IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO
CIVIL DIVISION

YOUNGSTOWN CITY SCHOOL DISTRICT BOARD OF EDUCATION, et al.,	:	Case No. 15CVH08-7311
Plaintiffs,	:	JUDGE JENIFER FRENCH
vs.	:	
STATE OF OHIO, et al.,	:	
Defendants.	:	

DECISION AND ENTRY DENYING PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION, FILED AUGUST 21, 2015

This matter is before the Court upon the Motion for Preliminary Injunction, filed by Plaintiffs, Youngstown City School District Board of Education, AFSCME Ohio Council 8, AFL-CIO, Youngstown Education Association, Ohio Education Association, and Jane Haggerty (hereinafter "Plaintiffs"), on August 21, 2015. On September 15, 2015, Defendants, State of Ohio, Richard A. Ross, Superintendent of Public Instruction, and the Ohio Department of Education (hereinafter "Defendants"), filed a Memorandum Contra Plaintiffs' Motion for Preliminary Injunction, and on September 22, 2015, Plaintiffs filed a Reply Memorandum in Support of Motion for Preliminary Injunction. In addition, on September 29, 2015 and September 30, 2015, the Court held an evidentiary hearing regarding Plaintiffs' Motion for Preliminary Injunction.

I. Background

House Bill 70 (hereinafter "HB 70"), is a bill focused on initiating a community learning center process to assist in the restructuring and support of failing and or lower performing school districts. See, Compl., at Ex. B. House Bill 70 was read for its first

consideration in the House of Representatives on February 18, 2015. *Id*., Ex. C. The House read and considered the bill for a second time on February 25, 2015, and referred the bill to the House Education Committee on that date. *Id*. at Ex. D. The bill passed through the House Education Committee, and was sent back to the House for consideration. *Id*. at Ex. E. After a third reading, the House passed the bill on May 19, 2015, and then sent it to the Senate for consideration. *Id*. at Ex. F.

The Senate read and considered H.B. 70 two times, once on May 20, 2015, and a second time on May 27, 2015, and then sent it to the Senate Education Committee. *Id.* at Ex. H and I. The Senate Education Committee prepared amendments to the bill, resulting in a substitute version of the bill that was passed in Committee, and then was read and considered a third and final time by the Senate on June 24, 2015, and passed that date with two floor amendments having been added. *Id*. at Ex. J. Amended Substitute HB 70 then returned to the House for concurrence, which also occurred on June 24, 2015. *Id.* at Ex. L.

On July 16, 2015, Governor Kasich approved and signed into law Amended Substitute HB 70, which is due to become law and take effect on or about October 15, 2015.

On August 21, 2015, Plaintiffs filed their Complaint for Declaratory Judgment and Application for Preliminary Injunction in this Court, seeking an injunction enjoining Defendant, Dr. Richard A. Ross, Superintendent of Public Instruction, from establishing an academic distress commission as set forth in Am. Sub. HB 70. Plaintiffs allege that when the Senate Education Committee amended HB 70, they vitally altered HB 70 thereby triggering a constitutional requirement of three new readings of Am. Sub. HB 70.

Plaintiffs further allege that because both the Senate and the House of Representatives failed to comply with this requirement, Am. Sub. HB 70 was passed in violation of Art. II, § 15(C) of the Ohio Constitution. Plaintiffs also allege that Am. Sub. HB 70 violates Art. VI, § 3 of the Ohio Constitution, because it eliminates all power of an elected school board and allows an unelected chief executive officer to eliminate every school within a city school district, thus eliminating the right for electors in a city school district to determine the organization and number of members of a city school district board of education. Lastly, Plaintiffs allege that Am. Sub. HB 70 violates the Equal Protection Clauses of the United States and Ohio Constitutions and unconstitutionally infringes on the fundamental right to vote, as it eliminates all power conferred by the electors in a school district on an elected board of education and grants that power to an unelected chief executive officer.

On September 29, 2015 and September 30, 2015, the Court held an evidentiary hearing regarding Plaintiffs' Motion for Preliminary Injunction, which is now before the Court.

II. Law and Analysis

"The purpose of a temporary injunction is to preserve and protect the ability of the court to provide an effective judgment on the merits. It is not intended as a remedy for the litigant. Rather, it is a necessary adjunct to the administration of justice, intended as a means of preserving the court's ability to grant effective, meaningful relief after a determination of the merits." *Gobel v. Laing* (Franklin Cty. 1967), 12 Ohio App. 2d 93, 94. "Ordinarily, a party requesting a preliminary injunction must show that (1) there is a substantial likelihood that the plaintiff will prevail on the merits, (2) the plaintiff will

suffer irreparable injury if the injunction is not granted, (3) no third parties will be unjustifiably harmed if the injunction is granted, and (4) the public interest will be served by the injunction." *Procter & Gamble v. Stoneham* (Hamilton Cty. 2000), 140 Ohio App. 3d 260, 267, citing *Vanguard Transp. Sys. Inc. v. Edwards Transfer & Storage Co.* (Franklin Cty. 1996), 109 Ohio App.3d 786, 790, 674 N.E.2d 182, 184; *Corbett v. Ohio Bldg. Auth.* (1993), 86 Ohio App.3d 44, 49, 619 N.E.2d 1145, 1148; and *Johnson v. Morris* (1995), 108 Ohio App.3d 343, 352, 670 N.E.2d 1023, 1029. Under Ohio law, a party seeking a preliminary injunction "must establish a right to the preliminary injunction by showing clear and convincing evidence of each element of the claim." *Vanguard Transp. Sys., Inc., supra,* citing *Mead Corp., Diconix, Inc., Successor v. Lane* (1988), 54 Ohio App.3d 59, 560 N.E.2d 1319, jurisdictional motion overruled (1989), 41 Ohio St. 3d 709, 534 N.E.2d 1211. Clear and convincing evidence is a degree of proof that "'will produce in the mind of the trier of facts a firm belief or conviction as to the facts sought to be established.'" *DHSC, LLC v. Ohio Dep't of Job & Family Servs.*, 2012-Ohio-1014, ¶ 40, (Ohio Ct. App., Franklin County Mar. 13, 2012), citing *State ex rel. Ohio Congress of Parents & Teachers v. State Bd. of Edn.*, 111 Ohio St.3d 568, 2006-Ohio-5512, ¶ 21, 857 N.E.2d 1148, quoting *Lansdowne v. Beacon Journal Publishing Co.*, 32 Ohio St.3d 176, 180-81, 512 N.E.2d 979 (1987), quoting *Cross v. Ledford*, 161 Ohio St. 469, 120 N.E.2d 118 (1954), paragraph three of the syllabus.

A. <u>Substantial likelihood that Plaintiffs will succeed on the merits</u>

In the case at hand, Plaintiffs allege three principal constitutional challenges to HB 70. First, they claim that the Ohio General Assembly violated the three-reading rule in Article II, Section 15(C) of the Ohio Constitution in enacting HB 70. Second, they

claim that the provision in HB 70 granting a Chief Executive Officer ("CEO") operational, managerial, and instructional control of the subject school districts violates Article VI, Section 3 of the Ohio Constitution, a constitutional provision that grants local community members the right to vote for school board members. Lastly, Plaintiffs claim that the same CEO provision in the statute also violates the Equal Protection Clauses of the U.S. and Ohio Constitutions, as well as Article V, Section 1 of the Ohio Constitution (directed at qualifications to vote), as it purportedly denies the local electorate the right to vote.

1. Plaintiffs' claim that Am. Sub. HB 70 violates the three-reading rule

Ohio's three-reading rule is stated in Article II, Section 15(C) of the Ohio Constitution and provides as follows:

> Every bill shall be considered by each house on three different days, unless two-thirds of the members elected to the house in which it is pending suspend this requirement, and every individual consideration of a bill or action suspending the requirement shall be recorded in the journal of the respective house. No bill may be passed until the bill has been reproduced and distributed to members of the house in which it is pending and every amendment been made available upon a member's request.

OH. Const. Art. II, § 15(C).

The Court finds that pursuant to OH. Const. Art. II, § 15(C), HB 70 was required to be considered by each house on three different days, unless the requirement was suspended by two-thirds of the house in which it was pending. The Court further finds that the evidence provided by Plaintiffs shows that HB 70 was considered on three different days in each house. As discussed above, HB 70 was read for its first consideration in the House of Representatives on February 18, 2015. *Id.*, Ex. C. The

House read and considered the bill for a second time on February 25, 2015, and referred the bill to the House Education Committee on that date. *Id*. at Ex. D. The bill passed through the House Education Committee, and was sent back to the House for consideration. *Id*. at Ex. E. A third reading occurred on May 19, 2015, when the House passed the bill and then sent it to the Senate for consideration. *Id*. at Ex. F. The Senate then read and considered HB 70 on May 20, 2015, and then again on May 27, 2015 when it sent HB 70 to the Senate Education Committee. *Id.* at Ex. H and I. The Senate Education Committee then prepared amendments to the bill, resulting in a substitute version of the bill that, with two floor amendments, was read and considered a third and final time by the Senate on June 24, 2015, and passed that date. *Id*. at Ex. J. Amended Substitute HB 70 then returned to the House for concurrence, which also occurred on June 24, 2015. *Id.* at Ex. L. Therefore, the Court finds that on the face of the Journal Entries, each chamber of the General Assembly satisfied the three-reading rule.

However, Plaintiffs allege that because HB 70 was "vitally altered" when it was amended in the Senate, the amendments triggered the need for three new readings of Am. Sub. HB 70. Amendments to a bill only reset the three-reading clock, and trigger the need for three additional readings in each house, if the amendments "vitally alter the substance" of the original bill. *Hoover v. Board of County Comm'rs*, 19 Ohio St. 3d 1, 5, 482 N.E.2d 575, 579 (1985). Therefore, to determine whether HB 70 was passed in violation of Article II, Section 15(C) of the Ohio Constitution, this Court must determine whether HB 70 was vitally altered when it returned from the Senate Education Committee to the Senate Floor as Am. Sub. HB 70.

In *State ex rel. Ohio AFL-CIO v. Voinovich*, 69 Ohio St. 3d 225, 631 N.E.2d 582 (1994), the Ohio Supreme Court further discussed the *Hoover, supra,* holding and the standard for finding that a bill has been "vitally altered" and stated:

> We therefore hold that a legislative Act is valid if the requisite entries are made in the legislative journals and there is no indication that the *subject matter of the original bill was* "*vitally altered*" such that there is no longer a common purpose or relationship between the original bill and the bill as amended.
> * * *
> The difference between a valid bill that is heavily amended, however, and an invalid one that is "vitally altered," as relators would have us interpret the phrase, is one of degree. Section 15(A), Article II of the Ohio Constitution reserves to each house the right to freely alter, amend or reject bills introduced by either. This court would be setting dangerous and impracticable precedent if it undertook a duty to police any such difference of degree.
>
> Instead, we must look to the underlying purpose of the three-consideration provision. As articulated by Justice Douglas in his concurring opinion in *Hoover*, "the purpose of the 'three reading' rule is to prevent hasty action and to lessen the danger of ill-advised amendment at the last moment. The rule provides time for more publicity and greater discussion and affords each legislator an opportunity to study the proposed legislation, communicate with his or her constituents, note the comments of the press and become sensitive to public opinion." *Id.*, 19 Ohio St.3d at 8, 19 OBR at 7, 482 N.E.2d at 582 (Douglas, J., concurring).
> * * *
> Based on the foregoing, we decline to extend the *Hoover* analysis to the bill before us and declare the bill unconstitutional. To do otherwise would place this court in the position of directly policing every detail of the legislative amendment process when bills are passed containing a consistent theme.

Voinovich, 69 Ohio St. 3d at 233-234, 631 N.E.2d at 589.

Based on the foregoing, the Court finds that under *Voinovich, supra*, the standard for finding a "vital alteration" is very high. The *Voinovich* Court noted that unlike the situation in *Hoover*, they were dealing with a bill that had been heavily amended but

retained its common purpose. *Id*. This Court further finds that the Court in *Voinovich* considered not only the commonality of the two versions of the bill, but also the process by which it was amended. See also, *Vill. of Linndale v. State*, 2014-Ohio-4024, at dissent at ¶ 6, 19 N.E.3d 935 (Ohio Ct. App., Franklin County 2014).

However, in the case at hand, when the Court considers the commonality of the two versions of HB 70, and also considers the process by which it was amended, this Court still finds that HB 70 was *not* vitally altered. More specifically, the Court finds that HB 70 clearly maintained a "common purpose" from its introduction through its enactment. The Court finds that both versions of HB 70 were focused on restructuring and improving failing or lower performing school districts, and both versions of the bill primarily amended the same chapter of the Ohio Revised Code – Chapter 3302 "Performance Standards." Although HB 70 as originally introduced and passed by the House focused on addressing these concerns by the use of a community learning center model, and the enacted version of HB 70 added the use of an expanded academic distress system with an appointed CEO to manage the distressed school system, the purpose of both versions of HB 70 remained the same – to assist and guide school restructuring and provide support for lower performing school districts.

With respect to the process by which HB 70 was enacted, the Court notes that after the amendments were made to HB 70, many members of both the Senate and the House spoke on the record in opposition to the bill as amended. See, Plaintiffs' Ex. 47 and 48. One Senator even moved to recommit the bill to the Senate Education Committee. See, Plaintiffs' Ex. 48 at 39. However, the motion was voted down. *Id*. The Court further notes that 24 Legislators showed their non support for Am. Sub. HB 70

by taking their names off of the bill. See, Ex. L. In addition, two Legislators testified that they heard there might be an amendment to HB 70 and were able to obtain copies of the amendments the night before it went to the Senate Education Committee. Therefore, based on the foregoing, the Court finds that there was an opportunity to study and debate amended HB 70.

Furthermore, just as the Tenth District recognized in *Vill. of Linndale*, 2014-Ohio-4024 at ¶ 23, once HB 70 was reported out of the Senate Committee with amendments, members of the Senate could have moved that the amendments be stripped or otherwise altered, but they did not. Instead, the Senate passed the version of the bill with the amendments. In addition, when HB 70 was returned to the House for further consideration of the Senate Committee's amendments, members of the House likewise could have moved that the amendments be stripped or otherwise altered, but they did not. Instead, the House concurred with the amended version, thereby concluding that there was no need for further consideration and debate regarding the bill. Plaintiffs provided testimony from a Senator, who moved to amend a small portion of the bill, as well as a Representative from the House that testified she removed her name from the amended version of HB 70, like many other Representatives apparently did. However, there was no evidence that either moved to have the Senate Education Committee's amendments that concerned the expanded academic distress system or the appointment of the CEO, stripped or significantly altered. Therefore, both the Senate and the House decided to forgo their opportunity to further consider and debate the amended version of HB 70, and instead voted and concurred with the amended version.

In this case, there was ample evidence demonstrating that there was a conscious effort on the part of several "stakeholders" to meet and quietly formulate a "plan" to address the failing school district, and that at least some of these ideas were contained within Am. Sub. HB 70. While these closed-door meetings may function to undermine the public's confidence in this portion of the legislative process, it is not unconstitutional. The Court further finds that there was testimony showing that the opportunity to further study and debate amended HB 70 was provided to the General Assembly, and it is not within this Court's power to police the legislative process, so long as it comports with the Constitution. Therefore, the Court finds that the process by which HB 70 was passed complies with the purpose of the three-reading rule. The Court further finds that because Am. Sub. HB 70 maintained its common purpose of restructuring lower performing school districts, and because the process by which Am. Sub. HB 70 was passed complies with the purpose of the three-reading rule, HB 70 was *not* vitally altered and Plaintiffs do not have a likelihood of success on the merits of their three-reading claim.

2. <u>Plaintiffs' claim that Am. Sub. HB 70 violates Article VI, Section 3 of the Ohio Constitution</u>

In Count II of Plaintiffs' Complaint, Plaintiffs contend that because Am. Sub. HB 70 grants an unelected CEO "complete control over the operation of a city school district, thus eliminating all authority of the elected board of education," it violates Article VI, Section 3 of the Ohio Constitution. See, Compl. at ¶ 43. Article VI, Section 3 of the Ohio Constitution provides as follows:

> Provision shall be made by law for the organization, administration and control of the public school system of the state supported by public funds: provided, that each school district embraced wholly or in part within any city shall have the power by referendum vote to determine for itself the number of

> members and the organization of the district board of education, and provision shall be made by law for the exercise of this power by such school districts.

OH. Const. Art. VI, § 3.

The Court finds that OH. Const. Art. VI, § 3 merely provides the electorate the right to vote on the composition of its school boards, and does not provide any substantive rights as to the power and authority that those school boards will exercise. See, *State ex rel. Ohio Cong. of Parents & Teachers v. State Bd. of Educ*., 111 Ohio St. 3d 568, 581, 2006-Ohio-5512, ¶ 47, 857 N.E.2d 1148, 1162 (2006) ("Section 3, Article [VI] governs questions of size and organization, not the power and authority, of city school boards.") Therefore, the Court finds that because Am. Sub. HB 70 does not alter the electorate's ability to elect school board members, and only changes the powers conferred by statute on a school board of a district that is consistently performing below standard, Am. Sub. HB 70 does not violate OH. Const. Art. VI, § 3, and Plaintiffs do not have a substantial likelihood on the merits of this claim.

3. <u>Plaintiffs' claim that Am. Sub. HB 70 violates the Equal Protection Clauses of the United States and Ohio Constitutions</u>

In Count III of Plaintiffs' Complaint, Plaintiffs allege that the CEO provision of Am. Sub. HB 70, violates the Equal Protection Clauses of the U.S. and Ohio Constitutions, as well as Article V, Section 1 of the Ohio Constitution (directed at qualifications to vote), as it purportedly denies the local electorate the right to vote. More specifically, Plaintiffs contend that Am. Sub. HB 70 unconstitutionally infringes on the fundamental right to vote, as it eliminates all power conferred on an elected school board by the electors, and grants that power to an unelected chief executive officer. Compl. at ¶ 51. Plaintiffs further contend that Am. Sub. HB 70 treats voters in the school districts

subject to its provisions differently than those in other school districts in violation of the Equal Protection Clauses of the United States and Ohio Constitutions. *Id*. at ¶ 53.

In *Mixon v. Ohio*, 193 F.3d 389, 1999 U.S. App. LEXIS 23768, 1999 FED App. 0347P (6th Cir.) (6th Cir. Ohio 1999), the Sixth Circuit Court of Appeals discussed the Equal Protection Clause of the United States and Ohio Constitutions and stated:

> Under the Equal Protection Clause of both the United States and Ohio Constitutions, courts apply strict scrutiny when the legislative classification at issue involves a fundamental right or a suspect class. Although the right to vote, per se, is not a "constitutionally protected right," the Supreme Court has found, "implicit in our constitutional system, [a right] to participate in state elections on an equal basis with other qualified voters whenever the State has adopted an elective process for determining who will represent any segment of the State's population." *San Antonio Indep. School Dist. v. Rodriguez,* 411 U.S. 1, 35 n. 78, 93 S. Ct. 1278, 1298 n. 78, 36 L. Ed. 2d 16 (1973); see also *Dunn v. Blumstein***,** 405 U.S. 330, 336, 92 S. Ct. 995, 1000, 31 L. Ed. 2d 274 (1972) ("This Court has made clear that a citizen has a constitutionally protected right to participate in elections on an equal basis with other citizens in the jurisdiction."); *Desenco, Inc.*, 84 Ohio St. 3d 535, 706 N.E.2d 323 at 332 (the right to vote is a fundamental right).
>
> If the challenged legislation grants the right to vote to some residents while denying the vote to others, then we must subject the legislation to strict scrutiny and determine whether the exclusions are necessary to promote a compelling state interest. *Dunn*, 405 U.S. at 337, 92 S. Ct. at 1000. If the legislation, however, does not infringe on the right to vote, we examine the challenged statute under the rational basis standard. Under this lower standard, it may be permissible for a state to treat classes of persons differently if the legislation rationally relates to legitimate state purposes.

Mixon, 193 F.3d at 402. The *Mixon* Court further found that "[a]lthough Plaintiffs have a fundamental right to vote in elections before them, there is no fundamental right to elect an administrative body such as a school board, even if other cities in the state may do so." *Id*. at 403. As such, pursuant to *Mixon, supra*, this Court finds that because there is no

fundamental right to elect a school board, Am. Sub. HB 70 must be reviewed under a rational basis standard, and Plaintiffs must show that Am. Sub. HB 70 is *not* rationally related to a legitimate state purpose. The Court finds that because a CEO possibly appointing a school board subject to a later referendum vote is rationally related to the legitimate state purpose of "improving the quality of public schools," Plaintiffs' claim that Am. Sub. HB 70 violates the Equal Protection Clause does not have a substantial likelihood of success on the merits. *Id*. at 404.

B. Irreparable Injury

In addition to proving a likelihood of success on the merits, Plaintiffs must also prove that immediate and irreparable harm, loss or damage will result to Plaintiffs if the preliminary injunction is not issued, and that no adequate remedy at law is available to Plaintiffs. S*ommer v. Mt. Carmel Health*, 10th Dist. Case No. 94APE07-1087, 1995 Ohio App. LEXIS 1300. "Irreparable harm consists of the substantial threat of material injury which cannot be compensated with monetary damages." *Agrigeneral Co. v. Lightner*, 127 Ohio App.3d 109, 115 (3rd Dist. 1998). *See also Ritchhart v. Gleason*, 109 Ohio App.3d 652, 660 (4th Dist. 1996) (holding that there is no adequate remedy at law when damages are difficult to measure).

Here, Plaintiffs contend that they will suffer a complete disruption in operations, and that the authority of the elected board of education will be eliminated and granted to an unelected CEO. Plaintiffs' Mot. for Prel. Inj. at 12-13. Plaintiffs further contend that the Youngstown City School District Board of Education, the employees of the Youngstown City School District, and most importantly, the students of the Youngstown City School District *need stability*. *Id*. at 13. However, Defendants presented evidence

that the Youngstown City School District is in dire need of help and change. Defendants further presented evidence that the District has received poor performance ratings for the past decade, and that approximately 1% of the graduating student population is "college ready." Additionally, Defendants presented evidence that 50% of the students in the Youngstown City School District are educated outside the District. As such, the Court finds that Plaintiffs have not proven that immediate and irreparable harm will result if an injunction is not granted.

C. Harm to Third Parties

Plaintiffs contend that the granting of a preliminary injunction will cause no undue hardship to third parties because the current academic distress commission, appointed and overseen by the Superintendent of Public Instruction will remain in effect, as will the elected board of education and its Superintendent. *Id*. However, Defendants argue that the relief Plaintiffs seek will cause the students in failing school districts, like the Youngstown City School District, to spend yet another year in ineffective classrooms, falling further behind in their development. If an injunction is granted, the CEO that Am. Sub. HB 70 provides for, will be prevented from creating an improvement plan for the District and each of its schools. The Court finds that Plaintiffs have not proven that no third parties will be unjustifiably harmed if an injunction is granted.

D. Public Interest

Lastly, Plaintiffs contend that the public interest will be served by an injunction. *Id*. at 13-14. Plaintiffs contend that the public has an interest in ensuring that the Ohio Constitution and its mandates for properly enacting laws are followed by our legislators. *Id*. Plaintiffs further contend that the public has an interest in ensuring that the right to

vote under Article VI, Section 3 and R.C. 3313.02 is not infringed upon and that voters are not denied the right to equal protection of the laws. *Id*. Defendants have presented evidence that while the public does indeed have such interests, it also has an interest in having schools that are effective and that are properly educating students. The General Assembly found that Am. Sub. HB 70 serves these interests in public education. The Court finds that Plaintiffs have not proven that the public interest will be served by the injunction.

III. Conclusion

Therefore, based on the foregoing, the Court finds that because Plaintiffs have failed to prove by clear and convincing evidence each element of their claim for a preliminary injunction, there is no good cause to grant the relief requested. As such, the Court accordingly hereby **DENIES** Plaintiffs' Motion for Preliminary Injunction.

IT IS SO ORDERED.

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Franklin County Court of Common Pleas

Date:	10-13-2015
Case Title:	YOUNGSTOWN CITY SCHOOL DIST BOARD EDUCAT ET AL - VS- OHIO STATE ET AL
Case Number:	15CV007311
Type:	DECISION/ENTRY

It Is So Ordered.

/s/ Judge Jenifer A. French

Court Disposition

Case Number: 15CV007311

Case Style: YOUNGSTOWN CITY SCHOOL DIST BOARD EDUCAT ET AL -VS- OHIO STATE ET AL

Motion Tie Off Information:

1. Motion CMS Document Id: 15CV0073112015-08-2199700000

   Document Title: 08-21-2015-MOTION FOR PRELIMINARY INJUNCTION - PLAINTIFF: YOUNGSTOWN CITY SCHOOL DIST BOARD EDUCAT

   Disposition: MOTION DENIED