

STATE OF OHIO  
STATE PERSONNEL BOARD OF REVIEW

GLORIA SIMMONS,

*Appellant,*

v.

Case Nos. 11-IDS-12-0407  
11-REM-12-0408

TOLEDO PUBLIC SCHOOLS,

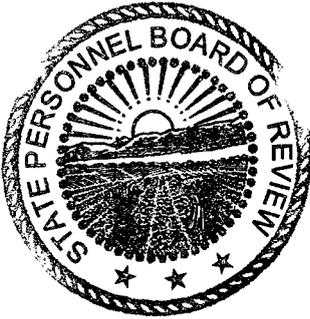
*Appellee*

**ORDER**

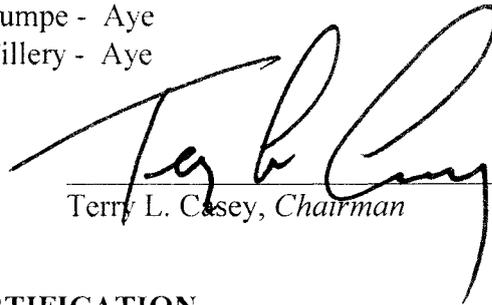
These matters came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

After a thorough examination of the entirety of the records, including a review of the Report and Recommendation of the Administrative Law Judge, along with any objections to that report which have been timely and properly filed, the Board hereby adopts the Recommendation of the Administrative Law Judge.

Wherefore, it is hereby **ORDERED** that the cases are **DISMISSED** for lack of jurisdiction.



Casey - Aye  
Lumpe - Aye  
Tillery - Aye

  
Terry L. Casey, *Chairman*

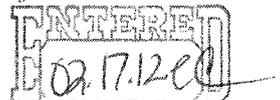
**CERTIFICATION**

The State of Ohio, State Personnel Board of Review, ss:

I, the undersigned clerk of the State Personnel Board of Review, hereby certify that this document and any attachment thereto constitutes ~~(the original)~~ a true copy of the original order or resolution of the State Personnel Board of Review as entered upon the Board's Journal, a copy of which has been forwarded to the parties this date, February 17, 2012.

  
Erin E. Conn  
*Clerk*

**NOTE:** Please see the reverse side of this Order or the attachment to this Order for information regarding your appeal rights.



STATE OF OHIO  
STATE PERSONNEL BOARD OF REVIEW

Gloria Simmons,

*Appellant*

v.

Toledo Public Schools,

*Appellee*

Case Nos. 11-IDS-12-0407  
11-REM-12-0408

December 27, 2011

Jeannette E. Gunn  
*Administrative Law Judge*

**REPORT AND RECOMMENDATION**

To the Honorable State Personnel Board of Review:

This matter came on for consideration on December 27, 2011. Appellant appeals her involuntary disability separation and removal from employment with Toledo Public Schools.

R.C. Section 124.03(A) provides that this Board shall hear appeals of employees in the state service. A city school district employee is specifically exempted from "state service" by R.C. 124.01(B), which provides as follows:

\* \* \*

(B) "State service" includes all offices and positions in the service of the state and the counties and general health districts of the state. "State service" does not include offices and positions in the service of the cities, city health districts, and city school districts of the state. (emphasis added)

\* \* \*

Appellant was employed by the Toledo Public Schools, which is a city school district of the State of Ohio. Accordingly, I find that this Board lacks the authority to consider her appeals and I respectfully **RECOMMEND** that the above-referenced cases be **DISMISSED** for lack of jurisdiction.

  
Jeannette E. Gunn  
*Administrative Law Judge*

:JEG