom teaching experience;

ORC 3319.27 requires the Board to adopt rules to establish an alternative administrator license;

Changes to these rules align language in the rules for clarity and consistency;



Further, in response to public comments, community schools are being added to the list of entities that may request an alternative superintendent license or alternative administrative specialist license under OAC 3301-24-12;

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

The Teaching, Leading and Learning Committee recommended adoption of the rules in the form attached hereto at its March 2021 meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Board adopts changes to OAC 3301-24-11 / Alternative Principal License and OAC 3301-24-12 / Alternative Superintendent License and Alternative Administrative Specialist License in the form attached hereto;

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

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

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

President Kohler called for a roll call vote.

YES VOTES

Christina Collins	Stephen Dackin
Diana Fessler	John Hagan
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Paul LaRue	Martha Manchester
Charlotte McGuire	Tim Miller
Antoinette Miranda	Michelle Newman
Eric Poklar	Brendan Shea
Mike Toal	

Motion carried.

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

**6. RESOLUTION TO ADOPT CHANGES TO OHIO ADMINISTRATIVE CODE 3301-24-13 / RELINQUISHMENT OF LICENSE OR TEACHING FIELD**

The State Board of Education (“Board”) hereby **ADOPTS** changes to Ohio Administrative Code (OAC) 3301-24-13 / Relinquishment of License or Teaching Field as follows:

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

ORC 3319.22 allows the Board to issue any educator licenses of categories, types, and levels the Board elects to provide;

This rule allows an educator to relinquish an educator license or a teaching field from an educator license;

The Educator Standards Board recommended no changes to the rule at its January 2021 meeting;

The Teaching, Leading and Learning Committee recommended no changes to the rule at its March 2021 meeting;

A change to the rule that is not substantive in nature clarifies that “Boards of DD” means “Boards of Developmental Disabilities.”

NOW, THEREFORE, BE IT RESOLVED, that the Board adopts changes to OAC 3301-24-13 / Relinquishment of License or Teaching Field 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. Manchester that the above recommendation (Item 6) be approved.

President Kohler called for a roll call vote.

**YES VOTES**

Christina Collins  
Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Paul LaRue  
Charlotte McGuire  
Antoinette Miranda  
Eric Poklar  
Mike Toal

Stephen Dackin  
John Hagan  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Tim Miller  
Michelle Newman  
Brendan Shea

Motion carried.

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President Kohler presented the following recommendation (Item 7):

7. **RESOLUTION TO ADOPT THE RECOMMENDATION OF THE HEARING OFFICER AND TO APPROVE THE TRANSFER OF SCHOOL DISTRICT TERRITORY FROM THE CLERMONT NORTHEASTERN LOCAL SCHOOL DISTRICT, CLERMONT COUNTY, TO THE BATAVIA LOCAL SCHOOL DISTRICT, CLERMONT COUNTY, PURSUANT TO SECTION 3311.24 OF THE OHIO REVISED CODE.**

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

Pursuant to Ohio Revised Code (“ORC”) Section 3311.24, residents William and Theresa Adkins (“Petitioners”) have petitioned for the transfer of school district territory from the Clermont Northeastern Local School District (Clermont NLSD), Clermont County, to the Batavia Local School District (Batavia LSD), Clermont County;

Petitioners requested a hearing, which was held on October 8, 2020, before a duly appointed hearing officer;

In his report, submitted January 27, 2021, the hearing officer, Paul Stehura, recommends that the Board approve the proposed transfer of territory from the Clermont NLSD, Clermont County, to the Batavia LSD, Clermont County, pursuant to ORC 3311.24; and

In the report, hearing officer Stehura concludes that in balancing the competing issues and giving primary consideration to the present and ultimate good of all pupils concerned, Petitioners have met their burden of proof to support the request to transfer their property from the Clermont NLSD to the Batavia LSD.

NOW, THEREFORE, BE IT RESOLVED, that upon consideration of the hearing officer’s report and the relevant law, the Board hereby adopts the recommendation of the hearing officer and approves the request for the transfer of territory from the Clermont NLSD, Clermont County, to the Batavia LSD, Clermont County, for the reasons outlined in the hearing officer’s report and recommendation; 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 Clermont NLSD, Clermont County, the Batavia LSD, Clermont County, and counsel of record, if applicable.

It was Moved by Mrs. Manchester and Seconded by Mr. Dackin that the above recommendation (Item 7) be approved.

Mr. Miller stated that school districts in Ohio are so reliant on property tax that he did not believe that any transfer was insignificant. He noted that the twenty-five questions seem to be geared toward large transfers of property. He further stated he wanted to voice his displeasure at what seems the ease of these transfers taking place.

Ms. Johnson thanked Mr. Miller for his comments and stated she did not approve of how these were taking place and almost an intimidation issue due to the possibility of litigation. She further stated she would be voting no on both items because she did not believe the reason for the transfers was strong enough to disrupt the community.

Mrs. Fessler stated she would support the petitioners regarding the matter and would always do so. She assumed they were doing what was in the best interest of their child or children.

President Kohler called for a roll call vote.

YES VOTES

Christina Collins	Stephen Dackin
Diana Fessler	John Hagan
Kirsten Hill	Jenny Kilgore
Laura Kohler	Paul LaRue
Martha Manchester	Charlotte McGuire
Michelle Newman	Eric Poklar
Brendan Shea	Mike Toal

NO VOTES

Meryl Johnson	Tim Miller
Antoinette Miranda	

Motion carried.

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President Kohler presented the following recommendation (Item 8):

- 8. RESOLUTION TO ADOPT THE RECOMMENDATION OF THE HEARING OFFICER AND TO APPROVE THE TRANSFER OF SCHOOL DISTRICT TERRITORY FROM THE VANDALIA-BUTLER CITY SCHOOL DISTRICT, MONTGOMERY COUNTY, TO THE TIPP CITY EXEMPTED VILLAGE SCHOOLS, MIAMI COUNTY, PURSUANT TO SECTION 3311.24 OF THE OHIO REVISED CODE.**

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

Pursuant to Ohio Revised Code (“ORC”) Section 3311.24, residents Ryan and Rochelle Bednarczuk (“Petitioners”) who reside within the Vandalia-Butler City School District (Vandalia-Butler CSD) have petitioned for the transfer of school district territory from the Vandalia-Butler CSD, Montgomery County, to the Tipp City Exempted Village Schools (Tipp City EVS), Miami County;

Vandalia-Butler CSD and Petitioners requested a hearing, which was held on September 25, 2020, before a duly appointed hearing officer;

In his report, submitted December 29, 2020, the hearing officer, Karl Schedler, recommends that the Board approve the proposed transfer of territory from the Vandalia-Butler CSD, Montgomery County, to the Tipp City EVS, Miami County, pursuant to ORC 3311.24; and

In the report, hearing officer Schedler concludes that in balancing the competing issues and giving primary consideration to the present and ultimate good of all pupils concerned, Petitioners have met their burden of proof to support the request to transfer their property from the Vandalia-Butler CSD to the Tipp City EVS.

NOW, THEREFORE, BE IT RESOLVED, that upon consideration of the hearing officer's report and the relevant law, the Board hereby adopts the recommendation of the hearing officer and approves the request for the transfer of territory from the Vandalia-Butler CSD, Montgomery County, to the Tipp City EVS, Miami County, for the reasons outlined in the hearing officer's report and recommendation; 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 Vandalia-Butler CSD, Montgomery County, the Tipp City EVS, Miami County, and counsel of record, if applicable.

It was Moved by Mrs. Fessler and Seconded by Mr. Shea that the above recommendation (Item 8) be approved.

Mr. Miller noted that this petition involved 40 acres, and while the petitioner indicated they would only be building a single-family home, he wondered if the land could be developed and subdivided in the future.

President Kohler called for a roll call vote.

YES VOTES

Christina Collins  
Diana Fessler  
Kirsten Hill  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Mike Toal

Stephen Dackin  
John Hagan  
Jenny Kilgore  
Paul LaRue  
Charlotte McGuire  
Michelle Newman  
Brendan Shea

NO VOTES

Meryl Johnson

Tim Miller

Motion carried.

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

9. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY MONIQUE MURPHY 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 Monique Murphy has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on March 3, 2021, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Monique Murphy 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. Murphy's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31; and

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

WHEREAS Monique Murphy 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** Monique Murphy'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. Murphy'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 Monique Murphy 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. Murphy 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

Christina Collins  
Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Paul LaRue  
Tim Miller  
Michelle Newman  
Brendan Shea

Stephen Dackin  
John Hagan  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Mike Toal

ABSTAIN

Charlotte McGuire

Motion carried.

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Aaron Ross, Director, Office of Professional Conduct, presented the following recommendation (Item 10):

**10. RESOLUTION TO REVOKE PERMANENTLY THE PERMANENT NON-TAX TEACHING CERTIFICATE OF JUSTIN R. BECK**

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

WHEREAS Justin R. Beck holds a permanent non-tax teaching certificate issued in 2014; and

WHEREAS on January 27, 2021, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Justin R. Beck of its intent to determine whether to limit, suspend, revoke, or permanently revoke his permanent non-tax teaching certificate issued in 2014 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Beck's 2020 conviction in the Hamilton County Municipal Court for one misdemeanor count of criminal mischief after being originally charged with one misdemeanor count of domestic violence, stemming from an incident in which he was accused of punching his wife in the face several times and kicking her in the back; and

WHEREAS the notice informed Mr. Beck 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 determine whether to limit, suspend, revoke, or permanently revoke his permanent non-tax teaching certificate issued in 2014; and

WHEREAS Justin R. Beck did not request a hearing in accordance with Section 119.07 of the Ohio Revised Code; 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 Colerain Township 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** Justin R. Beck's permanent non-tax teaching certificate issued in 2014 based upon Mr. Beck's 2020 conviction in the Hamilton County Municipal Court for one misdemeanor count of criminal mischief after being originally charged with one misdemeanor count of domestic violence, stemming from an incident in which he was accused of punching his wife in the face several times and kicking her in the back. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Justin R. Beck 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. Beck of this action.

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

President Kohler called for a roll call vote.

YES VOTES

Christina Collins  
Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Paul LaRue  
Charlotte McGuire  
Antoinette Miranda  
Eric Poklar  
Mike Toal

Stephen Dackin  
John Hagan  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Tim Miller  
Michelle Newman  
Brendan Shea

Motion carried.



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

**11. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FOUR-YEAR RESIDENT EDUCATOR INTERVENTION SPECIALIST TEACHING LICENSE OF DAVID S. BELLISH**

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

WHEREAS David S. Bellish holds a four-year resident educator intervention specialist teaching license issued in 2017; and

WHEREAS on November 22, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified David S. Bellish of its intent to determine whether to limit, suspend, revoke, or permanently revoke his four-year resident educator intervention specialist teaching license issued in 2017 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(b). The notice was based upon Mr. Bellish engaging in the following conduct that is unbecoming to the teaching profession: on or about October 11, 2017, he engaged in a physical altercation with a student where he threw the student's belongings on the floor, then placed his hands on the student's shoulders and/or neck and forced the student to sit; and his 2018 conviction in the Mahoning County Court of Common Pleas for one misdemeanor count of assault. Further, the notice included the following aggravating factors: on or about August 24, 2017, Mr. Bellish received an oral warning for being unprepared for the school year; and on or about August 30, 2017, he received a written warning for restraining another student; and

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

WHEREAS a hearing was held on December 1, 2020; and

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

WHEREAS the hearing officer recommends that Mr. Bellish's license be revoked and that he be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based upon Mr. Bellish engaging in conduct that is unbecoming to the teaching profession when he lost control in two separate situations, once where he used inappropriate physical force on an elementary school student, which left red marks on the student's chest and shoulders near his neck, and the other when he initiated a physical attack on a bar owner from behind after he was asked to leave the bar, leading to his conviction for one misdemeanor count of assault; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(b), hereby **REVOKES** David S. Bellish's four-year resident educator intervention specialist teaching license issued in 2017 based upon Mr. Bellish engaging in the following conduct that is unbecoming to the teaching profession: on or about October 11, 2017, he engaged in a physical altercation with a student where he threw the student's belongings on the floor, then placed his hands on the student's shoulders and/or neck and forced the student to sit; and his 2018 conviction in the Mahoning County Court of Common Pleas for one misdemeanor count of assault. Pursuant to Ohio Administrative Code Rule 3301-73-21(B), the State Board of Education further considers in aggravation that on or about August 24, 2017, Mr. Bellish received an oral warning for being unprepared for the school year, and on or about August 30, 2017, he received a written warning for restraining another student. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders David S. Bellish 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. Bellish of this action.

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

President Kohler called for a roll call vote.

YES VOTES

Christina Collins	Stephen Dackin
Diana Fessler	John Hagan
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Paul LaRue	Martha Manchester
Charlotte McGuire	Tim Miller
Antoinette Miranda	Michelle Newman
Eric Poklar	Brendan Shea
Mike Toal	

Motion carried.

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

**12. RESOLUTION TO REVOKE PERMANENTLY THE ONE-YEAR  
SUBSTITUTE MULTI-AGE TEACHING LICENSE OF NATASHA C.  
CHAMBERLAIN AKA NATASHA C. MYERS**

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

WHEREAS Natasha C. Chamberlain aka Natasha C. Myers holds a one-year substitute multi-age teaching license issued in 2019; and

WHEREAS on January 14, 2021, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Natasha C. Chamberlain of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year substitute multi-age teaching license issued in 2019 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(c). The notice was based upon Ms. Chamberlain's 2019 conviction in the Miami County Municipal Court for one misdemeanor count of endangering children, 2009 conviction in the Miami County Municipal Court for one misdemeanor count of operating vehicle under the influence of alcohol or drugs (OVI), 2007 conviction in the Miami County Municipal Court for one misdemeanor count of operating vehicle under the influence of alcohol or drugs (OVI), 2000 conviction in the Fairborn Municipal Court for one misdemeanor count of petty theft, 2000 conviction in the Jefferson County Court, Area District 1 for one misdemeanor count of underage consumption, and 1999 conviction in the Jefferson County Court, Area District 1 for one misdemeanor count of operating vehicle under the influence of alcohol or drugs (OVI); and

WHEREAS the notice informed Ms. Chamberlain 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 substitute multi-age teaching license issued in 2019; and

WHEREAS Natasha C. Chamberlain did not request a hearing in accordance with Section 119.07 of the Ohio Revised Code; 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 Miami County Municipal Court, Fairborn Municipal Court, and the Jefferson County Court, Area District 1; 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)(c), hereby **REVOKES** Natasha C. Chamberlain's one-year substitute multi-age teaching license issued in 2019 based upon Ms. Chamberlain's 2019 conviction in the Miami County Municipal Court for one misdemeanor count of endangering children, 2009 conviction in the Miami County Municipal Court for one misdemeanor count of operating vehicle under

the influence of alcohol or drugs (OVI), 2007 conviction in the Miami County Municipal Court for one misdemeanor count of operating vehicle under the influence of alcohol or drugs (OVI), 2000 conviction in the Fairborn Municipal Court for one misdemeanor count of petty theft, 2000 conviction in the Jefferson County Court, Area District 1 for one misdemeanor count of underage consumption, and 1999 conviction in the Jefferson County Court, Area District 1 for one misdemeanor count of operating vehicle under the influence of alcohol or drugs (OVI). Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Natasha C. Chamberlain 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. Chamberlain of this action.

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

President Kohler called for a roll call vote.

YES VOTES

Christina Collins	Stephen Dackin
Diana Fessler	John Hagan
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Paul LaRue	Martha Manchester
Charlotte McGuire	Tim Miller
Antoinette Miranda	Michelle Newman
Eric Poklar	Brendan Shea
Mike Toal	

Motion carried.

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Kelly Edwards, Assistant 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 EIGHT-YEAR PROFESSIONAL ELEMENTARY TEACHING CERTIFICATE LICENSE OF JANE L. HACKETT**

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

WHEREAS Jane L. Hackett held an eight-year professional elementary teaching certificate license issued in 1999; and

WHEREAS on October 10, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Jane L. Hackett of its intent to

determine whether to limit, suspend, revoke, or permanently revoke her eight-year professional elementary teaching certificate license issued in 1999 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Hackett engaging in the following conduct that is unbecoming to the teaching profession: on or about August 2015, she falsified, intentionally misrepresented, or was negligent in reporting her professional qualifications when applying for employment, specifically, she provided a falsified copy of her expired eight-year professional elementary teaching certificate to the LEAP Program; and on or about August 13, 2015, to August 17, 2017, Ms. Hackett worked in a position requiring a license without credentials, specifically, she worked as a teacher for the LEAP Program without a valid teaching license; and

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

WHEREAS a hearing was held on October 22, 2020; and

WHEREAS Ms. Hackett was not present at the hearing or represented by counsel, but she did submit her contentions in writing; and

WHEREAS the hearing officer recommends that Ms. Hackett'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 seriousness of Ms. Hackett's misconduct, which included falsifying her credential and working for two years without a credential, and hiding her misconduct for which, had she not been discovered, she might still be teaching; 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** Jane L. Hackett's eight-year professional elementary teaching certificate license issued in 1999 based upon Ms. Hackett engaging in the following conduct that is unbecoming to the teaching profession: on or about August 2015, she falsified, intentionally misrepresented, or was negligent in reporting her professional qualifications when applying for employment, specifically, she provided a falsified copy of her expired eight-year professional elementary teaching certificate to the LEAP Program; and on or about August 13, 2015, to August 17, 2017, Ms. Hackett worked in a position requiring a license without credentials, specifically, she worked as a teacher for the LEAP Program without a valid teaching license. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Jane L. Hackett 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. Hackett of this action.

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

President Kohler called for a roll call vote.

YES VOTES

Christina Collins	Stephen Dackin
Diana Fessler	John Hagan
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Paul LaRue	Martha Manchester
Charlotte McGuire	Tim Miller
Antoinette Miranda	Michelle Newman
Eric Poklar	Brendan Shea
Mike Toal	

Motion carried.

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Aaron Ross, Director, Office of Professional Conduct, presented the following recommendation (Item 14):

**14. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO SUSPEND THE FIVE-YEAR PROFESSIONAL ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE OF ERIN E. HRICIK**

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

WHEREAS Erin E. Hricik holds a five-year professional adolescence to young adult teaching license issued in 2017; and

WHEREAS on January 24, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Erin E. Hricik 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 2017 pursuant to Ohio Revised Code 3319.15. The notice was based upon Ms. Hricik engaging in conduct that is unbecoming to the teaching profession on or about August 8, 2018, when she terminated her teaching contract with the Warren City School District after the tenth day of July of 2018 and/or during the 2018-2019 school year, prior to the termination of the annual session, and without the consent of the Warren City School District Board of Education; and

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

WHEREAS a hearing was held on December 8, 2020; and

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

WHEREAS the hearing officer recommends that Ms. Hricik's license be suspended for a period of one year. The hearing officer's recommendation is based upon Ms. Hricik's unilateral termination of her continuing teaching contract with the Warren City School District without the consent of the Warren City School District Board of Education, which created a hardship for the school community one week prior to the beginning of the school year that required changes to the master schedule and student schedules and led to increased class sizes and increased responsibilities for other teachers; 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 3319.15, hereby **SUSPENDS** Erin E. Hricik's five-year professional adolescence to young adult teaching license issued in 2017 for one year from April 13, 2021 to April 13, 2022. The suspension is based upon Ms. Hricik engaging in conduct that is unbecoming to the teaching profession on or about August 8, 2018, when she terminated her teaching contract with the Warren City School District after the tenth day of July of 2018 and/or during the 2018-2019 school year, prior to the termination of the annual session, and without the consent of the Warren City School District Board of Education. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(1)(e), orders that Erin E. Hricik be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until on or after April 14, 2022; and, Be It Further

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

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

President Kohler called for a roll call vote.

YES VOTES

Christina Collins  
Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Paul LaRue  
Charlotte McGuire  
Antoinette Miranda  
Eric Poklar  
Mike Toal

Stephen Dackin  
John Hagan  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Tim Miller  
Michelle Newman  
Brendan Shea

Motion carried.

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

**15. RESOLUTION TO REVOKE THE THREE-YEAR PUPIL ACTIVITY PERMIT OF ANDREA J. LEGGETT AKA ANDREA J. RENICKER**

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

WHEREAS Andrea J. Leggett aka Andrea J. Renicker holds a three-year pupil activity permit issued in 2018; and

WHEREAS on January 8, 2021, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Andrea J. Leggett of its intent to determine whether to limit, suspend, revoke, or permanently revoke her three-year pupil activity permit issued in 2018 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(c). The notice was based upon Ms. Leggett's 2019 conviction in the Stark County Court of Common Pleas for one felony count of grand theft and 2003 conviction in the New Philadelphia Municipal Court for one misdemeanor count of operating vehicle under the influence of alcohol or drugs (OVI); and

WHEREAS the notice informed Ms. Leggett 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 three-year pupil activity permit issued in 2018; and

WHEREAS Andrea J. Leggett did not request a hearing in accordance with Section 119.07 of the Ohio Revised Code; 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 Amended Notice of Opportunity for Hearing, and certified court records from the Stark County Court of Common Pleas and the New Philadelphia Municipal Court; and

WHEREAS Ohio Administrative Code Rule 3301-73-05 authorizes the State Board of Education to impose disciplinary action against any licenses held or applied for without holding an administrative hearing if the applicant and/or license holder fails within thirty days to request a hearing in accordance with Section 119.07 of the 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** Andrea J. Leggett's three-year pupil activity permit issued in 2018 based upon Ms. Leggett's 2019 conviction in the Stark County Court of Common Pleas for one felony count of grand theft and 2003 conviction in the New Philadelphia Municipal Court for one misdemeanor count of operating vehicle under the influence of alcohol or drugs (OVI). Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Andrea J. Leggett be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after April 13, 2026, and that upon reapplication, she must provide written verification to the Ohio Department of Education that she has completed, at her own expense, a theft prevention class and eight hours of training in 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 Ms. Leggett of this action.

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

President Kohler called for a roll call vote.

**YES VOTES**

Christina Collins	Stephen Dackin
Diana Fessler	John Hagan
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Paul LaRue	Martha Manchester
Charlotte McGuire	Tim Miller
Antoinette Miranda	Michelle Newman
Eric Poklar	Brendan Shea
Mike Toal	

Motion carried.

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

**16. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE ONE-YEAR EDUCATIONAL AIDE PERMIT OF LISA D. MARSH**

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

WHEREAS Lisa D. Marsh held a one-year educational aide permit issued in 2017; and

WHEREAS on September 16, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Lisa D. Marsh of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year educational aide permit issued in 2017 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Marsh engaging in conduct that is unbecoming to the teaching profession on or about November 7, 2017, when she shoved a student on the chest, causing the student to back into a whiteboard; and

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

WHEREAS a hearing was held on November 6, 2020; and

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

WHEREAS the hearing officer recommends that Ms. Marsh's permit be revoked and that she be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based upon the following: Ms. Marsh's actions being disturbing and exhibiting extremely poor judgment; Ms. Marsh allowing her emotions to come to the surface amid an interaction with a very vulnerable student; and that students are supposed to feel safe at school, not threatened by the educators that are there to be supporting and guiding them; 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** Lisa D. Marsh's one-year educational aide permit issued in 2017 based upon Ms. Marsh engaging in conduct that is unbecoming to the teaching profession on or about November 7, 2017, when she shoved a student on the chest, causing the student to back into a whiteboard. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Lisa D. Marsh 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. Marsh of this action.

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

President Kohler called for a roll call vote.

YES VOTES

Christina Collins  
Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Paul LaRue  
Charlotte McGuire  
Antoinette Miranda  
Eric Poklar  
Mike Toal

Stephen Dackin  
John Hagan  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Tim Miller  
Michelle Newman  
Brendan Shea

Motion carried.

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

President Kohler updated the Board regarding Next Steps Workgroups led by Deputy Superintendent John Richard.

President Kohler stated she and Superintendent DeMaria had been approached by members of the NAACP who are interested in establishing a joint task force to identify districts which have high poverty, high minority, but are high achieving and to identify characteristics which may be helpful to other districts.

President Kohler recommended the Board begin to meet in person again at the June meeting of the Board. After discussion, President Kohler stated the Board would discuss the issue again at the May meeting regarding a return in June.

President Kohler asked Board members if they felt it would be beneficial for the Board to receive a presentation regarding Critical Race Theory. She stated she is trying to seek common ground, recognizing the need for public and oral testimony. On the other hand, it became such a divisive and time-consuming issue for the Board. She felt the Board was coming together as more of a team and did not want this issue to separate or take away the purpose of the Board.

Mr. Hagan responded that the day the equity resolution passed, the meeting ran to 11 p.m., and it seemed that was ok because it was what some people wanted. There has been lots of division after the resolution was passed and a wedge has been driven in the Board, along with the public. As these things are being implemented and people are basing a lot of the actions in the community on what the Board presented. He suggested that instead of the President's filter, bringing in individuals to promote critical race theory, simply identify the number of people who are turned away each meeting and provide their information. Also, for the individuals who provide written testimony, read aloud their topic of discussion and who they are. He further stated it is unlikely the public would go to the minutes and review all of the information that may provide valuable insight that is not being allowed to happen in front of the committees and not allowing Board members to interact with these individuals to pursue the subjects in more depth. President Kohler stated there were three speakers who wished to speak on the subject and they were encouraged to provide written testimony. She further stated that Mr. Goodman was aware of only one other individual who was asked to submit written testimony on the subject. She recognized the procedural note of providing the individuals contact information.

Mr. Shea stated from the idea of the Board receiving a presentation on Critical Race Theory, would it be possible to have someone approach it from a positive perspective and also someone who would have concerns, more from a perspective of caution, to create a sense of balance in the presentation of the material. He did agree with Mr. Hagan in sensing a wedge being driven in the Board as well as the public. He has received correspondence from parents and teachers who stated they fear for their jobs or fear of saying the wrong thing. He stated this issue is ongoing and believed the Board should invite the public to engage and develop understanding.

Dr. Kilgore stated the majority of Board members are elected and represent their constituents. One of the individuals who wished to speak at this meeting is her neighbor who reached out to her after he was refused the opportunity to speak, but able to submit written testimony. She stated her constituents are tax-paying residents who should have the opportunity to speak. She requested this policy be reconsidered.

Ms. Johnson stated if this subject is re-opened, we are going to drive a deeper wedge in our Board. She stated we walked into this Board with a wedge and there is a wedge in our country called racism. For Board members who wish African American Board members to sit here and listen to the kind of speeches that were heard after the equity resolution was passed is heart-breaking. She stated the country was founded on racism and all men were not created equal and white supremacy was at the front of the problems we have in this country. She regretted that the President brought this forward without first exploring what Critical Race Theory is, because it talks about the truth how this country was founded. She supported the President's policy to restrict testimony on this subject to written only and did not believe that having a presentation on Critical Race Theory would be beneficial and the Board should instead move on and work for the children of this state. She did not believe she would feel safe if the Board pursued bringing back this issue. President Kohler responded she apologized for putting Ms. Johnson in that position.

Mrs. Manchester stated she supported the action President Kohler took last fall. She stated she could see what it was doing to Board members when we had very emotional speakers coming in and felt like it was a way to pull the Board together to start limiting the actual testimony in person on those subjects. She encouraged individuals to read the equity resolution and stated the Board needed to focus on what we are needed to do here for the children.

Dr. Miranda stated she did not believe it would serve any purpose to have a talk about Critical Race Theory. She believed most people did not understand that Critical Race Theory is a conceptual framework. She further stated the testimony provided last fall was the same thing over and over again and supported President Kohler's decision on limiting testimony to written only on this subject.

Dr. Collins stated she agreed with Dr. Miranda's comments on Critical Race Theory being a conceptual framework. Frameworks are there to help us understand how systems work. It would make no more sense for someone to come in and talk about Critical Race Theory than it would for any other framework that is used for research purposes. In all of the constituent correspondence she has received, she stated no one has provided her a specific example where systemically across an entire school, where one of these frameworks is in use in a school. She stated she is appreciative of keeping the focus of these conversations on kids and learning and what is actually happening in our schools and not bringing in theories or words that are being misconstrued or supporting misconceptions that are not proven in our classrooms.

Mr. Shea stated he agreed that he wanted the focus to be primarily on academics and education, the things that are really at the heart of what we do in helping kids. He stated he did from a few Board members that discussions of this issue pitting Board members against each other. His response and solution to that is to be better and kinder, not to pretend it doesn't exist and brush it under the rug,

which may be easier said than done. He responded to Ms. Johnson stating that he was so sorry for her pain and words were inadequate. He believed something she said was at the crux of the matter and why some members felt it still needed discussion. Ms. Johnson made the statement that this country was founded on racism. Many people do believe that this country was founded on the belief that all men are created equal and that our founders were in many ways to be hypocrites. This is such a fundamental belief in raising children, to respect our country and its laws and values, which are worth dying for, even if we had often failed to live up to them, and did not believe this would go away.

Mrs. Fessler asked Dr. Miranda what she thought white supremacy means because she came away with the belief that she would be considered a white supremacist because she is white and of a majority skin color of a nation. Dr. Miranda responded it does not mean you are a white supremacist just because you are white. It is the belief that white people constitute a superior race and therefore dominate society, excluding other racial and ethnic groups, in particular, Black and Jewish peoples.

President Kohler stated she is always looking for a way to find a compromise and respect different points of view. She further stated she did not believe that continued conversation would move the Board any further to learning or teaching children how to think. She did apologize for making a misstep of proposing an idea that was based on information that she did not completely understand herself. She believed that it was in the best interest for the Board to leave the current policy in place, and this is how the Board would move forward.

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## **New Business**

Ms. Johnson presented the following recommendation for emergency consideration:

### **RESOLUTION APPROVING RECOMMENDATION TO THE GENERAL ASSEMBLY IN SUPPORT OF FAIR SCHOOL FUNDING**

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

Whereas, the Ohio State Board of Education believes that public schools are fundamental to democracy; and

Whereas, equity is the greatest imperative of the Ohio Strategic Plan for Education; and

Whereas, sufficient resources for a high-quality education are foundational to achieving equity; and

Whereas, communities in Ohio do not have equal capacity to fund their public schools; and

Whereas, the Ohio Constitution makes the legislature responsible for providing, to all students, resources adequate for a high-quality education regardless of where they live; and

Whereas, deduction funding for nontraditional education options means that public school districts do not receive the full amount of state funds appropriated for the children

they educate, and puts pressure on local communities to increase property taxes in order to maintain quality; and

Whereas, deduction funding most frequently reduces state funds available to educate low-income children of color and puts those students at a disadvantage;

NOW, THEREFORE, BE IT RESOLVED, that in keeping with its commitment to equity as the guiding principle for public education in Ohio, the State Board of Education supports the Fair School Funding Plan because:

- It increases the investment of state funds in public education;
- It uses the actual cost of educating a child to establish the base cost;
- It uses both property wealth and income of taxpayers to define each school district's capacity to fund the base cost;
- It increases investment in certain categories of students including those living in poverty;
- It increases the state contribution to transportation costs;
- It ends deduction funding; and
- It establishes a commission to review the ongoing effectiveness of this plan to promote equal opportunity and equity;

BE IT FURTHER RESOLVED, that because equity cannot be achieved unless all school districts have the benefit of an equitable school funding system, the State Board of Education implores the legislature to adopt the Fair School Funding Plan as designed, to fund it as completely and quickly as possible, and to end deduction funding as of July 1, 2021.

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

Emergency consideration for the resolution was requested from Board leadership for this item.

Ms. Johnson stated Ohio has been waiting a long time for a school funding system that is constitutional. We have a fair school funding plan where research has been conducted and it works. Deduction funding and sixty-forty are key parts to this plan.

Dr. Kilgore stated she would support a strong resolution that would direct the legislature to develop a funding plan, but did not think she could support this resolution due to the Cupp-Patterson bill being in its infancy.

Mr. Dackin stated he was not ready to support this resolution at this time due to the early stages of the resolution and the inability for comparison to the Strategic Plan for Education.

Mr. Miller pointed out the resolution does not speak specifically to a particular funding plan.

Ms. Newman stated she was under the impression the resolution spoke to a general desire for a fair school funding plan and would support the resolution.

After discussion, President Kohler stated she did not believe there would be overall support from the Board to proceed with this item today. She stated this item could be introduced next month or the item could be assigned to the Legislative Committee for further development. Ms. Johnson responded she preferred this resolution be voted on today.

Mrs. Manchester stated she would support the resolution due to its wording the Board support fair school funding, not a particular item of legislation.

Senator Brenner encouraged Board members to look at the bill analysis of the funding plan.

President Kohler asked Ms. Johnson if she would agree to a Board member offering a friendly amendment to remove capitalization in “Fair School Funding Plan” and change “the” to “a”. Ms. Johnson stated she would agree to the recommended change.

President Kohler asked Vice President McGuire for her thoughts on granting emergency consideration. Mrs. McGuire stated there were still many questions from taxpayers on this issue. She was not in favor of granting emergency consideration and preferred this item be sent to the Legislative Committee. President Kohler stated she believed in the resolution but from a process standpoint, she preferred to send this to the Legislative Committee for further action and the item to be brought back at the meeting of the Board. Emergency consideration was not granted by Board leadership.

Ms. Johnson requested a vote to override the decision to not allow emergency consideration. Dr. Collins Seconded the motion. Ms. Johnson stated this resolution would support fair school funding.

President Kohler called for a roll call vote.

YES VOTES

Christina Collins	Meryl Johnson
Martha Manchester	Tim Miller
Antoinette Miranda	Michelle Newman

NO VOTES

Stephen Dackin	Diana Fessler
John Hagan	Kirsten Hill
Jenny Kilgore	Laura Kohler
Paul LaRue	Charlotte McGuire
Eric Poklar	Brendan Shea
Mike Toal	

Motion defeated.

President Kohler stated the proposed resolution would be referred to the Legislative Committee with the expectation the Board would take action on this item in May.

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Mr. Dackin presented the following recommendation:

Emergency consideration for the resolution was requested from Board leadership for this item. Emergency consideration for this item was granted by Board leadership.

**RESOLUTION TO RECOMMEND APPROVAL OF A RECOMMENDATION TO THE GENERAL ASSEMBLY REGARDING TO REVISIONS TO THE STATE REPORT CARD**

The Ad Hoc Legislative Committee **RECOMMENDS** the State Board of Education (“Board”) **APPROVE** a recommendation to the General Assembly for a legislative change as follows:

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

WHEREAS, the strategic plan supports the success of the whole child; and

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

WHEREAS, a well-designed accountability system and report card can help shine light on inequities based on specific student characteristics (socio-economic status, race/ethnicity, disability, English language competency, etc.); and

WHEREAS, reporting and measuring performance of specific student groups holds schools and districts accountable for supporting the achievement of ALL students in the State of Ohio; and

WHEREAS, the state report card is a valuable tool for communities and families to gain information about their local schools and districts; and

WHEREAS, there has been significant stakeholder interest in reforming the report card; and

WHEREAS, House Bill 200 and Senate Bill 145 have been introduced in the legislature with different approaches to reforming the state report card;

THEREFORE, BE IT RESOLVED, that the Ad Hoc Legislative Committee recommends that the State Board of Education support a resolution that does the following:

- Supports the elimination of the current A-F letter grade rating system and replacing it with a new rating system that is clear and easy for families to understand.
- Supports the adoption of a new “Equity” component that will shine light on the performance of student groups to ensure schools are accountable for the academic achievement of ALL students in the State of Ohio.
- Supports restructuring the Prepared for Success component into a single tier that awards credit equally for each item and that includes additional



measures of college, career and life preparedness and will be included as a rated component. In adding measures to this component, the legislature should consider the extent to which each item included is accessible to all school districts.

- Supports structuring components so that ALL students are included in the measure and would oppose any component, including K-3 literacy, Graduation or Prepared for Success, that is designed to exclude members of any student population. Specifically, the State Board believes that every student, regardless of mobility, should be included in a measure of K-3 literacy.
- Supports a measure for K-3 Literacy that recognizes that promotion and proficiency are two important concepts, and that districts should be recognized for improvement.
- Directs the Superintendent of Public Instruction to prepare a correspondence, subject to the approval of the President of the Board, to the Chair and Members of the Primary and Secondary Education Committee of the Ohio House of Representatives and the Chair and Members of the Primary and Secondary Education Committee of the Ohio Senate containing the recommendation approved herein.
- Directs 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 Mr. Dackin that the above recommendation be approved.

Mrs. Fessler stated she had not seen the LSC analysis and felt the Board should be guarded and would not support the proposal.

Mr. Toal stated he would not support the proposal. He stated how do you achieve equity without measurement. He believed it was the primary responsibility of the Board to ensure an effective means of measurement.

President Kohler called for a roll call vote.

YES VOTES

Christina Collins  
Meryl Johnson  
Paul LaRue  
Charlotte McGuire  
Antoinette Miranda

Stephen Dackin  
Laura Kohler  
Martha Manchester  
Tim Miller  
Michelle Newman

NO VOTES

Diana Fessler  
Kirsten Hill  
Eric Poklar  
Mike Toal

John Hagan  
Jenny Kilgore  
Brendan Shea

Motion carried.

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Mr. Toal stated he would present the following resolution for consideration at the next meeting of the Board.

**RESOLUTION TO AMEND THE CHANGES PREVIOUSLY ADOPTED TO OHIO ADMINISTRATIVE RULE 3301-35-04 / STUDENT AND OTHER STAKEHOLDER FOCUS**

The State Board of Education (“Board”) **ADOPTS** changes to Ohio Administrative Code (OAC) 3301-35-04 / Student and other Stakeholder Focus as follows:

During its July 2020 meeting, the Board adopted a resolution to amend OAC 3301-35-04;

The Common Sense Initiative reviewed the Board’s amendments to OAC 3301-35-04 and recommended reconsideration of the Board’s elimination of certain course requirements in existing paragraph (B)(1) of the rule;

Upon reconsideration of the revisions, the Board agrees that the course requirements in existing paragraph (B)(1) should not be eliminated, but that the requirement should instead be modified in the form attached hereto.

NOW, THEREFORE, BE IT RESOLVED, that the Board amends the changes previously adopted by the Board in OAC 3301-35-04 / Student and Other Stakeholder Focus and that the Board adopts the rule in the form attached hereto.

BE IT 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

BE IT 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.

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Mrs. Fessler stated that from her perspective, this has been the most helpful session the Board has conducted since she has been on the Board. She enjoyed getting to know other Board members perspectives.

President Kohler stated Superintendent DeMaria would be eligible for a parity increase in July. The president wanted to have all Board members participate in an evaluation. She had asked the Superintendent to present to the full Board a written self-evaluation and also a public progress report in May.

Mrs. Fessler asked President Kohler to consider appointing Mr. Hagan to the Legislative Committee.

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Mr. Hagan Moved to adjourn the meeting. Mrs. Fessler Seconded the motion.

The President requested a voice vote.

Motion carried.

President Kohler adjourned the meeting at 6:00 p.m. The next regularly scheduled meeting of the State Board of Education is May 10-11, 2021.

ATTEST:



Laura Kohler  
President  
State Board of Education



Paolo DeMaria  
Superintendent of Public Instruction

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