

**STATE BOARD OF EDUCATION OF OHIO  
MINUTES**

September 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**

Paolo DeMaria  
Superintendent of Public Instruction

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The State Board convened on Monday, September 20, 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, September 20, 2021, at 8:00 a.m.

President Kohler asked the Recording Secretary to call the roll.

**YES VOTES**

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

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 and August 23, 2021, meetings. She asked if there were any corrections to the Minutes.

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

Mr. Hagan stated he found several discrepancies in the minutes from what he sat through in the meeting. 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. He stated he would not support the approval of the minutes as written.

President Kohler asked if there were any objections to adding the request made by Mr. Hagan. Ms. Johnson stated she would object to this addition because there is no requirement to list that an individual said something and then voted a certain way.

President Kohler asked Mr. Hagan to make a motion to modify the minutes for the inclusion he was seeking.

Mr. Hagan moved to modify the minutes to reflect that the two Board members that brought and seconded the substitute resolution ultimately voted against the substitute resolution after it was approved. Mr. Shea seconded the motion.

Mr. Miller stated he believed seconding a motion was to allow for discussion, not a reflection of how the individual may vote.

Mrs. Manchester agreed with Mr. Miller and stated an individual may change their mind during discussion of a particular voting item. She stated the Board may need to have a discussion regarding what is included in the minutes as she believed an individual's statement should not be included in the minutes.

Ms. Johnson stated she would like to move to postpone the approval of the July minutes until the parliamentarian is present because she believed there were incorrect statements being made regarding Roberts Rules of Order. Dr. Kilgore seconded the motion.

Mrs. Hill asked for clarification regarding the timing of members providing proposed amendments. President Kohler responded the request was not germane to the request to postpone.

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

President Kohler called for a roll call vote on the proposed motion by Ms. Johnson to postpone approval of the July minutes.

YES VOTES

Christina Collins	Stephen Dackin
Diana Fessler	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

NO VOTES

Walter Davis	John Hagan
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Motion carried.

It was Moved by Mrs. Manchester and Seconded by Ms. Newman that the August 23 Minutes be approved as presented. The President called for a voice vote.

President Kohler called for a roll call vote.

YES VOTES

Stephen Dackin	Walter Davis
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	

NO VOTES

Diana Fessler

ABSTAIN

Christina Collins	Charlotte McGuire
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Motion carried.

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The Board's Teaching, Leading and Learning Committee met beginning at 8:20 a.m.

Topics of discussion were:

- Discuss: OAC 3301-25-09 Two-Year School Speech-Language Pathology Student Permit (Possible Vote)
- Discuss: Ohio Assessments for Educators Annual Review of Data and Qualifying Score Recommendations (Possible Vote)
  - Review of Qualifying Scores

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

- Qualifying Score Recommendations

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The Board's Performance & Impact Committee met beginning at 8:20 a.m.

Topics of discussion were:

- Discuss: Introduction to Community School Sponsor Evaluation
- Discuss: Data Insights: Evidence of the Pandemic's Impact on 2020-2021
- Discuss: Dropout Prevention Recovery Rules Update

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The Board's Emerging Issues and Operational Standards Committee met beginning at 10:35 a.m.

Topics of discussion were:

- Discuss: Business Advisory Councils
- Discuss: 3301-69-03 Medicaid School Component Administrative Costs (Possible Vote)
- Discuss: 3301-105-01 Funding for Educational Service Centers
- Discuss: Supports for Schools and Districts
  - Regional Data Leads

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The Board's Integrated Student Supports Committee met beginning at 10:35 a.m.

Topics of discussion were:

- Discuss: OAC -91 Standards for School Lunch and Breakfast Programs
  - 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 Meal Programs to Support Intervention Services and Associated Costs
- Discuss: Trauma-Informed Care in Schools
- Committee Updates

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The State Board recessed for lunch.

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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:

- Status of Select Budget Implementation Items
- Other Legislative Implementation
- Social Studies Shared Resources: Selection Process & Filter

## **BUDGET BILL IMPLEMENTATION**

### **Academic Distress Commissions:**

- Pathway out of ADC status for ADC districts
- Local Board of Education submits Academic Improvement Plan by Sept. 30
- Plan includes improvement actions
- Plan includes annual and overall benchmarks
- State Superintendent reviews & approves plan; may request changes
- Plan is effective July 1, 2022
- District Board reassumes control of the district; can hire Superintendent.
- ADC continues in advisory role.
- CEO is removed; may be employed as Superintendent
- Plan may be modified with approval from State Superintendent.
- Annual Report to State Board of Education on progress (likely after the end of each school year)
- After 3 years, State Board evaluates district based on benchmarks
- State Superintendent can approve two 1-year extensions

### **Academic Distress Commission:**

- If majority of benchmarks are met – district resumes control permanently.
- If doesn't meet majority of benchmarks, ADC resumes control
- Conundrum
  - If Superintendent approves a plan and metrics are too “easy” – criticism for not having aggressive expectations
  - If Superintendent approves a plan and metrics are too “hard” – criticism for wanting to preserve ADCs.

### **Afterschool Childhood Enrichment (ACE) Educational Savings Accounts:**

- For children aged 6-18 with family income at or below 300% of federal poverty.
- Provides \$500 to the parent or guardian for each of FY22 and FY23.
- For before- or after-school programming selected by the student's parent.

- (1) Before- or after-school educational programs;
- (2) Day camps, including for academics, music and arts;
- (3) Tuition at learning extension centers;
- (4) Tuition for learning pods;
- (5) For homeschooled students, purchase of curriculum and materials;
- (6) Educational, learning, or study skills services;
- (7) Field trips to historical landmarks, museums, science centers, and theaters, including admissions, exhibit and program fees;
- (8) Language classes;
- (9) Instrument lessons;
- (10) Tutoring.

- Since funding source is *federal* COVID relief funds, must comply with federal funds use requirements
- Emergency rules by October 30 outlining process for parents to apply for an account.
- RFP being developed for a vendor that will administer the program.

- Parent application will be available in late January.
- Report to legislature on outcomes due December 31, 2023.

**Online Learning Schools:**

- Pathway for public school districts to offer online learning to students.
- Districts must designate an “online learning school” for participating students.
- School must provide computer and internet access to students, orientation for families, and use learning management system to track activity.

**Community and Non-Public School Transportation:**

- Resetting and adding expectations for districts that provide transportation for community and nonpublic school students.
- Requires ODE to monitor district compliance with transportation responsibilities.
- “Consistent or prolonged noncompliance” results in deduction from payment for student transportation.
- Already supporting district compliance with new requirements.
- Compliance monitoring system being developed.
  - Will seek stakeholder input from public, community and nonpublic schools.
- Guidance and possible rules being developed

**Federal American Rescue Plan Funds:**

- Principles for State Activities
  - Build district and school capacity
  - Sustainability beyond grant period
  - Expand and extend initiatives already underway; developed collaboratively
  - Flow fund primarily through major partners (ESCs, ITCs, InfOhio, Associations, OLAC, etc.)

**OTHER LEGISLATION IMPLEMENTATION**

**Interactions with Peace Officers:**

- ORC 3301.0721 (B): Requires State Board in collaboration with Director of Public Safety to develop model curriculum for grades 7-12.
- Proper interactions with peace officers during traffic stops and other in-person encounters.
- Schools required to deliver curriculum as part of a required high school course
- ODE curriculum staff convening stakeholder group to inform development of the draft curriculum.
- Draft model curriculum will be posted for public comment in November, prior to initiating State Board process in early 2022.

**SOCIAL STUDIES SHARED RESOURCES: SELECTION PROCESS & FILTER**

- Original document developed in May 2019
- Used at that time to also support items shared in Newsletter.
- No documentation maintained
- Working group modifications
- Use going forward; will maintain documentation

**Key Changes:**

- Expanded list of credible national/state sources
- Zero points for certain attributes

- Clarify respect for local district curriculum determination and teacher professional judgement
- Clarifies that dissemination is not a recommendation; teachers must evaluate and decide
- Documentation to be maintained

At the conclusion of the superintendent's report, President Kohler made remarks and presented honorary plaques to Superintendent DeMaria and Deputy Superintendent John Richard.

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Review of Written Reports and Items for Vote

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President Kohler recessed the Board meeting at 2:50 p.m.

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## **SEARCH FIRM REQUEST FOR PROPOSAL WRITING COMMITTEE**

### **EXECUTIVE SESSION**

President Kohler called on Vice President McGuire, who Moved that the State Board of Education go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official; that the State Board of Education go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(1) to consider the investigation of charges or complaints against a public employee, official, licensee, or regulated individual; that the State Board of Education go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(3) for the purpose of conferring with legal counsel about matters that are the subject of pending or imminent court action. I move that the State Board of Education go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(5) to confer about matters required to be confidential by federal law or regulations or state statutes.

Mr. LaRue Seconded the motion.

The President called for a roll call vote.

#### **YES VOTES**

Stephen Dackin  
Jenny Kilgore  
Paul LaRue  
Tim Miller  
Mike Toal

Diana Fessler  
Laura Kohler  
Charlotte McGuire  
Antoinette Miranda

NOTE: Ms. Johnson and Mr. Davis attended the meeting.

Motion carried.

The Writing Committee went into Executive Session at 3:08 p.m.

The Writing Committee recessed from Executive Session at 5:00 p.m.

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**RECONVENE STATE BOARD BUSINESS MEETING**

President Kohler reconvened the Business meeting of the State Board of Education on Tuesday, September 21, at 9:03 a.m.

President Kohler asked the Recording Secretary to call the roll.

**YES VOTES**

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	

Motion carried.

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**Chapter 119 Hearing**

September 21, 2021  
9:04 a.m.

Hearing Regarding the Amending, Rescinding and Adoption of Rules

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

- The amendment of OAC 3301-3-01 Scope and definitions and OAC 3301-3-03 Information technology center permit eligibility and application.
- The amendment of OAC 3301-23-41 Twelve hour or forty-hour temporary teaching permit for qualified nonlicensed individuals.
- The amendment of OAC 3301-24-08 Professional or associate license renewal, OAC 3301-24-16 Senior professional educator license and OAC 3301-24-17 Lead professional educator license.
- The amendment of OAC 3301-35-04 Student and other stakeholder focus.
- The amendment of OAC 3301-56-01 School district and building improvement, supports, and interventions.



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 resolutions adopted by the State Board of Education regarding these rules;
- Board Exhibit 3 would be true and accurate copies of the rules as filed with the Joint Committee on Agency Rule Review (JCARR), Legislative Service Commission (LSC) and the Secretary of State.

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

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

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

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## **PUBLIC TESTIMONY ON THE PROPOSED RULE ACTIONS**

1) Ms. Terri Marlow, Marietta. Ms. Marlow spoke to the Board regarding the amendment of OAC 3301-35-04 Student and other stakeholder focus.

2) Ms. Kirsten Holling, Dayton. Ms. Holling spoke to the Board regarding the amendment of OAC 3301-35-04 Student and other stakeholder focus.

The following individuals provided written testimony regarding the amendment of OAC 3301-35-04 Student and other stakeholder focus.

Dr. Roger Anderson  
Melissa Creamer  
Stephanie Hunter  
Victoria Morgan  
Eddie Lightner  
Emre Basok  
Mary H. Hood  
Amy Barr  
Callie McFall  
Prof. Derek Petrey  
Hannah Striet  
Jennifer Groff  
Josh Coy  
Kahun D. Ahossin

Megan Michalski  
Dagmar Tingle  
Nelson de Jesus  
Shelley Staddon  
Carole Halling  
Hyesun Park  
Lara Wallace  
Angela Zetter  
Dawn Michele Brewer  
Donna Stevens  
Hongmei  
Jose M Alvarez  
Justina Martínez  
Kathryne Corbin

Katie Newcomer  
Laura Reyes  
Marian Bryant  
Nelly Hughes  
Robert Barnes  
Tony Evans  
Yan Xun  
Jana Ricker  
Erin Moehl  
Adrienne Klein  
Tim Matus  
Angela Gardner  
Melissa Creamer  
Martha Castaneda  
Annetta Paszt  
Kristina Ligons

Laina Jackson  
Lesley Calhoun  
Monique Nuby  
Rachel Pace  
Sarah Hipple  
Trish Burke- Williams  
Nicola Work  
Brian Carbaugh  
Andrea Saunders  
Kim Clifford  
Michelle Kovach  
Kayla Schaub  
Melissa Doran  
Debbie Cammarata-Syroney  
Richard Emch

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President Kohler called on Ms. Yaniko, who submitted into evidence State Board Exhibits 1 through 6.

President Kohler stated that the exhibits were so received. As there was no more testimony, she declared the public hearing closed at 9:38 a.m.

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

- 1) Mr. Mark Pukita, Dublin. Mr. Pukita spoke to the Board regarding the July 2020, Equity Resolution. A written copy of the testimony was provided.
- 2) Mrs. Beth Murdoch, Hilliard. Mrs. Murdoch spoke in support of Item 27 on the Board's voting agenda. A written copy of the testimony was provided.

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

- 1) Ms. Cheryl Riegger-Krugh. Ms. Riegger-Krugh provided written testimony regarding Critical Race Theory.
- 2) Mrs. Michelle Berry. Mrs. Berry provided written testimony regarding Critical Race Theory.

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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. I move that the State Board of Education go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(5) to confer about matters required to be confidential by federal law or regulations or state statutes.

Mr. LaRue Seconded the motion.

The President called for a roll call vote.

**YES VOTES**

Christina Collins  
John Hagan  
Jenny Kilgore  
Mark Lamoncha  
Martha Manchester  
Tim Miller  
Michelle Newman  
Mike Toal

Walter Davis  
Meryl Johnson  
Laura Kohler  
Paul LaRue  
Charlotte McGuire  
Antoinette Miranda  
Brendan Shea

Motion carried.

The Board went into Executive Session and Quasi-Judicial discussion at 10:15 a.m.

The Board recessed from Executive Session and Quasi-Judicial discussion at 11:45 a.m.

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The State Board recessed for lunch.

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**WARREN COUNTY QUARANTINE PILOT**

Presenter: Tom Issacs, Superintendent of Warren County ESC.

Mr. Issacs presented to the Board Warren County's Quarantine Pilot Project with nine school districts participating. This pilot program would allow students to stay in school rather than quarantining at home.

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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 – Mrs. McGuire
- Performance and Impact Committee – Mr. LaRue
- Search Firm Request for Proposal Writing Committee – Mr. Dackin

Ms. Johnson stated she did not believe the report-outs should be included in the minutes as the report-outs were not voted on by Committee members.

Mr. Hagan stated he felt the report-outs were appropriate to be included in the minutes.

President Kohler stated this issue would be reviewed with the Board's parliamentarian.

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

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

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

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

WHEREAS on August 9, 2021, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Bradley W. Buzzell 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. Buzzell's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31; and

WHEREAS the form specifies that Bradley W. Buzzell is ineligible for and may not reapply for certification or licensure in the state of Ohio; and

WHEREAS Bradley W. Buzzell 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** Bradley W. Buzzell'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. Buzzell's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b) and (A)(3)(b), orders Bradley W. Buzzell be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

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

WHEREAS on August 9, 2021, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Tiffany S. Mealy 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. Mealy's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31; and

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

WHEREAS Tiffany S. Mealy 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** Tiffany S. Mealy'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. Mealy's decision not to participate in any further

proceedings pursuant to Ohio Revised Code 3319.31. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b) and (A)(3)(b), orders Tiffany S. Mealy 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. Mealy of this action.

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

WHEREAS on June 30, 2021, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Robert A. Mehno 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. Mehno's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Robert A. Mehno 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** Robert A. Mehno'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. Mehno'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 Robert A. Mehno be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

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

WHEREAS on June 16, 2021, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from John D. Murphey 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 the plea agreement in Case No. 20CR102067 in the Lorain County Court of Common Pleas; and

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

WHEREAS John D. Murphey 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** John D. Murphey'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 the plea agreement in Case No. 20CR102067 in the Lorain County Court of Common Pleas. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b) and (A)(3)(b), orders John D. Murphey be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

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

WHEREAS on August 4, 2021, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Jordan R. West 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. West's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.311; and

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

WHEREAS Jordan R. West 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** Jordan R. West'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. West'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 Jordan R. West be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

It was Moved by Dr. Kilgore and Seconded by Ms. Johnson that the Consent Agenda (Items 1-5) be approved.

President Kohler called for a roll call vote.

**YES VOTES**

Christina Collins  
Walter Davis  
John Hagan  
Meryl Johnson  
Laura Kohler  
Martha Manchester  
Antoinette Miranda

Stephen Dackin  
Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Paul LaRue  
Tim Miller  
Michelle Newman



Eric Poklar  
Mike Toal

Brendan Shea

ABSTAIN

Mark Lamoncha

Charlotte McGuire

Motion carried.

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Mr. LaRue presented the following recommendation (Item 6):

**6. RESOLUTION TO ADOPT CHANGES TO OHIO ADMINISTRATIVE CHAPTER 3301-16 RULES / HIGH SCHOOL GRADUATION**

The State Board of Education (“Board”) **ADOPTS** no changes to Ohio Administrative Code (OAC) 3301-16-01 / GPA calculation chart alternative pathway to graduation and OAC 3301-16-06 / Retaking end-of-course examinations, and **ADOPTS** changes to OAC 3301-16-05 / Additional assessment options for students required to pass the Ohio graduation tests and OAC 3301-16-07 / End-of-course examination in science, 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 3301.615 requires the Board to establish rules designating grade point averages equivalent to at least a 2.5 out of 4.0 for use by school districts and schools with different grading systems for the purpose of meeting an alternative to the requirement that a person attain the designated scores on all the Ohio Graduation Tests in order to be eligible for a diploma under the provisions of ORC 3301.615;

ORC 3313.614 requires the Board to adopt rules prescribing the manner in which a person who began ninth grade for the first time before July 1, 2014, may be eligible for a high school diploma by combining graduation requirements under ORC 3313.618 and 3313.619 and the requirement to attain at least the applicable scores designated for the Ohio Graduation Test;

ORC 3301.0728 requires the Board to adopt rules to implement the provisions of the statute that allow a student to retake any end-of-course examination during the student’s academic career at a time designated by the Department of Education;

ORC 3301.0712 requires the Board to adopt rules prescribing the requirements for the end-of-course examination in science for students who entered the ninth grade for the first time on or after July 1, 2014, but prior to July 1, 2015, and who have not met the requirement prescribed by ORC 3313.618 by July 1, 2019, due to a student’s failure to satisfy ORC 3313.618(A)(2); and

The Performance and Impact Committee recommended that the Board adopt changes to OAC 3301-16-05 and OAC 3301-16-07 and recommended that the Board adopt no changes to OAC 3301-16-01 and OAC 3301-16-06.

NOW, THEREFORE, BE IT RESOLVED, that the Board adopts changes to OAC 3301-16-05 / Additional assessment options for students required to pass the Ohio graduation tests, and OAC 3301-16-07 / End-of-course examination in science in the form attached hereto;

FURTHER RESOLVED, that the Board adopts no changes to OAC 3301-16-01 / GPA calculation chart for alternative pathway to graduation and OAC 3301-16-06 / Retaking end-of-course examinations;

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

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

It was Moved by Mr. LaRue that the above recommendation (Item 6) be approved.

President Kohler called for a roll call vote.

YES VOTES

Christina Collins	Stephen Dackin
Walter Davis	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	

NO VOTES

Diana Fessler

ABSTAIN

Charlotte McGuire

Motion carried.

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Mrs. Manchester presented the following recommendation (Item 7):

- 7. RESOLUTION TO ADOPT CHANGES TO OHIO ADMINISTRATIVE RULE 3301-42-01 / CRITERIA FOR ENROLLING ELIGIBLE ADULTS IN PUBLIC SECONDARY EDUCATION PROGRAMS**

The State Board of Education (“Board”) hereby **ADOPTS** changes to Ohio Administrative Code (OAC) Ohio Administrative Code 3301-42-01 / Criteria for Enrolling Eligible Adults in Public Secondary Education Programs as follows:

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

ORC 3313.645 requires the Board to adopt rules establishing criteria for the admission of persons to schools under that section;

The rules adopted under ORC 3313.645 may authorize restrictions or limitations on the classes or programs in which such persons may participate;

OAC 3301-42-01 establishes the criteria for admission under ORC 3313.645 for participation in vocational education programs;

Changes to the rule include removing language that is redundant of that contained in statute, removing an instructional hour limitation, removing certain admission criteria, and keeping program participants separated from the K-12 population;

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

NOW, THEREFORE, BE IT RESOLVED, that the Board adopts changes to OAC 3301-42-01 / Criteria for Enrolling Eligible Adults in Public Secondary Education Programs in the form attached hereto;

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

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

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

President Kohler called for a roll call vote.

**YES VOTES**

Christina Collins  
John Hagan  
Meryl Johnson  
Laura Kohler  
Paul LaRue  
Tim Miller

Walter Davis  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Martha Manchester  
Antoinette Miranda

Michelle Newman  
Brendan Shea

Eric Poklar  
Mike Toal

NO VOTES

Diana Fessler

ABSTAIN

Stephen Dackin

Charlotte McGuire

Motion carried.

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President Kohler presented the following recommendation (Item 8):

8. **RESOLUTION TO ACCEPT THE RECOMMENDATION OF THE HEARING OFFICER AND DENY THE TRANSFER OF SCHOOL DISTRICT TERRITORY FROM THE BUCKEYE VALLEY LOCAL SCHOOL DISTRICT, DELAWARE COUNTY, TO THE DUBLIN CITY SCHOOL DISTRICT, DELAWARE AND UNION COUNTY, PURSUANT TO SECTION 3311.24 OF THE OHIO REVISED CODE.**

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

Pursuant to Ohio Revised Code (“ORC”) Section 3311.24, residents Elizabeth Czekalski and Michael Church (“Petitioners”) have petitioned for the transfer of school district territory from the Buckeye Valley Local School District, Delaware County, to the Dublin City School District, Delaware and Union County;

Petitioners requested a hearing, which was held on February 25, 2021, before a duly appointed hearing officer;

In his report, submitted July 12, 2021, the hearing officer, Paul Stehura, recommends that the Board deny the proposed transfer of territory from the Buckeye Valley Local School District, Delaware County, to the Dublin City School District, Delaware and Union County, pursuant to ORC 3311.24;

In the report, hearing officer Stehura concludes that, while the transfer of the Subject Property to Dublin CS would serve the present and ultimate good of all students, the fact that the Dublin City School District Board acted to reject the territory means that the Board should reject the transfer of property from the Buckeye Valley Local School District to the Dublin City School District;

Petitioners filed Objections on August 12, 2021. In those objections they argued that that the Board should not consider Dublin Board’s resolution and instead should only rely on the factors listed in rule and determine that the hearing officer’s conclusion that the transfer was in the best interest of the children should prevail.

NOW, THEREFORE, BE IT RESOLVED, that upon consideration of the hearing officer’s report, the objections provided and the relevant law, the Board hereby adopts the recommendation of the hearing officer and denies the request for the

transfer of territory from the Buckeye Valley Local School District, Delaware County, to the Dublin City School District, Delaware and Union County, for the reasons outlined in the hearing officer's report and recommendation; and

BE IT FURTHER RESOLVED, that the Superintendent of Public Instruction be, and he hereby is, directed to serve a true copy of this resolution on the Petitioners, the Buckeye Valley Local School District, Delaware County, the Dublin City School District, Delaware and Union County, and counsel of record, if applicable.

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

Mrs. Fessler moved to amend the resolution by substitution. Mr. Shea seconded the motion. Mrs. Fessler moved upon consideration of the hearing officer's report, the objections provided and the relevant law, the Board hereby rejects the recommendation of the hearing officer and approves the request for the transfer of territory from the Buckeye Valley Local School District, Delaware County, to the Dublin City School District, Delaware County.

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

YES VOTES

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	

Motion carried.

Resolution as amended:

8. **RESOLUTION TO REJECT THE RECOMMENDATION OF THE HEARING OFFICER AND TO APPROVE THE TRANSFER OF SCHOOL DISTRICT TERRITORY FROM THE BUCKEYE VALLEY LOCAL SCHOOL DISTRICT, DELAWARE COUNTY, TO THE DUBLIN CITY SCHOOL DISTRICT, DELAWARE COUNTY, PURSUANT TO SECTION 3311.24 OF THE OHIO REVISED CODE.**

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

Pursuant to Ohio Revised Code ("ORC") Section 3311.24, residents Elizabeth Czekalski and Michael Church ("Petitioners") have petitioned for the transfer of school district territory from the Buckeye Valley Local School District, Delaware County, to the Dublin City School District, Delaware County;

Petitioners requested a hearing, which was held on February 25, 2021, before a duly appointed hearing officer;

In his report, submitted July 12, 2021, the hearing officer, Paul Stehura, recommends that the Board deny the proposed transfer of territory from the Buckeye Valley Local School District, Delaware County, to the Dublin City School District, Delaware County, pursuant to ORC 3311.24;

In the report, hearing officer Stehura concludes that, while the transfer of the Subject Property to Dublin CS would serve the present and ultimate good of all students, the fact that the Dublin City School District Board acted to reject the territory means that the Board should reject the transfer of property from the Buckeye Valley Local School District to the Dublin City School District;

Petitioners filed Objections on August 12, 2021. In those objections they argued that that the Board should not consider Dublin Board's resolution and instead should only rely on the factors listed in rule and determine that the hearing officer's conclusion that the transfer was in the best interest of the children should prevail.

NOW, THEREFORE, BE IT RESOLVED, that the State Board of Education has considered the report and recommendation of the hearing officer, Petitioners' objections, and the State Board of Education rejects the following portions of the hearing officer's recommendation: Conclusions of law J and K and the Recommendation;

BE IT FURTHER RESOLVED, that the Board finds that the only factors to be reviewed by the Board in determining a territory transfer are the factors outlined in OAC 3301-89-02(B) and OAC 3301-89-03(B), and accepts the hearing officer's finding that finding that the transfer of the Subject Property to Dublin CS would serve the present and ultimate good of all students to be impacted by the transfer;

BE IT FURTHER RESOLVED, that upon consideration of the hearing officer's report, the objections provided and the relevant law, the Board hereby rejects the recommendation of the hearing officer and approves the request for the transfer of territory from the Buckeye Valley Local School District, Delaware County, to the Dublin City School District, Delaware County; and

BE IT FURTHER RESOLVED, that the Superintendent of Public Instruction be, and he hereby is, directed to serve a true copy of this resolution on the Petitioners, the Buckeye Valley Local School District, Delaware County, the Dublin City School District, Delaware County, and counsel of record, if applicable.

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

YES VOTES

Christina Collins  
Walter Davis  
John Hagan  
Meryl Johnson  
Laura Kohler

Stephen Dackin  
Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha

Paul LaRue  
Charlotte McGuire  
Antoinette Miranda  
Eric Poklar  
Mike Toal

Martha Manchester  
Tim Miller  
Michelle Newman  
Brendan Shea

Motion carried.

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President Kohler presented the following recommendation (Item 9):

**9. RESOLUTION TO APPROVE THE TERRITORY TRANSFER AND REVENUE SHARING AGREEMENT BETWEEN THE GREEN LOCAL SCHOOL DISTRICT, WAYNE COUNTY, AND THE WOOSTER CITY SCHOOL DISTRICT, WAYNE COUNTY, PURSUANT TO SECTION 3311.24 OF THE OHIO REVISED CODE.**

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

Pursuant to Ohio Revised Code (“ORC”) Section 3311.24, the City of Wooster has petitioned for the transfer of school district territory from the Green Local School District (Green LSD), Wayne County, to the Wooster City School District (Wooster CSD), Wayne County; and

Prior to going to hearing, Green LSD entered into negotiations with Wooster CSD and the City of Wooster, pursuant to ORC 3311.24(B), and the parties agreed to the transfer and reached a comprehensive settlement agreement; and

In the comprehensive agreement, Green LSD and Wooster CSD agree to transfer Parcels Number 77-00001.000 and 77-00001.001, from Green LSD to Wooster CSD.

NOW, THEREFORE, BE IT RESOLVED, that upon consideration of the settlement agreement and the relevant law, the Board hereby approves the request for the transfer of territory from the Green Local School District, Wayne County, to the Wooster City School District, Wayne County; and

BE IT FURTHER RESOLVED, that the Superintendent of Public Instruction be, and he hereby is, directed to serve a true copy of this resolution on the City of Wooster, the Green Local School District, Wayne County, the Wooster City School District, Wayne County, and counsel of record, if applicable.

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

President Kohler called for a roll call vote.

YES VOTES

Christina Collins

Stephen Dackin

Walter Davis  
John Hagan  
Meryl Johnson  
Laura Kohler  
Paul LaRue  
Tim Miller  
Michelle Newman  
Brendan Shea

Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Mike Toal

ABSTAIN

Charlotte McGuire

Motion carried.

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

- 10. RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY KATHLEEN D. CHANNELS 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 Kathleen D. Channels has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

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

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

WHEREAS Kathleen D. Channels 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** Kathleen D. Channels'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. Channels' 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 Kathleen D. Channels 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. Channels of this action.

It was Moved by Mr. LaRue and Seconded by Mr. Shea that the above recommendation (Item 10) 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	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 11):

11. **RESOLUTION TO ACCEPT THE PERMANENT VOLUNTARY SURRENDER AND DENIAL OF LICENSES FORM SIGNED BY AMENAN P. DJOGO 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 Amenan P. Djogo has applied for and/or has been issued a license, permit, or certificate by the Ohio Department of Education; and

WHEREAS on July 20, 2021, the Ohio Department of Education received a permanent voluntary surrender and denial of licenses form from Amenan P. Djogo 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. Djogo's decision not to participate in any further proceedings pursuant to Ohio Revised Code 3319.31; and

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

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

It was Moved by Mrs. Manchester and Seconded by Mrs. Hill 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  
Paul LaRue  
Tim Miller  
Michelle Newman  
Brendan Shea

Stephen Dackin  
Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Mike Toal

ABSTAIN

Charlotte McGuire

Motion carried.

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Aaron Ross, Director, Office of Professional Conduct, presented the following recommendation (Item 12):

**12. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FIVE-YEAR PROFESSIONAL ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE OF BRIAN M. BIALLAS**

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

WHEREAS Brian M. Biallas holds a five-year professional adolescence to young adult teaching license issued in 2017; and

WHEREAS on August 26, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Brian M. Biallas 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 2017 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Biallas engaging in conduct that is unbecoming to the teaching profession on or about February 2019, when he failed to maintain appropriate boundaries with a student by exchanging inappropriate electronic communications with the student and these inappropriate electronic communications included, but are not limited to, Mr. Biallas saying the following to the student: (a) "What r u looking for? Because I am looking for a young female into the teacher student fantasy"; (b) "I would like to treat you like a bad student who needs punishment, one who wants to improve their grade I would like to tie your hands behind your back, bend you over a deck, slowly pull down your clothing and spank your ass I would like you to ask me how to teach you to please me"; (c) "Well let's start with this, what do you like sexually or want to do or have done"; and (d) "I am an ass man lol I like a woman who is open to trying things I like to be dominant"; and

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

WHEREAS a hearing was held on May 6, 2021; and

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

WHEREAS the hearing officer recommends that Mr. Biallas' license be revoked and that he be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based upon the following: Mr. Biallas' behavior being highly inappropriate and inexcusable; Mr. Biallas exhibiting extremely poor judgment when he attempted to initiate a sexual relationship with a student; and that his employment or licensure would have a negative effect on the local education and/or the state-wide education community; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Brian M. Biallas' five-year professional adolescence to young adult teaching license issued in 2017 based upon Mr. Biallas engaging in conduct that is unbecoming to the teaching profession on or about February 2019, when he failed to maintain appropriate boundaries with a student by exchanging inappropriate electronic communications with the student and these inappropriate electronic communications included, but are not limited to, Mr. Biallas saying the following to the student: (a) "What r u looking for? Because I am looking for a young female into the teacher student fantasy"; (b) "I would like to treat you like a bad student who needs punishment, one who wants to improve their grade I would like to tie your hands behind your back, bend you over a desk, slowly pull down your clothing and spank your ass I would like you to ask me how to teach you to please me"; (c) "Well let's start with this, what do you like sexually or want to do or have done"; and (d) "I am an ass man lol I like a woman who is open to trying things I like to be dominant". Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Brian M. Biallas be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

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

President Kohler called for a roll call vote.

YES VOTES

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

Stephen Dackin  
Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Mike Toal

ABSTAIN

Charlotte McGuire

Motion carried.

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

**13. RESOLUTION TO REVOKE THE FIVE-YEAR PROFESSIONAL ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE AND FIVE-YEAR PROFESSIONAL INTERVENTION SPECIALIST TEACHING LICENSE OF ANNA K. DURISH**

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

WHEREAS Anna K. Durish holds a five-year professional adolescence to young adult teaching license issued in 2017 and a five-year professional intervention specialist teaching license issued in 2017; and

WHEREAS on June 16, 2021, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Anna K. Durish of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional adolescence to young adult teaching license issued in 2017 and five-year professional intervention specialist teaching license issued in 2017 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Durish's 2019 conviction in the Jefferson County Court #2 for one misdemeanor count of failure to comply with order or signal of police officer, 2019 conviction in the Jefferson County Court #2, in a separate case, for one misdemeanor count of hit-skip and one misdemeanor count of operating a vehicle under the influence of alcohol or drugs (OVI), and 2015 conviction in the Franklin County Municipal Court for one misdemeanor count of operating a vehicle under the influence of alcohol or drugs (OVI); and

WHEREAS the notice informed Ms. Durish that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Ohio Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke her five-year professional adolescence to young adult teaching license issued in 2017 and five-year professional intervention specialist teaching license issued in 2017; and

WHEREAS Anna K. Durish 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 Jefferson County Court #2 and the Franklin County Municipal Court, and certified police records from the Wintersville Police Department and the Dublin 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** Anna K. Durish's five-year professional adolescence to young adult teaching license issued in 2017 and five-year professional intervention specialist teaching license issued in 2017 based upon Ms. Durish's 2019 conviction in the Jefferson County Court #2 for one misdemeanor count of failure to comply with order or signal of police officer, 2019 conviction in the Jefferson County Court #2, in a separate case, for one misdemeanor count of hit-skip and one misdemeanor count of operating a vehicle under the influence of alcohol or drugs (OVI), and 2015 conviction in the Franklin County Municipal Court for one misdemeanor count of operating a vehicle under the influence of alcohol or drugs (OVI). Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Anna K. Durish be ineligible to apply for any license, permit, or certificate issued by the State Board of Education until on or after September 21, 2026, and that upon reapplication, she must provide written proof of her continued sobriety and written verification to the Ohio Department of Education that she has completed, at her own expense, a drug/alcohol assessment by a licensed counselor who is preapproved by the Ohio Department of Education and any additional counseling and/or treatment recommended by the licensed counselor; and, Be It Further

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

It was Moved by Mrs. Hill and Seconded by Mr. Hagan that the above recommendation (Item 13) be approved.

President Kohler called for a roll call vote.

YES VOTES

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

Stephen Dackin  
Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Mike Toal

ABSTAIN

Charlotte McGuire

Motion carried.

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

**14. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FOUR-YEAR RESIDENT EDUCATOR INTERVENTION SPECIALIST TEACHING LICENSE OF LOWELL R. HOUSTON**

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

WHEREAS Lowell R. Houston held a four-year resident educator intervention specialist teaching license issued in 2015; and

WHEREAS on May 2, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Lowell R. Houston of its intent to determine whether to limit, suspend, revoke, or permanently revoke his four-year resident educator intervention specialist teaching license issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Houston engaging in conduct unbecoming to the teaching profession on or about October 10, 2016, when he engaged in a physical altercation with a student, specifically, he escalated an incident regarding a missing clothing item with the student, leading Mr. Houston to strike the student; and

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

WHEREAS a hearing was held on May 26, 2021; and

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

WHEREAS the hearing officer recommends that Mr. Houston's license be revoked and that he be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based upon Mr. Houston disregarding a student's limitations, known aggressive tendencies, and emotional state to enter a school bus and physically wrestle with the student over a missing clothing item, which resulted in Mr. Houston hitting the student in the head; 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** Lowell R. Houston's four-year resident educator intervention specialist teaching license issued in 2015 based upon Mr. Houston engaging in conduct unbecoming to the teaching profession on or about October 10, 2016, when he engaged in a physical altercation with a student, specifically, he escalated an incident regarding a missing clothing item with the student, leading Mr. Houston to strike the student. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-

22(A)(2)(b), orders Lowell R. Houston be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

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

President Kohler called for a roll call vote.

YES VOTES

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

Stephen Dackin  
Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Mike Toal

ABSTAIN

Charlotte McGuire

Motion carried.

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

**15. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE THE FOUR-YEAR ADULT EDUCATION TEACHING PERMIT OF DUSTIN S. MCCLEESE**

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

WHEREAS Dustin S. McCleese held a four-year adult education teaching permit issued in 2017 with an effective year of 2016; and

WHEREAS on October 14, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Dustin S. McCleese of its intent to determine whether to limit, suspend, revoke, or permanently revoke his four-year adult education teaching permit issued in 2017 with an effective year of 2016 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. McCleese engaging in conduct unbecoming to the teaching profession on or about, but not limited to, the summer and/or fall of 2017, when he used inappropriate language in a classroom setting, including but not limited to, Mr.



McCleese making disparaging remarks about the Amish; using a mnemonic to the effect of "Ooh ooh, aah aah, to touch a fat girl's vagina"; using and discussing the words "taint" and

"dodis" when referring to female and male anatomy; and using curse words, such as the words "shit" and "fuck"; and

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

WHEREAS a hearing was held on April 13, 2021; and

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

WHEREAS the hearing officer recommends that Mr. McCleese's permit be revoked and that he not be permitted to reapply for a license, permit, or certificate issued by the State Board of Education for a period of one year, provided that he completes eight hours of sensitivity training and eight hours of professionalism training. The hearing officer's recommendation is based upon the nature and seriousness of Mr. McCleese's use of inappropriate comments in a classroom setting and that at thirty-seven years of age, Mr. McCleese had the age and maturity to know that the comments he made in a classroom setting were inappropriate; 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** Dustin S. McCleese's four-year adult education teaching permit issued in 2017 with an effective year of 2016 based upon Mr. McCleese engaging in conduct unbecoming to the teaching profession on or about, but not limited to, the summer and/or fall of 2017, when he used inappropriate language in a classroom setting, including but not limited to, Mr. McCleese making disparaging remarks about the Amish; using a mnemonic to the effect of "Ooh ooh, aah aah, to touch a fat girl's vagina"; using and discussing the words "taint" and "dodis" when referring to female and male anatomy; and using curse words, such as the words "shit" and "fuck". Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(a), orders that Dustin S. McCleese be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until on or after September 21, 2022, and upon reapplication, he must submit written verification to the Ohio Department of Education that he has completed, at his own expense, eight hours of sensitivity training and eight hours of professionalism training, with all training to be approved in advance by the Ohio Department of Education; and, Be It Further

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

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

President Kohler called for a roll call vote.

YES VOTES

Christina Collins	Stephen Dackin
Walter Davis	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.

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

**16. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER, TO STRIKE THE OBJECTIONS TO THE HEARING OFFICER'S REPORT AND RECOMMENDATION, AND TO REVOKE PERMANENTLY THE FIVE-YEAR SUBSTITUTE ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE OF CLAUDIA H. OAK-EHRLE**

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

WHEREAS Claudia H. Oak-Ehrle holds a five-year substitute adolescence to young adult teaching license issued in 2017; and

WHEREAS on June 18, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Claudia H. Oak-Ehrle of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year substitute adolescence to young adult teaching license issued in 2017 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Oak-Ehrle engaging in the following conduct unbecoming to the teaching profession: on or about June 5, 2007, she falsified her professional degree on her licensure application with the Ohio Department of Education by claiming that she earned a Master's degree in Education from Mount Vernon Nazarene University, a degree she had not obtained; on or about July 1, 2010, she falsified her professional degree on her licensure application with the Ohio Department of Education by claiming that she earned a Master's degree in Education from

Mount Vernon Nazarene University, a degree she had not obtained; on or about July 8, 2011, she falsified her professional degree on her licensure application with the Ohio Department of Education by claiming that she earned a Master's degree in Education from Mount Vernon Nazarene University, a degree she had not obtained; on or about June 28, 2012, she falsified her professional degree on her licensure application with the Ohio Department of Education by claiming that she earned a Master's degree in Education from Mount Vernon Nazarene University, a degree she had not obtained; on or about June 18, 2013, she falsified her professional degree on her licensure application with the Ohio Department of Education by claiming that she earned a Master's degree in Education from Mount Vernon Nazarene University, a degree she had not obtained; and on or about November 8, 2016, she falsely claimed she held a Master's degree in Education from Mount Vernon Nazarene University, a degree she had not obtained, on her resume which she submitted and certified as accurate with her employment application to Mount Auburn International Academy; and

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

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

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

WHEREAS the hearing officer recommends that Ms. Oak-Ehrle's license be revoked and that she be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based upon the nature and seriousness of Ms. Oak-Ehrle repeatedly lying about her credentials, not only to the Ohio Department of Education, but also to a potential employer who hired her in reliance upon her attestation that she had earned a Master's degree in Education and that at the time these event's took place, Ms. Oak-Ehrel was in her fifties, clearly old and experienced enough to have understood exactly what she was doing; and

WHEREAS Ms. Oak-Ehrle timely filed objections to the hearing officer's report and recommendation; and

WHEREAS the Ohio Department of Education filed a motion to strike Ms. Oak-Ehrle's objections in their entirety based on the objections containing additional evidence that was not submitted during the administrative hearing and was not newly discovered; and

WHEREAS the hearing officer recommended that the Ohio Department of Education's motion to strike Ms. Oak-Ehrle's objections in their entirety be granted based upon the State Board of Education lacking jurisdiction to consider Ms. Ehrle's objections; and

WHEREAS the State Board of Education considered the hearing officer's recommendation to strike in their entirety Ms. Oak-Ehrle's objections in accordance with the hearing officer's recommendation in her March 25, 2021 entry; 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 accepts the hearing officer's recommendation to strike in their entirety Ms. Oak-Ehrle's objections; and Be It Further

RESOLVED, that the State Board of Education hereby **STRIKES** Ms. Oak-Ehrle's objections in accordance with the hearing officer's entry dated March 25, 2021; and Be It Further

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Claudia H. Oak-Ehrle's five-year substitute adolescence to young adult teaching license issued in 2017 based upon Ms. Oak-Ehrle engaging in the following conduct unbecoming to the teaching profession: on or about June 5, 2007, she falsified her professional degree on her licensure application with the Ohio Department of Education by claiming that she earned a Master's degree in Education from Mount Vernon Nazarene University, a degree she had not obtained; on or about July 1, 2010, she falsified her professional degree on her licensure application with the Ohio Department of Education by claiming that she earned a Master's degree in Education from Mount Vernon Nazarene University, a degree she had not obtained; on or about July 8, 2011, she falsified her professional degree on her licensure application with the Ohio Department of Education by claiming that she earned a Master's degree in Education from Mount Vernon Nazarene University, a degree she had not obtained; on or about June 28, 2012, she falsified her professional degree on her licensure application with the Ohio Department of Education by claiming that she earned a Master's degree in Education from Mount Vernon Nazarene University, a degree she had not obtained; on or about June 18, 2013, she falsified her professional degree on her licensure application with the Ohio Department of Education by claiming that she earned a Master's degree in Education from Mount Vernon Nazarene University, a degree she had not obtained; and on or about November 8, 2016, she falsely claimed she held a Master's degree in Education from Mount Vernon Nazarene University, a degree she had not obtained, on her resume which she submitted and certified as accurate with her employment application to Mount Auburn International Academy. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Claudia H. Oak-Ehrle 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. Oak-Ehrle of this action.

It was Moved by Mrs. Hill and Seconded by Mr. LaRue that the above recommendation (Item 16) be approved.

President Kohler called for a roll call vote.

YES VOTES

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

Stephen Dackin  
Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Mike Toal

ABSTAIN

Charlotte McGuire

Motion carried.

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

**17. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY THE ONE-YEAR EXTENSION OF A FOUR-YEAR RESIDENT EDUCATOR ADOLESCENCE TO YOUNG ADULT TEACHING LICENSE APPLICATION OF OLDEN M. RAY**

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

WHEREAS Olden M. Ray has applied for a one-year extension of his four-year resident educator adolescence to young adult teaching license issued in 2014; and

WHEREAS on March 11, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Olden M. Ray of its intent to deny or permanently deny his application for a one-year extension of his four-year resident educator adolescence to young adult teaching license issued in 2014 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Mr. Ray engaging in conduct unbecoming to the teaching profession on or about September 8, 2017, when he made inappropriate physical contact with a student while in the classroom and this inappropriate physical conduct included Mr. Ray patting/rubbing the student's upper thigh. Further, the notice included as an aggravating factor that Mr. Ray had previously been disciplined by the Columbus Arts & Technology Academy (CATA) and by the State Board of Education and this discipline included: (a) on or about March 11, 2016, Mr. Ray was issued a written warning by an administrator at CATA for becoming frustrated with a student, telling the student to leave the classroom, calling the student a "punk ass", and for using the word "damn" when talking to students; and (b) on or about December 1, 2012, Mr. Ray entered into a consent agreement with the State Board of Education for engaging in conduct unbecoming a licensed educator by kissing a student on the forehead while in the classroom on or about September 8, 2011; and

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

WHEREAS a hearing was held on May 18, 2021; and

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

WHEREAS the hearing officer recommends that Mr. Ray's application for a one-year extension of his four-year resident educator adolescence to young adult teaching license issued in 2014 be denied. Further, the hearing officer recommends that Mr. Ray not be permitted to reapply for any license, certificate, or permit for a period of one year from the State Board of Education resolution issued in this matter and upon reapplication, he must provide written verification to the Ohio Department of Education that he has completed eight hours of boundary training and eight hours of professionalism training. The hearing officer's recommendation is based upon Mr. Ray engaging in conduct unbecoming to the teaching profession during the 2017-2018 school year when he made inappropriate physical contact with a female student during a meeting by patting her multiple times on the upper thigh; 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** Olden M. Ray's application for a one-year extension of his four-year resident educator adolescence to young adult teaching license issued in 2014 based upon Mr. Ray engaging in conduct unbecoming to the teaching profession on or about September 8, 2017, when he made inappropriate physical contact with a student while in the classroom and this inappropriate physical conduct included Mr. Ray patting/rubbing the student's upper thigh. Pursuant to Ohio Administrative Code Rule 3301-73-21(B), the State Board of Education further considers in aggravation that Mr. Ray had previously been disciplined by the Columbus Arts & Technology Academy (CATA) and by the State Board of Education and this discipline included: (a) on or about March 11, 2016, Mr. Ray was issued a written warning by an administrator at CATA for becoming frustrated with a student, telling the student to leave the classroom, calling the student a "punk ass", and for using the word "damn" when talking to students; and (b) on or about December 1, 2012, Mr. Ray entered into a consent agreement with the State Board of Education for engaging in conduct unbecoming a licensed educator by kissing a student on the forehead while in the classroom on or about September 8, 2011. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(a), orders that Olden M. Ray be ineligible to reapply for any license, permit, or certificate issued by the State Board of Education until on or after September 21, 2022, and upon reapplication, he must submit written verification to the Ohio Department of Education that he has completed, at his own expense, eight hours of boundary training, and eight hours of professionalism training, with all training to be approved in advance by the Ohio Department of Education; and, Be It Further

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

It was Moved by Ms. Johnson and Seconded by Mr. Shea that the above recommendation (Item 17) 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	Mark Lamoncha
Paul LaRue	Martha Manchester
Tim Miller	Antoinette Miranda
Michelle Newman	Eric Poklar
Brendan Shea	Mike Toal

ABSTAIN

Charlotte McGuire

Motion carried.

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

**18. RESOLUTION TO REVOKE PERMANENTLY THE ONE-YEAR EDUCATIONAL AIDE PERMIT OF HAILEY M. SAUNDERS**

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

WHEREAS Hailey M. Saunders held a one-year educational aide permit issued in 2019; and

WHEREAS on June 16, 2021, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Hailey M. Saunders of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year educational aide permit issued in 2019 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Saunders' 2020 conviction in the Clermont County Municipal Court for one misdemeanor count of endangering children; and

WHEREAS the notice informed Ms. Saunders that if she fails within thirty days to request a hearing in accordance with Section 119.07 of the Ohio Revised Code, the State Board of Education will proceed to determine whether to limit, suspend, revoke, or permanently revoke her one-year educational aide permit issued in 2019; and

WHEREAS Hailey M. Saunders 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 certified police records from the Goshen Township Police Department; and

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Hailey M. Saunders' one-year educational aide permit issued in 2019 based upon Ms. Saunders' 2020 conviction in the Clermont County Municipal Court for one misdemeanor count of endangering children. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Hailey M. Saunders 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. Saunders of this action.

It was Moved by Mr. Lamoncha and Seconded by Dr. Kilgore that the above recommendation (Item 18) be approved.

President Kohler called for a roll call vote.

YES VOTES

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

Stephen Dackin  
Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Mike Toal

ABSTAIN



Charlotte McGuire

Motion carried.

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

**19. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE ONE-YEAR EDUCATIONAL AIDE PERMIT OF CINDY L. STOUT**

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

WHEREAS Cindy L. Stout held a one-year educational aide permit issued in 2016; and

WHEREAS on November 10, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Cindy L. Stout of its intent to determine whether to limit, suspend, revoke, or permanently revoke her one-year educational aide permit issued in 2016 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Stout engaging in the following conduct unbecoming to the teaching profession: on or about February 14, 2017, she encouraged a student (Student 1) to run by holding on to Student 1's hand and running with Student 1/pulling Student 1, despite the fact that the act of running was beyond Student 1's physical ability and Ms. Stout had been warned about this limitation, resulting in Student 1 falling and breaking Student 1's elbow; and on or about January 2017, Ms. Stout grabbed another student (Student 2) by the hood of Student 2's sweatshirt in the lunchroom and pulled/dragged Student 2 backwards a distance of two to four table lengths. Further, the notice included as an aggravating factor that on or about April 11, 2017, Huron County Department of Job and Family Services substantiated physical abuse based upon Ms. Stout's actions during the incident involving Student 1 on February 14, 2017; and

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

WHEREAS a hearing was held on June 3, 2021; and

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

WHEREAS the hearing officer recommends that Ms. Stout's permit be revoked and that she be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based upon the following: Ms. Stout's licensure would negatively impact the health, safety, and welfare of the school community if she were to continue to work with students; Ms. Stout did not change her conduct after she was trained and spoken with three to four times about her rough

inappropriate conduct with students; and Ms. Stout had the opportunity to change and failed to do so at the expense of young, nonverbal students; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Cindy L. Stout's one-year educational aide permit issued in 2016 based upon Ms. Stout engaging in the following conduct unbecoming to the teaching profession: on or about February 14, 2017, she encouraged a student (Student 1) to run by holding on to Student 1's hand and running with Student 1/pulling Student 1, despite the fact that the act of running was beyond Student 1's physical ability and Ms. Stout had been warned about this limitation, resulting in Student 1 falling and breaking Student 1's elbow; and on or about January 2017, Ms. Stout grabbed another student (Student 2) by the hood of Student 2's sweatshirt in the lunchroom and pulled/dragged Student 2 backwards a distance of two to four table lengths. Pursuant to Ohio Administrative Code Rule 3301-73-21(B), the State Board of Education further considers in aggravation that on or about April 11, 2017, Huron County Department of Job and Family Services substantiated physical abuse based upon Ms. Stout's actions during the incident involving Student 1 on February 14, 2017. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Cindy L. Stout 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. Stout of this action.

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

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
Mark Lamoncha	Paul LaRue
Martha Manchester	Tim Miller
Antoinette Miranda	Michelle Newman
Eric Poklar	Brendan Shea
Mike Toal	

ABSTAIN

Charlotte McGuire

Motion carried.

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Kelly Edwards, Assistant Director, Office of Professional Conduct, presented the following recommendation (Item 20):

**20. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO DENY PERMANENTLY THE ONE-YEAR SUBSTITUTE GENERAL EDUCATION TEACHING LICENSE APPLICATION OF ALLENA M. WILLIAMS**

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

WHEREAS Allena M. Williams has applied for a one-year substitute general education teaching license; and

WHEREAS on July 10, 2019, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Allena M. Williams of its intent to deny or permanently deny her application for a one-year substitute general education teaching license pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(b), (B)(2)(c), (B)(2)(e), and (F) and Rule 3301-20-01(E) of the Ohio Administrative Code. The notice was based upon Ms. Williams' 1998 conviction in the Hamilton County Municipal Court for one misdemeanor count of endangering children; 1996 conviction in the Fairfield Municipal Court for one misdemeanor count of domestic violence, specifically, on January 28, 1996, Ms. Williams was involved in a domestic dispute in which she brandished a knife and threatened to stab Samuel Brown, Jr.; 1993 conviction in the Hamilton County Municipal Court for one misdemeanor count of theft; and on or about November 25, 2014, the State of New Jersey Department of Education voted to block Ms. Williams' application for certification, specifically, their decision was based on, among other factors, the severity of the conduct in which Ms. Williams engaged and the Board further found that her conviction for child endangerment would be a disqualifying offense pursuant to N.J.S.A. 18A:6-7.1 et. seq; and

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

WHEREAS a hearing was held on February 17, 2021; and

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

WHEREAS the hearing officer recommends that Ms. Williams' application be denied 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. Williams being convicted and found guilty of three separate crimes in Ohio, one of which was endangering children involving her minor child and which served as the basis for her being denied an education license in the state of New Jersey. The hearing officer's recommendation is also based on Ms. Williams' criminal history making her ineligible for licensure pursuant to Ohio Administrative Code Rule 3301-20-01(E) because the victim of

her 1998 endangering children conviction was a minor under eighteen years of age; and

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), (B)(2)(b), (B)(2)(c), (B)(2)(e), and (F) and Rule 3301-20-01(E) of the Ohio Administrative Code, hereby **DENIES** Allena M. Williams's application for a one-year substitute general education teaching license based upon Ms. Williams' 1998 conviction in the Hamilton County Municipal Court for one misdemeanor count of endangering children; 1996 conviction in the Fairfield Municipal Court for one misdemeanor count of domestic violence, specifically, on January 28, 1996, Ms. Williams was involved in a domestic dispute in which she brandished a knife and threatened to stab Samuel Brown, Jr.; 1993 conviction in the Hamilton County Municipal Court for one misdemeanor count of theft; and on or about November 25, 2014, the State of New Jersey Department of Education voted to block Ms. Williams' application for certification, specifically, their decision was based on, among other factors, the severity of the conduct in which Ms. Williams engaged and the Board further found that her conviction for child endangerment would be a disqualifying offense pursuant to N.J.S.A. 18A:6-7.1 et. seq. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(3)(b), orders Allena M. Williams be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

It was Moved by Mrs. Hill and Seconded by Mr. LaRue that the above recommendation (Item 20) be approved.

President Kohler called for a roll call vote.

YES VOTES

Christina Collins  
Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Mike Toal

Walter Davis  
John Hagan  
Meryl Johnson  
Laura Kohler  
Paul LaRue  
Tim Miller  
Michelle Newman  
Brendan Shea

ABSTAIN

Charlotte McGuire

Motion carried.

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Kelly Edwards, Assistant Director, Office of Professional Conduct, presented the following recommendation (Item 21):

**21. RESOLUTION TO ACCEPT THE REPORT AND RECOMMENDATION OF THE HEARING OFFICER TO REVOKE PERMANENTLY THE FIVE-YEAR PUPIL ACTIVITY PERMIT AND FIVE-YEAR PROFESSIONAL SPECIAL ALL GRADES TEACHING LICENSE OF MELANIE S. WILLIAMS**

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

WHEREAS Melanie S. Williams holds a five-year pupil activity permit issued in 2018 and held a five-year professional special all grades teaching license issued in 2015; and

WHEREAS on September 30, 2020, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Melanie S. Williams of its intent to determine whether to limit, suspend, revoke, or permanently revoke her five-year pupil activity permit issued in 2018 and five-year professional special all grades teaching license issued in 2015 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Williams engaging in the following conduct that is unbecoming to the teaching profession: on or about the summer/fall of 2018, while employed as a teacher for the Worthington City School District, Ms. Williams failed to report conduct that could potentially be detrimental to the health, safety, and welfare of students, specifically, she failed to inform the school district that a student (Student 1) was registered as a sex offender and the basis for that registration, despite having that knowledge; and on or about October 26, 2018, while employed as a teacher for the Worthington City School District, Ms. Williams failed to provide appropriate supervision of students, risking the health, safety, and welfare of the students, specifically, she enabled Student 1 to have access to her school keys, thereby giving Student 1 access to a locked office, where Student 1 and another student engaged in sexual conduct while on school grounds; and

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

WHEREAS a hearing was held on May 27, 2021; and

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

WHEREAS the hearing officer recommends that Ms. Williams' permit and license be revoked and that she be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education. The hearing officer's recommendation is based upon Ms. Williams engaging in conduct that is unbecoming to the teaching profession and whose actions, omissions, and lack of supervision of students put the safety and welfare of students at risk and

negatively impacted the education community when Ms. Williams failed to notify her school district that Student 1 was a registered Tier II sex offender and enabled Student 1 to have access to her school keys, thereby giving Student 1 access to a locked office where Student 1 then proceeded to engage in sexual acts with another student on school grounds; 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** Melanie S. Williams's five-year pupil activity permit issued in 2018 and five-year professional special all grades teaching license issued in 2015 based upon Ms. Williams engaging in the following conduct that is unbecoming to the teaching profession: on or about the summer/fall of 2018, while employed as a teacher for the Worthington City School District, Ms. Williams failed to report conduct that could potentially be detrimental to the health, safety, and welfare of students, specifically, she failed to inform the school district that a student (Student 1) was registered as a sex offender and the basis for that registration, despite having that knowledge; and on or about October 26, 2018, while employed as a teacher for the Worthington City School District, Ms. Williams failed to provide appropriate supervision of students, risking the health, safety, and welfare of the students, specifically, she enabled Student 1 to have access to her school keys, thereby giving Student 1 access to a locked office, where Student 1 and another student engaged in sexual conduct while on school grounds. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders Melanie S. Williams be permanently ineligible to apply for any license, permit, or certificate issued by the State Board of Education; and, Be It Further

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

It was Moved by Mr. LaRue and Seconded by Mr. Lamoncha that the above recommendation (Item 21) be approved.

President Kohler called for a roll call vote.

YES VOTES

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

Stephen Dackin  
Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Mike Toal

ABSTAIN

Charlotte McGuire

Motion carried.

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Kelly Edwards, Assistant Director, Office of Professional Conduct, presented the following recommendation (Item 22):

**22. RESOLUTION TO REVOKE PERMANENTLY THE PERMANENT NON-TAX NON-BACHELORS TEACHING CERTIFICATE OF LAUREN E. WILLS**

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

WHEREAS Lauren E. Wills holds a permanent non-tax non-bachelors teaching certificate issued in 2018 with an effective year of 2017; and

WHEREAS on June 4, 2021, the State Superintendent of Public Instruction, on behalf of the State Board of Education, notified Lauren E. Wills of its intent to determine whether to limit, suspend, revoke, or permanently revoke her permanent non-tax non-bachelors teaching certificate issued in 2018 with an effective year of 2017 pursuant to Ohio Revised Code 3319.31(B)(1). The notice was based upon Ms. Wills' 2020 conviction in the Miamisburg Municipal Court for one misdemeanor count of disorderly conduct, after originally being charged with domestic violence; and

WHEREAS the notice informed Ms. Wills 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 permanent non-tax non-bachelors teaching certificate issued in 2018 with an effective year of 2017; and

WHEREAS Lauren E. Wills 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 Miamisburg Municipal Court, and certified police records from the Miami Township Police Department; and

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

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

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

RESOLVED, That the State Board of Education, pursuant to Ohio Revised Code 3319.31(B)(1), hereby **REVOKES** Lauren E. Wills's permanent non-tax non-bachelors teaching certificate issued in 2018 with an effective year of 2017 based upon Ms. Wills' 2020 conviction in the Miamisburg Municipal Court for one misdemeanor count of disorderly conduct, after originally being charged with domestic violence. Further, the State Board of Education, in accordance with Ohio Administrative Code Rule 3301-73-22(A)(2)(b), orders that Lauren E. Wills 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. Wills of this action.

It was Moved by Dr. Miranda and Seconded by Dr. Kilgore that the above recommendation (Item 22) 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	Mark Lamoncha
Paul LaRue	Martha Manchester
Tim Miller	Antoinette Miranda
Michelle Newman	Eric Poklar
Brendan Shea	Mike Toal

**ABSTAIN**

Charlotte McGuire

Motion carried.

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

**23. RESOLUTION APPOINTING MEMBER TO THE EDUCATOR STANDARDS BOARD – COMMUNITY SCHOOL REPRESENTATIVE**

The State Board of Education ADOPTS the following Preambles and Resolution:

Ohio Revised Code Section 3319.60 provides for the creation of an Educator Standards Board charged with bringing to the State Board of Education recommendations on standards for teachers and principals, professional development and other educator-related items;



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Ohio Revised Code Section 3319.60 directs the State Board of Education to appoint to the Educator Standards Board ten public school teachers, one non-public school teacher, five administrators, one school board member and one parent representative;

The designated stakeholder groups have nominated two individuals for each open seat on the Educator Standards Board;

The State Board has reviewed the nominations for the Educator Standards Board for the position noted below;

NOW, THEREFORE, BE IT RESOLVED, that the State Board of Education hereby appoints the following individual to the Educator Standards Board for the position noted below for a two-year term beginning the date of the resolution and expiring on June 30, 2023:

Nominees:

- 1) Delores Morgan
- 2) Terrence Franklin

Appointed: Terence Franklin - Community School Representative

President Kohler opened the floor for nominations.

Ms. Johnson Moved the nomination for Terence Franklin. Mr. Miller Moved the nomination for Delores Morgan.

Mrs. Manchester moved to close nominations. Mr. LaRue seconded the motion. President Kohler asked if there were any objections to closing nominations. There were no objections. Ms. Johnson and Mr. Miller spoke in favor of their nominations.

Mrs. Hill noted that Ms. Morgan lives in Ohio and Mr. Franklin does not live in Ohio.

Mrs. Fessler stated she was not really in favor of either candidate. She also asked if there was a requirement for an individual to be an Ohio resident. Ms. Singh responded the Revised Code did not have this requirement.

Mr. Toal spoke in favor of Mr. Franklin.

President Kohler called for a roll call vote for Board members to say the name of the candidate they were voting for.

TERENCE FRANKLIN

Christina Collins  
Meryl Johnson  
Mark Lamoncha  
Antoinette Miranda  
Eric Poklar  
Mike Toal

Stephen Dackin  
Laura Kohler  
Martha Manchester  
Michelle Newman  
Brendan Shea

DELORES MORGAN

Walter Davis  
Kirsten Hill  
Paul LaRue

John Hagan  
Jenny Kilgore  
Tim Miller

ABSTAIN

Diana Fessler

Charlotte McGuire

Terence Franklin received eleven votes and the appointment to the Educator Standards Board.

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Ms. Johnson presented the following recommendation (Item 24):

**24. RESOLUTION TO ADOPT THE RECOMMENDATION OF THE HEARING OFFICER AND TO DISAPPROVE GROVEPORT MADISON SCHOOL DISTRICT'S DETERMINATION OF IMPRACTICAL TRANSPORTATION AND PAYMENT IN LIEU OF TRANSPORTATION OF CERTAIN STUDENTS ATTENDING ALL SAINTS ACADEMY, FRANKLIN COUNTY.**

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

Pursuant to Ohio Revised Code Sections 3327.01 and 3327.02, Groveport Madison School District ("Groveport Madison SD") determined it is impractical to transport students from Groveport Madison SD to All Saints Academy (All Saints), Franklin County;

A hearing was held on March 12, 2021, before a duly appointed hearing officer;

In the Report and Recommendation of the Hearing Officer, filed on or about June 14, 2021, hearing officer Karl W. Schedler recommends the Board disapprove Groveport Madison SD's determination of impractical transportation and payment in lieu of transporting certain resident students attending All Saints; and

Based on the evidence presented and factors set forth in ORC 3327.02, the hearing officer found Groveport Madison SD's failed properly consider all the six statutory factors in deciding whether to offer payment in lieu. Specifically, the hearing officer found: that the Groveport Madison SD never formally addressed the practicality of eliminating a bus route and thus, prematurely based their findings of impracticality for Student 1.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby adopts the recommendation of the hearing officer and disapproves Groveport Madison SD's determination, made in September 2020 by the Groveport Madison SD Board of Education, of impractical transportation and payment in lieu of transporting certain students attending All Saints Academy for all the reasons set forth in the hearing officer's report and recommendation; and

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

It was Moved by Mrs. Hill and Seconded by Mr. LaRue that the above recommendation (Item 24) be approved.

President Kohler called for a roll call vote.

YES VOTES

Christina Collins	Walter Davis
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	

ABSTAIN

Stephen Dackin	Diana Fessler
Charlotte McGuire	

Motion carried.

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President Kohler presented the following recommendation (Item 25):

- 25. RESOLUTION TO ADOPT THE RECOMMENDATION OF THE HEARING OFFICER AND TO DISAPPROVE RICHMOND HEIGHTS LOCAL SCHOOL DISTRICT'S DETERMINATION OF IMPRACTICAL TRANSPORTATION AND PAYMENT IN LIEU OF TRANSPORTATION OF CERTAIN STUDENTS ATTENDING SAINT PASCHAL CATHOLIC SCHOOL, CUYAHOGA COUNTY.**

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

Pursuant to Ohio Revised Code Sections 3327.01 and 3327.02, Richmond Height Local School District ("Richmond Height LSD") determined it is impractical to transport students from Richmond Heights LSD to Saint Paschal Catholic School (Saint Paschal), Cuyahoga County;

A hearing was held on April 13, 2021, before a duly appointed hearing officer;

In the Report and Recommendation of the Hearing Officer, filed on or about June 7, 2021, hearing officer Linda F. Mosbacher recommends the Board disapprove Richmond Heights LSD's determination of impractical transportation and payment in lieu of transporting certain resident students attending Saint Paschal; and

Based on the evidence presented and factors set forth in ORC 3327.02, the hearing officer found Richmond Heights LSD's failed to consider all the six

statutory factors in deciding whether to offer payment in lieu. Specifically, the hearing officer found: Richmond Heights LSD failed to consider: the time and distance required to provide transportation (factor 1); the number of pupils to be transported (factor 2); cost of providing transportation in terms of equipment, maintenance, personnel, and administration (factor 3); and the District failed to demonstrate how, and to what extent, the requested transportation would disrupt the District's current transportation schedule (factor 5).

NOW, THEREFORE, BE IT RESOLVED, the Board hereby adopts the recommendation of the hearing officer and disapproves Richmond Heights LSD's determination, made in August 2020 by the Richmond Heights LSD Board of Education, of impractical transportation and payment in lieu of transporting certain students attending Saint Paschal for all the reasons set forth in the hearing officer's report and recommendation; and

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

It was Moved by Mr. Shea and Seconded by Mr. LaRue that the above recommendation (Item 25) be approved.

President Kohler called for a roll call vote.

YES VOTES

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

Stephen Dackin  
Diana Fessler  
Kirsten Hill  
Jenny Kilgore  
Mark Lamoncha  
Martha Manchester  
Antoinette Miranda  
Eric Poklar  
Mike Toal

ABSTAIN

Charlotte McGuire

Motion carried.

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President Kohler presented the following recommendation (Item 26):

- 26. RESOLUTION TO APPROVE A PARITY INCREASE TO THE ANNUAL COMPENSATION FOR THE SUPERINTENDENT OF THE OHIO SCHOOL FOR THE DEAF AND THE OHIO STATE SCHOOL FOR THE BLIND**

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

Dr. Loujeania Maynus has served as Superintendent of the Ohio State School for the Deaf since July 2, 2018;

After serving as interim Superintendent for the Ohio State School for the Blind, Dr. Loujeania Maynus was appointed by the Board in May 2019 to serve as the Superintendent of both the Ohio State School for the Blind and the Ohio State School for the Deaf;

In accordance with Ohio Revised Code Section 3325.01, the Superintendent of Public Instruction recommends that Dr. Maynus receive a three percent (3%) parity salary for FY 22, FY 23, and FY 24.

Section 503.15 of House Bill 110 of the 134<sup>th</sup> General Assembly authorized, beginning with the pay period that includes July 1, 2021, each state appointing authority to make expenditures from current state operating appropriations for the changes to compensation provisions pursuant to approved collective bargaining agreements between employee organizations and State of Ohio public employers for employees exempt from collective bargaining to allow parity for those employees.

NOW, THEREFORE, BE IT RESOLVED, that based on the recommendation of the State Superintendent of Public Instruction, the State Board of Education hereby approves a three percent (3%) salary increase for FY 22, FY 23, and FY 24 for Dr. Maynus as set forth below:

FY21	FY22	FY23	FY24
April 11, 2021	July 1, 2021	July 1, 2022	July 1, 2023
current	3% parity	3% parity	3% parity
66.15	68.13	70.18	72.28
137,592.00	141,710.40	145,974.40	150,342.40

It was Moved by Mrs. McGuire and Seconded by Ms. Johnson that the above recommendation (Item 26) be approved.

Mr. Toal stated he did not understand parity increases and that Dr. Maynus is a very capable individual. He believed at this salary level, there should be a reason for a salary increase.

Mr. Shea stated he fully supported Dr. Maynus but was uncomfortable with the proactive increase over the next three years.

Mr. Poklar asked if there was a merit-based system the Board could use. Superintendent DeMaria responded he believed there were mechanisms available.

Ms. Newman spoke in favor of the parity increase for Dr. Maynus. She noted Dr. Maynus is the superintendent for both the OSD and the OSSB.

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Mrs. Fessler moved to postpone Item 26 so that research could be done in order to make a more informative decision. Mr. Davis seconded the motion.

Mrs. McGuire agreed the Board needed to examine the compensation system moving forward. At this point it would be unfair to Dr. Maynus to delay the decision today.

Mr. Dackin stated this issue was not about performance but structure and how the Board moves forward to appropriately compensate an individual. He was uncomfortable with three straight years of increases.

Mrs. Fessler moved to grant the parity increase for one year and establish a study group to provide the necessary information to make a long-term informed decision. Dr. Kilgore seconded the motion. President Kohler stated Mrs. Fessler had a motion on the floor and was she withdrawing the motion to postpone this item. Mrs. Fessler responded she was willing to withdraw the motion to postpone. President Kohler asked if there were any objections to the withdrawal of the motion to postpone. There were no objections.

Ms. Johnson moved to call the question. Ms. Newman seconded the motion.

President Kohler called for a roll call vote on calling the question.

YES VOTES

Meryl Johnson	Tim Miller
Antoinette Miranda	Michelle Newman
Eric Poklar	

NO VOTES

Christina Collins	Stephen Dackin
Walter Davis	Diana Fessler
John Hagan	Kirsten Hill
Jenny Kilgore	Laura Kohler
Mark Lamoncha	Paul LaRue
Martha Manchester	Brendan Shea
Mike Toal	

Motion defeated.

Mr. Davis stated he had a real issue with the word “parity.” President Kohler responded the word “parity” is commonly used in state government. President Kohler stated the study group could examine the use of the word “parity.”

Mr. Hagan moved to call the question. Ms. Newman seconded the motion.

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

YES VOTES

Christina Collins	Stephen Dackin
Walter Davis	Diana Fessler
John Hagan	Kirsten Hill

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Meryl Johnson  
Laura Kohler  
Paul LaRue  
Charlotte McGuire  
Antoinette Miranda  
Eric Poklar

Jenny Kilgore  
Mark Lamoncha  
Martha Manchester  
Tim Miller  
Michelle Newman  
Brendan Shea

Motion carried.

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

YES VOTES

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

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

Motion carried.

Mr. Shea stated the process of what took place for this item does not reflect the Board's views of Dr. Maynus.

Resolution as amended:

**26. RESOLUTION TO APPROVE A PARITY INCREASE TO THE ANNUAL COMPENSATION FOR THE SUPERINTENDENT OF THE OHIO SCHOOL FOR THE DEAF AND THE OHIO STATE SCHOOL FOR THE BLIND**

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

Dr. Loujeania Maynus has served as Superintendent of the Ohio State School for the Deaf since July 2, 2018;

After serving as interim Superintendent for the Ohio State School for the Blind, Dr. Loujeania Maynus was appointed by the Board in May 2019 to serve as the Superintendent of both the Ohio State School for the Blind and the Ohio State School for the Deaf;

In accordance with Ohio Revised Code Section 3325.01, the Superintendent of Public Instruction recommends that Dr. Maynus receive a three percent (3%) parity salary for FY 22.

Section 503.15 of House Bill 110 of the 134<sup>th</sup> General Assembly authorized, beginning with the pay period that includes July 1, 2021, each state appointing authority to make expenditures from current state operating appropriations for

the changes to compensation provisions pursuant to approved collective bargaining agreements between employee organizations and State of Ohio public employers for employees exempt from collective bargaining to allow parity for those employees.

NOW, THEREFORE, BE IT RESOLVED, that based on the recommendation of the State Superintendent of Public Instruction, the State Board of Education hereby approves a three percent (3%) salary increase for FY 22 for Dr. Maynus as set forth below:

FY21	FY22
April 11, 2021	July 1, 2021
current	3% parity
66.15	68.13
137,592.00	141,710.40

Be it further resolved, that the State Board of Education shall establish a study committee to research and make recommendations regarding the future compensation for the Superintendent of Public Instruction, the Deputy State Superintendent of Public Instruction, and the Superintendent for the Ohio School for the Deaf and Ohio State School for the Blind.

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

**YES VOTES**

- |                    |                   |
|--------------------|-------------------|
| 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          |                   |

Motion carried.

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President Kohler presented the following recommendation (Item 27):

**27. RESOLUTION TO SUPPORT PUBLIC PARTICIPATION AT STATE BOARD OF EDUCATION MEETINGS**



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

WHEREAS the Policies and Procedures Manual of the State Board of Education provides in Section VII.I. Public Participation in part: “Individuals who wish to address the State Board on issues of general interest or items not scheduled for a vote at the current meeting will be permitted to address the State Board following the voting on items of business at that meeting. In either instance, the individual may speak for a period not to exceed five minutes. The president may impose further limitations on public participation as deemed appropriate or necessary:” and

WHEREAS Section 121.22, Ohio Revised Code, defines ‘public body,’ the definition describing the State of Ohio Board of Education, and

WHEREAS the Ohio Open Meetings Act, Chapter Eight: Duties of a Public Body, pg 112, Reference note 1006, pg 116, Black v. Mecca Twp. Bd. of Trustees, 91 Ohio App.3d 351, 356 (11th Dist. 1993) (holding that R.C. 121.22 does not require that a public body provide the public with an opportunity to comment at its meetings, but if public participation is permitted, it is subject to the protections of the First and Fourteenth Amendments), and

WHEREAS it is not the policy of the State Board of Education to restrict either the content of the speech of the public as related to education-related matters or ability to participate by speaking during State Board of Education meetings at the assigned time for public participation or to discriminate among speakers based upon viewpoint, and

WHEREAS the State Board of Education values the public participation of interested parties at State Board of Education meetings and recognizes the right of those parties to speak during designated times of the State Board of Education meetings on any educational topic; Therefore, Be It

RESOLVED, That the State Board of Education **AFFIRMS** the lawful right for the public to speak about any issues of educational interest during the public participation period of State Board of Education meetings; and, Be It Further

RESOLVED, That the State Board of Education modifies the Policies and Procedures Manual of the State Board of Education to replace the sentence in Section VII.I. that reads “The president may impose further limitations on public participation as deemed appropriate or necessary.” with the following sentence: “The president may impose limitations on public participation only as to time or duration but not as to content or subject matter in accordance with the free speech rights guaranteed to Ohio citizens under both the Constitution of the State of Ohio and the Constitution of the United States.

It was Moved by Dr. Kilgore and Seconded by Mr. Davis that the above recommendation (Item 6) be approved.

Dr. Kilgore stated this was a resolution that came from a constituent provided resolution, and this pared down resolution would be more well received. She believed opinions in opposition should also

be heard. All comments should be welcomed. She did not believe it was the right of the Board to filter opposition opinion.

Ms. Newman thanked Dr. Kilgore for providing the updated resolution. She suggested the Board should examine its participation policy.

Mr. LaRue stated he was somewhat concerned about hate speech and there should be a mechanism for that to be addressed. He was supportive of what Dr. Kigore presented.

Dr. Collins thanked Dr. Kilgore for providing the updated resolution. She stated parameters should be put in place so the Board could complete its work.

Mrs. Fessler stated she did not believe she had experienced hate speech. An individual may have the right to say hateful speech even if they are wrong. She suggested that participation on non-voting items could be done at the end of the day, so if a member needed to leave, they could.

Mr. Poklar stated he would vote no on this item because he believed the Board needed the latitude that other public bodies have to make decisions for itself regarding testimony.

Mr. Miller suggested a cap on time for public participation, which may be waived by a vote of the Board.

Ms. Johnson pointed out the following line in the clause below; she stated that if someone were not speaking about an issue of educational interest, the president should address the issue.

RESOLVED, That the State Board of Education AFFIRMS the lawful right for the public to speak about any issues of educational interest during the public participation period of State Board of Education meetings

Dr. Kilgore stated we need to assume that we live in a civil society.

Mr. Hagan stated the limitation on time to speak was common sense and not a legal issue.

Mrs. McGuire called the question. Mr. Hagan seconded the motion.

President Kohler called for a roll call vote.

YES VOTES

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

NO VOTES

Diana Fessler

ABSTAIN

Martha Manchester

Motion carried.

President Kohler called for a roll call vote.

YES VOTES

Christina Collins  
Walter Davis  
John Hagan  
Jenny Kilgore  
Paul LaRue  
Tim Miller  
Brendan Shea

Stephen Dackin  
Diana Fessler  
Kirsten Hill  
Mark Lamoncha  
Charlotte McGuire  
Michelle Newman  
Mike Toal

NO VOTES

Eric Poklar

ABSTAIN

Meryl Johnson  
Antoinette Miranda

Martha Manchester  
Laura Kohler

Motion carried.

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

President Kohler stated she was assigning the following Administrative Rules to the Performance and Impact Committee for review and possible revision beginning in October. OAC 3301-102-10, to - 12.

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**New Business**

Mr. Shea presented and requested Emergency Consideration for the following resolution.

**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 the Resolution has resulted in division and confusion among Board members as well as the public, which is counterproductive to building unity and understanding and to fostering an educational environment of genuine inquiry and healthy expression; and

WHEREAS the Resolution has consumed an inordinate amount of the Board's time and resources and has distracted from the ongoing academic crisis caused in part by the COVID-19 pandemic; and

WHEREAS this academic crisis has impacted disadvantaged students most significantly, which is likely to have devastating effects on their future and on the future of the state; and

WHEREAS the Board reiterates its condemnation of racism and affirms the importance of teaching an accurate account of American history, which inspires patriotism while also confronting past injustices; and

WHEREAS on July 13, 2021, the Board adopted a Resolution Requesting 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 in his September 14, 2021 formal opinion, Attorney General Dave Yost found that the Resolution overstepped the Board's legal authority in requiring state education contractors to undergo implicit bias training; and

WHEREAS the Attorney General's opinion also warns that "curricula and standards will be contrary to law if they treat students differently on the basis of race. For example, standards that differentiate on the basis of race, or that promote the idea that one's race inherently affects one's abilities will violate the legal prohibition on racial discrimination—a prohibition established by the Fourteenth Amendment of the United States Constitution, Article I, Section 2 of the Ohio Constitution, Title VI of the Civil Rights Act of 1964, and more besides. This prohibition on racial discrimination is a commandment to be followed, not an inconvenience to be evaded;" 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; 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, effective immediately, 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 or programs enacted pursuant to the Resolution; and be it further

RESOLVED that the State Board of Education 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 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.

Mr. Shea stated his primary request for Emergency Consideration is the Board's September 14 receipt of Attorney General's Dave Yost formal opinion on resolution 20. Strikingly this opinion found the Board oversteps its legal authority in requiring contractors who work with the Ohio Department of Education to take implicit bias training. The opinion also expresses concerns about how some of the symbolic language in the resolution could be interpreted or applied. In his accompanying letter, the Attorney General cautions against implicit bias training in general, which he says, "often imputes collective guilt, moral deficiency or racial bias to entire swaths of people based solely on the immutable characteristic of skin color." He further stated his proposed resolution seeks to provide a solution to the problems, legal and otherwise, conveyed by the Attorney General in his response to the Board. If this type of legal analysis from the top law enforcement officer in the state shouldn't warrant the Board's immediate attention, he could not imagine what should. Mr. Shea thanked Board leadership for consideration of his request.

Vice President McGuire stated given the Attorney General's opinion the Board overstepped its legal authority in requiring contractors who work with the Ohio Department of Education to take implicit bias training and curricula and standards will be contrary to law, she would be in support of Emergency consideration for this item.

President Kohler stated she was not prepared to talk about the merits of the resolution and believed the Board should follow its normal procedure and address this item at the October meeting of the Board. Therefore, she would not agree this item warranted Emergency Consideration.

Mr. Shea moved to override the Board's tie vote in granting Emergency Consideration. Mr. Hagan seconded the motion.

Mr. Miller stated he had not had the time to consider this item and suggested it be tabled until more time could be devoted to studying the resolution. He also stated the Board should examine how resolutions are brought forward.

Ms. Johnson stated the Equity resolution had been in place since July 2020 and had produced beneficial work in this state as well as the rest of the country.

Mr. Hagan called the question. Mr. Davis seconded the motion.

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

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YES VOTES

Stephen Dackin  
Diana Fessler  
Kirsten Hill  
Mark Lamoncha  
Charlotte McGuire

Walter Davis  
John Hagan  
Jenny Kilgore  
Martha Manchester  
Brendan Shea

NO VOTES

Meryl Johnson  
Tim Miller  
Michelle Newman  
Laura Kohler

Paul LaRue  
Antoinette Miranda  
Mike Toal

Motion defeated.

President Kohler called for a roll call vote to grant Mr. Shea's resolution Emergency Consideration.

YES VOTES

Walter Davis  
John Hagan  
Jenny Kilgore  
Charlotte McGuire

Diana Fessler  
Kirsten Hill  
Mark Lamoncha  
Brendan Shea

NO VOTES

Stephen Dackin  
Paul LaRue  
Tim Miller  
Michelle Newman  
Laura Kohler

Meryl Johnson  
Martha Manchester  
Antoinette Miranda  
Mike Toal

Motion defeated.

After discussion, Mr. Shea proposed a new motion. Mr. Dackin seconded the motion.

Resolved, in reference to Attorney General Yost's opinion 2021-022, the State Board of Education instructs the Ohio Department of Education to immediately suspend all requirements, policies, or programs enacted pursuant to the resolution to condemn racism and to advance equity and opportunity for black students, indigenous students, and students of color.

Ms. Remson stated this was basically stating the same thing. Vice President McGuire asked Mr. Shea if he would be willing to withdraw his motion and receive input from Board members. Mr. Shea agreed and withdrew his motion.

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

The President requested a voice vote.

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Motion carried.

President Kohler adjourned the meeting at 5:51 p.m. The next regularly scheduled meeting of the State Board of Education is October 12-13, 2021.

ATTEST:



Laura Kohler  
President  
State Board of Education



Paolo DeMaria  
Superintendent of Public Instruction

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