

**STATE BOARD OF EDUCATION OF OHIO  
MINUTES**

October 2021  
Ohio Department of Education  
25 South Front Street  
Columbus, Ohio 43215

**MEMBERS OF THE STATE BOARD OF EDUCATION**

Christina Collins	Stephen Dackin
Walter Davis	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**

Dr. Stephanie K. Siddens  
Interim Superintendent of Public Instruction

Mr. Toal and Mr. Lamoncha were absent from the meeting.

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The State Board convened on Monday, October 12, at the Ohio Department of Education in Columbus.

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**STATE BOARD BUSINESS MEETING**

President Kohler convened the Business meeting of the State Board of Education on Monday, October 12, at 8:00 a.m.

President Kohler asked the Recording Secretary to call the roll.

**YES VOTES**

Christina Collins	Stephen Dackin
Walter Davis	John Hagan
Kirsten Hill	Meryl Johnson
Jenny Kilgore	Laura Kohler
Paul LaRue	Martha Manchester
Charlotte McGuire	Tim Miller

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Antoinette Miranda  
Eric Poklar

Michelle Newman  
Brendan Shea

Motion carried.

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

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

It was Moved by Ms. Johnson and Seconded by Mrs. Manchester that the Minutes be approved as presented.

Mr. Hagan moved to include language that reflects the resolution that was offered as a substitute to the resolution he proposed was voted against in the general vote by the two members who offered and seconded the resolution. He found that to be something that should be included in the minutes, an approach made like this, and noted the public should be made aware of this.

The Recording Secretary stated Mr. Hagan's comments on this issue had been included in the September minutes. Mr. Hagan then withdrew his motion.

Ms. Johnson stated she was uncomfortable with this conversation in that the Parliamentarian made it clear that an individual may propose an amendment or motion and an individual may second that amendment or motion but would be able to vote however that individual chooses.

The President called for a voice vote to approve the July 2021 minutes.

Motion carried.

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

It was Moved by Mr. Shea and Seconded by Mr. LaRue that the Minutes be approved as presented.

Mr. Miller moved to amend the minutes to include his question to legal counsel on whether or not the Department had acted upon the portion of resolution number twenty, where David Yost stated it was illegal to require contractors to participate in bias training. Also that Ms. Singh confirmed the Department had not required contractors to participate in this training. Mr. Miller stated because of this feedback regarding resolution twenty, he did not feel Mr. Shea's resolution warranted emergency consideration. Ms. Hill seconded the motion. Mr. Miller stated he was making this request due to the video recording of the meeting being cut off approximately thirty minutes before the end of the meeting and this portion being omitted.



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

YES VOTES

Christina Collins  
Walter Davis  
John Hagan  
Jenny Kilgore  
Paul LaRue  
Charlotte McGuire  
Antoinette Miranda  
Eric Poklar

Stephen Dackin  
Diana Fessler  
Kirsten Hill  
Laura Kohler  
Martha Manchester  
Tim Miller  
Michelle Newman  
Brendan Shea

NO VOTES

Meryl Johnson

Motion carried.

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The Board's Teaching, Leading and Learning Committee met beginning at 8:40 a.m.

Topics of discussion were:

- Discuss: OAC 3301-24-25 Senior Professional Educator License Renewal and OAC 3301-24-26 Lead Professional Educator License Renewal
- Discuss: OAC 3301-27-01 Qualifications to Direct, Supervise, or Coach a Pupil Activity Program
- Discuss: Educators Rising Ohio

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The Board's Performance & Impact Committee met beginning at 8:40 a.m.

Topics of discussion were:

- Discuss: Community School Sponsor Evaluation Primer
- Discuss: Dropout Prevention and Recovery Rules
- Discuss: Report Card Reform (HB82)

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The Board's Emerging Issues and Operational Standards Committee met beginning at 10:45 a.m.

Topics of discussion were:

- Discuss: 3301-105-01 Funding for Educational Service Centers (Possible Vote)
- Discuss: 3301-102 (5 Rules) Community Schools Sponsors Briefing
- Discuss 3301-107-01 Afterschool Child Enrichment Educational Savings Accounts

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The Board's Integrated Student Supports Committee met beginning at 10:45 a.m.

Topics of discussion were:

- Discuss: 3301-91 Standards for School Lunch and Breakfast Programs (Possible Vote)
  - 3301-91-01 Eligibility for Receiving State Matching Funds
  - 3301-91-04 Calculation of Payment
  - 3301-91-07 Appeal for Extension of Time for Compliance
  - 3301-91-08 Criteria for Granting Extension of Time
  - 3301-91-09 Guidance for Approving Food to be Sold in Schools
  - 3301-91-10 Establishing Summer Food Service Programs at School Sites and Associated Costs
- Discuss: 3301-30-01 Ohio Department of Youth Services and Ohio Department of Rehabilitation and Corrections

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The State Board recessed for lunch.

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

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

- Overview of Interim Leadership
- Academic Distress Commission Updates
- Report Card Updates

### **OVERVIEW OF INTERIM LEADERSHIP**

Leadership Team:

- Dr. Christopher Woolard – Interim Chief Program Officer
- Beth Fletcher – Interim Chief Operations Officer
- Aaron Rausch – Director of Budget and School Funding
- Marjorie Yano – Director of Policy and Legislative Affairs
- Dr. Scott Hunt - Executive Director Field Relations

Organizational Effectiveness

- Lori Kelly – Chief
- Dr. Marva Kay Jones – Assistant Chief

Center for Teaching, Leading and Learning

- Dr. Julia Simmerer – Senior Executive Director
- Carolyn Everidge-Frey - Executive Director

Center for Student Supports

- Jessica Horowitz-Moore – Interim Senior Executive Director

Center for Performance and Impact

- Aly DeAngelo – Interim Senior Executive Director

Center for Continuous Impact

- Patty Nyquist – Senior Executive Director

Key Listening Activities:

- Board member meetings
- Major education association meetings
- Legislator meetings
- School visits

## **ACADEMIC DISTRESS COMMISSION UPDATE**

### Academic Improvement Plan

- Recent Changes in state law require impacted districts to submit an academic improvement plan.
- Three-year plans with annual and overall academic improvement benchmarks and related strategies
- Three districts submitted plans for review by the September 30 deadline

### Academic Improvement Plan

- State Superintendent reviews proposed plan and approves or suggests modifications within thirty days
- If the State Superintendent suggests modifications, the district board will revise and resubmit the plan within fifteen days
- State Superintendent reviews and approves the revised plan within thirty days.

## **REPORT CARD UPDATE**

### 2020-2022 Report Cards Release – Thursday, October 14<sup>th</sup>

- No grades or ratings
- Includes performance data on state tests, literacy data, student growth information, graduation and prepared for success elements.
- Statewide results mirror Data Insights findings on performance, attendance and testing preparation
- Department is committed to data collection during this time for use in recovery and improvement planning at the state and local level

### Upcoming Report Card Reforms

- New Five-Star Rating System
- Expansion of Early Literacy Measures
- Phase in of College, Career, Workforce and Military Readiness Component

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## **LEGISLATIVE UPDATE**

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

### **Recently Enacted Legislation**

#### **Senate Bill 1**

(Sens. Wilson and McColley)

*Regards teaching financial literacy in high school*

- Passed by Senate on 5/12 (32-0).
- Passed by House on 9/29 (91-1).
- Senate concurrence on 10/6 (32-0).
- Most provisions effective in 90 days, one exception noted on slide that follows.
- Requires students to complete one-half unit in financial literacy as part of the required high school curriculum.
- Beginning with the 2024-2025 school year, requires teachers that teach financial literacy to have a validation in financial literacy.

- Requires the State Board to consult an advisory committee prior to adopting rules related to license validation.
- Requires each school or district to pay for costs for teachers employed by the school or district to meet additional requirements for license validation.
- Creates the High School Financial Literacy Fund to support reimbursement for educators to meet the required license validation.
- High School Financial Literacy Fund created within office of the Treasurer of State.
- Extends language to the 2021-2022 school year that allows schools and districts to hire a substitute teacher that does not have a bachelor's degree, so long as the individual meets the school or district's own educational requirements, is of good moral character and successfully completes a background check.
- This provision is subject to an emergency clause and goes into immediate effect.

### **Pending Legislation**

#### **House Bill 298**

(Reps. Bird and Miller)

*Change voting membership-State Board of Education*

- Second hearing in House Committee on 9/28 – proponent testimony.
- Proponents argued a board with all-elected members would be more accountable to the public and better reflect elected nature of local boards and the legislature.

#### **House Bill 322**

(Rep. Jones)

*Regarding race, sex education in schools  
and*

#### **House Bill 327**

(Reps. Grendell and Fowler Arthur)

*Stop teaching of divisive concepts*

- Both had third hearing in House Committee on 9/22 for opponent testimony.
- Opponents include OEA, Ohio Council for Social Studies, ACLU, Ohio School Psychologists, and others.
- Concerns about impact on teachers and lack of clarity about what is or is not allowed to be taught.

#### **House Bill 105**

(Reps. Lipps and Kelly)

*Child sexual abuse prevention education*

- Second hearing in Senate Committee on 10/5 – proponent testimony.
- Passed by the House on 6/10 (86-8).
- Requires school districts, community and STEM schools to provide age-appropriate instruction in child sexual abuse prevention in grades K-6 and sexual violence prevention in grades 7-12.

#### **Senate Bill 181**

(Sen. Gavarone)

*Student religious expression in athletics*

- Passed by the Senate 6/9 (33-0).
- First hearing in House Committee on 9/21 – sponsor testimony.
- Noor Abukaram, a student at Sylvania Northview High School, was disqualified from a cross country meet for wearing a hijab. Her story made national news.

#### **Senate Bill 229**

(Sen. Blessing)

*Blended learning model 2021-2022*

- Third hearing in Senate Committee on 10/5 – all testimony.
- Intended to address issues schools are facing this school year with illness, quarantining.
- Includes an emergency clause so provisions will be immediately effective if enacted.

**House Bill 290**

(Reps. John and McClain)

*Education savings accounts/”backpack bill”*

- Introduced 5/5 with placeholder language.
- Referred to House Finance Committee.
- Would replace current EdChoice Scholarship programs and Cleveland Scholarship program.
- Allow any school-aged child to be eligible for a funding for private school tuition.

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Review of Written Reports and Items for Vote

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President Kohler recessed the Board meeting at 2:35 p.m.

The Board’s Budget Committee met following the Board meeting.

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**RECONVENE STATE BOARD BUSINESS MEETING**

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

President Kohler asked the Recording Secretary to call the roll.

**YES VOTES**

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|--------------------|-------------------|
| Christina Collins  | Walter Davis      |
| Diana Fessler      | John Hagan        |
| Kirsten Hill       | Meryl Johnson     |
| Jenny Kilgore      | Laura Kohler      |
| Paul LaRue         | Martha Manchester |
| Charlotte McGuire  | Tim Miller        |
| Antoinette Miranda | Michelle Newman   |
| Eric Poklar        | Brendan Shea      |

Motion carried.

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**OHIO TEACHER OF THE YEAR RECOGNITION CEREMONY**

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



Since 1964, Ohio has annually identified exceptional teachers statewide celebrating their outstanding work in and outside of the classroom.

The mission of this program is to provide opportunities for professional learning to exemplary teachers as leaders and advocates for public education. Additionally, the goal is to incorporate this network of exemplary teachers as leaders in school improvement initiatives and in the recruitment, preparation, and retention of quality teachers.

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

A regional selection process is organized and facilitated by (11) Territory Leads in each State Board District represented by an elected Board member with the goal of naming one teacher in their region as the State Board District Teacher of the Year.

All State Board District Teachers of the Year move forward as candidates in the Ohio Teacher of the Year selection process where finalists are chosen to be interviewed and provide professional presentations. A rigorous deliberation process ensues until one Ohio Teacher of the Year is selected. The Ohio Teacher of the Year represents Ohio in the National Teacher of the Year selection process and has an opportunity to submit a proposal to serve as an Ohio Teacher Fellow with the Department the year following their year of recognition.

- (7) State Board District Teachers of the Year:
  - District 1: Joe Foster, Hardin Northern Local Schools
  - District 3: Jenn Stormer, Northmont City Schools
  - District 4: Kristen Lazuta, Mason City Schools
  - District 5: Lisa Salyers, Chagrin Falls Exempted Village
  - District 8: Nancy Miller, Canton Local Schools
  - District 9: Amber Harris, Bloom-Carroll Local Schools
  - District 10: Tracy Huggins, Milford Exempted Village
- (3) State Finalists
  - District 6: Allison Tomlin, Upper Arlington City Schools
  - District 7: Maggie Oliver, Akron Public Schools
  - District 11: Carla Neely, Cleveland Metropolitan School District
- 2021 Ohio Teacher of the Year
  - District 2: Kurt Russell, Oberlin City Schools
  - Former State Superintendent, Paolo DeMaria, announced Kurt as Ohio's 2022 Teacher of the Year on September 9<sup>th</sup> at Oberlin High School in front of staff, students, community, and family members.
  - Mr. Russell was first selected as the 2022 State Board District 2 Teacher of the Year and moved forward as a finalist. As Ohio's 2022 Teacher of the Year, he will represent Ohio in the 2022 National Teacher of the Year selection process.

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## EXECUTIVE SESSION AND QUASI-JUDICIAL DISCUSSION

President Kohler called on Vice President McGuire, who Moved that the State Board of Education go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public

employee or official; that the State Board of Education go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(1) to consider the investigation of charges or complaints against a public employee, official, licensee, or regulated individual; that the State Board of Education go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(3) for the purpose of conferring with legal counsel about matters that are the subject of pending or imminent court action.

Mrs. Hill Seconded the motion.

The President called for a roll call vote.

**YES VOTES**

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

Walter Davis  
John Hagan  
Meryl Johnson  
Laura Kohler  
Charlotte McGuire  
Antoinette Miranda  
Eric Poklar

Motion carried.

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

The Board recessed from Executive Session and Quasi-Judicial discussion at 10:35 a.m.

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**COMMITTEE REPORTS**

Committee chairs provided reports from Committee meetings which met on Monday, September 20. A copy of the Committee report has been placed in the Committee folder on the website.

- Teaching, Leading, and Learning Committee – Mrs. Manchester
- Emerging Issues and Operational Standards Committee – Dr. Miranda
- Integrated Student Supports Committee – Dr. Kilgore
- Performance and Impact Committee – Mr. LaRue
- Budget Committee – Dr. Kilgore
- Search Firm Request for Proposal Writing Committee – Mr. Dackin

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The State Board recessed for lunch.

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**PUBLIC PARTICIPATION ON VOTING AGENDA ITEMS**

1) Joe Harkleroad, Cedarville. Mr. Harkleroad spoke to the Board regarding Item 13, the resolution to promote academic excellence.

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- 2) Mr. Mark Pukita, Dublin. Mr. Pukita spoke to the Board regarding Item 13, the resolution to promote academic excellence.
- 3) Mr. Hawke Busby, Kettering. Mr. Busby spoke to the Board regarding Item 13, the resolution to promote academic excellence.
- 4) Ms. Julie Busby, Kettering. Ms. Busby spoke to the Board regarding Item 13, the resolution to promote academic excellence.
- 5) Mr. Dennis Crouch, Beavercreek. Mr. Crouch spoke to the Board regarding Item 13, the resolution to promote academic excellence.
- 6) Mr. Mike Halaiko, Pickerington. Mr. Halaiko spoke to the Board regarding Item 13, the resolution to promote academic excellence.
- 7) Ms. Elizabeth Amoriya, Athens. Ms. Amoriya spoke to the Board regarding Item 13, the resolution to promote academic excellence.
- 8) Ms. Beth Schaeffer, Oakwood. Ms. Schaeffer spoke to the Board regarding Item 13, the resolution to promote academic excellence.
- 9) Ms. Mona Bailey, Farmersville. Ms. Bailey spoke to the Board regarding Item 13, the resolution to promote academic excellence.
- 10) Ms. Denise Moore. Ms. Moore spoke to the Board regarding Item 13, the resolution to promote academic excellence.
- 11) Mrs. Allison Lindsay. Mrs. Lindsay spoke to the Board regarding Item 13, the resolution to promote academic excellence.
- 12) Mr. Jeff Wensing, Ohio Education Association. Mr. Wensing spoke to the Board regarding Item 13, the resolution to promote academic excellence.
- 13) Mr. Jared Cutler, Beavercreek. Mr. Cutler spoke to the Board regarding Item 13, the resolution to promote academic excellence.
- 14) Mr. Eric Price. Exchange Club of Dayton. Mr. Price spoke to the Board regarding Item 13, the resolution to promote academic excellence.
- 15) Mr. Nik York. Wilmington. Mr. York spoke to the Board regarding Item 13, the resolution to promote academic excellence.
- 16) Mr. Michael Ahern, Blacklick. Mr. Ahern spoke to the Board regarding Item 13, the resolution to promote academic excellence.
- 17) Ms. Ruth Edmonds, Director, Center for Christian Virtue. Ms. Edmonds spoke to the Board regarding Item 13, the resolution to promote academic excellence.
- 18) Mr. Brighton Smith, Lebanon. Mr. Smith spoke to the Board regarding Item 13, the resolution to promote academic excellence.
- 19) Mr. James Johnson, Beavercreek. Mr. Johnson spoke to the Board regarding Item 13, the resolution to promote academic excellence.

20) Dr. Amy Fisher, Cleveland. Dr. Fisher spoke to the Board regarding Item 13, the resolution to promote academic excellence.

21) The following individuals provided written testimony regarding Item 13, the resolution to promote academic excellence:

- 1) Advocates for Basic Legal Equality, Inc.
- 2) Cary Hanosek
- 3) Deborah Cooper
- 4) K. Sandra Vanta
- 5) League of Women Voters of Licking Co.
- 6) Ohio Alliance of Black School Educators
- 7) Professor Harvey Graff
- 8) Kathleen Gaige
- 9) John Fleischman
- 10) Barbara Glueck

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

1) Ms. Kristina and Mr. Stephen Ma, Columbus. Ms. Ma and Mr. Ma spoke to the Board regarding student representation on the state Board of Education.

2) Mr. Lonsharay Nelson. Mr. Nelson provided written testimony to the Board regarding school menu nutrition.

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

President Kohler called on Interim Superintendent Siddens for her report and recommendations.

President Kohler presented the following recommendations (Items 1-5) on the Consent Agenda:

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

WHEREAS on September 7, 2021, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Susan E.

Brinkman 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. Brinkman's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Susan E. Brinkman 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** Susan E. Brinkman'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. Brinkman'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 Susan E. Brinkman 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 Interim State Superintendent of Public Instruction be, and she hereby is, directed to notify Ms. Brinkman of this action.

2. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY CINDY L. JEWELL-FRINK 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 Cindy L. Jewell-Frink has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on September 14, 2021, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Cindy L. Jewell-Frink 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. Jewell-Frink's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

WHEREAS the form specifies that Cindy L. Jewell-Frink is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Cindy L. Jewell-Frink 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** Cindy L. Jewell-Frink'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. Jewell-Frink'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 Cindy L. Jewell-Frink 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 Interim State Superintendent of Public Instruction be, and she hereby is, directed to notify Ms. Jewell-Frink of this action.

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

WHEREAS on September 16, 2021, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Lori D. Leslie 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. Leslie's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Lori D. Leslie 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** Lori D. Leslie'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. Leslie'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 Lori D. Leslie 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 Interim State Superintendent of Public Instruction be, and she hereby is, directed to notify Ms. Leslie of this action.

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

WHEREAS on September 15, 2021, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Nathalie B. Vajen 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. Vajen's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Nathalie B. Vajen 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** Nathalie B. Vajen'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. Vajen'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 Nathalie B. Vajen 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 Interim State Superintendent of Public Instruction be, and she hereby is, directed to notify Ms. Vajen of this action.

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

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

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

WHEREAS on September 7, 2021, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Gary D. Weber that authorizes the State Board of Education to enter an order permanently revoking all of his current and previously held licenses, permits, and certificates and permanently denying any pending applications that he has submitted for a license, permit, or certificate based upon Mr. Weber's 2021 plea of guilty in the Clinton County Municipal Court to one misdemeanor count of assault, a violation of Section 2903.13 of the Ohio Revised Code; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1) and Ohio Revised Code 3319.311(F), hereby **REVOKES** Gary D. Weber's current and any previously held licenses, permits, and certificates and **DENIES** any pending applications that he has submitted for a license, permit, or certificate based upon Mr. Weber's 2021 plea of guilty in the Clinton County Municipal Court to one misdemeanor count of assault, a violation of Section 2903.13 of the Ohio Revised Code. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b) and (A)(3)(b), orders Gary D. Weber 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 Interim State Superintendent of Public Instruction be, and she hereby is, directed to notify Mr. Weber of this action.



It was Moved by Mr. Hagan and Seconded by Mrs. Hill that the Consent Agenda (Items 1-5) be approved.

President Kohler called for a roll call vote.

YES VOTES

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

Motion carried.

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

**6. RESOLUTION TO ADOPT NO CHANGES TO OHIO ADMINISTRATIVE CODE 3301-25-09 / TWO-YEAR SCHOOL SPEECH-LANGUAGE PATHOLOGY STUDENT PERMIT**

The State Board of Education (“Board”) hereby **ADOPTS** no changes to Ohio Administrative Code (OAC) 3301-25-09 / Two-Year School Speech-Language Pathology Student Permit as follows:

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

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

This rule allows a holder of a currently valid speech-language pathology student permit issued by the Ohio Board of Speech-Language Pathology and Audiology to obtain a two-year school speech-language pathology student permit;

Staff recommends no changes to the rule at this time;

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Board adopts no changes to OAC 3301-25-09 / Two-Year School Speech-Language Pathology Student Permit;

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

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

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

President Kohler called for a roll call vote.

YES VOTES

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

Motion carried.

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

**7. RESOLUTION TO ADOPT PROPOSED AMENDMENTS TO OHIO ADMINISTRATIVE RULE 3301-69-03 / MEDICAID SCHOOL COMPONENT ADMINISTRATIVE COSTS**

The State Board of Education (“Board”) hereby **ADOPTS** changes to Ohio Administrative Code (OAC) 3301-69-03 / Medicaid School Component Administrative Costs as follows:

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

ORC 5162.363 requires the Department of Education to adopt rules that “establish the process by which qualified Medicaid school providers participating in the Medicaid school component pay to the Department the nonfederal share of the Department’s expenses incurred in administering the component”;

OAC 3301-69-03 establishes the process by which Medicaid school providers participating in the Medicaid component pay to the Department the nonfederal share of the Department's expenses included in administrating the component;

This rule is being amended as part of the five-year rule review process as required by law; and

The Emerging Issues and Operational Standards Committee recommended that the Board approve the proposed revision to OAC 3301-69-03 in the form attached hereto;

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

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

President Kohler called for a roll call vote.

YES VOTES

Christina Collins  
Walter Davis  
Jenny Kilgore  
Paul LaRue  
Charlotte McGuire  
Antoinette Miranda  
Brendan Shea

Stephen Dackin  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Tim Miller  
Michelle Newman

NO VOTES

Diana Fessler  
Kirsten Hill

John Hagan

ABSTAIN

Eric Poklar

Motion carried.

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

**8. RESOLUTION TO REVOKE PERMANENTLY THE THREE-YEAR PUPIL ACTIVITY PERMIT OF ASHLEY N. ADAMS**

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

WHEREAS Ashley N. Adams held a three-year pupil activity permit issued in 2017; and

WHEREAS on July 14, 2021, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Ashley N. Adams of its intent to determine whether to limit, suspend, revoke, or permanently revoke her three-year pupil activity permit issued in 2017 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(c). The notice was based upon Ms. Adams' 2019 conviction in the Greene County Court of Common Pleas for one felony count of theft and one felony count of forgery; and

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

WHEREAS Ashley N. Adams 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 Greene County Court of Common Pleas, and certified police records from the Xenia Police Division; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(c), hereby **REVOKES** Ashley N. Adams' three-year pupil activity permit issued in 2017 based upon Ms. Adams' 2019 conviction in the Greene County Court of Common Pleas for one felony count of theft and one felony count of forgery. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Ashley N. Adams 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 Interim State Superintendent of Public Instruction be, and she hereby is, directed to notify Ms. Adams of this action.

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

President Kohler called for a roll call vote.

YES VOTES

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

ABSTAIN

Charlotte McGuire

Motion carried.

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

**9. RESOLUTION TO REVOKE THE THREE-YEAR PUPIL ACTIVITY PERMIT OF CODY A. FARNEY**

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

WHEREAS Cody A. Farney holds a three-year pupil activity permit issued in 2020 with an effective year of 2019; and

WHEREAS on July 14, 2021, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Cody A. Farney of its intent to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2020 with an effective year of 2019 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Farney's 2020 conviction in the Portsmouth Municipal Court for one misdemeanor count of violating a protection order; and

WHEREAS the notice informed Mr. Farney that if he fails within thirty days to request a hearing in accordance with Section 119.07 of the Ohio Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke his three-year pupil activity permit issued in 2020 with an effective year of 2019; and

WHEREAS Cody A. Farney 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 Portsmouth Municipal Court, and certified police records from the Portsmouth Police Department; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Cody A. Farney's three-year pupil activity permit issued in 2020 with an effective year of 2019 based upon Mr. Farney's 2020 conviction in the Portsmouth Municipal Court for one misdemeanor count of violating a protection order. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Cody A. Farney be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after October 13, 2024, and upon reapplication, he must submit written verification to the Ohio Department of Education that he has completed, at his own expense, an anger management class and eight hours of training in ethics/professionalism, with all training to be approved in advance by the Ohio Department of Education; and, Be It Further

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

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

President Kohler called for a roll call vote.

YES VOTES

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

Stephen Dackin  
Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Paul LaRue  
Charlotte McGuire  
Antoinette Miranda  
Eric Poklar

Motion carried.

Mrs. Fessler moved to postpone Item 10 to the November meeting of the Board. Mr. Hagan seconded the motion.

President Kohler noted the motion was due to Board members requesting more time to consider Item 10.

President Kohler called for a roll call vote.

YES VOTES

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

ABSTAIN

Stephen Dackin

Motion carried.

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Aaron Ross, Director, Office of Professional Conduct, presented the following recommendation (Item 11):

**11. RESOLUTION TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE AND PERMANENT NON-TAX TEACHING CERTIFICATE OF KEITH W. SEMRAD**

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

WHEREAS Keith W. Semrad held a five-year professional adolescence to young adult teaching license issued in 2015 and holds a permanent non-tax teaching certificate issued in 2002 with an effective year of 2001; and

WHEREAS on July 7, 2021, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Keith W. Semrad of its intent to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional adolescence to young adult teaching license issued in 2015 and permanent non-tax teaching certificate issued in 2002 with an effective year of 2001 pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(b). The notice was based upon Mr. Semrad's 2020 conviction in the Clermont County Municipal Court for one misdemeanor count of criminal damaging, 2020 conviction in the Clermont County Municipal Court, in a separate case, for one misdemeanor count of menacing and one misdemeanor count of obstructing official business, and 2019 conviction in the Hamilton County Court of Common Pleas for one felony count of carrying concealed weapons; and

WHEREAS the notice informed Mr. Semrad that if he fails within thirty days to request a hearing in accordance with Section 119.07 of the Ohio Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke his five-year professional adolescence to young adult teaching license issued in 2015 and permanent non-tax teaching certificate issued in 2002 with an effective year of 2001; and

WHEREAS Keith W. Semrad 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 Clermont County Municipal Court and the Hamilton County Court of Common Pleas, and certified police records from the Clermont County Sheriff's Office, Union Township Police Department, and Hamilton County Sheriff's Office; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(a), and (B)(2)(b), hereby **REVOKES** Keith W. Semrad's five-year professional adolescence to young adult teaching license issued in 2015 and permanent non-tax teaching certificate issued in 2002 with an effective year of 2001 based upon Mr. Semrad's 2020 conviction in the Clermont County Municipal Court for one misdemeanor count of criminal damaging, 2020 conviction in the Clermont County Municipal Court, in a separate case, for one misdemeanor count of menacing and one misdemeanor count of obstructing official business, and 2019 conviction in the Hamilton County Court of Common Pleas for one felony count of carrying concealed weapons. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Keith W. Semrad 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 Interim State Superintendent of Public Instruction be, and she hereby is, directed to notify Mr. Semrad of this action.

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

President Kohler called for a roll call vote.



YES VOTES

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

Stephen Dackin  
Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Paul LaRue  
Charlotte McGuire  
Antoinette Miranda  
Eric Poklar

Motion carried.

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Item 12 was pulled from the Voting Agenda in order for two middle school principal candidates be submitted. This item will appear on the Board's November Voting Agenda.

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Mr. Shea presented the following recommendation (Item 13):

**13. RESOLUTION TO PROMOTE ACADEMIC EXCELLENCE IN K-12  
EDUCATION FOR EACH OHIO STUDENT WITHOUT PREJUDICE OR  
RESPECT TO RACE, ETHNICITY, OR CREED**

The State Board of Education (the "Board") hereby adopts the following Resolution:

WHEREAS on July 14, 2020, the State Board of Education adopted a Resolution to Condemn Racism and to Advance Equity for Black Students, Indigenous Students and Students of Color (the "Resolution"); and

WHEREAS the Board has since observed not only a growing national divide but a troubling focus on the color of one's skin rather than on the content of one's character; and

WHEREAS on July 13, 2021, the Board adopted a Resolution Requesting a Formal Opinion from the Ohio Attorney General on "whether the Resolution as adopted conforms with state and federal laws and is within the legal authority of the Board"; and

WHEREAS on September 14, 2021, Attorney General Dave Yost issued opinion 2021-022, which stated the Board does not have authority to require that all contractors working with the Department of Education take implicit bias training; and

WHEREAS the Board recognizes there are numerous factors that contribute to discrepancies in student performance and that one of those factors is race; and

WHEREAS the Board affirms its concern about the performance gaps between various groups of students, including between Black, Indigenous, and Students of

Color and their White peers, a gap which has existed since Ohio began disaggregating the data; and

WHEREAS the ongoing pandemic has significantly impacted all students and has exacerbated existing performance gaps between students, which is likely to have devastating effects on their future and on the future of the state; and

WHEREAS the State Board of Education seeks excellence in education for all children and families, without prejudice or respect to race, ethnicity, or creed; Now, therefore, be it

RESOLVED that the State Board of Education emphatically affirms the primary place of academics in Ohio's K-12 public schools; and be it further

RESOLVED that the State Board of Education repeals the Resolution to Condemn Racism and to Advance Equity and Opportunity for Black Students, Indigenous Students and Students of Color; and be it further

RESOLVED that the State Board of Education instructs the Ohio Department of Education to immediately suspend all policies and requirements enacted pursuant to the Resolution until further Board review; and be it further

RESOLVED that the State Board of Education reiterates its condemnation of racism, hate speech, hate crimes and violence in the service of hatred; and be it further

RESOLVED, that the State Board of Education declares that Critical Race Theory and its tenets have no place in K-12 education; and be it further

RESOLVED that the State Board of Education similarly condemns any standards, curriculum, or training programs for students, teachers, or staff that seek to ascribe circumstances or qualities, such as collective guilt, moral deficiency, or racial bias, to a whole race or group of people; and be it further

RESOLVED that with this action the State Board of Education expresses its unwavering commitment to excellence in education for all, education that empowers each student to reach his or her full potential as a member of the next great generation of Ohioans.

It was Moved by Mr. Shea and Seconded by Dr. Kilgore that the above recommendation (Item 13) be approved.

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President Kohler asked if there was any objection to considering the most recent version of Mr. Shea's resolution that was submitted. President Kohler noted there were no objections.

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Mr. Shea made the following remarks:

Thank you, Madame President.

In composing his letter to the Board accompanying his formal legal opinion on Resolution 20, Attorney General Dave Yost rendered a service to this Board, for which I thank him, and a service to the countless Ohioans who have recognized a crisis in our state and nation and who have been looking for a way to articulate it.

I'd like to read a portion of the attorney general's letter for Board members to revisit and for the benefit of the public. This is a rare occasion on which I'll use all 10 of the minutes Robert's Rules allows, so I appreciate you bearing with me.

The Attorney General says:

This hard-won consensus was summed up by the Rev. Martin Luther King Jr., quote: "...that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character," unquote.

King was not describing a colorblind society, but a virtuous society – and for imperfect human beings, it will always remain to some degree aspirational. Call it the King consensus.

But there is now a move afoot to derail that hard-won consensus to seek a virtuous society. It sees our country's aspirational and founding documents – the Declaration of Independence and the Constitution – as instruments designed to establish and maintain white supremacy and racial oppression forever.

Rather than each person being judged by the content of their character, this contra-King movement wants to teach our children that their character is determined by the color of their skin. When many of our constituents express anger about Critical Race Theory, they mean this radical upending of American values.

I won't use that term because of the disagreement about what it is. There is an entire academic literature, and a literature critiquing it. My purpose is to contrast the King consensus with this contra-King movement.

"Implicit bias training" – reportedly the subject of some debate among members of this board, and promoted by the contra-King movement – often imputes collective guilt, moral deficiency or racial bias to entire swaths of people based solely on the immutable characteristic of skin color.

In place of King's vision, which seeks to make race irrelevant, this contra-King movement makes race central to all interactions, social, legal and political.

Instead of viewing a person's skin color as the least important defining characteristic, it seeks to make skin color the dominant defining characteristic.

King's vision is one of hope, inspiration, and demonstrable success. Those who would upend his content-of-character consensus offer a vision that is forever bleak, deterministic and promises nothing but endless racial confrontation.

Honest history must be taught in our schools. The Tulsa Massacre, Jim Crow, the lynchings of more than 3,000 Black Americans – these ugly chapters must be plainly taught, for the same reason that the Holocaust must be plainly taught.

But so, too, should our history include the story of how the American people and our legal institutions put an end to these injustices and continue the work to guarantee equal treatment for all.

We can teach children that they live in a society where their prospects are unlimited, or we can teach them that that their lives will be unfairly blighted – or unfairly blessed – by the color of their skin.

I think most parents would prefer the former.

As do I. Once again, those were the words of Ohio Attorney General Dave Yost in his letter to this Board accompanying his legal opinion on Resolution 20.

These words powerfully convey the concerns of countless Ohioans – not domestic terrorists, but moms and dads, grandmas and grandpas, who love their children deeply, citizens and constituents, who fear the prospect of leaving their children and grandchildren a country that is more racially obsessed and divided than the one they inherited – a country that is moving further away from rather than closer to Dr. King’s dream.

Disparities in academic performance between black, indigenous, and students of color and their white peers is real and deserves our attention. But I implore this Board not to oversimplify the causes. If we do, we will surely arrive at the wrong solutions. I implore this Board not to speak of racial disparities to the exclusion of virtually all else: for instance, disparities between economically advantaged and economically disadvantaged students, native English speakers and English learners, students with disabilities and students without disabilities. I could go on and on.

Similarly, we must avoid the politically charged language that plays right into the hands of those who WOULD and who ARE constructing a reality in which everything should be viewed through the lens of white and black, oppressor and oppressed. It plays right into the hands of leaders in the contra-King movement, to use the Attorney General’s poignant phrase, leaders such as Ibram X. Kendi, who says things like, quote, “the only remedy to past discrimination is present discrimination. The only remedy to present discrimination is future discrimination,” unquote.

Why do I bring up Kendi? I do so precisely because he’s become mainstream. It’s his book “How to be an Anti-Racist,” that provides the foundation for anti-racist campaigns finding their way into many Ohio schools and districts today. Such campaigns have even been featured in this Board’s monthly equity presentations. Kendi is brought into Google to train employees who control our flow of information online, his work is promoted by various government agencies, his quotes were featured in an equity presentation by a high school guidance counselor at my local Rotary Club in a small rural town.

So you can agree with Kendi’s outlook and prescriptions and support them or you can disagree and oppose them as I do because I believe they’re not only wrong but they’re bad for kids. But what you can’t do is suggest that CRT-infused ideas aren’t out there, that they haven’t become mainstream, that concerned parents are imagining things,

that tenets of the contra-King movement aren't soon coming to a school near you, if they haven't already.

I believe there's an urgent need and an opportunity as we embark upon hiring the next State Superintendent of Public Instruction to come together as a Board while encouraging the public to do the same. And this proposed resolution to Promote Academic Excellence for Each Ohio Student Without Prejudice or Respect to Race, Ethnicity, or Creed seeks to do just that. I sincerely thank my fellow Board members for your input, feedback, and careful consideration.

Quite simply, this resolution reaffirms that the primary reason we are all here – the primary reason parents entrust their children to our schools in the first place – is academics. Academics are the great equalizer and the ticket to opportunity.

I believe that everyone on this Board ultimately wants the same thing: a top-notch education for EVERY Ohio student regardless of race, or creed, or socioeconomic background, or any other way that we could slice and dice our students into groups. And it's my hope that this Board will affirm that Dr. King's dream is still alive and well today, still worthwhile pursuing, and still closer to realizing than it was in August 1963 when he bellowed those hallowed words from the Lincoln monument into eternity. Thank you.

Mr. Poklar stated he would be voting no for three reasons; 1) In listening to hours of testimony, he had yet to hear an argument against resolution number 20 that tracks back to the actual language in that resolution. 2) Mr. Shea's resolution "WHEREAS the Board has since observed not only a growing national divide but a troubling focus on the color of one's skin rather than on the content of one's character; and." Mr. Poklar referenced the focus on the color of an individual's skin is in and of itself troubling. 3) Mr. Shea's resolution "RESOLVED, that the State Board of Education declares that Critical Race Theory and its tenets have no place in K-12 education; and be it further." Mr. Poklar stated he did not know how a decision could be made regarding Critical Race Theory when there is no agreed upon definition to the term. The original resolution, number twenty, did not reference Critical Race Theory either. He finds it troubling that individuals on both sides of the issue using Dr. King's quotes to support their position.

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Mrs. Manchester moved to amend the resolution by substitution. She submitted the following substitute resolution. Mr. LaRue seconded the motion. Mrs. Manchester stated she felt her proposed resolution was a compromise and included; 1) "Whereas the Ohio Strategic Plan for Education: 2019-2024 Each Child, Our Future, adopted by a resolution of the State Board of Education in June 2018 begins with the vision that in Ohio each child is challenged to discover and learn, prepared to pursue a fulfilling post-high school path and empowered to become a resilient, lifelong learner who contributes to society; and" 2) "Further Resolved, the Board will be guided by our guiding document Each Child, Our Future and advocate for it as a framework for developing policy and action"

Proposed Substitute Resolution:

13. **RESOLUTION TO PROMOTE ACADEMIC EXCELLENCE IN K-12 EDUCATION FOR EACH OHIO STUDENT WITHOUT PREJUDICE OR RESPECT TO RACE, ETHNICITY, OR CREED**

The State Board of Education (the "Board") hereby adopts the following:

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

Whereas, on July 14, 2020, the Board adopted a Resolution to Condemn Racism and to Advance Equity for Black Students, Indigenous Students and Students of Color (the "Resolution"); and

Whereas the Board has since observed not only a growing national divide but a troubling focus on the color of one's skin rather than on the content of one's character; and

Whereas on July 13, 2021, the Board adopted a Resolution Requesting a Formal Opinion from the Ohio Attorney General on "whether the Resolution as adopted conforms with state and federal laws and is within the legal authority of the Board"; and

Whereas on September 14, 2021, Attorney General Dave Yost issued opinion 2021-022, which stated the Board does not have authority to require that all contractors working with the Department of Education take implicit bias training; and

Whereas State Board seeks excellence in education for all children and families, without prejudice or respect to race, ethnicity, or creed; and

Whereas the Board affirms its concern about the gaps between test performance of Black, Indigenous and People of Color students and their White peers, which have existed since Ohio began disaggregating the data; and

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

Whereas the ongoing pandemic has significantly impacted all students and has exacerbated existing gaps in performance between students, which is likely to have devastating effects on their future and on the future of the state;

Now, Therefore Be It Resolved that the Board emphatically affirms the primary place of academics in Ohio's K-12 public schools; and

Further Resolved, that the Board repeals, effective immediately, the Resolution to Condemn Racism and to Advance Equity and Opportunity for Black Students, Indigenous Students and Students of Color; and

Further Resolved, the Board reiterates its condemnation of racism, hate speech, hate crimes and violence in the service of hatred; and

Further Resolved, that the Board reiterates that critical race theory is not an appropriate component of Board adopted K-12 standards and model curricula; and

Further Resolved, that the Board condemns any standards, curriculum, or training programs for students, teachers, or staff that seek to divide or to ascribe circumstances or qualities, such as collective guilt, moral deficiency, or racial bias, to a whole race or group of people; and

Further Resolved, that with this action the Board expresses its unwavering commitment to excellence in education for all, education that empowers each student to reach his or her full potential as a member of the next great generation of Ohioans; and

Further Resolved, the Board will be guided by our guiding document Each Child, Our Future and advocate for it as a framework for developing policy and action

Mr. Dackin stated he supported the notion of revisiting the Strategic Plan. He thanked Mrs. Manchester for offering the proposed substitute resolution.

Dr. Kilgore referred to the following clause of the proposed substitute resolution;

“Whereas the Board affirms its concern about the gaps between test performance of Black, Indigenous and People of Color students and their White peers, which have existed since Ohio began disaggregating the data; and.” She stated Ohio had two major groups of poverty. They are densely populated urban centers that are predominately African American and rural poverty that are predominately Appalachian. She would prefer to include the Appalachian population. She asked if Mrs. Manchester would be open to this inclusion. President Kohler responded to Dr. Kilgore she would need to make a formal motion to amend.

Mrs. Newman stated she had an issue with both resolutions as they both repealed resolution number twenty, which she supported.

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Dr. Kilgore moved to amend the proposed substitute resolution by substitution. Mr. LaRue seconded the motion. She proposed to insert the following underlined language; She believed other groups should be included.

“Whereas the Board affirms its concern about the gaps between test performance of Black, Indigenous and People of Color students and their White peers, which have existed since Ohio began disaggregating the data; and.”

“Whereas the Board affirms its concern regarding lagging academic achievement due to the poverty of the many diverse groups of Ohio students”

Mr. Dackin suggested the following new language to the proposed amendment by Dr. Kilgore;

“Whereas the Board affirms its concern about the gaps between test performance of Black, Indigenous and people of color students and their White peers, which have existed since Ohio began disaggregating the data; and the Board acknowledges gaps in academic achievement among additional diverse groups, such as economically-disadvantaged students; and.”

Dr. Kilgore withdrew her motion and for Mr. Dackin’s language to be considered. Dr. Collins seconded the motion. President Kohler asked if there were any objections to the proposed change. There were no objections.

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Mrs. Fessler outlined changes she thought should be made but would not support the proposed substitute resolution.

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Dr. Collins called the question on the proposed substitute resolution by Mrs. Manchester. Ms. Johnson seconded the motion.

President Kohler called for a roll call vote.

YES VOTES

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

NO VOTES

Walter Davis	Diana Fessler
John Hagan	Kirsten Hill
Jenny Kilgore	Tim Miller
Brendan Shea	

Motion defeated.

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Mrs. Manchester moved to amend the proposed substitute resolution by substitution. She proposed to incorporate a change suggested by Mrs. Fessler. Dr. Kilgore seconded the motion.

Further Resolved, the Board ~~affirms reiterates~~ its condemnation of racism, hate speech, hate crimes and violence in the service of hatred; and

Further Resolved, that the Board ~~affirms reiterates~~ that critical race theory is not an appropriate component of Board adopted K-12 standards and model curricula; and

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

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Mr. Hagan suggested adding the word “the” to the following clause;

Whereas the State Board seeks excellence in education for all children and families, without prejudice or respect to race, ethnicity, or creed; and

Mrs. Manchester moved to amend the proposed substitute resolution with the addition of the word “the.” Dr. Kilgore seconded the motion.



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

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Mr. Miller moved to amend the proposed substitute resolution by substitution. He proposed to remove the clause that contained “Critical Race Theory” from the resolution. Dr. Collins seconded the motion.

Further Resolved, that the Board ~~affirms~~ ~~reiterates~~ that critical race theory is not an appropriate component of Board adopted K-12 standards and model curricula; and

Dr. Collins stated the Attorney General would not use the term, therefore she did not see how the Board would use it as well.

President Kohler asked if there were any objections to removing the phrase “critical race theory” from the proposed substitute resolution. President Kohler noted an objection, therefore the Board would take a roll call vote on the motion.

President Kohler called for a roll call vote on the motion by Mr. Miller.

YES VOTES

Christina Collins	Meryl Johnson
Laura Kohler	Paul LaRue
Charlotte McGuire	Tim Miller
Antoinette Miranda	Michelle Newman
Eric Poklar	

NO VOTES

Stephen Dackin	Walter Davis
Diana Fessler	John Hagan
Kirsten Hill	Jenny Kilgore
Martha Manchester	Brendan Shea

Motion carried.

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Mrs. Hill moved to amend the proposed substitute resolution by substitution. She proposed to remove the words “and families” from the following clause. Mr. Hagan seconded the motion.

Whereas State Board seeks excellence in education for all children ~~and families~~, without prejudice or respect to race, ethnicity, or creed; and

President Kohler asked if there were any objections to the proposed amendment. Objections were noted and President Kohler stated the Board would proceed to a roll call vote.

President Kohler called for a roll call vote on the motion by Mrs. Hill.

YES VOTES

Stephen Dackin	Diana Fessler
John Hagan	Kirsten Hill
Paul LaRue	Charlotte McGuire

Antoinette Miranda

NO VOTES

Christina Collins  
Meryl Johnson  
Martha Manchester  
Michelle Newman  
Brendan Shea

Walter Davis  
Jenny Kilgore  
Tim Miller  
Eric Poklar  
Laura Kohler

Motion defeated.

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Mr. Hagan moved to amend the proposed substitute resolution by substitution. He proposed to remove the following clause. Mr. Shea seconded the motion.

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

Mr. Hagan stated he found the clause unnecessary and did not relate to the cause of the resolution.

President Kohler noted there were objections to the motion. She stated there would be a roll call vote.

President Kohler called for a roll call vote.

YES VOTES

Walter Davis  
John Hagan  
Jenny Kilgore

Diana Fessler  
Kirsten Hill  
Brendan Shea

NO VOTES

Christina Collins  
Meryl Johnson  
Paul LaRue  
Charlotte McGuire  
Antoinette Miranda  
Eric Poklar

Stephen Dackin  
Laura Kohler  
Martha Manchester  
Tim Miller  
Michelle Newman

Motion defeated.

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Dr. Collins moved to amend the proposed substitute resolution by substitution. She proposed to remove the following clause. Ms. Johnson seconded the motion.

Further Resolved, that the Board repeals, effective immediately, the Resolution to Condemn Racism and to Advance Equity and Opportunity for Black Students, Indigenous Students and Students of Color; and

Dr. Collins stated we have yet to hear a specific reason why the Equity resolution is not beneficial. She could not support a resolution that would repeal that resolution nor the work that has come from the resolution that is still pertinent.

Dr. Kilgore stated she objected to the removal.

Mr. Hagan stated leaving this clause in the resolution would avoid further work from the Attorney General's office. If this is removed, he would bring forth a resolution to request the Department to send all of the information on any activity that has come from the Equity resolution and its legality and constitutionality.

President Kohler called for a roll call vote.

YES VOTES

Christina Collins  
Laura Kohler  
Martha Manchester  
Michelle Newman

Meryl Johnson  
Paul LaRue  
Antoinette Miranda  
Eric Poklar

NO VOTES

Stephen Dackin  
Diana Fessler  
Kirsten Hill  
Charlotte McGuire  
Brendan Shea

Walter Davis  
John Hagan  
Jenny Kilgore  
Tim Miller

Motion defeated.

---

Mrs. Hill moved to amend the proposed substitute resolution by substitution. She proposed changes to the following clause to the following clause. To change the words People and Color to lowercase. Mr. Hagan seconded the motion.

Whereas the Board affirms its concern about the gaps between test performance of Black, Indigenous and people of color students and their White peers, which have existed since Ohio began disaggregating the data; and

Ms. Johnson stated when referring to a race of people, they should be capitalized.

President Kohler asked if there was any objection to the proposed amendment by Mrs. Hill. There were no objections.

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Mr. Shea moved to amend the proposed substitute resolution by substitution. He proposed to remove the final Further Resolved clause. Mrs. Fessler seconded the motion. Mr. Shea stated he felt the clause was redundant and was included in the first paragraph.

Further Resolved, the Board will be guided by our guiding document Each Child, Our Future and advocate for it as a framework for developing policy and action

President Kohler asked if there were any objections to Mr. Shea's motion. President Kohler noted there was an objection and stated the Board would proceed to a roll call vote.

President Kohler called for a roll call vote.

YES VOTES

Walter Davis	Diana Fessler
John Hagan	Kirsten Hill
Jenny Kilgore	Charlotte McGuire
Tim Miller	Brendan Shea

NO VOTES

Christina Collins	Stephen Dackin
Meryl Johnson	Laura Kohler
Paul LaRue	Martha Manchester
Antoinette Miranda	Michelle Newman
Eric Poklar	

Motion defeated.

---

Mrs. Hill moved to amend the proposed substitute resolution by substitution. She proposed that the title of the Equity Resolution mentioned in the proposed substitute resolution should be capitalized. Ms. Johnson seconded the motion.

Further Resolved, that the Board repeals, effective immediately, the RESOLUTION TO CONDEMN RACISM AND TO ADVANCE EQUITY AND OPPORTUNITY FOR BLACK STUDENTS, INDIGENOUS STUDENTS AND STUDENTS OF COLOR; and

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

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Mrs. Hill moved to amend the proposed substitute resolution by substitution. She proposed that the title of the Equity Resolution mentioned in the proposed substitute resolution should be capitalized and changing the letter "a" to "the". Mr. Hagan seconded the motion.

Whereas, on July 14, 2020, the Board adopted ~~a~~the RESOLUTION TO CONDEMN RACISM AND TO ADVANCE EQUITY FOR BLACK STUDENTS, INDIGENOUS STUDENTS AND STUDENTS OF COLOR (THE "RESOLUTION"); and

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

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Mrs. Fessler moved to postpone item 13 to the November meeting of the Board. Mr. Hagan seconded the motion. Mrs. Fessler stated this would give enough time for the resolution to be polished and be worthy of the work of the State Board of Education.

Mr. Miller stated he would not support the motion to postpone.

Ms. Johnson stated she would not support the motion to postpone.

Dr. Kilgore stated if the proposed substitute resolution was approved, it would be beneficial to ensure it is as accurate as possible, so delaying this item for one month would be appropriate.

President Kohler called for a roll call vote on the proposed motion by Mrs. Fessler to postpone Item 13 to the November meeting of the Board.

YES VOTES

Walter Davis  
John Hagan  
Paul LaRue

Diana Fessler  
Jenny Kilgore

NO VOTES

Christina Collins  
Kirsten Hill  
Laura Kohler  
Charlotte McGuire  
Antoinette Miranda  
Eric Poklar

Stephen Dackin  
Meryl Johnson  
Martha Manchester  
Tim Miller  
Michelle Newman  
Brendan Shea

Motion defeated.

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Mrs. Hill moved to amend the proposed substitute resolution by substitution. She proposed that the title of the Resolution to Request a Formal Opinion of the Attorney General be capitalized and changing the letter “a” to “the”. Mr. Hagan seconded the motion.

Whereas on July 13, 2021, the Board adopted the RESOLUTION TO REQUEST A FORMAL OPINION OF THE ATTORNEY GENERAL OF OHIO IN REFERENCE TO THE STATE BOARD OF EDUCATION’S RESOLUTION TO CONDEMN RACISM AND TO ADVANCE EQUITY & OPPORTUNITY on "whether the Resolution as adopted conforms with state and federal laws and is within the legal authority of the Board"; and

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

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Mrs. McGuire moved to amend the proposed substitute resolution by substitution. She proposed to insert the word “educational” in the last Further Resolved clause. Mr. Hagan seconded the motion.

Further Resolved, the Board will be guided by our guiding document *Each Child, Our Future* and advocate for it as a framework for developing educational policy and action.

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

Mrs. Fessler stated she believed the resolution was pointless because we have the Strategic Plan and it states that equity is the primary focus and this resolution is a distraction from the Strategic Plan.

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Resolution as amended:

**13. RESOLUTION TO PROMOTE ACADEMIC EXCELLENCE IN K-12 EDUCATION FOR EACH OHIO STUDENT WITHOUT PREJUDICE OR RESPECT TO RACE, ETHNICITY, OR CREED**

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

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

Whereas, on July 14, 2020, the Board adopted the RESOLUTION TO CONDEMN RACISM AND TO ADVANCE EQUITY AND OPPORTUNITY FOR BLACK STUDENTS, INDIGENOUS STUDENTS AND STUDENTS OF COLOR (the "RESOLUTION"); and

Whereas the Board has since observed not only a growing national divide but a troubling focus on the color of one's skin rather than on the content of one's character; and

Whereas on July 13, 2021, the Board adopted the RESOLUTION TO REQUEST A FORMAL OPINION OF THE ATTORNEY GENERAL OF OHIO IN REFERENCE TO THE STATE BOARD OF EDUCATION'S RESOLUTION TO CONDEMN RACISM AND TO ADVANCE EQUITY & OPPORTUNITY on "whether the Resolution as adopted conforms with state and federal laws and is within the legal authority of the Board"; and

Whereas on September 14, 2021 Attorney General Dave Yost issued opinion 2021-022, which stated the Board does not have authority to require that all contractors working with the Department of Education take implicit bias training; and

Whereas the State Board seeks excellence in education for all children and families, without prejudice or respect to race, ethnicity, or creed; and

Whereas the Board affirms its concern about the gaps between test performance of Black, Indigenous and people of color students and their White peers, which have existed since Ohio began disaggregating the data; and the Board acknowledges gaps in academic achievement among additional diverse groups, such as economically-disadvantaged students; and,

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

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Whereas the ongoing pandemic has significantly impacted all students and has exacerbated existing gaps in performance between students, which is likely to have devastating effects on their future and on the future of the state;

Now, Therefore Be It Resolved that the Board emphatically affirms the primary place of academics in Ohio's K-12 public schools; and

Further Resolved, that the Board repeals, effective immediately, the RESOLUTION TO CONDEMN RACISM AND TO ADVANCE EQUITY AND OPPORTUNITY FOR BLACK STUDENTS, INDIGENOUS STUDENTS AND STUDENTS OF COLOR; and

Further Resolved, the Board affirms its condemnation of racism, hate speech, hate crimes and violence in the service of hatred; and

Further Resolved, that the Board condemns any standards, curriculum, or training programs for students, teachers, or staff that seek to divide or to ascribe circumstances or qualities, such as collective guilt, moral deficiency, or racial bias, to a whole race or group of people; and

Further Resolved, that with this action the Board expresses its unwavering commitment to excellence in education for all, education that empowers each student to reach his or her full potential as a member of the next great generation of Ohioans; and

Further Resolved, the Board will be guided by our guiding document *Each Child, Our Future* and advocate for it as a framework for developing educational policy and action.

President Kohler called for a roll call vote on Mrs. Manchester's proposed substitute resolution.

YES VOTES

Christina Collins	Stephen Dackin
Walter Davis	John Hagan
Kirsten Hill	Jenny Kilgore
Laura Kohler	Paul LaRue
Martha Manchester	Charlotte McGuire
Tim Miller	Antoinette Miranda
Michelle Newman	Eric Poklar

NO VOTES

Diana Fessler	Meryl Johnson
Brendan Shea	

Motion carried.

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Mr. Hagan moved to call the vote. Mr. Davis seconded the motion.

President Kohler noted objections to calling the vote and stated the Board would proceed with a roll call vote.

President Kohler called for a roll call vote on the motion by Mr. Hagan to call the vote.

YES VOTES

Christina Collins	Stephen Dackin
Walter Davis	John Hagan
Kirsten Hill	Jenny Kilgore
Paul LaRue	Martha Manchester
Charlotte McGuire	Tim Miller
Eric Poklar	Brendan Shea

NO VOTES

Diana Fessler	Meryl Johnson
Antoinette Miranda	Michelle Newman
Laura Kohler	

Motion carried.

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

YES VOTES

Stephen Dackin	Walter Davis
John Hagan	Kirsten Hill
Jenny Kilgore	Paul LaRue
Martha Manchester	Charlotte McGuire
Tim Miller	Brendan Shea

NO VOTES

Christina Collins	Diana Fessler
Meryl Johnson	Antoinette Miranda
Michelle Newman	Eric Poklar
Laura Kohler	

Motion carried.

President Kohler thanked Mr. Shea for his actions and Board members for working together.

Ms. Johnson stated even though Resolution 20 of July 2020 was rescinded, she was grateful to say the work would not stop.

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**Non-Resolutions**

**Old Business**

There was no Old Business.

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**New Business**



Mr. Dackin stated he would like the Board to commit to revisiting the Strategic Plan and also insert or identify a standing agenda item where the Board would focus on the academic and educational achievement of our young people. President Kohler agreed with the Board revisiting the Strategic Plan and believed the best time to begin this work would be after the new Superintendent is in place.

President Kohler announced the Executive Committee would convene at the November meeting of the Board to begin a review of the Board's Policy and Procedures Manual.

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

The President requested a voice vote.

Motion carried.

President Kohler adjourned the meeting at 9:04 p.m. The next regularly scheduled meeting of the State Board of Education is November 15-16, 2021.

ATTEST:



Laura Kohler  
President  
State Board of Education



Dr. Stephanie K. Siddens  
Interim Superintendent of Public Instruction

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