

## **JCARR Clears Rule on Medicaid Providers with Criminal Offenses; Lawmakers Vow Fix**

The Joint Committee on Agency Rule Review (JCARR) Monday allowed a proposed Ohio Department of Medicaid (ODM) rule addressing eligibility for Medicaid providers with criminal records to move forward, as lawmakers on the panel and the agency itself promised to work with stakeholders on an improved solution.

The rule addresses screening requirements for Medicaid providers that would classify employees with past criminal offenses into tiers. Some employees with very low-level offenses would be able to work as a provider right away, while others convicted of violent offenses or those involving children would be permanently barred. It also allows those with criminal records to be certified as providers if they obtain a certification of qualification for employment (CQE) from a sentencing court.

Nearly two dozen witnesses representing social workers and behavioral health providers testified at the JCARR hearing urging the panel to not let the rule go into effect, saying it will hurt the workforce in a field that is already having trouble filling its needs as the state fights the opioid epidemic.

JCARR opened with testimony from Jim Tassie, the assistant director and head of policy at ODM, who said the proposed rule addressed two issues: provider screening and disqualifying offenses for providers. He said that the General Assembly passed legislation that stated those with criminal records must be disqualified as providers unless ODM comes up with rules that allow them.

He argued that under the current rules and current statute, ODM must disqualify all providers with criminal records, but the new rules would allow for more providers even if they have a record.

Tassie noted that since an emergency rule was put into place in July, 42 people have been deemed eligible to enroll as providers. If the emergency rule expired without a permanent rule in place, he said the state would return to the previous rule, which would not prohibit a criminal records check.

Sen. Mike Skindell (D-Lakewood) questioned Tassie about ODM's authority to put such rules in place, especially ones that spell out disqualifying offenses. Skindell argued that the rules go against the intent of the General Assembly, especially with lawmakers' work on ending collateral sanctions. Tassie said the Ohio Revised Code spells out disqualifying offenses, but does not spell out the time frame in which those offenses would be disqualifying. He said ODM consulted with the Ohio Department of Rehabilitation and Correction (DRC) when it came up with the rules, which he said are similar to rules for home health providers.

Other lawmakers noted some of the offenses that would disqualify an offender for at least five years after their sentence ends, including theft, prostitution and writing bad checks. Rep. Dan Ramos (D-Lorain) said those offenses could be considered as drug seeking behavior, and many offenders could help other addicts through peer-to-peer interactions. He questioned why the rule would not allow for more exceptions and be so closely aligned with home health workers. Tassie said that many behavioral health services aren't necessarily offered in a professional setting, and they want to have the same protections in place.

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Tassie told Rep. Mike Duffey (R-Worthington) that ODM may need to revisit and tweak its tiers and is willing to engage in a stakeholder process to come up with a solution. The agency said it would set the rule for a one-year review instead of the normal five-year review period. Additionally, to address concerns from stakeholders, Tassie said ODM revised the rule so that a Medicaid provider could receive certification while awaiting a court action on a request for a CQE.

After continuing to question Tassie, Skindell moved to invalidate the rule, sending the members of JCARR into caucus meetings. After the break, Sen. Joe Uecker (R-Loveland), the JCARR chairman, called the panel's decision "a conundrum." He said many on JCARR believe that once the emergency order goes away, existing providers will lose their ability to be providers.

"Some of us are not willing to let that happen," Uecker said. "If we invalidate the rule, many will lose their jobs."

He said there is conflict in the law that needs to be worked on by the Legislature and suggested that the best course of action was to let the rule go into effect while lawmakers try to come up with a solution and ODM works with stakeholders. He said he would like to use the year until ODM brings the rule up for review to "let the Legislature do its job and make this clear."

The timeframe played heavily in legislators' discussions, as Uecker pointed out that the emergency rule would expire before JCARR could rehear the rule. Duffey, the vice chair of JCARR, said if ODM were to revise its rule, the soonest it could get the rule back before JCARR is in December. If lawmakers were to pass legislation with an emergency clause, the soonest would not be until mid-November.

Sen. Cecil Thomas (D-Cincinnati) suggested different scenarios to delay the rules, but Uecker said those scenarios would not work within the timeline before the emergency rule expires.

"It's like we are creating a major problem unnecessarily," Thomas said.

Ramos also said that he wants the General Assembly to address the issue by the end of this year rather than rely on the next General Assembly and an incoming administration.

Witnesses, who focused on the importance of peer-to-peer behavioral health providers, said that they were appreciative of some of the changes ODM offered, but they wanted more time to work out some of the issues they still saw with the rules. They said the CQE process can be long, costly, and is not always successful.

Some behavioral health providers said they will lose numerous employees because of the rule changes.

Teresa Lampl, the associate director of the Ohio Council of Behavioral Health and Family Services Providers, said the limited changes proposed by ODM "do not resolve our problems." She also disagreed that the previous rule would disqualify anyone with a criminal record, saying it was permissive and ODM does not have to add additional background checks for every applicant unless they fall within certain qualifications.

"We have a workforce shortage today," she said, adding that people with addiction experiences are hard to find already without the new rules.

Colleen Dempsey of the National Association of Social Workers Ohio Chapter echoed Lampl, telling JCARR members that "now is not the time to implement changes that will stretch an already stretched behavioral health workforce." She suggested ODM should provide exemptions to providers who are already licensed through another state agency.

JCARR also heard from a number of providers who shared their personal story of having a felony conviction and turning their life around, but are now facing losing their jobs under the rules.

Heather Ruble of Coleman Professional Services in Lima told the committee that someone who has made one mistake in life doesn't deserve to have that mistake follow them for the rest of their lives.

After testimony, Skindell changed his motion from invalidating the rule to sending it back to ODM for further review, but the motion failed, allowing the rule to take effect.

Later, ODM issued a statement in response to JCARR's action to allow the rule to take effect: "We understand there is more work to be done on this issue and thank JCARR for allowing the rule to proceed and for recognizing this rule is a gateway for qualified individuals with certain lived experiences to provide quality services to the Medicaid population. Our ultimate goal is to allow more qualified providers into the program while also protecting the safety of Medicaid enrollees."

## Justice Stratton Challenges Legislature to Embrace Criminal Justice Reform

The Ohio Task Force on Criminal Justice and Mental Illness co-chaired by retired Ohio Supreme Court Justice Evelyn Lundberg Stratton turned Monday to a discussion of Northeast Ohio Medical Center's (NEOMED) Center of Excellence and Clermont County's Community Alternative Sentencing Center.

Introducing the day's meeting, Stratton told participants she had met with Ohio House Speaker Ryan Smith (R-Bidwell) on Monday, Sept. 10 regarding mental health and criminal justice. Stratton said she had spoken frankly about the activity or lack of activity of the General Assembly in addressing criminal justice reform. She pointed to recodification findings and other legislative recommendations that often languish while Ohio lawmakers instead pass the latest penalty enhancement.

"When you do that you make yourself vulnerable to groups like Issue 1 that want to force things down your throat because you won't do it yourself," Stratton said, turning to Ohio's ongoing Justice Reinvestment 2.0 committee organized by the Council of State Governments (CSG). "In Texas, when they did Justice Reinvestment, they closed two whole prisons down."

She said Issue 1 opposition is "late to the game," highlighting its coordinated focus of public safety warnings should the constitutional amendment pass.

"I don't think you're going to defeat Issue 1 with that," said Stratton, instead urging the Legislature to embrace a new resolve: "We're going to come together with reform in a meaningful way."

The meeting continued with presentations by NEOMED psychiatrist Mark Munetz and by Executive Director Karen Scherra of the Clermont County Mental Health and Recovery Board, who both affirmed the latest treatment prospects for schizophrenics and other seriously mental ill persons.

"Recovery is possible, and it happens quite frequently," Munetz stated.

"Folks with schizophrenia can and do recover," said Scherra.

## State School Board Discusses Budget Planning

State Board of Education members and Superintendent Paolo DeMaria talked through both how they'd shoulder big cuts and where they'd like to see funding increases as they discussed planning for the FY20-21 budget Monday.

DeMaria and Ohio Department of Education (ODE) budget chief Aaron Rausch presented outlines for two funding scenarios that the Office of Budget and Management (OBM) has asked agencies to plan for -- 90 percent of prior-year funding, and flat funding. DeMaria also prepared an appendix to the official budget submission to express board members' priorities for additional spending should the administration and lawmakers make additional money available.

For the 90 percent scenario, DeMaria said the resulting 10 percent cut equates to about \$50 million in General Revenue Fund (GRF) reductions. The general approach he took in preparing this plan, he said, was to eliminate earmarks, capture underspending, identify minimum state funding needed to draw down federal money, limit cuts to student-focused programs; add money to accountability operations to supplant one-time funding used for that purpose in the current budget; and apply a 13.2 percent cut to all other operating line items across the board.

Notable reductions in this scenario include a 5 percent cut in funding for early childhood education and 10 percent cuts to funding for EdChoice expansion voucher and state support to private schools.

The flat-funding scenario DeMaria described as "uninteresting," noting a reduction in earmarks, capture of underspending, and the need to back-fill the one-time accountability funding outlined in the 90 percent scenario.

Board priorities for spending beyond 100 percent of the previous budget identified by DeMaria include the following:

- Increased funding for early childhood education to enable more students to enroll.
- Increased funding for school improvement through educational service centers and state support teams.
- Meeting the needs of the whole child by increasing support for integrating community and health services into schools.
- Increased support for teacher and principal professional development, including for the implementation of positive behavioral interventions and supports (PBIS).

Those priorities also align to goals of the state's recently approved strategic plan, DeMaria noted. (See *The Hannah Report*, 8/28/18.)

Regarding the strategic plan, board member Charlotte McGuire said she wanted to make sure the board was actually advocating for funding amounts that reflect its commitment to the plan.

"Having a plan, we should work our plan, and be sure that we advocate as a unified group for our priorities. Otherwise, why have a plan if you are not going to work that plan?" she said. "If we feel strongly about this plan, the money should reflect that."

Board member Laura Kohler asked if the board would be sending mixed messages by calling for increased early childhood funding among its priorities while proposing cuts in another funding scenario. DeMaria said the 5 percent cut to such programs in the 90 percent scenarios would reflect a desire to protect the program from otherwise larger cuts, but added that it's difficult to hold a line item of that size harmless amid the need to cut \$50 million.

Board member Stephanie Dodd said she struggled a bit with the lack of specific funding amounts attached to the board priorities. DeMaria said he didn't want to seem like he was breaking the rules of the budget development process. Board member Kara Morgan suggested the department could provide some dollar figures as guidance, for example pointing out how many additional students could be served for every \$1 million added to early childhood programs.

Dodd also questioned the need for the millions of dollars ODE proposes to provide for accountability to make up for the loss of one-time funding, asking what the minimum funding necessary is for an online report card that isn't "fancy."

DeMaria said ODE staff would follow up with a breakdown of accountability expenses. But he said the appearance of the report card isn't where the bulk of expenses are; the state's vendor contract for value-added data calculations constitutes a large chunk of that spending, for example.

Board member Lisa Woods said the budget does not seem to reflect the strategic plan's vision of less testing.

DeMaria said the request has to be cognizant of current-law requirements for testing, but he noted the board still has recommendations before the General Assembly on further testing cuts. He also told her that many tests are administered and required as a result of local school decisions, not the state's.

## ODE Debuts Online Resources for Art Education Data, Evidence-Based Strategies

Officials at the Ohio Department of Education (ODE) on Monday detailed two recently released online tools meant to help school districts gain insight into the art coursework being offered at schools statewide and to adopt strategies that will improve student outcomes.

At a meeting of the State Board of Education's Accountability and Continuous Improvement Committee, ODE Director of Research, Evaluation and Advanced Analytics Heather Boughton and Fine Arts Consultant Scott Wilson walked members through the new Ohio Arts Education Data Project and Evidence-Based Clearinghouse. The data project is intended to provide schools and the public a snapshot of the state of arts education in the state. Developed in partnership with the Ohio Alliance for Arts Education, the Ohio Arts Council and Quadrant Research, the database will be provided to the public by Ohio and four other states.

The project can be accessed online and is currently based only on 2016-2017 data collected by Ohio's Education Management Information System. The tool breaks down the types of arts courses being offered on the county, school district and school building levels, whether visual art, music, theatre or dance classes. Furthermore, stats can be broken down by the grade level of students, gender of students and academically disadvantaged status.

Houghton noted that some immediate highlight from the data show 84 percent of all Ohio students from 2016 to 2017 were enrolled in some type of arts class, and 98 percent of all students had access to at least one class at their school. Additionally, wealthier schools with a lower percentage of students enrolled in the free-and-reduced lunch program actually have a lower arts enrollment than less-wealthy schools with higher percentages of students on free-and-reduced lunch.

Board member Laura Kohler said she'd be interested in seeing further comparisons between Ohio's data and that of other states. Boughton and Wilson said the project had not yet reached that step, but that it will become easier as more states share their data. Board member Pat Bruns said she felt having this information fits well with components of ODE's five-year plan, part of which seeks to expand arts education. Superintendent Paolo DeMaria said it also fits with other components that seek to promote community partnerships in schools.

The arts education project can be found online at <http://education.ohio.gov/Topics/Learning-in-Ohio/Fine-Arts/Ohio-Arts-Education-Data-Project>.

The second tool presented Monday was the first version of the Evidence-Based Clearinghouse, which seeks to collect best practice strategies that improve student results and engagement and to share them statewide. The tool, part of ODE's Empowered by Evidence initiative, first launched on Monday, Sept. 10.

Boughton explained that part of the impetus behind the clearinghouse are new requirements introduced in the federal Every Student Succeeds Act (ESSA) that require struggling schools to investigate, implement and evaluate evidence-based strategies as part of their school improvement plan.

She said clearinghouse strategies are not intended to reflect a one-size-fits-all approach, given that different schools have different needs and available resources. Strategies, she explained, are defined as any model or technique that improves student outcomes.

"We wanted to be able to put resources out there to meet people where they are, regardless of their ability to process data," Boughton said. "... We would encourage everyone to use this. My hope is that the more we can help people understand the value in doing this, the more likely others are to embrace it.

Under ESSA, strategies are graded on a four-tier scale. Level 1 and level 2 strategies are "strong" and "moderate" respectively, while Level 3 strategies are "promising." Level 4 are unique strategies that show some progress and rationale but still need to be evaluated and proven effective.

Boughton gave the example of a school struggling with kindergarten to third-grade literacy. School improvement officials such as curriculum directors could use test results to identify students struggling with something like Phonemic Awareness, and then use the online tool to investigate strategies to assess that issue. The tool also cross-references existing best practice clearinghouses to find the best information for educators.

ODE Accountability Chief Chris Woolard said that while this is specifically targeted to schools with Ohio Improvement Plans, they intend it to be an open tool every Ohio school can support.

"ESSA has requirements that schools include evidence-based strategies in their school improvement plans, but we're trying to make this useful for everybody," Woolard said. "This is what the Ohio Improvement Plan process is really about. That's where those conversations are happening. Things like this can be facilitated by a state support team who works regionally with districts, but also implemented at the local level where each school leadership team can use this to address their specific issues."

Moving forward, Boughton said the department will be working with regional and local school leaders to make them aware of the tool and continuing to develop it so that schools can contribute their own best practices to the resource.

The clearinghouse can be found online at: <https://essa.chrr.ohio-state.edu/home>.

## Charter Group Highlights Growth Data in Report Cards

Charter schools in Ohio's eight largest urban districts generally outperformed their traditional school peers in student growth data, according to an analysis by Buckeye Charter School Boards Inc. (BCSB), an advocacy nonprofit.

Site-based, general education charter schools got an A, B or C 44 more often than nearby district schools on the overall value-added measurement; specifically, 44 percent of the charters got such grades, while 33 percent of district schools did. The measurement in question is based on testing data for math, English and science in grades four through eight, as well as some high school end-of-course exams.

With its focus on site-based general education schools, the analysis excludes e-schools, dropout prevention and recovery schools and charter schools focused on special education students.

The general trend did not hold across the board, BCSB noted, as district schools bested their charter neighbors on the value-added data in Akron and Toledo, while the two types of schools put up comparable numbers in Cincinnati and Dayton.

The performance gap was highest in Columbus, where 23 percent of district schools and 56 percent of charter schools got a C or better, and Canton, where 33 percent of district schools and 66 percent of charters got a C or better.

In Cleveland, the difference was 44 percent to 27 percent; in Youngstown, 40 percent to 11 percent.

"From a big-picture perspective, all urban schools serving large numbers of economically disadvantaged students struggle to overcome the many barriers to learning associated with poverty," said BCSB spokesperson Catherine West in a statement. "That comes as no surprise given the clear

link between poverty and poor academic outcomes."

The group said the data "contrast sharply with harsh anti-charter rhetoric by candidates running in the upcoming election." Democrats have made Republicans' historical support of charters a central campaign issue this year, though much of the discussion has focused on Electronic Classroom of Tomorrow, a now defunct e-school.



BCSB also highlighted the fact that "charters literally live or die by report card results," owing to Ohio's automatic closing laws for charters with consistently poor grades.

BCSB's analysis is available at [www.hannah.com](http://www.hannah.com)>Important New Documents>Library.

## Ohio Joins 55 Other States, Territories in Urging Congress to Reauthorize VAWA

Ohio Attorney General Mike DeWine joined 55 other state and territorial attorneys general Monday in urging Congress to reauthorize the Violence Against Women Act (VAWA).

Attorneys general sent a letter to congressional leaders asking lawmakers to reauthorize VAWA before funding expires later this year.

"If Congress allows VAWA to lapse, it will mean that millions of survivors will have nowhere to turn, violent crimes against women will increase, and perpetrators of these crimes will go unpunished," they said.

Since the act originally passed in 1994, government and nonprofit organizations across the country have received more than \$6 billion in grants for training and assistance to address and reduce domestic violence, dating violence, sexual assault and stalking. Grants also have funded resources to assist survivors, prosecute offenders and facilitate partnerships between prosecutors, judges, advocates, community organizations and health care providers.

VAWA's previous reauthorization drew bipartisan support in 2000, 2005 and 2013.

"With every iteration of the law, services, resources, protections and remedies for survivors of these crimes have been enhanced," said DeWine and fellow attorneys general.

"Every aspect of our society -- rural, suburban, urban and our tribal communities -- has all been impacted by the painful effects of violence against women. Yet, the work to eradicate sexual and intimate partner violence is far from complete."

DeWine followed in a separate statement urging Congress to reauthorize VAWA.

"Violence and physical aggression have no place in our society, yet too many women continue to be abused," he said. "From ensuring that all Ohioans have access to sexual assault services to testing Ohio's previously untested sexual assault kits, as attorney general, I've worked to prevent and combat violence and help crime victims get the support and services they need. Passing this legislation renews our commitment to overcoming violence and freeing women from fear."

The letter to Congress was signed by the National Association of Attorneys General's entire membership.

## Turnpike Commission OKs Internet Upgrades

The Ohio Turnpike and Infrastructure Commission (OTIC) on Monday approved a five-year, \$1.87 million deal with Agile Network Builders LLC to provide redundant fiber optic connections to the commission's network and service plaza-wide WiFi access.

According to the resolution adopted by OTIC, the commission's current fiber optic cable network connections are "limited to a sole trunk line that presents a risk for a single point of failure in the cable to result in the complete loss of connectivity at all the commission's 31 toll plazas, eight maintenance buildings and 14 service plazas, in addition to its administrative and technology buildings and its secondary systems site. ...

"The loss of connectivity on the fiber optic cable would result in a catastrophic failure in the commission's ability to fulfill its mission's critical functions, including the collection of toll revenue," the resolution continued. "Adding an additional

connection to the network will allow the commission to reroute data transmissions around the failure point to its facilities and mitigate the lost connection to maintain performance of its operations."

OTIC said it has made multiple attempts to provide WiFi at its service plazas over the past 10 years, with "limited" success. Agile Network Builders has the ability to provide the type of WiFi access that "customers and concessionaires have come to expect."

Under the agreement, the state will spend \$88,414 for equipment, \$105,920 for installation and configuration services and \$334,896 per year for Internet access and customer support services.

Additionally, OTIC adopted a resolution celebrating the Ohio Trucking Association's centennial.

"The Ohio Trucking Association has been a great partner on issues of common interest, especially safe travel," OTIC Executive Director Randy Cole said in a statement.

The commission also adopted five other resolutions, available at <https://www.ohioturnpike.org/about-us/resolutions>.

## **BGSU, Mercy College of Ohio Announce Health Care Education Deal**

Bowling Green State University (BGSU) and Mercy College of Ohio announced Wednesday that the operations of Mercy College of Ohio are being transferred to BGSU with the goal of increasing health care education in light of the statewide shortage of nurses and the high demand for other health professionals.

According to a release, "Mercy Health will serve as a key partner with BGSU and will provide clinical experiences for students and employment opportunities for graduates. Together the organizations will also explore ways to improve the health and well-being of their communities through research, grants and other training opportunities."

According to leaders of the two organizations, linking Mercy College's established programs and its clinical expertise with BGSU's academic program as a comprehensive public university will benefit students and the state. BGSU students come from throughout Ohio and the Midwest, thus aligning with the service areas of Mercy Health, Ohio's largest health care provider.

"This partnership is a great fit," said BGSU President Rodney Rogers. "As a public university, we have an obligation to create public good. That meshes seamlessly with Mercy's mission to provide health care and wellness services to all in need. Together, we can strengthen health care education in Ohio and better serve our students."

"Nurses and allied health professionals are absolutely essential for providing high-quality health care in this region," said Bob Baxter, president and CEO of Mercy Health-Toledo Region. "We're already experiencing a nationwide shortage of nurses and the need is growing as our population ages. By working with BGSU, we can better meet that demand and enhance our ability to serve our patients and families in northwest Ohio and across the state. We look forward to aligning our mission with BGSU's and to continue reaching both traditional and nontraditional students for the betterment of our communities."

"Health care is such an important industry in Ohio and our colleges and universities must continue to innovate in order to meet the workforce needs of this growing sector of the economy," said John Carey, chancellor of the Ohio Department of Higher Education. "Pending final review and approval of the proposal, I look forward to working with the faculty, staff and administrators at BGSU and Mercy College on next steps in order to meet the need for health care professionals in Ohio."

BGSU and Mercy Health said they have already begun to take the necessary steps to execute the agreement. The transfer, which would include Mercy College's nine degree programs and six certificate programs, is expected to take two to three years to complete. In the meantime, Mercy College will continue to serve its approximately 1,500 students.

"Mercy College and BGSU are deeply committed to ensuring the continued success of our Mercy students," said Mercy



College President Dr. Susan Wajert. "All current students, a record 1,300 in multiple degree programs in Toledo and 200 in an associate degree program in Youngstown, will be able to complete their programs of study. Given the breadth of BGSU's academic programs and its robust student-life offerings, we'll be able to offer more students a deeper, richer college experience."

According to BGSU, Mercy College faculty and staff will continue to be a part of program operations following the transition.

"We look forward to welcoming Mercy College faculty and staff to the BGSU family," said Dr. Sue Houston, BGSU vice president for academic partnerships. "Their expertise and dedication will be absolutely critical to the success of our students and these academic programs."

According to Baxter, changing market dynamics and declining reimbursement for provider-based nursing programs are also factors in Mercy Health's decision to pursue a relationship with BGSU.

"This will allow us to focus on our core business -- providing nationally recognized health care programs and services locally and across Ohio and Kentucky," Baxter said. "At the same time, we'll benefit from an expanded pipeline of qualified, highly trained nurses and allied health professionals by allowing BGSU to do what they do best -- preparing students for careers and life."

For more than 40 years, BGSU had partnered with the former Medical College of Ohio and then the University of Toledo (UT) in a consortium for nursing education. Earlier this year, UT notified BGSU that it wanted to phase out its partnership. As a result, BGSU has been working to develop a full nursing program. (See *The Hannah Report*, 5/22/18.)

"When UT approached us about discontinuing the consortium, we both recognized that it limited our ability to meet the growing demand for nurses and health care providers," Rogers said. "Adding Mercy College to BGSU gives us high-quality, extremely competitive nursing and allied health programs that we can build upon and grow. We look forward to building upon this initiative with Mercy Health and upon our partnerships with other health care providers to continue developing new programs to meet the workforce needs of the state of Ohio in health care."

Any final agreement will require the approval of the BGSU Board of Trustees and the boards of trustees for Mercy College and Mercy Health. In addition, the Ohio Department of Higher Education, the Higher Learning Commission, the Ohio Board of Nursing, the U.S. Department of Education, and professional accrediting bodies for each of the accredited programs will also need to approve the plan.

## State Government Roundup

### **AG Issues Charitable Giving Tips Following Floods, Damage from Tropical Storm Florence**

Attorney General Mike DeWine issued recommendations Monday to help Ohioans make wise charitable contributions and avoid scams related to the flooding and damage caused by Hurricane Florence.

"We encourage Ohioans to be generous and to help those in need," DeWine said in a release. "We also encourage them to be cautious when evaluating charitable donation requests. When tragedy strikes, there is the potential for scams, unfortunately, and con artists will take advantage of the generosity of others and use donations for themselves."

He offered the following recommendations for charitable giving:

- **Carefully review donation requests.** Do some research to make sure your donation will be used as intended. After a natural disaster, some sham charities may pop up to take advantage of people's generosity. Don't assume that charity recommendations on social media have been vetted. Check them independently. The first request you find may not be the best.

- **Evaluate charities**, using resources such as the Ohio Attorney General's Office, offices of other state attorneys general, IRS Select Check, Better Business Bureau Wise Giving Alliance, Charity Navigator, and GuideStar.
- **Beware of "look-alike" websites or accounts.** Be skeptical of charities or groups with names that sound similar to well-known organizations. They may be intended to confuse donors. If you receive a message from an organization asking for a donation, confirm that the request truly is from the organization, and not an impostor, by contacting the organization directly or visiting its website.
- **Be careful when giving to newly formed charities.** Some charities that are formed shortly after a natural disaster or tragedy have good intentions but lack the experience to properly handle donors' contributions. Established charities are more likely to have experience to respond following a tragedy and to have a track record that you can review.
- **Check out crowd-funding campaigns before donating.** If you want to make a contribution using a crowdfunding or peer-to-peer fundraising site, find out how your donation will be used before donating. Try to determine which campaigns are legitimate and supported by those close to the tragedy and which haven't been vetted. (Some people ask for donations claiming to help victims but ultimately keep the money for themselves.) Also consider how much of your donation will go to the website itself or whether you will be charged any fees for making the donation. Find out how the website will use your personal information. Be wary of sites that don't provide a privacy policy.
- **Review claims carefully.** Some groups may sell merchandise online and claim that "100 percent of the proceeds" will benefit a specific charitable purpose, but this claim does not necessarily mean 100 percent of the sales price will go toward the cause. Contact the organization to ask how much of each purchase will support the cause. If the organization cannot give you an answer, consider donating another way.
- **Contact a charity before raising money on its behalf.** To set up a fundraiser for a particular charity, contact the organization in advance and determine how you can properly collect donations.

DeWine said signs of a potential charity scam include high-pressure tactics, missing details about how donations are used, refusal to provide written information about the charity, organizations with names similar to other better-known organizations, requests for donations made payable to a person instead of a charity, and offers to pick up donations immediately versus in the mail or online.

Those suspecting a charity scam or questionable charitable activity may contact the Ohio Attorney General's Office at [www.OhioAttorneyGeneral.gov](http://www.OhioAttorneyGeneral.gov) or 800-282-0515.

## Campus Chronicle

### Shawnee State President Kurtz Resigns

The Shawnee State University (SSU) Board of Trustees received and accepted the immediate resignation of President Rick Kurtz at a meeting on Friday, Sept. 14. According to SSU, the board subsequently named Jeffrey Bauer, SSU provost and vice president for academic affairs, as interim president.

"We thank Dr. Kurtz for his leadership over the past three years and look forward to working with Dr. Bauer, faculty, staff, students, alumni and community members to set a new course of growth for Shawnee State. The Board of Trustees is committed to the ongoing success of the university. The impact that Shawnee State has on the lives of individual students, businesses, and citizens of our region is tremendous. We plan to continue that positive impact for generations to come," the SSU Board of Trustees said in a statement.

Bauer has been at SSU for over 30 years, where he has served as dean of the college of arts and sciences, interim dean for research and community development, interim associate provost and chair of the department of natural sciences.

"I appreciate the commitment and support the Board has shown our faculty, staff, and particularly our students, as we develop an aggressive plan for growth for Shawnee State," Bauer said. "I've been a part of the Shawnee State family for more than 30 years and am the proud parent of three Shawnee State graduates. I think of them -- and the thousands of students we serve each year -- when I think of our future. We make college possible through affordable tuition, high-quality academic programs, and an open access mission. We are poised to grow, and plan to grow through innovative programs that students want and need."

The reason for Kurtz's departure and any future plans were not disclosed by SSU.

### **Premier Health CEO to Chair University of Dayton Board of Trustees**

Mary Boosalis, president and CEO of Premier Health, will be the next chair of the University of Dayton (UD) Board of Trustees after a shake-up in leadership was announced Friday, Sept. 14.

Boosalis will be the first woman to lead the board when she takes over for current board chair David Yeager in 2019. She has served as a trustee on the board for nine years and leads the ninth-largest employer in Ohio, with roughly 14,000 employees.

"The University of Dayton is a leader in education, research and living the Marianist principles across the nation and the world. When combined with long-standing success in guiding and inspiring students to learn, lead and serve, a reputation of excellence and achievement has been well-earned," Boosalis said in a news release. "I am honored and humbled to serve in this role and know that the entire Board of Trustees looks forward to working with the University of Dayton family to enhance the work of the past to ensure a bright and exciting future."

Rev. Oscar Vasquez will serve alongside Boosalis as first vice chair ex officio, as the leader of the U.S. Catholic Marianists. Rick Omlor, retired CEO of YSI Inc., will serve in a new role of second vice chair. Omlor represents the steering committee that is currently guiding the redevelopment of the former Montgomery County Fairgrounds, co-owned between UD and Premier Health. Boosalis will continue to recuse herself from that process.

"These leaders are particularly well-suited to help ensure the university's extraordinary momentum will continue," said David Yeager, current board chair. "In addition to a wealth of experience and skill, they each bring a particular understanding and appreciation of the University, our role in the community and the world and our precious Catholic, Marianist heritage. Importantly, they each have the deep respect and confidence of the members of the Board of Trustees."

## **Judicial Actions**

### **Court Accepting Grant Applications for Transportation to Ohio Judicial Center**

The Ohio Supreme Court has opened the application period for grants to help defray transportation costs for student field trips to the Thomas J. Moyer Ohio Judicial Center and its Visitor Education Center.

All schools receiving state funds are eligible to apply. Grants are awarded based the percentage of students enrolled in the free-and-reduced-lunch program, as reported by the Ohio Department of Education (ODE). Preference will be given to schools that didn't receive transportation grant funds during the 2016-2017 or 2017-2018 school years.

The Visitor Education Center gives students in the fourth grade and above an inside look at Ohio courts. School tours include student participation in a mock trial and a courtroom visit featuring artwork on the state's history, culture and commerce.

Grant applications must be completed online by authorized teachers or school administrators at [www.sc.ohio.gov/VisitorInfo/CivicEd/grants/default.asp](http://www.sc.ohio.gov/VisitorInfo/CivicEd/grants/default.asp). The deadline to apply is Friday, Sept. 28; grants can be used for student trips through the end of June 2019.

Funding reflects the one-way distance between the school and the Ohio Judicial Center at 65 S. Front St. in downtown Columbus. The three funding awards, based on distance, are as follows:

- Less than 50 Miles - \$220
- 51 to 100 Miles - \$330
- 101 or More Miles - \$440

A reimbursement check will be sent to the school principal or administrator within 30 days after the field trip. No funds are distributed before the scheduled field trip.

This is the eighth time grants have been offered to visit the Ohio Judicial Center. Additional information is available from the Court's civic education staff at [courttrips@sc.ohio.gov](mailto:courttrips@sc.ohio.gov) or 614-387-9223.

### **Ohio Supreme Court Opinion**

#### ***State ex rel. Bolzenius v. Preisse***

Elections -- *Mandamus* -- Writ of mandamus sought to compel board of elections to place proposed city ordinance on the ballot -- Proposed ordinance attempts to enact provisions that are beyond the scope of municipality's legislative power -- Writ denied.

## **LEGISLATIVE ACTIONS FOR 09/17/2018**

**The House adjourned until Wednesday, Sept. 19, 2018 at 9 a.m. (Nonvoting Session)**

**The Senate adjourned until Tuesday, Sept. 18, 2018 at 9:30 a.m. (Nonvoting Session)**