

4765-10-03

Administrative actions.

- (A) The board, pursuant to an adjudicatory hearing under Chapter 119. of the Revised Code, and by a vote of the majority of all members, may suspend, revoke, refuse to grant, limit, or refuse to renew a any certificate issued by the board, issue a written reprimand, or impose a fine not to exceed one thousand dollars if it determines that the person committed fraud in passing the examination or committed fraud, misrepresentation, or deception in applying for or securing any certificate issued by the board.
- (B) The board, pursuant to an adjudicatory hearing under Chapter 119. of the Revised Code, and by a vote of the majority of all members, may suspend, revoke, refuse to grant, limit, or refuse to renew a any certificate issued by the board, impose a fine not to exceed one thousand dollars, or issue a written reprimand if it finds a certificate holder has any of the following:
- (1) A violation of any provision of Chapter 4765. of the Revised Code or Chapters 4765-1 to 4765-19 of the Administrative Code;
 - (2) Conviction of, pled guilty to, had a judicial finding of guilt for, or had a judicial finding of eligibility for treatment and/or intervention in lieu of conviction for:
 - (a) Any felony;
 - (b) A misdemeanor committed in the course of practice;
 - (c) A misdemeanor involving moral turpitude;
 - (d) Violation of any federal, state, county, or municipal narcotics or controlled substance law;
 - (e) Any act committed in another state or jurisdiction that, if committed in Ohio, would constitute a violation set forth in this paragraph;
 - (f) A violation of division (A) of section 4765.50 of the Revised Code.
 - (3) ~~Adjudication~~ An adjudication of mental incompetence by a court of law;
 - (4) ~~Inability~~ An inability to practice according to acceptable and prevailing standards of care by reason of mental illness, physical illness, or habitual or excessive use or abuse of drugs, alcohol, or other substances that impair

ability to practice;

- (5) Any violation of the professional standards of conduct established in Chapter 4765-9 of the Administrative Code;
 - (6) Any violation of any conditions of a consent agreement or an order issued by the board.
- (C) The board, pursuant to an adjudicatory hearing under Chapter 119. of the Revised Code, and by a vote of the majority of all members, may ~~deny~~, suspend, ~~or~~ revoke, refuse to grant, limit, or refuse to renew a certificate of accreditation or a certificate of approval issued by the board, impose a fine not to exceed one thousand dollars, or issue a written reprimand, if it finds any of the following:
- (1) A violation of any provision of Chapter 4765. of the Revised Code or Chapters 4765-1 to 4765-19 of the Administrative Code;
 - (2) Any violations of any conditions of a consent agreement or an order issued by the board.
- ~~(D) The board, pursuant to an adjudicatory hearing under Chapter 119. of the Revised Code, and by a vote of the majority of all members, may refuse to grant, suspend, or revoke a certificate to teach if it finds any of the following:~~
- ~~(1) A violation of any provision of Chapter 4765. of the Revised Code or Chapters 4765-1 to 4765-19 of the Administrative Code;~~
 - ~~(2) Any violation of the professional standards of conduct established in Chapter 4765-9 of the Administrative Code;~~
 - ~~(3) Any violation of any conditions of a consent agreement or an order issued by the board.~~
- (D) When the board takes any disciplinary action under this rule, the board may specify that its action is permanent.

Effective:

R.C. 119.032 review dates: 02/13/2011

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4765.11
Rule Amplifies: 4765.33
Prior Effective Dates: 1/1/96, 2/22/99, 6/29/01, 1/13/02, 3/23/03, 2/13/06