

**STATE BOARD OF EDUCATION OF OHIO
MINUTES**

March 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

The State Board convened a virtual Board meeting on Monday, March 8, 2021.

STATE BOARD BUSINESS MEETING

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

President Kohler asked the Recording Secretary to call the roll.

YES VOTES

Christina Collins	Stephen Dackin
John Hagan	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.

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

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

There were no corrections.

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

Motion carried unanimously.

The Board's Teaching, Leading and Learning Committee met beginning at 8:45 a.m.

Topics of discussion were:

- Discuss: OAC 3301-24-11 Alternative Principal License (Possible Vote)
- Discuss: OAC 3301-24-12 Alternative Superintendent License & Alternative Administrative Specialist License (Possible Vote)
- Discuss: OAC 3301-24-13 Relinquishment of License or Teaching Field (Possible Vote)
- Discuss: Raising Literacy Achievement in Ohio

The Board's Emerging Issues and Operational Standards Committee met beginning at 10:30 a.m.

Topics of discussion were:

- Discuss: OAC 3301-19-01 School District Expenditure Flow Reports (Possible Vote)
- Discuss: Seat belts on School Buses
- Discuss: Post-Pandemic Focus: Extended Learning Plans

The Board's Performance & Impact Committee met beginning at 12:30 p.m.

Topics of discussion were:

- Data Insights Presentation
- Discuss: Introduction to Regional Data Leads

The Board's Integrated Student Supports Committee met beginning at 2:00 p.m.

Topics of discussion were:

- Discuss: Operating Standards for the Education of Children with Disabilities
 - 3301-51-01 Applicability of Requirements and Definitions
 - 3301-51-04 Confidentiality
 - 3301-51-06 Evaluations
 - 3301-51-07 Individualized Education Program (IEP)
 - Discuss: Mental Health and Suicide Prevention
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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:

- New Report: Each Child Means Each Child – Ohio's Plan for Improving Learning Experiences and Outcomes for Students with Disabilities
- District Equity Presentation – Gahanna-Jefferson Public Schools
- New Report: Recommendations for High School Redesign in Ohio (Graduation Requirements and High School Redesign Task Force Report)

Each Child Means Each Child

Vision:

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.

The Charge

- Improve learning experiences and outcomes for students with disabilities
- Collaborative efforts
- Realizing the vision of Each Child, Our Future

Engaging Others:

- External Stakeholder Survey
- Town Hall and Focus Groups
- Two Leading Committees
- Steering Committee
- Internal Cross Agency Committee
- Four Work Groups
- State Advisory Panel for Exceptional Children

Stakeholder Engagement:

- Online Statewide Survey
- Virtual Focus Groups
- Family Townhall Meetings
- Student Interviews

Steering Committee and Internal Staff:

- Steering Committee

- Cross Agency Staff

Workgroups:

- Inclusive Leadership
- Disproportionality
- Postsecondary Outcomes and Graduation
- Literacy

Students with Disabilities and Graduation:

- More than 4,000 students with disabilities drop out each year (that's 1 in 5 students).
- The number of students with disabilities enrolled in career tech has decreased by 1,000.
- Class of 2017 Graduation Rate 84.1%
- Rate for students with disabilities 70.4%
- 78.8% met IEP goals but were excused from graduation requirements.

Ohio's Plan:

- Recommendations from workgroups
- Information from stakeholders
- Results of surveys, focus groups, townhall meetings, student interviews

The BIG Picture:

- Getting to the problem early
- Building educators' and systemwide capacity
- Educating for living a good life

We Know What Works:

- We can challenge the status quo.
- We can change how students are taught.
- We can dismantle ineffective systems.
- We can create inclusive environments.

Philosophy of Change:

- Collective responsibility
- Professional development for general education staff and administrators
- Expectations for students with disabilities
- Preparation for postsecondary setting
- Commitment to continuous improvement process
- Overidentification of students with disabilities

Plan Components:

- Focus Areas - Three focus areas to provide structure
- Tactics - Specific efforts to positively impact students with disabilities
- Action Steps
 - State Department
 - Regional Support Teams
 - Districts and Schools
- Recommendations - High-level recommendations for each focus area

Focus Area A:

An integrated model of a state-wide multi-tiered system of supports.

Recommendation 1:

Develop a consistent and clear statewide model of an integrated multi-tiered system of support that all districts, community schools or early childhood education programs may adopt and implement or use as a model.

Tactic A:

- Create the infrastructure to support the development of an integrated model of a multi-tiered system of supports through a common set of resources, professional learning, coaching, collaborative opportunities and scheduling.
- Supports should be provided at all levels of the educational system, including during pre-service education.

Focus Area B:

Ongoing, job-embedded and sustained professional learning that focuses on meeting the specific needs of students with disabilities.

Recommendation 2:

Ensure all educators are equipped to deliver evidence-based practices for instructing students with disabilities.

Tactic B:

- Identify and communicate existing professional learning resources directly to those who need them.

Tactic C:

- Support teacher preparation programs and in-service professional learning opportunities to address the needs of, and supports for, students with disabilities.

Focus Area C:

Postsecondary learning experiences and outcomes for students with disabilities.

Recommendation 3:

Communicate and provide access to a variety of opportunities that will lead to a standard diploma, and that ensures a seamless transition to postsecondary education and employment settings.

Tactic D:

- Assist districts in establishing or refining the process of postsecondary transition planning.

Tactic E:

- Provide students with disabilities equitable access to career awareness, preparation, readiness or career-technical education programming.

Focus Area C:

Tactic F:

- Provide resources, training and coaching to students and families concerning pathways to graduation with purposefully designed transition plans for each child.

Guiding Coalition CHARGE:

- To advise Department on the development of a five-year implementation plan for Each Child Means Each Child

The Vision for all Students:

- Educate for living a good life
- Build educators' and systemwide capacity

- Get to the problem early

EQUITY & ACCESS FOR ALL
Gahanna-Jefferson Public Schools

Where Have We Been?

- Identified district theme - Equity and Access for ALL-April 2019
- 1. Equity Institute-September 2019
- Professional learning on Implicit Bias, Microaggressions and Trauma-Informed Practice-Winter 2019 & 2020
- Board Resolution Reaffirming Commitment to District Core Values-July 2020
- District book study of *We Got This: Equity, Access and the Quest to be Who Our Students Need Us to Be* by Cornelius Minor-Fall 2019 & Spring 2021
- Creation of district Equity Action Teams-Spring 2021

Equity Data Review

- 30% of students in grades 3-5 do not identify as having a strong sense of belonging in our schools
- 60% of students in grades 6-12 do not identify as having a strong sense of belonging in our schools
- Outcomes that need attention related to student discipline and representation in special education and gifted programming
- Black/African American and Hispanic/Latinx students' proficiency percentages lagged their white peers on one-third or more of all Math and English Language Arts state tests

Student Demographics:

- 27.7% - Black/African American
- 6.7% - Hispanic/Latinx
- 5.7% - Asian
- 2% - Multiracial
- 57.3% - White

Certified Staff Demographics:

- 93.8% - White
- 4.4% - Black/African American
- 1.4% - Asian
- 0.3% - Hispanic/Latinx

Where Are We Headed?

- Sense of Belonging
- Anti-Racism and Inclusivity

Action Teams:

- Strong Sense of Belonging
- Diverse Staffing
- Inclusive Curriculum and Resources

Action Team Requirements:

Each Action Team Will:

- Outline a 3-year plan for the work of the action team
- Review pertinent data sets to guide discussion and planning
- Engage students and parents
- Review district policies and practices
- Set measurable goals
- Create action steps for progress
- Develop professional learning resources for staff

Strong Sense of Belonging:

- Empowering staff and students to use their voices to impact change in their community
- Supporting staff in developing sustained authentic relationships with students
- Ensuring our students feel heard, valued and free to be their authentic selves

Diverse Staffing:

- Diversifying our GJPS staff through intentional recruitment and retention efforts
- Partnering with our Eastland-Fairfield Career Center to grow our Teaching Professions program and build a pipeline of teaching candidates from within

Inclusive Curriculum & Resources:

- Offering an inclusive curriculum with diversified resources
- Reframing instruction through the lens of social justice and cultural relevance
- Creating learning experiences that offer students voice and choice in their demonstration of understanding

Disproportionate Representation, Access and Outcomes:

- Implementing strategies to address disproportionate discipline outcomes
- Analyzing special education identification and service models
- Increasing opportunity for gifted and advanced programming placement

Community Engagement and Partnerships:

- Identifying a mechanism we can use to collect data related to parent engagement
- Strengthening relationships and understanding of the needs of our parents and families
- Designing and implementing building and district communication strategies that are inclusive
- Increasing opportunities to engage with families and community partners

Next Steps:

- Continue learning and reflecting on our personal and institutional practices
- Meet in our equity action teams to set goals and develop action steps
- Tell our story to the community
- Engage our stakeholders - staff, students, and community members
- Develop Building Equity Teams

HIGH SCHOOL REDESIGN TASKFORCE REPORT

Presenters: Graham Wood, Graduation Requirements Program Administrator, Center for Teaching, Leading and Learning and Shelly Vaughn, Mercer County ESC.

Taskforce Members:

- Martha Manchester, At-Large, Co-Chair

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- Shelly Vaughn – Mercer County ESC, Co-Chair
- Steve Dackin, At-Large
- Meryl Johnson, District 11
- Mark Lamoncha, At-Large
- Antoinette Miranda, District 6
- Jill Ackerman – Lima City Schools
- Rachel Dobney – Olentangy Local Schools
- Emily Fabiano – Governor’s Office of Workforce Transformation
- Tanya Ficklin – Cincinnati Public Schools
- Joe Glavan – Lake Shore Compact
- Lisa Gray – Ohio Excels
- Michelle Grimm – Ohio School Counselor Association
- Susan Gunnell – Montgomery County ESC
- William Hampton – Marietta City Schools
- Julie Holderbaum – Minerva High School
- Keith Horner – Apollo Career Center
- Michael King – Berkshire High School
- Senator Peggy Lehner - Ohio Senate
- Matt McCorkle – Green High School
- Robert Mehno – Leetonia Exempted Village
- Greg Nickoli – Pioneer Career & Technology Center
- Heather Powell – Williamsburg High School
- Jeri Rod – Bishop Ready High School
- Julie Schroeder – Van Wert City Schools
- Debbie Tidwell – Ohio PTA
- Dana Weber – Ohio TESOL
- Bill Wise – South-Western City Schools

Report Highlights:

- Introduction and Background
- Guiding Principles for Engaging and Inspiring Schools
- 5 Recommendations
- Promising Innovations

History of Taskforce:

- 2019 – Taskforce Established
- 2020 – Shift to High School Redesign Focus
- December 2020 – Report Finalized

Guiding Principles for Engaging and Inspiring High Schools:

- High schools should:
 - Personalize
 - Customize
 - Promote Pathways
 - Build Life Skills
 - Focus on Relevance
 - Prioritize Advising
- The process should:
 - Commit to continuous improvement and feedback
 - Engage in consistent communication with stakeholders
 - Invest in Human Capital
 - Innovate Systems Thinking

Taskforce Report Recommendations:

- Adopt Johns Hopkins Framework
- Leverage *Reframing Education*
- Use long-term graduation requirements as motivation
- Cultivate promising innovations
- Identify promising practices

Recommendation 1 - Adopt the Johns Hopkins High School Redesign Framework

Cross-State High School Redesign Collaborative Overview:

- A partnership with Johns Hopkins University, the Council of Chief State School Officers, Civic Enterprises, XQ Institute and six other states;
- Additional state partners include Illinois, Massachusetts, New York, New Mexico, Louisiana and Mississippi;
- Focuses on the latest research in effective school transformation, the learning sciences and changes under ESSA.

Five Ohio Schools:

- Canal Winchester High School
- Cincinnati Riverview East High School
- East Cleveland Shaw High School
- Marion Harding High School
- Zanesville High School

Johns Hopkins Framework Focus Areas:

Redesign entails a fundamental re-thinking of four core school processes and structures

1. **Organizing Adults**
 - Effective teams
 - Teacher equity
 - Distributed leadership
2. **Putting students at the center**
 - Personalized learning
 - Social Emotional Learning
 - Whole-student support
3. **Teaching and Learning Practice**
 - Innovative instruction
 - Performance-based assessments
 - Learning science
4. **Postsecondary Pathways**
 - College & career readiness
 - Transition strategies
 - Community-responsive options

Recommendation 2 - Leverage the “*Reframing Education*” Platform and Progress Network

Reframing Education Progress Network:

- Statewide Network of ESC personnel
- Promote best practices
- Meet needs of all students
- Learning is the constant: Time/place is variable

Reframing Education – Initial Project

- 74 ESC service providers from 39 ESC’s, 13 workgroups

Reframing Education Progress Network:

- Current membership – 150+ from all ESC’s and growing
- Future home for promising practices
- Networking, informational and collaboration work sessions regularly
- Reconvene workgroups regularly to refine, extend and enrich resources

Recommendation 3 - Use Ohio’s Long-Term Graduation Requirements as a Motivation for Redesign

- Natural focus of education leaders
- Increased demand for career-focused options
- Personalized diplomas focused on a student’s future

Recommendation 4 - Identify and Cultivate Promising Innovation

- Creative and Flexible Scheduling
- Competency-Based Grading
- Graduation Planning
- Pathways through graduation
- Expand Career-Focused Education

Recommendation 5 - Identify Promising Practices and Further Innovations

- Foster and highlight continued innovations
- Ensure diversity in typology of districts for promising practices

Next Steps:

- Continuation of current pilot with Johns Hopkins
- More schools will be added to the pilot with Reframing Education Network

Review of Written Reports and Items for Vote

Superintendent DeMaria announced that Ohio Department of Job and Family Services (ODJFS) rules that are referenced in Item 2 had been approved today and he had notified Board members.

LEGISLATIVE UPDATE

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

House Bill 110 - State Budget Bill

Timeline:

- February 2021: Governor submits FY22-FY23 budget proposal to legislature
- Feb. - April 2021: Consideration in House of Representatives
- April - June 2021: Consideration in Senate
- June 2021: Conference Committee
- July 1, 2021: FY22-FY23 biennium begins

Graduation Requirements:

- New pathways to earn Social Studies and Science Seals
 - “B” or higher on American history AND American government or on an advanced science course
 - Achieve score on relevant section of the Alternative Assessment for Students with Significant Cognitive Disabilities (AASCD)
- Adds completion of the Free Application for Student Aid (FAFSA) as a requirement for graduation.
- Clarifies how a school should handle local seals earned by students transferring into the district.
- Allows a student to use a remediation-free score on the SAT or ACT as an alternative demonstration of competency.

Literacy:

- Except for KRA, requires diagnostic assessments for K-3 to include items related to identification of students with dyslexia and allows schools to use these diagnostic assessments to meet the Tier One screening requirement from HB 436 (133rd GA)
- Adjusts time for administering KRA to July 1 through the 20th day of instruction.

Transportation:

- Establishes time by which nonpublic and charter schools must share start and end time information with public school districts for purposes of planning transportation.
- If there are more than 20 nonpublic/charter schools within a district, the ESC must convene a meeting to discuss transportation coordination.
- Generally prohibits use of public transportation in grades K-8, unless an agreement is in place.
 - With parameters, generally allows use of public transit for grades 9-12.
- Establishes timeframe for determining payment in lieu of transportation and requires notification to parent.

Computer Science:

- “Right to Computer Science”: student can take a class either offered by the district or through a rigorous, high-quality online computer course approved by ODE.
- Requires creation of a state plan for computer science education.
- Extends waiver for computer science licensure through the 2022-2023 school year.

Licensure:

- Adds provisions previously included in SB 34 (133rd General Assembly):
 - Prohibits a school from assisting an individual from finding other school employment if individual committed sex offense involving a student.
 - Permits a school to request from ODE any reports of misconduct for an applicant for employment.
 - Requires proper licensure of contractors.

Other Pending Legislation

House Bill 67:

- Further extends testing windows for spring assessments and pushes report card production date to October 14.
- Makes the American history end-of-course exam optional for 2020-2021.
- Allows students to use a course grade to satisfy conditions for graduation, in lieu of test score – through the 2023-2024 school year.
- Allows schools to grant a diploma to seniors who are on-track to graduate.

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- Passed by the House 93-1.
- First hearing in the Senate Primary & Secondary Education Committee on Tuesday.
 - Sponsor and proponent testimony.

Broadband Expansion:

- House Bill 2
 - Pending in the Senate Financial Institutions and Technology Committee.
- Senate Bill 8
 - Pending in the House Finance Committee.

President Kohler recessed the Board meeting at 6:45 p.m.

RECONVENE STATE BOARD BUSINESS MEETING

President Kohler reconvened the Business meeting of the State Board of Education on Tuesday, March 9, at 9:00 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.

Chapter 119 Hearing

March 9, 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:

- OAC Chapter 3301-43 Adult High School Continuation Programs
- OAC 3301-43-01 Rule for giving public notice of hearings. (Amend)

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- OAC 3301-43-02 Establishment of adult high school diploma programs. (Amend)
- OAC 3301-43-03 Eligibility criteria for adult high school continuation and earning equivalent adult high school credit. (Amend)
- OAC 3301-43-04 Program elements, basis for awarding adult high school credits. (Amend)
- OAC 3301-43-05 Criteria for issuing diplomas. (Amend)
- OAC 3301-43-06 Administering ninth-grade proficiency and Ohio graduation tests to eligible adults. (Amend)
- OAC 3301-43-07 Program reimbursement, adult high school continuation (Amend)

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

Ms. Singh presented the following Board Exhibits:

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

Ms. Singh explained the rules had been made available to all persons affected by the rules.

President Kohler stated that testimony would be received, either orally or in writing, for or against, the amendment of the rules that are under consideration. Anyone who wished to testify must complete the registration sheet. All testimony would be limited to no more than five minutes. If additional time is needed, consideration would be given to a reasonable extension. Any written testimony would be marked as Group Exhibit 4.

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

PUBLIC TESTIMONY ON THE PROPOSED RULE ACTIONS

Mrs. Fessler stated the overriding law is 3311.01, styling of school districts, which is very specific. The proposed rules go on to list other types which are not listed in 3311.01. She believed the legislature meant school districts and not the other types that are mentioned in the proposed rules. She questioned the Board's authority to have such a comprehensive change.

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 9:08 a.m.

PUBLIC PARTICIPATION ON VOTING AGENDA ITEMS

There was no Public Participation on Voting Agenda Items.

PUBLIC PARTICIPATION ON NON-VOTING AGENDA ITEMS

Ms. Jocelyn Coppock. Ms. Coppock submitted written testimony to the Board regarding racism.

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.

Mr. Miller 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
Mark Lamoncha	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 9:11 a.m.

The Board recessed from Executive Session and Quasi-Judicial discussion at 10:30 a.m.

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), Hill, Miller, Newman, Poklar

OAC 3301-24-11 Alternative Principal License & OAC 3301-24-12 Alternative Superintendent License and Alternative Administrative Specialist License

(Strategy 1 & 2)

- Thomas McGee, Director of the Office of Educator Licensure, provided members with an overview of these Ohio Administrative Code rules currently due for five-year review.
- Committee members reviewed and discussed the proposed rules with department staff.
- Following discussion, the Committee voted 6-0 in favor of a resolution recommending approval of the proposed revised rules as presented. A resolution to adopt the revised rules will appear on the State Board's April 2021 voting agenda.

OAC 3301-24-13 Relinquishment of License or Teaching Field *(Strategy 1 & 2)*

- Thomas McGee, Director of the Office of Educator Licensure, provided members with an overview of this Ohio Administrative Code rule currently due for five-year review.
- Committee members reviewed and discussed the proposed rule with department staff.
- Following discussion, the Committee voted 6-0 in favor of a resolution recommending approval of the proposed rule as presented. A resolution to adopt the revised rule will appear on the State Board's April 2021 voting agenda.

Discussion: Raising Literacy Achievement in Ohio *(Strategy 7 & 9)*

- Leadership from the Office of Approaches to Teaching and Professional Learning provided committee members with a presentation outlining current efforts in Ohio to raise literacy achievement.
- Committee members reviewed and discussed both state and federal requirements, grant activities and newly enacted state legislation related to dyslexia. Vice Chair Meryl Johnson has requested demographic data of districts who have been awarded grant funding.
- Members also discussed Dolly Parton's Imagination Library. Department staff will reach out to the Governor's office, currently partnered with Dolly Parton's Imagination Library, in hopes of aiding in the promotion of this initiative.
- Staff also reviewed with the committee upcoming actions required of the State Board. These actions include:
 - Setting the promotion score for the third grade English language arts assessment for the 2021-2022 school year.
 - Final approval of a guidebook developed by the Ohio dyslexia committee regarding best practices for dyslexia screening and interventions for students.
 - Five-year rule review of OAC 3301-33-01 Rule for Phonics.

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 3301-19 School District Expenditure Flow Reports (Possible Vote)
- Discuss Seat Belts on School Buses
- Discuss Post-Pandemic Focus: Extended Learning Plans

OAC 3301-19 SCHOOL DISTRICT EXPENDITURE FLOW REPORTS

- Department staff reviewed OAC 3301-19-01, -02 and -03 School District Expenditure Flow Reports that is being revised based on the five-year rule review. The expenditure flow reports show how districts spend their budgets on classroom and non-classroom expenses.
- The rule was approved to move to the full board in April.

SEAT BELTS ON SCHOOL BUSES

- Department staff discussed the existing safety measures already in place for school buses, including size, construction and bus driver training. This also included the different roles that the federal government, state agencies and local districts play in making decisions regarding school buses.
- Staff spoke of national and state statistics around students transported, number of school buses on the road, and miles driven daily. This also included information on other states that require seat belts and Ohio districts who are gradually introducing seat belts.
- Committee members asked questions around:
 - Change in insurance costs if districts do or do not have seat belts on their buses
 - Clarification around the official federal policy position on seat belts on school buses
 - Of the reported fatalities, if any could have been prevented by seat belts
 - Student fatalities when waiting, entering or exiting the bus beyond crash fatalities
 - If seat belts can be mandated during extracurricular bus trips

POST-PANDEMIC FOCUS: EXTENDED LEARNING PLANS

- Deputy Superintendent John Richard and Department staff discussed the mode of education delivery by districts around the state and the state's vaccine rollout for staff at schools.
- Staff then introduced the extended learning plans that districts have been requested to submit by April 1. Staff explained what an extended learning plan should include and shared answers for some of the most frequently asked questions.
- Deputy Superintendent Richard finished up the presentation with information about the Next Steps for Education workgroups that are meeting to examine and

propose solutions for short- and long-term educational issues related to the pandemic.

- Deputy Superintendent Richard and Department staff answered questions related to:
 - What themes were emerging in the workgroups
 - Confusion around the 5-day attendance requirement
 - Meeting assessment requirements
 - Addressing the social-emotional needs of students when returning to in-person instruction and assessment
 - If there has been a statewide request for community organizations to reach out to schools and districts to offer their assistance where possible
 - Keeping all students in focus, including supports for gifted students
 - If intervention will take place during art, music and physical education classes

Items voted on and outcome of vote:

Rule revisions for 3301-19-01 through 3301-19-03 were approved and voted out of committee to the full board.

Will there be a vote or information in front of the full board at next or upcoming meeting?

3301-19-01 through 3301-19-03 will be presented to the full board in April.

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

Data Insights Presentation

Presentation by Dr. Chris Woolard, Senior Executive Director, Center for Performance and Impact and Dr. Heather Boughton, Director of the Office of Research, Evaluation and Advanced Analytics

Guest speakers: Dr. Wendy Grove, Director Office for Early Learning and School Readiness and Dr. Melissa Weber-Mayrer, Director, Office of Approaches to Teaching and Professional Learning

The Data Insights Report was recently released by the Department. The data findings in this report are crucial to helping us understand students' educational experiences during the pandemic, as well as the impact COVID has had on students' opportunities to learn. The report's findings support stakeholders as they target student assistance and resources, particularly for our most vulnerable student populations which were disproportionately impacted by school closures. Data findings on the topics below were presented.

- Education delivery models
- Internet connectivity and technology needs

- Student enrollment and attendance
- Kindergarten Readiness Assessment
- Third Grade English Language Arts

Resources are being developed at the state level to address the data findings mentioned above, including, for example, resources aimed at supporting literacy instruction across the state.

Introduction to Regional Data Leads

Presentation by Aly DeAngelo, Executive Director, Center for Performance and Impact

Ms. DeAngelo outlined the purpose and goals of Ohio's data network. Districts need support and assistance in data use to allow for student growth. Regional Data Leads were developed, in partnership with the Department, to address this issue. RDLs are local staff based out of an ESC or an SST. They assist districts in using performance data. The Department provides evidence-based resources and other tools to the data network to inform district improvement. The Department is working on formalizing the data network and seeking out federal grants to expand areas of expertise within the data network.

Planning for Next Meeting & Adjourn

- Continued discussions on Ohio's Accountability System and Report Cards
- Follow up on the Standards Confirmation Report issued in 2020.
- Standard setting for the Alternate Assessment for Students with the Most Significant Cognitive Disabilities

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:
 - 3301-51-01 Applicability of Requirements and Definitions;
 - 3301-51-04 Confidentiality;
 - 3301-51-06 Evaluations; and
 - 3301-51-07 Individualized Education Program (IEP).
- Board Member Johnson provided several editing suggestions to the rules.
- The rules were introduced to the committee this month and committee vote for all twelve rules is tentatively scheduled for May, full board presentation anticipated in June and full board vote anticipated in July.

Mental Health and Suicide Prevention

- Department staff introduced the presentation with an overview of prevention initiatives created in partnership with the Ohio Department of Mental Health and Addiction Services for students in grades kindergarten through 12. Valerie Leach, Prevention Administrator from the Ohio Department of Mental Health and Addiction Services, presented data on youth suicide and shared several suicide prevention initiatives and resources targeted at prevention of suicide for students ages 10-21.
- The agenda item was discussion only, therefore, there was no action by the committee and the item is not scheduled for full board.

BOARD PRESENTATIONS AND DISCUSSION FROM THE LEGISLATIVE COMMITTEE

Chair: Steve Dackin

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

Mr. Dackin stated work had begun on goals and direction of the committee and more information would be provided at its first meeting.

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:

Mr. Toal stated committee members would be receiving more information regarding the committee and that committee meetings are planned to take place a week before each Board meeting.

The State Board recessed for lunch.

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 (Item 1) on the Consent Agenda:

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

WHEREAS on February 9, 2021, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Andrea J. Gannaway 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. Gannaway's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Andrea J. Gannaway 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** Andrea J. Gannaway'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. Gannaway'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 Andrea J. Gannaway 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. Gannaway of this action.

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

President Kohler called for a roll call vote.

YES VOTES

Christina Collins
Diana Fessler
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Martha Manchester
Tim Miller
Michelle Newman
Brendan Shea

Stephen Dackin
John Hagan
Meryl Johnson
Laura Kohler
Paul LaRue
Charlotte McGuire
Antoinette Miranda
Eric Poklar
Mike Toal

Motion carried.

President Kohler presented the following recommendation (Item 2):

2. RESOLUTION TO ADOPT OHIO ADMINISTRATIVE CODE 3301-32-06.1 / PANDEMIC REQUIREMENTS FOR A LICENSED SCHOOL CHILD PROGRAM AND 3301-37-03.1/ PANDEMIC REQUIREMENTS FOR A LICENSED CHILD DAY-CARE PROGRAM

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

Ohio Revised Code (ORC) Section 3301.53 requires the State Board of Education to establish minimum standards to be applied to preschool and school child programs that are consistent with and meet or exceed the requirements of rules adopted by the Ohio Department of Job and Family Services (ODJFS) for child day-care centers pursuant to ORC Chapter 5104.

The Board previously adopted versions of OAC 3301-32-06.1 and OAC 3301-37-03.1, as emergency rules on June 9, 2020, August 10, 2020, September 22, 2020, and December 15, 2020. These rules were adopted to align to the requirements of OAC 5101:2-12-02.2 and OAC 5101:2-12-02.3, emergency rules adopted by ODJFS related to COVID-19 mitigation requirements and temporary school-age childcare licenses, respectively. ODJFS is in the process of adopting OAC 5101:2-12-02.2 and OAC 5101:2-12-02.3.

In order to meet or exceed the requirements of the new licensing rules being adopted by ODJFS, staff recommends the amendment of OAC 3301-32-06.1/ Pandemic Requirements for a Licensed School Child Program. This rule maintains the pandemic school-age licensing requirements of OAC 5101:2-12-02.3 as a licensing option.

In order to meet or exceed the requirements of the rules being adopted by ODJFS, staff recommends the amendment of OAC 3301-37-03.1/ Pandemic Requirements for a Licensed Child Day-Care Program, which incorporates the COVID-mitigation requirements for handwashing, symptom checks, reporting, and face coverings of OAC 5101:2-12-02.2 by reference.

NOW, THEREFORE, BE IT RESOLVED, the Board approves adopting OAC 3301-32-06.1 and 3301-37-03.1 in the form attached hereto;

FURTHER RESOLVED, that the Board directs the Department to review OAC 3301-32-06.1 and 3301-37-03.1 in **six months** following the effective date of the rules;

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.

It was Moved by Dr. Kilgore and Seconded by Mr. Miller that the above recommendation (Item 2) be approved.

Mr. Shea spoke to the issue of facemasks. He cited studies that stated children five years and younger should not wear face masks. He stated he would not support the resolution. The Department clarified masks are only required for children in Kindergarten and age five years or older.

Mrs. Fessler stated she had gone to the JCARR website last night and it did not indicate the ODJFS rules had gone through the process. She further stated she was strongly opposed to the resolution as it may lead to permanent mask wearing for children.

Mrs. Hill asked if it was legal for someone in the education community to require someone to wear a mask. Superintendent DeMaria stated that mask wearing that was referenced in the rules was derivative of the Ohio Department of Health's mask orders. Ms. Singh responded the Department of Health does have authority to issue the mask mandate.

Dr. Kilgore asked if ODE rules must follow ODJFS rules in such detail. Superintendent DeMaria responded ODE rules are required to replicate ODJFS rules that have been adopted by JCARR.

Mr. Hagan stated he would be voting no on the resolution and that this type of issue should be handled by the legislature.

Mr. Lamoncha stated he has been amazed by how well children were responding to mask wearing in schools and schools with their efforts to care for children.

Mr. Miller asked how often it occurs that one state agency's rules have to mirror those of another state agency. Superintendent DeMaria responded this issue is fairly unique where two state agencies administer similar operations.

Mrs. Hill moved to amend the resolution by substitution. Mrs. Fessler seconded the motion. She proposed the following change;

FURTHER RESOLVED, that the Board directs the Department to review OAC 3301-32-06.1 and 3301-37-03.1 in ~~six months~~ 120 days following the effective date of the rules;

Mrs. Hill noted the times the rule had been updated recently and this proposal was fifty percent longer than those previous times.

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

YES VOTES

Christina Collins
John Hagan
Jenny Kilgore
Paul LaRue
Brendan Shea

Diana Fessler
Kirsten Hill
Mark Lamoncha
Charlotte McGuire
Mike Toal

NO VOTES

Stephen Dackin

Meryl Johnson

Martha Manchester
Antoinette Miranda
Eric Poklar

Tim Miller
Michelle Newman
Laura Kohler

Motion carried.

Mr. Hagan stated a non-medical individual should not be put in a position to enforce health mandates.

Mrs. Fessler stated there was nothing on the ODE or ODJFS website's about this issue last night and stated she would have liked to have had the opportunity to read what is being voted on. She further stated this was more codifying an emergency order put forth by the Governor. Some of the trauma experienced by children could be a result from isolation and masks. She also believed an underlying issue was to get more and more people vaccinated functional against their will.

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

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

YES VOTES

Christina Collins
Diana Fessler
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Martha Manchester
Tim Miller
Michelle Newman
Brendan Shea

Stephen Dackin
John Hagan
Meryl Johnson
Laura Kohler
Paul LaRue
Charlotte McGuire
Antoinette Miranda
Eric Poklar
Mike Toal

Motion carried.

Resolution as amended.

2. RESOLUTION TO ADOPT OHIO ADMINISTRATIVE CODE 3301-32-06.1 / PANDEMIC REQUIREMENTS FOR A LICENSED SCHOOL CHILD PROGRAM AND 3301-37-03.1/ PANDEMIC REQUIREMENTS FOR A LICENSED CHILD DAY-CARE PROGRAM

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

Ohio Revised Code (ORC) Section 3301.53 requires the State Board of Education to establish minimum standards to be applied to preschool and school child programs that are consistent with and meet or exceed the requirements of rules adopted by the Ohio Department of Job and Family Services (ODJFS) for child day-care centers pursuant to ORC Chapter 5104.

The Board previously adopted versions of OAC 3301-32-06.1 and OAC 3301-37-03.1, as emergency rules on June 9, 2020, August 10, 2020, September 22, 2020, and December 15, 2020. These rules were adopted to align to the requirements of

OAC 5101:2-12-02.2 and OAC 5101:2-12-02.3, emergency rules adopted by ODJFS related to COVID-19 mitigation requirements and temporary school-age childcare licenses, respectively. ODJFS is in the process of adopting OAC 5101:2-12-02.2 and OAC 5101:2-12-02.3.

In order to meet or exceed the requirements of the new licensing rules being adopted by ODJFS, staff recommends the amendment of OAC 3301-32-06.1/ Pandemic Requirements for a Licensed School Child Program. This rule maintains the pandemic school-age licensing requirements of OAC 5101:2-12-02.3 as a licensing option.

In order to meet or exceed the requirements of the rules being adopted by ODJFS, staff recommends the amendment of OAC 3301-37-03.1/ Pandemic Requirements for a Licensed Child Day-Care Program, which incorporates the COVID-mitigation requirements for handwashing, symptom checks, reporting, and face coverings of OAC 5101:2-12-02.2 by reference.

NOW, THEREFORE, BE IT RESOLVED, the Board approves adopting OAC 3301-32-06.1 and 3301-37-03.1 in the form attached hereto;

FURTHER RESOLVED, that the Board directs the Department to review OAC 3301-32-06.1 and 3301-37-03.1 in **120 days** following the effective date of the rules;

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.

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

YES VOTES

Christina Collins	Stephen Dackin
Meryl Johnson	Laura Kohler
Mark Lamoncha	Paul LaRue
Martha Manchester	Charlotte McGuire
Tim Miller	Antoinette Miranda
Michelle Newman	Eric Poklar

NO VOTES

Diana Fessler	John Hagan
Kirsten Hill	Jenny Kilgore
Brendan Shea	Mike Toal

Motion carried.

President Kohler presented the following recommendation (Item 3):

3. RESOLUTION TO ADOPT THE RECOMMENDATION OF THE HEARING OFFICER AND TO APPROVE THE TRANSFER OF SCHOOL DISTRICT

**TERRITORY FROM THE HILLSDALE LOCAL SCHOOL DISTRICT,
ASHLAND COUNTY, TO THE NORTHWESTERN LOCAL SCHOOL
DISTRICT, WAYNE COUNTY, PURSUANT TO SECTION 3311.24 OF THE
OHIO REVISED CODE.**

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

Pursuant to Ohio Revised Code (“ORC”) Section 3311.24, residents Jared and Candis Nolletti (“Petitioners”) who reside within the Hillsdale Local School District (Hillsdale LSD) have petitioned for the transfer of school district territory from the Hillsdale LSD, Ashland County, to the Northwestern Local School District (Northwestern LSD), Wayne County;

Hillsdale LSD and Petitioners requested a hearing, which was held on September 17, 2020, before a duly appointed hearing officer;

In her report, submitted November 16, 2020, the hearing officer, Linda F. Mosbacher, recommends that the State Board of Education approve the proposed transfer of territory from the Hillsdale LSD, Ashland County, to the Northwestern LSD, Wayne County, pursuant to ORC 3311.24; and

In the report, hearing officer Mosbacher concludes that in balancing the competing issues and giving primary consideration to the present and ultimate good of all pupils concerned, Petitioners have demonstrated that their established ties and proximity to Northwestern LSD outweigh Hillsdale LSD’s argument that this transfer may lead to additional requests for transfers and may cause future financial harm to the district.

NOW, THEREFORE, BE IT RESOLVED, that upon consideration of the hearing officer’s report and the relevant law, the State Board of Education hereby adopts the recommendation of the hearing officer and approves the request for the transfer of territory from the Hillsdale LSD, Ashland County, to the Northwestern LSD, Wayne County, for the reasons outlined in the hearing officer’s report and recommendation; and

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 Hillsdale LSD, Ashland County, the Northwestern LSD, Wayne County, and counsel of record, if applicable.

It was Moved by President Kohler and Seconded by Mrs. Manchester that the above recommendation (Item 3) be approved.

President Kohler called for a roll call vote.

YES VOTES

Christina Collins
Diana Fessler
Kirsten Hill
Jenny Kilgore
Mark Lamoncha

Stephen Dackin
John Hagan
Meryl Johnson
Laura Kohler
Paul LaRue

Martha Manchester
Tim Miller
Michelle Newman
Brendan Shea

Charlotte McGuire
Antoinette Miranda
Eric Poklar
Mike Toal

Motion carried.

Aaron Ross, Director, Office of Professional Conduct, presented the following recommendation (Item 4):

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

WHEREAS on January 25, 2021, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Estee Thomas 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. Thomas' decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31; and

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

WHEREAS Estee Thomas 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** Estee Thomas'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. Thomas' 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 Estee Thomas 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. Thomas of this action.

It was Moved by Mrs. Manchester and Seconded by Ms. Johnson that the above recommendation (Item 3) 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
Mark Lamoncha	Paul LaRue
Martha Manchester	Tim Miller
Antoinette Miranda	Michelle Newman
Eric Poklar	Brendan Shea
Mike Toal	

ABSTAIN

Charlotte McGuire

Motion carried.

Aaron Ross, Director, Office of Professional Conduct, presented the following recommendation (Item 5):

5. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF BRITTANY M. GETHMANN

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

WHEREAS Brittany M. Gethmann held a three-year pupil activity permit issued in 2015; and

WHEREAS on September 17, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Brittany M. Gethmann of its intent to determine whether to limit, suspend, revoke, or permanently revoke her three-year pupil activity permit issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Gethmann engaging in conduct that is unbecoming to the teaching profession on or about August 2016 to November 2016, when she engaged in a pattern of inappropriate behavior as the cheerleading coach by directing student athletes to participate in pyramid building despite having been directed by the school not to do so, requiring student athletes to swear an oath of secrecy regarding pyramid building, and going through student phones to delete pictures and messages related to pyramid building; and

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

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

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

WHEREAS the hearing officer recommends that Ms. Gethmann'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 Ms. Gethmann's intentional violation of the school district's directives, her involving minor students in the cover up, and the seriousness of the activities she permitted; 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** Brittany M. Gethmann's three-year pupil activity permit issued in 2015 based upon Ms. Gethmann engaging in conduct that is unbecoming to the teaching profession on or about August 2016 to November 2016, when she engaged in a pattern of inappropriate behavior as the cheerleading coach by directing student athletes to participate in pyramid building despite having been directed by the school not to do so, requiring student athletes to swear an oath of secrecy regarding pyramid building, and going through student phones to delete pictures and messages related to pyramid building. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Brittany M. Gethmann 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. Gethmann of this action.

It was Moved by Ms. Johnson and Seconded by Dr. Collins that the above recommendation (Item 5) be approved.

President Kohler called for a roll call vote.

YES VOTES

Christina Collins
Diana Fessler
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Martha Manchester

Stephen Dackin
John Hagan
Meryl Johnson
Laura Kohler
Paul LaRue
Charlotte McGuire

Tim Miller
Michelle Newman
Brendan Shea

Antoinette Miranda
Eric Poklar
Mike Toal

Motion carried.

NOTE: Mrs. Fessler changed her vote from Abstain to Yes.

Aaron Ross, Director, Office of Professional Conduct, presented the following recommendation (Item 6):

- 6. RESOLUTION TO ACCEPT THE REPORT, TO AMEND AND RECONCILE THE RECOMMENDATION OF THE HEARING OFFICER, AND TO DENY PERMANENTLY THE FIVE-YEAR PROFESSIONAL PRINCIPAL LICENSE APPLICATION, TO ISSUE AND SUSPEND THE FIVE-YEAR PUPIL ACTIVITY PERMIT AND FIVE-YEAR PROFESSIONAL HIGH SCHOOL TEACHING LICENSE APPLICATIONS, TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL PRINCIPAL LICENSE, AND TO SUSPEND THE FIVE-YEAR PROFESSIONAL HIGH SCHOOL TEACHING LICENSE OF MATTHEW R. SHOMPER**

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

WHEREAS Matthew R. Shomper has applied for a five-year pupil activity permit, five-year professional high school teaching license, and five-year professional principal license, and holds a five-year professional high school teaching license issued in 2015 and five-year professional principal license issued in 2015; and

WHEREAS on September 15, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Matthew R. Shomper of its intent to deny or permanently deny his applications for a five-year pupil activity permit, five-year professional high school teaching license, and five-year professional principal license, and whether to limit, suspend, revoke, or permanently revoke his five-year professional high school teaching license issued in 2015 and five-year professional principal license issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Shomper engaging in the following conduct that is unbecoming to the teaching profession: on or about February 6, 2015, he submitted a fraudulent invoice in the amount of \$1,025.00 to the Tipp City Exempted Village School District for payment to Crosswell VIP Motorcoach Services but the invoice had not been created or submitted by Crosswell VIP Motorcoach Services; and on or about *[redacted in accordance with Ohio law]*; and

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

WHEREAS a hearing was held on September 15-16, 2020; and

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

WHEREAS the hearing officer recommends that Mr. Shomper's five-year professional principal license issued in 2015 be revoked, his application for a five-year professional principal license be denied and that he be permanently ineligible to apply for any future administrative license, permit, or certificate issued by the State Board of Education; and his applications for a five-year professional high school teaching license and five-year pupil activity permit be issued and immediately suspended through their expiration dates with the suspensions stayed once Mr. Shomper submits written verification that he has completed eight hours of ethics training. Further, the hearing officer recommends that if the suspensions of Mr. Shomper's five-year professional high school teaching license and five-year pupil activity permit are stayed, that Mr. Shomper's five-year professional high school

teaching license and five-year pupil activity permit be limited such that he is permanently prohibited from overseeing or handling any school-related moneys or funds under his five-year professional high school teaching license and five-year pupil activity permit. The hearing officer's recommendation is based upon Mr. Shomper engaging in conduct that is unbecoming to the teaching profession when, despite being advised no less than three times that the Tipp City Exempted Village School District could not directly pay his business for any expenses of an upcoming Music Booster trip and despite the ethics trainings he took from 2013 to 2015, Mr. Shomper prepared and submitted a fraudulent invoice to the school purportedly from one of the vendors of Mr. Shomper's business. The hearing officer's recommendation is further based upon [redacted in accordance with Ohio law]; and

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

WHEREAS Mr. Shomper's five-year professional high school teaching license issued in 2015 will expire on June 30, 2021; and

WHEREAS the State Board of Education must reconcile the hearing officer's recommendation to issue and suspend Mr. Shomper's application for a five-year professional high school teaching license to include Mr. Shomper's five-year professional high school teaching license issued in 2015 that expires on June 30, 2021; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **DENIES** Matthew R. Shomper's application for a five-year professional principal license; **ISSUES** Matthew R. Shomper's applications for a five-year pupil activity permit and five-year professional high school teaching license, but **SUSPENDS** his five-year pupil activity permit and five-year professional high school teaching license, with the suspensions to be stayed upon Mr. Shomper submitting written verification to the Ohio Department of Education that he has completed, at his own expense, eight hours of ethics training with the training to be pre-approved by the Ohio Department of Education; **REVOKES** Matthew R. Shomper's five-year professional principal

license issued in 2015; and **SUSPENDS** Matthew R. Shomper's five-year professional high school teaching license issued in 2015 from March 8, 2021 through its expiration date of June 30, 2021, with the suspension to be stayed upon Mr. Shomper submitting the written verification of his ethics training referenced above. Further, upon the suspension being stayed, the State Board of Education **LIMITS** Matthew R. Shomper's five-year pupil activity permit and five-year professional high school teaching license to permanently prohibit Mr. Shomper from overseeing or handling any school-related monies or funds under his five-year pupil activity permit and five-year professional high school teaching license. The State Board's action is based upon Mr. Shomper engaging in the following conduct that is unbecoming to the teaching profession: on or about February 6, 2015, he

submitted a fraudulent invoice in the amount of \$1,025.00 to the Tipp City Exempted Village School District for payment to Crosswell VIP Motorcoach Services but the invoice had not been created or submitted by Crosswell VIP Motorcoach Services; and on or about *[redacted in accordance with Ohio law]*. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Matthew R. Shomper be permanently ineligible to apply for any administrative license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

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

It was Moved by Mr. Hagan and Seconded by Mrs. Manchester that the above recommendation (Item 6) be approved.

Dr. Collins Moved to amend the resolution by substitution. She proposed the following substitute resolution. Mr. Shea seconded the motion. Dr. Collins stated she believed there were several mitigating circumstances that were not adequately addressed by the Hearing Officer.

Ms. Johnson spoke in favor of the proposed amendment.

Proposed resolution:

- 6. RESOLUTION TO REJECT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER, TO REVOKE THE FIVE-YEAR PROFESSIONAL PRINCIPAL LICENSE, AND FIVE-YEAR PROFESSIONAL HIGH SCHOOL TEACHING LICENSE AND TO ISSUE AND SUSPEND THE FIVE-YEAR PUPIL ACTIVITY PERMIT, FIVE-YEAR PROFESSIONAL HIGH SCHOOL TEACHING LICENSE AND FIVE-YEAR**

PROFESSIONAL PRINCIPAL LICENSE APPLICATIONS OF MATTHEW R. SHOMPER

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

WHEREAS Matthew R. Shomper has applied for a five-year pupil activity permit, five-year professional high school teaching license, and five-year professional principal license, and holds a five-year professional high school teaching license issued in 2015 and five-year professional principal license issued in 2015; and

WHEREAS on September 15, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Matthew R. Shomper of its intent to deny or permanently deny his applications for a five-year pupil activity permit, five-year professional high school teaching license, and five-year professional principal license, and whether to limit, suspend, revoke, or permanently revoke his five-year professional high school teaching license issued in 2015 and five-year professional principal license issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Shomper engaging in the following conduct that is unbecoming to the teaching profession: on or about February 6, 2015, he submitted a fraudulent invoice in the amount of \$1,025.00 to the Tipp City Exempted Village School District for payment to Crosswell VIP Motorcoach Services but the invoice had not been created or submitted by Crosswell VIP Motorcoach Services; and on or about *[redacted in accordance with Ohio law]*; and

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

WHEREAS a hearing was held on September 15-16, 2020; and

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

WHEREAS the hearing officer recommends that Mr. Shomper's five-year professional principal license issued in 2015 be revoked, his application for a five-year professional principal license be denied and that he be permanently ineligible to apply for any future administrative license, permit, or certificate issued by the State Board of Education; and his applications for a five-year professional high school teaching license and five-year pupil activity permit be issued and immediately suspended through their expiration dates with the suspensions stayed once Mr. Shomper submits written verification that he has completed eight hours of ethics training. Further, the hearing officer recommends that if the suspensions of Mr. Shomper's five-year professional high school teaching license and five-year pupil activity permit are stayed, that Mr. Shomper's five-year professional high school teaching license and five-year pupil activity permit be limited such that he is permanently prohibited from overseeing or handling any school-related moneys or funds under his five-year professional high school teaching license and five-year pupil activity permit. The hearing officer's recommendation is based upon Mr. Shomper engaging in conduct that is unbecoming to the teaching profession when, despite being advised no less than three times that the Tipp City Exempted Village School District could not directly pay his business for any expenses of an upcoming Music Booster trip and despite the ethics trainings he took from 2013 to 2015, Mr. Shomper prepared and submitted a fraudulent invoice to the school purportedly from one of the vendors

of Mr. Shomper's business. The hearing officer's recommendation is further based upon [redacted in accordance with Ohio law]; and

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

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

WHEREAS the State Board of Education rejects the following portions of the hearing officer's Report and Recommendation: reject in its entirety the Recommendation Section of the Summary Fact Sheet; reject in its entirety Conclusion of Law letter I of the Report and Recommendation; reject the first two sentences of the last paragraph on page thirty of the Report and Recommendation beginning with, "Accordingly, my recommendation"; reject the last three sentences of the last full paragraph beginning on page thirty and ending on page thirty-one of the Report and Recommendation that begins with, "Accordingly, I am recommending"; reject in its entirety the Recommendation Section of the Report and Recommendation; and

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

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

WHEREAS the State Board of Education finds that the administrative record identifies the following mitigating factors: Mr. Shomper was not acting under his principal license when serving as an athletic director; Mr. Shomper's current co-teachers and administrators described him as an excellent teacher, wonderful with children, and one of the school's most impressive teachers; Mr. Shomper served as a member of the Board of Directors of the Ohio High School Athletic Association and as a tournament director for many post-season high school athletic tournaments and was described as doing a very good job, and as having good personnel, enforcement, and administrative skills; and

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

WHEREAS the State Board of Education concludes, that based on the mitigating factors in this case, a more appropriate sanction would be to revoke Mr. Shomper's five-year professional principal license and five-year professional high school teaching license and to issue and suspend Mr. Shomper's applications for a five-year pupil activity permit, five-year professional high school teaching license, and five-year professional principal license through their expiration with the suspension being stayed upon completion of eight-hours of ethics training with the training to be approved in advance by the Ohio Department of Education and with Mr. Shomper's five-year pupil activity permit, five-year professional high school teaching license, and five-year professional principal license being subject

to a limitation through their expiration that Mr. Shomper cannot handle, be responsible for, or in charge of any school-related monies or funds; 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 has considered the hearing officer's report and recommendation; and, Be It Further

RESOLVED, That the State Board of Education rejects the following portions of the hearing officer's Report and Recommendation: reject in its entirety the Recommendation Section of the Summary Fact Sheet; reject in its entirety Conclusion of Law letter I of the Report and Recommendation; reject the first two sentences of the last paragraph on page thirty of the Report and Recommendation beginning with, "Accordingly, my recommendation"; reject the last three sentences of the last full paragraph beginning on page thirty and ending on page thirty-one of the Report and Recommendation that begins with, "Accordingly, I am recommending"; reject in its entirety the Recommendation Section of the Report and Recommendation; and, Be It Further

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

RESOLVED, That the State Board of Education finds that the administrative record identifies the following mitigating factors: Mr. Shomper was not acting under his principal license when serving as an athletic director; Mr. Shomper's current co-teachers and administrators described him as an excellent teacher, wonderful with children, and one of the school's most impressive teachers; Mr. Shomper served as a member of the Board of Directors of the Ohio High School Athletic Association and as a tournament director for many post-season high school athletic tournaments and was described as doing a very good job, and as having good personnel, enforcement, and administrative skills; and, Be It Further

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

RESOLVED, That the State Board of Education concludes, that based on the mitigating factors in this case, a more appropriate sanction would be to revoke Mr. Shomper's five-year professional principal license and five-year professional high school teaching license and to issue and suspend Mr. Shomper's applications for a five-year pupil activity permit, five-year professional high school teaching license, and five-year professional principal license through their expiration with the suspension being stayed upon completion of eight-hours of ethics training with the training to be pre-approved by the Ohio Department of Education and with Mr. Shomper's five-year pupil activity permit, five-year professional high school teaching license, and five-year professional principal license being subject to a limitation through their expiration that Mr. Shomper cannot handle, be responsible for, or in charge of any school-related monies or funds; and, Be It Further

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Matthew R. Shomper's five-year professional principal license issued in 2015; and five-year professional high school teaching license issued in 2015; **ISSUES** Matthew R. Shomper's applications for a five-year professional principal license, five-year pupil activity permit, and five-year professional high school teaching license, but **SUSPENDS** his five-year professional principal license, five-year pupil activity permit, and five-year professional high school teaching license through their expiration date of June 30, 2025, with the suspensions to be stayed upon Mr. Shomper submitting written verification to the Ohio Department of Education that he has completed, at his own expense, eight-hours of ethics training with the training to be pre-approved by the Ohio Department of Education. Further, upon the suspension being stayed, the State Board of Education **LIMITS** Matthew

R. Shomper's five-year professional principal license, five-year pupil activity permit, and five-year professional high school teaching license to prohibit Mr. Shomper from handling, being responsible for, or being in charge of any school-related monies or funds for the duration of his five-year professional principal license, five-year pupil activity permit, and five-year professional high school teaching license. The State Board's action is based upon Mr. Shomper engaging in the following conduct that is unbecoming to the teaching profession: on or about February 6, 2015, he submitted a fraudulent invoice in the amount of \$1,025.00 to the Tipp City Exempted Village School District for payment to Crosswell VIP Motorcoach Services but the invoice had not been created or submitted by Crosswell VIP Motorcoach Services; and on or about [redacted in accordance with Ohio law]; and, Be It Further

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

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

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

YES VOTES

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

NO VOTES

John Hagan	Kirsten Hill
Tim Miller	

Motion carried.

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

YES VOTES

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

NO VOTES

John Hagan	Kirsten Hill
Jenny Kilgore	

Motion carried.

Aaron Ross, Director, Office of Professional Conduct, presented the following recommendation (Item 7):

7. RESOLUTION TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL MULTI-AGE TEACHING LICENSE OF LINDSEY H. SULLENBERGER

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

WHEREAS Lindsey H. Sullenberger holds a five-year professional multi-age teaching license issued in 2018; and

WHEREAS on December 30, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Lindsey H. Sullenberger of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional multi-age teaching license issued in 2018 pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(c). The notice was based upon Ms. Sullenberger's 2020 conviction in the Miami County Municipal Court for one misdemeanor count of unauthorized use of property, 2019 plea of guilty in the Butler County Area Court II to one misdemeanor count of complicity and one misdemeanor count of criminal trespass and subsequent entry into the court's criminal diversion program, 2019 conviction in the Middletown Municipal Court for one minor misdemeanor count of drug abuse: marijuana, 2019 conviction in the Lebanon Municipal Court for one misdemeanor count of disorderly conduct, and 2019 conviction in the Auglaize County Municipal Court for one misdemeanor count of theft; and

WHEREAS the notice informed Ms. Sullenberger that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Ohio Revised

Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional multi-age teaching license issued in 2018; and

WHEREAS Lindsey H. Sullenberger 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 Miami County Municipal Court, Butler County Area Court II, Middletown Municipal Court, Lebanon Municipal Court, and Auglaize County Municipal Court, and certified police records from the Fairfield Township Police Department and Middletown Police Department, and police records from the Tipp City Police Department and Wapakoneta Police Department; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and (B)(2)(c), hereby **REVOKES** Lindsey H. Sullenberger's five-year professional multi-age teaching license issued in 2018 based upon Ms. Sullenberger's 2020 conviction in the Miami County Municipal Court for one misdemeanor count of unauthorized use of property, 2019 plea of guilty in the Butler County Area Court II to one misdemeanor count of complicity and one misdemeanor count of criminal trespass and subsequent entry into the court's criminal diversion program, 2019 conviction in the Middletown Municipal Court for one minor misdemeanor count of drug abuse: marijuana, 2019 conviction in the Lebanon Municipal Court for one misdemeanor count of disorderly conduct, and 2019 conviction in the Auglaize County Municipal Court for one misdemeanor count of theft. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Lindsey H. Sullenberger 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. Sullenberger of this action.

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

President Kohler called for a roll call vote.

YES VOTES

Christina Collins
Diana Fessler
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Martha Manchester
Tim Miller
Michelle Newman
Brendan Shea

Stephen Dackin
John Hagan
Meryl Johnson
Laura Kohler
Paul LaRue
Charlotte McGuire
Antoinette Miranda
Eric Poklar
Mike Toal

Motion carried.

President Kohler presented the following recommendation (Item 8):

8. MOTION REGARDING 2021-2022 STATE BOARD MEETING DATES

I MOVE that the State Board of Education **ADOPT** the following State Board meeting calendar for August 2021 through July 2022.

2021-2022 STATE BOARD OF EDUCATION MEETING DATES

August – No Meeting

September 20-21, 2021 (Monday/Tuesday)

October 12-13, 2021 (Tuesday/Wednesday)

November 15-16, 2021 (Monday/Tuesday)

December 13-14, 2021 (Monday/Tuesday)

January 10-11, 2022 (Monday/Tuesday)

February 14-15, 2022 (Monday/Tuesday)

March 14-15, 2022 (Monday/Tuesday)

April 11-12, 2022 (Monday/Tuesday)

May 9-10, 2022 (Monday/Tuesday)

June 13-14, 2022 (Monday/Tuesday)

July 11-12, 2022 (Monday/Tuesday)

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

For additional information please contact:

Office of Board Relations
Ohio Department of Education
25 South Front Street
Columbus, Ohio 43215-4183

(614) 728-2754
E-mail: SBOE@education.ohio.gov

- *September meeting pushed back one week to allow for the release of the State Report Card
- *October meeting on Tuesday/Wednesday to accommodate Columbus Day
- *November meeting pushed back one week to Capitol Conference and Veteran's Day

It was Moved by President Kohler that the above recommendation (Item 8) be approved.

President Kohler called for a roll call vote.

YES VOTES

Christina Collins
Diana Fessler
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Martha Manchester
Tim Miller
Michelle Newman
Brendan Shea

Stephen Dackin
John Hagan
Meryl Johnson
Laura Kohler
Paul LaRue
Charlotte McGuire
Antoinette Miranda
Eric Poklar
Mike Toal

Motion carried.

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

Emergency Consideration was requested for Item 9. Board Leadership granted Emergency Consideration for Item 9.

9. RESOLUTION ON THE INTENDED USE AND INTERPRETATION OF STATE TESTING DATA FROM THE 2020-2021 SCHOOL YEAR

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

Whereas the State Board of Education resolved in 2020 to acknowledge the ability and ingenuity of communities to make the best, informed decisions regarding their schools and their districts' policies for opening in Fall 2020, thereby supporting a variety of instructional models for the 2020-2021 school;

Whereas districts throughout Ohio chose a variety of options including online, hybrid, and in-school models;

Whereas Covid-19 has affected every student in Ohio, disrupting the structure of teaching and learning and emphasizing children's dependency upon adults for nurture, protection, and providing for health and well-being;

Whereas federal and state laws require standardized testing in a variety of grades and subjects with no waiver currently available for the 2020-2021 school year;

Whereas assessments must be administered in person, thereby presenting challenges for student participation; and

Whereas data from previous administrations of these assessments during years *unaffected* by a pandemic have highlighted inequities in learning opportunities such as access to technology that were exacerbated by the pandemic;

Whereas according to according to Lorrie Shepard (2020), professor and dean emerita of the School of Education at the University of Colorado at Boulder, and former president of the National Academy of Education, the American Educational Research Association and the National Council on Measurement in Education, "It would be impossible to disentangle the effects on achievement outcomes of district policies and practices versus home learning circumstances";

Whereas standardized assessment scores will be publicly communicated from the Ohio Department of Education and subject to public interpretation; and

Whereas it is the contention of the Board that data obtained from upcoming spring 2021 standardized assessments are unique because resulting data is inextricably intertwined with unusually magnified home and school circumstances;

Therefore be it Resolved that the State Board of Education directs the Ohio Department of Education to include where feasible and with good faith effort a disclaimer on publicly available reports that states: "Because of a wide variety of learning models in place during the 2020-2021 school year and the significant impact of the coronavirus pandemic on children throughout Ohio, these data are for the purpose of understanding how learning was impacted as a result of extreme circumstances."; and

Be it further Resolved, that the State Board of Education directs the Ohio Department of Education to make a good faith effort to collect and include a district designation of online, hybrid, or in-person on school building and district level report cards based on the primary learning modality used by the district during the course of the 2020-2021 school year.

Shephard, L. (2020, August 03). *Perspective: Why teachers shouldn't give kids standardized tests when school starts*. Retrieved January 19, 2021, from <https://www.washingtonpost.com/education/2020/08/03/why-teachers-shouldnt-give-kids-standardized-tests-when-school-starts/>

It was Moved by Dr. Collins and Seconded by Ms. Johnson that the above recommendation (Item 9) be approved.

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Mr. Toal moved to amend the resolution by substitution. Mr. Hagan seconded the motion. Mr. Toal proposed the following amendment:

Whereas standardized assessment scores will be publicly communicated from the Ohio Department of Education and subject to public interpretation; ~~and~~

~~Whereas it is the contention of the Board that data obtained from upcoming spring 2021 standardized assessments are unique because resulting data is inextricably intertwined with unusually magnified home and school circumstances;~~

~~Therefore be it Resolved that the State Board of Education directs the Ohio Department of Education to include where feasible and with good faith effort a disclaimer on publicly available reports that states: "Because of a wide variety of learning models in place during the 2020-2021 school year and the significant impact of the coronavirus pandemic on children throughout Ohio, these data are for the purpose of understanding how learning was impacted as a result of extreme circumstances."; and~~

~~Therefore be it further Resolved, that the State Board of Education directs the Ohio Department of Education to make a good faith effort to collect and include a district designation of online, hybrid, or in-person on school building and district level report cards based on the primary learning modality used by the district during the course of the 2020-2021 school year.~~

Mr. Toal stated he was not aware the Board had made any statement regarding the spring 2021 standardized assessments. He further addressed the idea of issuing disclaimers regarding measurements and he not supporting this practice. He stated he felt some decisions were made at the building level regarding learning options.

Ms. Johnson and Ms. Newman spoke in opposition of the proposed amendment.

Mr. Hagan spoke in favor of the proposed amendment and stated the word "used" that was stricken in the last paragraph should be part of the paragraph. President Kohler asked if there was any objection to the word "used" being brought back. There were no objections.

~~Therefore be it further Resolved, that the State Board of Education directs the Ohio Department of Education to make a good faith effort to collect and include a district designation of online, hybrid, or in-person on school building and district level report cards based on the primary learning modality used by the district during the course of the 2020-2021 school year.~~

Mr. Shea recommended adding quotations around online, hybrid and in-person. There were no objections.

Mrs. McGuire recommended changing online to remote for consistency. There were no objections.

~~Therefore be it further Resolved, that the State Board of Education directs the Ohio Department of Education to make a good faith effort to collect and include a district designation of "remote", "hybrid", or "in-person" on school building and district level report cards based on the primary learning modality used by the district during the course of the 2020-2021 school year.~~

Mrs. Fessler requested definitions for each learning modality. Mr. Richard provided definitions to each modality; 1) Remote – No in-person learning 2) In-Person – All instruction face to face 3) Hybrid – A) By building or grade level B) Full Hybrid – In-Person component available to all students.

Mr. Dackin stated that in the last paragraph, he suggested using “identification” instead of “designation”. President Kohler asked if there were any objection. There were no objections.

~~Therefore be it further Resolved, that the State Board of Education directs the Ohio Department of Education to make a good faith effort to collect and include an an district designation identification of “remote”, “hybrid”, or “in-person” on school building and district level report cards based on the primary learning modality used by the district during the course of the 2020-2021 school year.~~

Ms. Johnson moved to separate Mr. Toal’s proposed amendment. She proposed to separate the first paragraph from the second paragraph. Dr. Collins seconded the motion. Ms. Johnson stated she was more in favor of one paragraph than the other.

~~Therefore be it Resolved that the State Board of Education directs the Ohio Department of Education to include where feasible and with good faith effort a disclaimer on publicly available reports that states: “Because of a wide variety of learning models in place during the 2020-2021 school year and the significant impact of the coronavirus pandemic on children throughout Ohio, these data are for the purpose of understanding how learning was impacted as a result of extreme circumstances.”; and~~

~~Therefore be it further Resolved, that the State Board of Education directs the Ohio Department of Education to make a good faith effort to collect and include an an district designation identification of “remote”, “hybrid”, or “in-person” on school building and district level report cards based on the primary learning modality used by the district during the course of the 2020-2021 school year.~~

Mr. Poklar stated it is now becoming difficult to follow this discussion and asked if this item could be referred to committee for further development. President Kohler asked Dr. Collins if she had concerns regarding timing of this item. Dr. Collins responded she did not have an issue with timing. President Kohler asked if there was any objection to moving this item to committee for further development. There were no objections. President Kohler stated this would be referred to the Emerging Issues & Operational Standards Committee.

Non-Resolutions
Old Business

Dr. Kilgore stated the Board should be making plans to meet face to face as soon as possible. President Kohler responded an update would be provided in April. Ms. Johnson stated she would feel comfortable meeting face to face unless some commitment to safety is in place. Ms. Hill echoed the comments of Dr. Kilgore.

New Business

Dr. Collins presented the following resolution.

Emergency Consideration was requested and granted by Board leadership for this item.

Yesterday, we heard great presentations about changing approaches to education from philosophies regarding students with special needs to competency-based learning and redesigning high schools.

The redesign report highlights in TYPICAL YEARS, high schools have been structured around lecture-based instruction and “the high school experience is not all it could be”. The report recognizes in NORMAL CIRCUMSTANCES “there are many who enter college and then drop out, cannot succeed in the workforce or cannot sustain military service...the experience of high school does not match up to the success drivers of a student’s post-high school experience.”

This year’s graduating seniors did not have the opportunity to experience high school in an even semi-normal circumstance. We have seniors who as a direct result of the pandemic.

- Have started working to help with family members’ loss of income
- Would have passed in-person courses, but are now failing online
- Have suffered from the deaths of loved ones, and
- Are generally struggling from stress and instability

Some have made tough decisions in weighing school or survival and are now, for a variety of reasons, in danger of not receiving a diploma. Without a diploma, they will find jobs, but they may not be able to make livable wages, enroll in a trade or post-secondary school, or support their families. Our economy cannot sustain a “lost generation” of Class of 2021 seniors without diplomas.

We heard during the legislative update that HB67 passed the House and will be heard for the first time in the Senate Primary & Secondary Education committee today. The Bill does two critically important things for seniors, it allows them to use course grades in lieu of test scores and allows schools to grant diplomas to on-track seniors.

If these Bills do not pass, my resolution proposes a solution that uses Ohio Means Jobs, which is the basis for the Strategic Plan Framework for Attributes of a High School Graduate. As a Board, whose guiding vision states we believe “each child is...empowered to become a resilient, lifelong learner who contributes to society,” it is imperative for us to have discussion around this issue. I am asking for emergency consideration because we have already waited too long with May and June only months away. Thank you for your consideration in this urgent issue.

RESOLUTION TO ENCOURAGE LEGISLATIVE CHANGES TO GRADUATION FOR THE CLASS OF 2021

Whereas, many struggling students have not met requirements for classes of 2021 and 2022; and

Whereas, policy permits these students to switch to requirements for the classes of 2023 and beyond, allowing them to show competency by:

- Achieving competent scores in both Algebra and English II, or
- Demonstrating career-focused activities, or
- Completing college coursework, or
- Enlisting in the military; and

Whereas, COVID and remote learning have made it challenging for some seniors to complete three out of four of these options, except enlisting in the military:

- **Achieving proficient scores in both Algebra and English II:** Remediation and intervention were obstructed by issues inherent to teaching and learning during the pandemic.
- **Demonstrating career-focused activities:** Students have been unable to sufficiently access learning opportunities tied to these activities.
- **Completing college coursework:** Struggling students have generally not taken college coursework that would qualify for this option.
- **Enlisting in the military:** This becomes the only option for struggling students to demonstrate competency.

Now, therefore be it RESOLVED, the State Board of Education recognizes the urgency of need for these students and strongly urges the 134th General Assembly to quickly pass legislation that would address these issues; and be it

Further resolved, that the State Board of Education recommends providing additional graduation pathways to be quickly defined by the Ohio Department of Education for the Class of 2021, based on criteria already set for the Ohio Means Jobs Readiness Graduation Seal and including creation of the Ohio Means Jobs K-12 Readiness Backpack.

It was Moved by Dr. Collins and Seconded by Ms. Johnson that the above recommendation be approved.

Mrs. Manchester moved to amend the resolution by substitution. Mrs. McGuire seconded the motion. She proposed to delete the last paragraph and replace with the underlined paragraph. She stated students can use course grades in English and Math to show competency. She also highlighted the fifteen different areas of skills that students must demonstrate to attain the readiness seal.

~~Further resolved, that the State Board of Education recommends providing additional graduation pathways to be quickly defined by the Ohio Department of Education for the Class of 2021, based on criteria already set for the Ohio Means Jobs Readiness Graduation Seal and including creation of the Ohio Means Jobs K-12 Readiness Backpack.~~

Further resolved, should the General Assembly desire to require any criteria for seniors in danger of not graduating, the State Board of Education recommends the use of final course grades in lieu of end-of-course exams, workplace readiness criteria already in place in the current Ohio Means Jobs Readiness Seal and the recommendation of the student's principal in consultation with teachers and counselors.

Mr. Toal asked if the resolution also extended to students in the class of 2022. After discussion it was recommended to add the following language for clarity;

Further resolved, should the General Assembly desire to require any criteria for seniors in the class of 2021 in danger of not graduating, the State Board of Education recommends the use of final course grades in lieu of end-of-course exams, workplace readiness criteria already in place in the current Ohio Means

Jobs Readiness Seal and the recommendation of the student's principal in consultation with teachers and counselors.

President Kohler asked if there were any objections to the proposed amendment. There were no objections.

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

YES VOTES

Christina Collins	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.

Resolution as amended:

RESOLUTION TO ENCOURAGE LEGISLATIVE CHANGES TO GRADUATION FOR THE CLASS OF 2021

Whereas, many struggling students have not met requirements for classes of 2021 and 2022; and

Whereas, policy permits these students to switch to requirements for the classes of 2023 and beyond, allowing them to show competency by:

- Achieving competent scores in both Algebra and English II, or
- Demonstrating career-focused activities, or
- Completing college coursework, or
- Enlisting in the military; and

Whereas, COVID and remote learning have made it challenging for some seniors to complete three out of four of these options, except enlisting in the military:

- **Achieving proficient scores in both Algebra and English II:** Remediation and intervention were obstructed by issues inherent to teaching and learning during the pandemic.
- **Demonstrating career-focused activities:** Students have been unable to sufficiently access learning opportunities tied to these activities.
- **Completing college coursework:** Struggling students have generally not taken college coursework that would qualify for this option.
- **Enlisting in the military:** This becomes the only option for struggling students to demonstrate competency.

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Now, therefore be it RESOLVED, the State Board of Education recognizes the urgency of need for these students and strongly urges the 134th General Assembly to quickly pass legislation that would address these issues; and be it

FURTHER RESOLVED, should the General Assembly desire to require any criteria for seniors in the class of 2021 in danger of not graduating, the State Board of Education recommends the use of final course grades from this year in lieu of end-of-course exams, workplace readiness criteria already in place in the current Ohio Means Jobs Readiness Seal and the recommendation of the student's principal in consultation with teachers and counselors.

Mr. Miller recommended the elimination of the acronym SBOE and replace with State Board of Education. President Kohler asked if there were any objections. There were no objections.

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

YES VOTES

Christina Collins
Kirsten Hill
Jenny Kilgore
Mark Lamoncha
Martha Manchester
Tim Miller
Michelle Newman
Brendan Shea

John Hagan
Meryl Johnson
Laura Kohler
Paul LaRue
Charlotte McGuire
Antoinette Miranda
Eric Poklar
Mike Toal

NO VOTES

Diana Fessler

Motion carried.

Ms. Johnson stated she would be bringing forth a resolution at the April meeting of the Board in support of House Bill 1. She requested that Board members be sent information regarding the bill.

Mrs. Hill requested more information regarding the process the Department of Education had with the Ohio Department of Job and Family Services (ODJFS) in relation to the rules that were passed earlier. Superintendent DeMaria responded the Department has a close working relationship with ODJFS at all levels.

Mr. Hagan Moved to adjourn the meeting. Dr. Kilgore Seconded the motion.

The President requested a voice vote.

Motion carried.

President Kohler adjourned the meeting at 3:12 p.m. The next regularly scheduled meeting of the State Board of Education is April 12-13, 2021.

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ATTEST:



Laura Kohler
President
State Board of Education



Paolo DeMaria
Superintendent of Public Instruction

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