



Deborah S. Delisle, Superintendent of Public Instruction

March 22, 2011

John D. Freshwater
7760 New Delaware Rd.
Mt. Vernon, OH 43050

LETTER OF ADMONISHMENT

Dear Mr. Freshwater:

The Ohio Department of Education received information indicating that you may have engaged in conduct unbecoming a licensed educator. After investigating these allegations, the Department determined that you used poor judgment when you permitted students to volunteer to touch a live Tesla coil which resulted in an injury to a student. In mitigation you ceased the use of the Tesla coil and removed it from your classroom as instructed by school administration. The allegations that you did not follow the curriculum are employment related and are addressed at the district level.

Our records indicate that you currently hold an expired five-year professional high school teaching license issued in 2005. In addition, you submitted an application for a five-year professional high school teaching license to the Ohio Department of Education's Office of Educator Licensure.

Pursuant to Ohio Administrative Code Rule 3301-73-22, the State Superintendent of Public Instruction, on behalf of the Ohio State Board of Education, may issue a letter of admonishment to educators who have engaged in a violation of §3319.31 of the Ohio Revised Code. Revised Code §3319.31 authorizes the State Board to deny an application or to revoke, limit or suspend a teaching credential if, at any time, an educator is convicted of certain crimes or has engaged in immoral, incompetent, negligent, or other conduct unbecoming to the teaching profession. As a result of your use of poor judgment in allowing students to volunteer to touch a Tesla coil, you have engaged in conduct unbecoming to the teaching profession and have violated Revised Code §3319.31.

In accordance with Ohio Administrative Code Rule 3301-73-22, the State Superintendent is issuing this letter of admonishment concerning your conduct unbecoming to the teaching profession and your violation of Revised Code §3319.31. Educators act as role models for students and the State Board and the Department of Education expect all educators to conduct themselves in a professional and ethical manner. Therefore, you are admonished that if you engage in any further conduct unbecoming to the teaching profession, including further violations of Revised Code



Department
of Education

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§3319.31, the State Board may initiate disciplinary proceedings to revoke, limit or suspend your teaching credential(s).

A copy of the *Licensure Code of Professional Conduct for Ohio Educators* is enclosed. The State Board strongly encourages you to review the code of conduct so you can model the high ethical standards which it expects of members of the teaching profession.

Pursuant to Ohio Administrative Code Rule 3301-73-22, a copy of this letter of admonishment will be placed in your file maintained by the Office of Professional Conduct. You may respond in writing to the letter of admonishment within thirty (30) days of receipt of the letter and have your response placed in your file. This letter of admonishment and any written response which you submit to the Department of Education is a public record under §149.43 of the Ohio Revised Code.

This letter of admonishment is sent to you on behalf of the State Board of Education. Your pending application will be routed to the Office of Educator Licensure for issuance of your teaching credential.

Sincerely,

Deborah S. Delisle
Superintendent of Public Instruction

A handwritten signature in cursive script that reads 'Lori M. Kelly'.

Lori M. Kelly, Esq.
Director
Office of Professional Conduct

LMK/mfa

Enclosures: Ohio Administrative Code Rule 3301-73-22
Licensure Code of Professional Conduct for Ohio Educators

cc: Stephen J. Short, Superintendent, Mount Vernon City Schools
R. Kelly Hamilton, Esq.

CERTIFIED MAIL-RETURN RECEIPT REQUESTED 7010 2780 0002 9197 6571