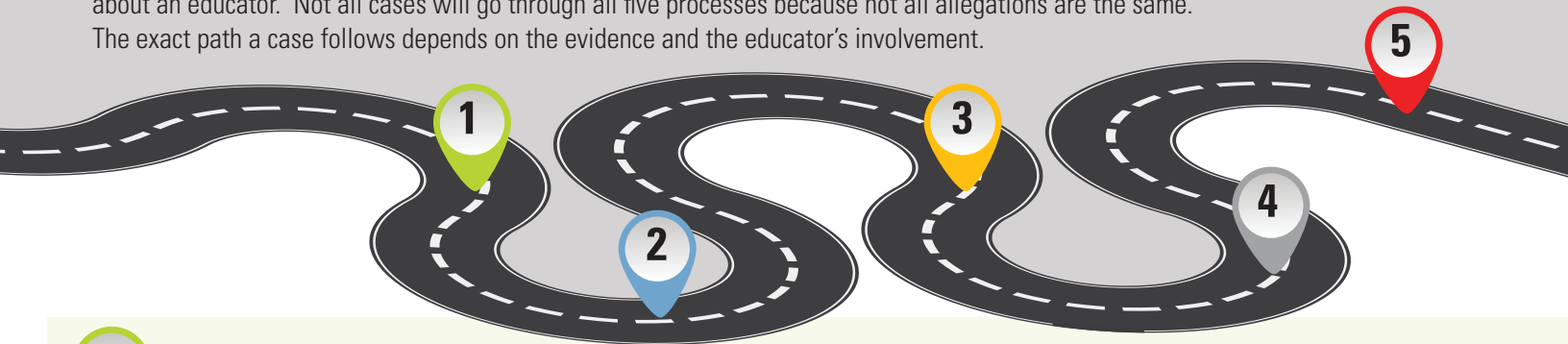


Understanding the Educator Discipline Process

What happens when the Office of Professional Conduct receives an allegation about an educator?

There are five processes that a case may go through when the Office of Professional Conduct receives an allegation, or complaint, about an educator. Not all cases will go through all five processes because not all allegations are the same.

The exact path a case follows depends on the evidence and the educator's involvement.



1 Allegation

The Ohio Department of Education's Office of Professional Conduct receives allegations of educator misconduct from sources such as local offices of children services, school districts, prosecutors, Department staff members, other government agencies and Ohio citizens. The exact path a case follows depends on the evidence and the educator's involvement.

2. Initial Review

Office of Professional Conduct staff members do an initial review of each allegation. If the office need more facts, the office must wait for them before deciding to open a formal investigation. Examples of information affecting this decision may include the results of a children services' investigation or a local school district investigation. *2017 Total Referrals: 12,500 | Minimum timeframe: One-two days per complaint*

Potential roadblocks: Office of Professional Conduct staff may need to wait for information from external investigations, such as district, criminal or local office of children services' investigations. Children services offices typically have 30-45 days to complete an investigation. Criminal and district investigations can take longer.

3. Investigation

Office of Professional Conduct investigators, or staff attorneys, conduct educator and witness interviews in person, by phone or by taking written statements. They also subpoena records and request evidence from various sources. Office of Professional Conduct staff members write their findings in a confidential case report they submit to office leaders for review. *2017 Total Referrals Opened: 1,450 | Minimum time to complete investigations involving misconduct : Four-six months, Minimum time to complete investigations involving criminal convictions: One-two months*

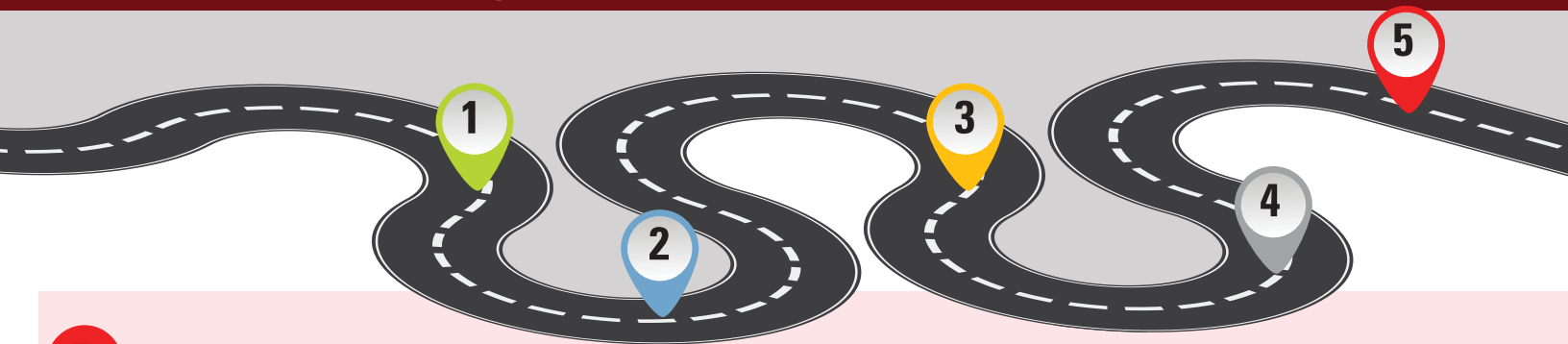
Potential roadblocks: Staff may need to wait on the results of external investigations. Staff must secure certified records and schedule and conduct interviews. Districts must follow special procedures to protect student privacy when submitting educational records in an investigation. These processes take time. If the office receives a new claim against the educator or if there is a related allegation against a different educator, it can prolong the investigation.

4. Review of Investigations

Once Office of Professional Conduct staff complete an investigation, office leaders review the evidence to determine potential discipline for the educator in question. *Minimum time frame to review conduct cases 3-4 weeks | Minimum time frame to review criminal cases 1-2 weeks*

Potential roadblocks: Scheduling the review depends on the availability of individuals and agencies.

Understanding the Educator Discipline Process



5 Resolution

Once the investigation is complete, there are several possible resolutions:

Non-Disciplinary—The case closes with no disciplinary action against the educator. *Minimum time to notify the educator: three-five days*

Letter of Admonishment—The educator receives a written reprimand that is public record. *Minimum time to develop and receive a letter of admonishment signed by the educator: Two-four weeks*

Automatic Revocation—For criminal convictions, such as sexual battery, robbery or drug trafficking, the educator permanently loses his or her license. *Minimum time to notify the educator: One-two days*

Voluntary Surrender—The educator gives up his or her license voluntarily and permanently. *Minimum time for the State Board of Education to accept a voluntary surrender: 6-8 weeks*

Consent Agreement—The educator enters a legal agreement with the Ohio Department of Education outlining terms for keeping his or her license. Office of Professional Conduct staff monitor the educator for one to three years to ensure the educator is following the terms of the agreement.

Minimum time to develop and negotiate a consent agreement: Two-four months

Due Process Hearings—The educator exercises his right to an impartial hearing in front of a hearing officer who examines the facts of the investigation. The hearing officer reports the findings to the State Board of Education. The hearing officer also recommends how the State Board should discipline the educator. The hearing officer may recommend no disciplinary action. *Minimum time from the beginning of the hearing process to a State Board decision: Six months*

Number of Resolutions in 2017

Non-Disciplinary	682
Letter of Admonishment	137
Automatic Revocation	56
Voluntary Surrender	33
Consent Agreement	262
Due Process Hearings	151

Following the resolution process, the Office of Professional Conduct will close most cases unless staff must monitor an educator due to a consent agreement or State Board decision or the educator appeals a State Board decision in court. This process can take one to two years.

Considerations for Student Safety

- For immediate action regarding crimes or child welfare, please contact your local children services or law enforcement agency.
- The Office of Professional Conduct contacts the school district when it becomes aware that an educator has been arrested, charged or convicted of a criminal offense. Additionally, the office contacts a district when an educator or licensure applicant has been charged or convicted of an offense that automatically bars a person from holding a license.
- The Office of Professional Conduct notifies the district when disciplinary action is being taken against an educator's license.
- Ohio reports educator discipline and reviews other states educator discipline from a national database maintained by the National Association of State Directors of Teacher Education and Certification.