

REVISED 3/2011

Page 1 of 2

Joint Legislative Ethics Committee
Office of the Legislative Inspector General
50 West Broad Street, Suite 1308
Columbus, Ohio 43215
(614) 728-5100 www.jlec-olig.state.oh.us

Official Use Only

INITIAL POST EMPLOYMENT DISCLOSURE STATEMENT

Attention: Only financial disclosure statement filers leaving public service need file this form.
There is no fee to file this Statement.

I. General Information If this is an amended statement, please check here: _____

Name: Stan W. Heffner
 Agency/Office of Public Employment: Ohio Department of Education
 Last Date of Public Service/Employment: July 31, 2011
 Home Address: effective August 1, 2011: 718 Treaty Oak
 City: San Antonio State: Texas ZIP: 78258
 Phone: () _____ Email _____

II. Employer: If known, please indicate your place of employment following State Service/Employment. If unknown please check here _____ and proceed to Section IV.

Name of New Employer: Educational Testing Service Date of Employment: 8/1/11
 Street Address: 10999 Interstate Highway 10 West Suite 400
 City: San Antonio State: Texas ZIP: 78230

III. Identifying Qualifying Sources of Income

Revised Code §102.021(A)(2) requires that sources of income received in your own name, or by any other person your use or benefit, from any of the following categories be disclosed:

- A. an executive agency lobbyist or legislative agent;
- B. the employer of an executive agency lobbyist or legislative agent (that is not a state agency or political subdivision of the state);
- C. any entity, association or business that, at any time during the two immediately preceding calendar years, was awarded one or more contracts by one or more state agencies that in the aggregate had a value of \$100,000 or more, or bid on one or more contracts to be awarded by one or more state agencies that in the aggregate had a value of \$100,000 or more. *see further information below

If you will receive income from any of the above Qualifying Sources please proceed to Section III A on the following page.

If you will not receive income from any of the sources listed above please check here: and proceed to Section IV on the following page.

2011 JUN 27 PM 3:09
OFFICE OF
LEGISLATIVE
INSR. GENERAL

III A. Please identify all sources of income to be received from a qualifying source:

If this Qualifying Source is the same as listed in Section II please check here _____. Please indicate the type of Qualifying Source and provide the source's contact person and telephone number.

Type of Qualifying Source: A. ____ B. ____ C. ____ (please check all that apply)

Name of Qualifying Source: _____ Date: _____

Type of Business: _____

Street Address: _____

City: _____ State: _____ ZIP: _____

Contact Person: _____ Telephone: (____) _____

I will be lobbying on behalf of this qualifying source: _____ (please check here)

III A. (continued) Additional Qualifying Sources

Type of Qualifying Source: A. ____ B. ____ C. ____ (please check all that apply)

Name of Qualifying Source: _____ Date: _____

Type of Business: _____

Street Address: _____

City: _____ State: _____ ZIP: _____

Contact Person: _____ Telephone: (____) _____

I will be lobbying on behalf of this qualifying source: _____ (please check here)

IV. Certification

The undersigned hereby certifies that all reasonable efforts and due diligence have been undertaken in the preparation and completion of this statement and that the contents are true and accurate to the best of his or her knowledge.

The undersigned also acknowledges an affirmative duty to file an Amended Initial Post Employment Disclosure Statement should any of the above information change within two years following public service or public employment. The amended statement must be filed within ten days of obtaining a new qualifying source of income.

Jan W. Heffner Jan W. Heffner JUN 27 2011
Type or Print Name Signature Date

*Please utilize the Controlling Board's website www.ecb.ohio.gov under 'Search Requests' and/or contact your new employer to determine if the entry received, or bid on, state contracts that in the aggregate had a value of \$100,000.00 or more in the preceding two years.

For a list of lobbyists and employers of lobbyists, please visit <http://www2.ilec-olig.state.oh.us/olac/>.

Should you have questions regarding Post Employment Disclosure please contact The Office of the Legislative Inspector General at 614.728.5100.

Employer: Educational Testing Services

Reporting Period: Jan-Apr11
File Date: 5/20/2011
Confirmation: 20110520LUPE116184

I. List of Agents

Elise deLanglade Spriggs
Stephen E Tugend

II. Legislative Employer Activity

Please disclose specific bills and resolutions on which active advocacy occurred during this reporting period

Bill/Resolution Number

-HB 153 State Program Budget and Operations

*** ANY LEGISLATIVE TITLES APPEARING IN THE DISCLOSURE ABOVE ARE FOR INFORMATIONAL PURPOSES ONLY AND NOT INTENDED TO BE AN OFFICIAL OR EXCLUSIVE DESIGNATION OF ANY LEGISLATION CURRENTLY BEFORE OR ENACTED BY THE OHIO GENERAL ASSEMBLY.

III. Legislative Expenditure Statement

A. Gifts

Date	Recipient	Description	Legislation	Date Notified	Amount
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B. Meals and Beverages

Date	Recipient	Description	Legislation	Date Notified	Amount
------	-----------	-------------	-------------	---------------	--------

C. Dinner, Party or Other Similar Functions to which all Members of the General Assembly were invited.

D. Non-Itemized Meals and Beverages

National Conference Meals \$0 00

Total Aggregate (A + B + C + D) \$0.00
No Expenditures

[Print]



Listening. Learning. Leading.®

Educational Testing Service
Rosedale Road
Princeton, NJ 08541

PERSONAL & CONFIDENTIAL

April 19, 2011

REVISED

Mr. Stan W. Heffner
127 Ravines Way
Westerville, OH 43082

Dear Stan:

It is a pleasure to confirm our offer to you for the position of Senior Leader, K-12 Assessment, reporting to John Oswald of the K-12 Assessment Division at a bi-weekly salary of \$6,923.08 (annualized \$180,000.00).

On your first day of work, August 1, 2011, please report to the Wood Hall Security entrance located at our Princeton Campus at 8:30 am. You will be escorted to the Strategic Workforce Solutions Reception area for your payroll orientation.

You will be receiving an email with an individual login username, password and a link to your onboarding portal. While navigating through the portal you will find links with benefit information, employment forms and policies, including the I-9. Please be certain to review, sign and print as instructed, the necessary documents prior to your first day.

The provisions of the Immigration Reform and Control Act of 1986 require that the I-9 form be completed by all new hires. On the reverse side of the I-9 form there is a list of the acceptable forms of identification from which you may choose. **Please review the instructions carefully regarding the I-9 documentation and bring the necessary identification with you to verify your eligibility for employment.**

Your benefits will be effective as of August 1, 2011. You will be eligible for three weeks of vacation per year plus seven days of personal time off (PTO). This year, a prorated amount based on your hire date will be available to you.

As a new exempt employee, you are eligible for relocation assistance in accordance with the ETS Relocation Policy and Guidelines. A Relocation Coordinator from Paragon Relocation Resources, Inc. will contact you shortly to start the relocation process.

You will be eligible to participate in ETS's Short Term Incentive Compensation (STIC) plan. STIC is a variable compensation plan designed to provide financial incentive for participants to exceed performance expectations that drive mission and business results. It includes senior non-officer staff that is directly accountable for strategy implementation and execution for the company or a major unit as designated by the senior Officer of that division. STIC payments are differentiated across participants based on results vs. objectives.

We recognize that you may have entered into a confidentiality agreement with a former employer. You have advised ETS that you have not disclosed and will not disclose any such confidential or proprietary information. This is to advise you that ETS has not requested, will not request, and does not require or expect you to disclose any confidential or proprietary information from a former employer in connection with your employment by ETS. ETS further advises you that disclosure by

you, directly or indirectly, of any such confidential or proprietary information in connection with your employment by ETS shall be grounds for termination of your employment by ETS.

You agree that it is your responsibility to maintain any such confidential or proprietary information in confidence and to decline to do anything that would result in disclosure thereof.

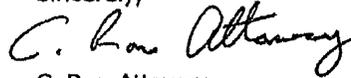
Full acceptance of ETS's offer of employment is conditional upon (1) verification of the information supplied in the Application for Employment which includes satisfactory reference checks and a credit and/or criminal background check, and (2) your signing this Offer Letter/Employee Agreement.

Nothing in this letter guarantees you a job at Educational Testing Service for any specified period of time, as Educational Testing Service is an Employer-at-Will.

We sincerely hope that you will find the work challenging and your association with colleagues and clients professionally stimulating. If you have any additional questions prior to your first day of work, please contact Megan Adams at 609-734-1933.

Please sign a copy of this letter accepting our offer and the Sterling Consent and Disclosure form and fax it back to me at 609-734-1900. Also, please include your birth date where indicated. This will help expedite the processing of your paperwork.

Sincerely,



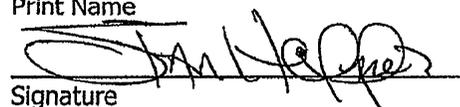
C. Ron Attaway
Recruitment Director

CRA/vh
Enclosures

cc: Maria Forrer
Acting SWS Coordinator

I accept this offer of employment:


Print Name


Signature

July 13, 1952
Birth Date

APR 25 2011
Date

J. ROBERT SCOTT
EXECUTIVE SEARCH

MEETING SCHEDULE

for

K-12 Assessment

Educational Testing Service

STAN HEFFNER

Mobile: [REDACTED]

December 16-17, 2010

JRS Contact: Kat Aronsohn 617-[REDACTED] [REDACTED] (cell)
ETS Contact: Maria Forrer 609-[REDACTED]

THURSDAY, DECEMBER 16

7:12pm

FLIGHT

Continental Airlines Flight CO2890 Economy Class

Depart: Port Columbus Intl

Columbus, Ohio, United States

07:12 PM Thursday, December 16 2010

Arrive: Newark Liberty Intl, TERMINAL A

Newark, New Jersey, United States

09:00 PM Thursday, December 16 2010

Duration: 1 hour(s) and 48 minute(s) nonstop

Status: Confirmed Continental

Airlines Record Locator: C98YPC

Equipment: EMBRAER RJ135 / RJ140 / RJ145

Operated By: /EXPRESSJET AIRLINES INC DBA CO EXPRESS

OPERATED BY /EXPRESSJET AIRLINES INC DBA CO EXPRESS

Seat: 14B Confirmed

CAR SERVICE

Boston Coach Car Service

Driver will meet you at the bottom of escalator at baggage with a sign

Phone: 800-672-7676

Confirmation No. 16450048

HOTEL

Chauncey Conference Center and Hotel

660 Rosedale Road

Princeton, NJ 08541

Confirmation: 315420

FRIDAY, DECEMBER 17

When you arrive at Conant Hall, please can ask for Ron Attaway at [REDACTED]

8:30am-10:30am**MEETING****Location: Conant Hall, Room C-213****Steve Lazer**

Vice President
Student and Teacher Programs

George Powell

Vice President and Chief Operation Officer
K12 Assessment Programs

John Oswald

Senior Vice President & General Manager
ETS K – 12 Assessment Programs

11am-12pm**MEETING****Location: C-213****Ida Lawrence**

Senior Vice President
Research and Development

Walt MacDonald

Executive Vice President and COO

12pm-1pm**LUNCH****Location: Chauncey Conference Center****Ron Attaway**

Director, Human Resources

2pm**CAR SERVICE****Boston Coach**

Driver will pick you up outside of Conant Hall
Phone: 800-672-7676
Confirmation No: 16450048-2

4:35pm**FLIGHT****Continental Airlines Flight CO3437 Economy Class****Depart:** Newark Liberty Intl, TERMINAL C

Newark, New Jersey, United States

04:35 PM Friday, December 17 2010

Arrive: Port Columbus Intl

Columbus, Ohio, United States

06:37 PM Friday, December 17 2010

Duration: 2 hour(s) and 2 minute(s) nonstop

Status: Confirmed Continental
Airlines Record Locator: C98YPC
Equipment: De Havilland DHC8400
Dash 8Q
Operated By: /COLGAN AIR DBA CONTINENTAL CONNECTION
OPERATED BY /COLGAN AIR DBA CONTINENTAL CONNECTION
Seat: 12B Confirmed



Room : 121
 Folio # : 56788
 Cashier # : 99
 Page # : 1 of 1

Stan Heffner
 [Redacted]
 Westville, OH 43082
 US

Arrival : 12-16-10
 Departure : 12-17-10

Date	Description	Additional Information	Charges	Credits
12-16-10	Chauncey Bar and Grill	#121 : CHECK #00009854	22.12	
12-16-10	Guest Room		149.00	
12-16-10	State Occupancy Fee		7.45	
12-16-10	Room Sales Tax		10.43	
12-16-10	Local Occupancy Fee		4.47	
12-17-10	American Express	XXXXXXXXXXXX1007 XX/XX		193.47
Total			193.47	193.47
Balance Due			0.00	

Original Message -----

From: "Aronsohn, Kathryn" <kathryn.aronsohn@fmr.com>
To: [REDACTED]@earthlink.net>
Sent: Monday, November 22, 2010 7:00 PM
Subject: Meeting with ETS

Hi Stan,

Thanks for taking my call today. The three people we would like to set you up with (and it may change based on availability) are John Oswald, George Powell and Steve Lazer. There may be others as well. Could you take a look at your calendar in the upcoming weeks to see when you are free to take a day for travel and meetings?

Best,
Kat

Kat Aronsohn | J. Robert Scott
Assistant to Jonathan Fortescue, Ph.D.
260 Franklin Street, Suite 620
Boston, MA 02110
Phone: +1 (617) [REDACTED]
kathryn.aronsohn@fmr.com
www.jrscott.com

To: Aronsohn, Kathryn
Subject: Re: Meeting with ETS

Hi Kat...

I just wanted to let you know that I'll be on the road starting Monday and going through the week. The best way to make contact would be to use my office e-mail address at stan.heffner@ode.state.oh.us or call my Blackberry at 614-██████████

I hope you had a great Thanksgiving.

Stan

----- Original Message -----

From: "Aronsohn, Kathryn" <kathryn.aronsohn@fmr.com>
To: "STAN HEFFNER" ██████████@earthlink.net>
Sent: Tuesday, November 23, 2010 6:17 PM
Subject: RE: Meeting with ETS

Hi Stan,

I'm going to try my best to make it for Dec. 17 in Princeton, NJ. I'll be back in touch...

Best,
Kat

-----Original Message-----

From: STAN HEFFNER [mailto:██████████@earthlink.net]
Sent: Monday, November 22, 2010 7:24 PM
To: Aronsohn, Kathryn
Cc: ██████████
Subject: Re: Meeting with ETS

Hi Kat:

It was good talking with you today. I appreciate your interest and look forward to continuing our conversations.

My calendar each month tends to fill about six weeks out. In checking what I think I could move and assuming that we would meet in Princeton, NJ, I would propose the dates of December 17, 21, 22 or 23. I know that you were interested in meeting before Christmas, but if none of these dates look promising please let me know and I can send dates for later in 2010 or in early January.

I look forward to hearing from you so that plans can be made to accommodate a meeting. Thanks!

Stan

Would you be able to get to Princeton on Dec. 16, the night before? ETS would like to start at 8/8:30am. Not sure where you are coming from but there is a 7:12pm Delta flight from Columbus to Newark that arrives at 9pm. Let me know if that is feasible for you. (also, we will provide car service to and from the airport)

Best,
Kat

-----Original Message-----

From: STAN HEFFNER [mailto: [REDACTED]@earthlink.net]
Sent: Saturday, November 27, 2010 4:23 PM
To: Aronsohn, Kathryn
Subject: Re: Meeting with ETS

Hi Kat...

I just wanted to let you know that I'll be on the road starting Monday and going through the week. The best way to make contact would be to use my office e-mail address at stan.heffner@ode.state.oh.us or call my Blackberry at 614-[REDACTED]

I hope you had a great Thanksgiving.

Stan

----- Original Message -----

From: "Aronsohn, Kathryn" <kathryn.aronsohn@fmr.com>
To: "STAN HEFFNER" < [REDACTED]@earthlink.net >
Sent: Tuesday, November 23, 2010 6:17 PM
Subject: RE: Meeting with ETS

Hi Stan,

I'm going to try my best to make it for Dec. 17 in Princeton, NJ. I'll be back in touch...

Best,
Kat

-----Original Message-----

From: STAN HEFFNER [mailto: [REDACTED]@earthlink.net]
Sent: Monday, November 22, 2010 7:24 PM
To: Aronsohn, Kathryn
Cc: [REDACTED]
Subject: Re: Meeting with ETS

Hi Kat:

It was good talking with you today. I appreciate your interest and look forward to continuing our conversations.

Subject: RE: Meeting with ETS

it,

I have blocked Stan's calendar for the afternoon of Dec. 16 and all day Dec. 17. Please let me know what you need from me and I will help make this happen.

-----Original Message-----

From: Heffner, Stan
Sent: Monday, November 29, 2010 12:00 PM
To: Aronsohn, Kathryn
Cc: [REDACTED]
Subject: RE: Meeting with ETS

Hi Kat:

Your message is timely as I'm soon departing the office for Washington, DC. I've copied [REDACTED] so that she can work with you to confirm that I could arrive the evening of December 16 and be available as long on December 17 as you would like. She can then make any travel arrangements, unless you prefer to do that internally.

If you haven't gotten a resume yet, I'm also asking that [REDACTED] send you one (not yet fully updated, but I hope it would be acceptable).

Thanks! I look forward to meeting everyone.

Stan

-----Original Message-----

From: Aronsohn, Kathryn [mailto:kathryn.aronsohn@fmr.com]
Sent: Monday, November 29, 2010 11:48 AM
To: Heffner, Stan
Subject: RE: Meeting with ETS

Hi Stan,

Would you be able to get to Princeton on Dec. 16, the night before? ETS would like to start at 8/8:30am. Not sure where you are coming from but there is a 7:12pm Delta flight from Columbus to Newark that arrives at 9pm. Let me know if that is feasible for you. (also, we will provide car service to and from the airport)

Best,
Kat

-----Original Message-----

From: STAN HEFFNER [mailto:[REDACTED]@earthlink.net]
Sent: Saturday, November 27, 2010 4:23 PM

-----Original Message-----

From: Aronsohn, Kathryn [mailto:kathryn.aronsohn@fmr.com]
Sent: Friday, December 03, 2010 4:22 PM
To: [REDACTED]
Subject: RE: Meeting with ETS

Hi [REDACTED],

I'm still not yet sure of the exact order of Stan's meetings on the 17th, but I know enough to book his flights. I would like to book him on a 7:12pm flight from Columbus that arrives at 9pm on the 16th. Then back on the 17th on a 4:35pm flight back to Columbus at 6:37pm. I will get him a hotel and car service as well. Can you confirm that these flights will work for him? Also, I will need his birthdate and full name as it appears on the photo ID he takes to the airport. If he has Continental or United numbers that would be helpful as well.

I think the final schedule should be ready on Monday, and I can forward it along with at the necessary information as bios on the people he will meet.

Cheers,
Kat

-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]@ode.state.oh.us]
Sent: Friday, December 03, 2010 8:17 AM
To: Aronsohn, Kathryn
Subject: RE: Meeting with ETS

Thanks for the update. I look forward to hearing from you.

-----Original Message-----

From: Aronsohn, Kathryn [mailto:kathryn.aronsohn@fmr.com]
Sent: Thursday, December 02, 2010 5:22 PM
To: [REDACTED]
Subject: RE: Meeting with ETS

Hi [REDACTED],

I'm expecting to have a concrete schedule tomorrow, and I will be in touch.

Cheers,
Kat

-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]@ode.state.oh.us]
Sent: Tuesday, November 30, 2010 2:54 PM
To: Aronsohn, Kathryn

[REDACTED]

From: Aronsohn, Kathryn <kathryn.aronsohn@fmr.com>
Sent: Thursday, December 09, 2010 5:46 PM
To: [REDACTED]
Subject: RE: Meeting with ETS
Attachments: Heffner_Stan_91805 12-16-10.pdf

Hi [REDACTED],

Attached is a first draft itinerary for Stan. More people may be added next week, i.e., Walt MacDonald, and I included his bio anyway. This should give Stan a good sense of his day on the 17th and I'll pass along any updates as I receive them. Please let me know if you have any questions.

Best,
Kat

Kat Aronsohn | J. Robert Scott
Assistant to Jonathan Fortescue, Ph.D.
260 Franklin Street, Suite 620
Boston, MA 02110
Phone: +1 (617) [REDACTED]
kathryn.aronsohn@fmr.com
www.jrscott.com

-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]@ode.state.oh.us]
Sent: Monday, December 06, 2010 11:49 AM
To: Aronsohn, Kathryn
Subject: RE: Meeting with ETS

Good Morning Kat,

The suggested times are perfect. I have listed below the information needed for the flight.

Stanley W. Heffner
7-13-52

If you need an emergency contact, feel free to use

[REDACTED]
614 [REDACTED]

Thanks!
[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Friday, December 10, 2010 10:01 AM
To: Aronsohn, Kathryn
Subject: RE: Meeting with ETS

I shared this with Stan and he didn't seem to have any questions at this time.

Thank you,
[REDACTED]

-----Original Message-----

From: Aronsohn, Kathryn [mailto:kathryn.aronsohn@fmr.com]
Sent: Thursday, December 09, 2010 5:46 PM
To: [REDACTED]
Subject: RE: Meeting with ETS

Hi [REDACTED],

Attached is a first draft itinerary for Stan. More people may be added next week, i.e., Walt MacDonald, and I included his bio anyway. This should give Stan a good sense of his day on the 17th and I'll pass along any updates as I receive them. Please let me know if you have any questions.

Best,
Kat

Kat Aronsohn | J. Robert Scott
Assistant to Jonathan Fortescue, Ph.D.
260 Franklin Street, Suite 620
Boston, MA 02110
Phone: +1 (617) [REDACTED]
kathryn.aronsohn@fmr.com
www.jrscott.com

-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]@ode.state.oh.us]
Sent: Monday, December 06, 2010 11:49 AM
To: Aronsohn, Kathryn
Subject: RE: Meeting with ETS

Good Morning Kat,

The suggested times are perfect. I have listed below the information needed for the flight.

NotUsed

From: Fortescue, Jonathan [jonathan.fortescue@fmr.com]
Sent: Friday, March 25, 2011 4:35 PM
To: Oswald, John; Attaway, Claude R
Cc: Lazer, Stephen; Elliott, T.J.
Subject: Stan Heffner Offer

Importance: High

Dear All,

I spoke at great length with Stan Heffner today. This was the second conversation. He said that ETS is tied for first place in his mind as he also considers another potential opportunity, which is to serve as the State Superintendent in Ohio. (He hasn't yet been offered this position but will learn this coming Tuesday. If not offered to him, he will definitely come to ETS.)

The ETS opportunity has strongly intrigued him. He is willing to re-locate to California. He also agrees that we are close on the terms of the deal (currently as base salary=\$180K + STIC). One possible hitch is that he needs to sort out his state pension. He is 3 years shy of vesting 30 years and is meeting with an official this coming Wednesday to determine the cost of buying out those three years.

I write you all because I think he is recruitable. Our offer dropped somewhat out of the air after he'd given up hope that he'd get one from us. And now, on the cusp of realizing a career goal of being a state superintendent, he needs to decide between that and ETS. His tone when he speaks about ETS is brighter than when he speaks about the state position. He is uncertain if he will enjoy the party-line politics that are at play in Ohio. It feels to me that a recruiting call or two from ETS might tip things our way, regardless of any other offer.

He will be at a decision point by next Wednesday. However, I think getting to him by Monday, in advance of Tuesday's meeting, would be good. I asked for his mobile number which he gave me. It is: (614) [REDACTED]. At the very least, I would encourage John to give him a call. But you all may want to discuss a 1-2 punch. Let's win this one.

Talking points: He enjoyed the intellectual nature of his conversations with ETS. He likes the emphasis on quality and appreciated the sense of team-play and collegiality at ETS. ETS would also allow him to enrich and diversify his professional experience and to work across multiple state settings. I also emphasized that your commitment was sincere as it relates to the shape of the rest of his career. (You may add others as you see fit.)

Let me know if you need anything else. I am off next week to ski the slopes of Jackson Hole but will be available by email and mobile: 617-9 [REDACTED]

Best,

Jonathan

Jonathan Fortescue, Ph.D.
Managing Director
J. Robert Scott Executive Search
260 Franklin Street, Suite 620
Boston MA 02110
O: 617-563-2770
V: 617-563-9173
jonathan.fortescue@fmr.com
www.j-robert-scott.com

The ETS opportunity has strongly intrigued him. He is willing to re-locate to California. He also agrees that we are close on the terms of the deal (currently as base salary=\$180K + STIC). One possible hitch is that he needs to sort out his state pension. He is 3 years shy of vesting 30 years and is meeting with an official this coming Wednesday to determine the cost of buying out those three years.

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Let me know if you need anything else. I am off next week to ski the slopes of Jackson Hole but will be available by email and mobile: 617-[REDACTED].

Best,

Jonathan

Jonathan Fortescue, Ph.D.

Managing Director

J. Robert Scott Executive Search

260 Franklin Street, Suite 620

Boston MA 02110

O: 617-563-2770

NotUsed

From: Elliott, T.J.
Sent: Saturday, March 26, 2011 9:18 PM
To: Oswald, John; jonathan.fortescue@fmr.com
Cc: Lazer, Stephen; Attaway, Claude R
Subject: Re: Ohio Situation

Great news. Thanks for the update,

T.J.

From: Oswald, John
To: Fortescue, Jonathan <jonathan.fortescue@fmr.com>
Cc: Lazer, Stephen; Attaway, Claude R; Elliott, T.J.
Sent: Sat Mar 26 18:04:06 2011
Subject: RE: Ohio Situation

Thanks, Jonathan. This is good news!

I will still call Stan Monday. I think this could work if Stan signs a letter committing to letting us write him into our SBAC proposal in April.

Regards,
John

From: Fortescue, Jonathan [<mailto:jonathan.fortescue@fmr.com>]
Sent: Saturday, March 26, 2011 5:22 PM
To: Oswald, John
Subject: Fw: Ohio Situation

Fyi

Jonathan Fortescue, Ph.D.
Managing Director
J Robert Scott Executive Search
(Sent from a Wireless Device)

From: STAN HEFFNER [<mailto:>]
Sent: Saturday, March 26, 2011 04:52 PM
To: Fortescue, Jonathan
Subject: Re: Ohio Situation

Thank you, Jonathan. Please convey that I did think long and hard about this offer, and I am looking forward to joining the ETS team.

Stan

----- Original Message -----

From: Fortescue, Jonathan
To: 'twc6149954840@earthlink.net'
Sent: Saturday, March 26, 2011 4:29 PM
Subject: Re: Ohio Situation

Stan, I will ask John and get back to you. Best, Jonathan

Jonathan Fortescue, Ph.D.
Managing Director
J Robert Scott Executive Search
(Sent from a Wireless Device)

From: STAN HEFFNER [mailto:██████████@earthlink.net]
Sent: Saturday, March 26, 2011 03:53 PM
To: Fortescue, Jonathan
Subject: Ohio Situation

Jonathan:

I just got off the phone with the President of the State Board of Education. She proposed nominating me to be Ohio's Acting Superintendent when the Executive Committee of the Board meets on Tuesday, with the idea that the Board would engage in a search for a permanent State Superintendent. She asked if it were possible for me to Acting Superintendent (assuming the Board agrees) until July 1, at which time I could be available to work for ETS. If this kind of timeline works for ETS, I would be happy to accept the employment offer. It would also give me time to complete any retirement decisions here that would need to be made.

Would you mind checking with John Oswald to see if this is feasible, or if ETS needs me before then? If the July 1 date (or very shortly thereafter) would work, it would help to make a smoother transition from Ohio.

Thank you for all the many professional courtesies you have extended to me throughout this search. I hope the skiing in Wyoming is going well for you.

☺Stan

This e-mail and any files transmitted with it may contain privileged or confidential information.
It is solely for use by the individual for whom it is intended, even if addressed incorrectly.
If you received this e-mail in error, please notify the sender; do not disclose, copy, distribute,
or take any action in reliance on the contents of this information; and delete it from your system. Any other use of this e-mail is prohibited.

Thank you for your compliance.

paths while at the meetings. Either way I know we can discuss arrangements and get caught up. I'm looking forward to seeing you.

Have a great weekend.

Stan

----- Original Message -----

From: Laramy, John
To: [REDACTED]@earthlink.net
Cc: Oswald, John
Sent: Friday, April 01, 2011 4:44 PM
Subject: Re: Meeting in New Orleans

Hi Stan,

I arrive on Monday around 5:00 pm. I am staying at the Marriott Wednesday night and then returning on Thursday morning so as you suggested meeting Wednesday afternoon works well for me. We can decide on a location next week. As I mentioned I have your cell number. Will you have access to your personal email while we are in New Orleans? I will take my lead from you next week about a time and location. I look forward to seeing you next week.

Regards,

John Laramy
Cell Phone: [REDACTED]

From: STAN HEFFNER <[REDACTED]@earthlink.net>
To: Laramy, John
Cc: Oswald, John
Sent: Fri Apr 01 13:25:40 2011
Subject: Re: Meeting in New Orleans

Hi John:

Thanks for your e-mail. I would definitely like to meet up with you in New Orleans. I am arriving on Monday at 4:40 pm and should be at the hotel about an hour after that. I have to participate on a State Board Officers call on Tuesday at 1:00 pm, but otherwise I think we can arrange a meeting time. I will be leading our team while at the sessions, but I can get away to talk whenever it works best for your schedule.

I don't know when you are planning to leave New Orleans, but I will be staying over Wednesday night as the state's representative to the SBAC update meeting on Thursday morning. If you think Wednesday afternoon would work, my team should be departing for Columbus, giving us time to chat. Does that work for you, or would you like to look at an earlier time?

I'm very excited in joining the ETS team and I look forward to seeing you again.

Stan

----- Original Message -----

From: Laramy, John
To: [REDACTED]@earthlink.net
Cc: Oswald, John
Sent: Friday, April 01, 2011 3:26 PM
Subject: Meeting in New Orleans

Hi Stan,

John Oswald brought me up to date on your joining ETS in the near future. I think it is fantastic news for ETS and you. Your knowledge, experience, presence, and credibility will be tremendous assets to ETS. In addition, ETS is a great organization to work for; a great fit for you in my opinion.

John shared with me that you will be in New Orleans for the ICCS meeting. I will be there as well. I would really enjoy having a chance to talk with you while we are in New Orleans. Of course meeting merits discretion and I do not want to make it awkward for you in any way. I saw the article earlier this week that you have been selected to be the Acting State Superintendent of Public Instruction in Ohio while the Board conducts a search for permanent replacement for Superintendent Delisle.

John Oswald provided me with your cell phone number. I can call you later today or sometime this weekend to decide on a time and place to meet. If you prefer, we can wait until we get to New Orleans to set up a time and location. Whatever works best for you will be fine with me.

Once again, it is fantastic news that you will be joining ETS. Anything I can do to help you during your transition will be my pleasure.

John Laramy

Office Phone: 630-588-8069

Cell Phone: 630-██████████

Home Phone: 630-██████████

NotUsed

From: STAN HEFFNER [REDACTED]@earthlink.net
Sent: Friday, May 06, 2011 10:58 PM
To: Oswald, John
Subject: Fw: May 18 Meeting

Hi John....

Thanks for your message. If you want, I will make all of the 18th available on my schedule for meeting at ETS to get to know some of my new colleagues I'll be working with and to attend the Management Committee meeting in the afternoon. I'm single, so it will just be me attending, and I can make sure that I am available to you in whatever capacity you wish that day. In addition, I will then let the realtor know that we will hunt for property in earnest on May 19 until I need to return to Ohio.

Meanwhile, I have just completed my first work week as Ohio's State Superintendent, and it has been a very full week. In fact, I'm spending Saturday working on testimony on the Department's biennium budget for delivery to the Senate Finance Committee on Wednesday. Monday and Tuesday will be spent at the State Board of Education meeting, interspersed with intermittent contact with realtors as I prepare my condo for sale. Needless to say, I don't want for things to do these days. :)

I'm very much looking forward to seeing you in San Antonio and getting transitioned into my new role at ETS. I again want to thank you for this opportunity, and I look very much forward to hitting the ground running on August 1.

All my best....

Stan

From: Oswald, John [mailto:JOswald@ETS.ORG]
Sent: Friday, May 06, 2011 3:35 PM
To: Heffner, Stan
Cc: Huizar, Karen
Subject: RE: May 18 Meeting

We'd love to have you, Stan! There are a lot of people who want to meet you. Attending the Management Committee Meeting on the afternoon of the 18th would be a good orientation. How much time do you think you can spend in the office? A half day? A whole day? Two half days? Whatever it is, we'll make good use of it.

I'd also like to arrange a social occasion, like a dinner, for some of us to socialize with you and your wife, if she'll be with you.

I know Kit wanted to spend a little time with you as well, if she can get out here then. I know she's in the Princeton office on the 17th.

-John

From: Heffner, Stan [mailto:Stan.Heffner@ode.state.oh.us]
Sent: Friday, May 06, 2011 12:35 PM
To: Oswald, John
Subject: RE: May 18 Meeting

Hi John:

I will be attending a seminar in New York from May 15-17 and plan to fly into San Antonio to look at real estate (arriving the evening of May 17). I understand that you are holding a staff meeting the afternoon of May 18 and I am wondering if you would want me to attend that. I'm not sure what the purpose of the meeting is, but if it affected my new assignment I would be happy to set aside that afternoon from house-hunting to participate. Otherwise, I am hoping to stop in the building at some point while I am in San Antonio (May 18-21, leaving the morning of May 22) to meet my new colleagues.

Stan

From: Oswald, John [<mailto:JOswald@ETS.ORG>]
Sent: Wednesday, March 30, 2011 1:27 PM
To: Heffner, Stan
Subject: Call today?

Stan,

I believe you said you would be available late afternoon today for a chat. I am in a meeting from 4:30-5:30 EDT today, so I can call you at 4:00 pm or at 5:30 or later. Is one of those times good for you?

Regards,
John

John H. Oswald

Vice President, ETS K-12 Assessment Solutions
Student and Teacher Assessment Division
10999 Interstate Highway 10 West, Suite 400
San Antonio, TX 78230
(210) [REDACTED]

Allocations: 100.00% (\$5.65) 1200

Business Purpose: CCSO RTTTA mtg

04/06/2011	Business Meal (attendees)	ARNAUD'S RESTAURANT	ARNAUD'S RESTAURANT	New Orleans	JP Morgan VISA	\$212.74
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Allocations: 100.00% (\$212.74) 1200

Attendees: LARAMY, JOHN, This Employee
Heffner, Stan, Assoc Superintendent, Ohio DOE, Business Guest
Thompson, Denny, Director, Curriculum & Assessmen, Ohio DOE, Business Guest

Business Purpose: CCSO RTTTA mtg

04/07/2011	Direct Travel Fees			New Orleans	Cash	\$22.27
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Allocations: 100.00% (\$22.27) 1200

Business Purpose: CCSO RTTTA mtg

04/07/2011	Direct Travel Fees			New Orleans	Company Paid	\$25.00
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Allocations: 100.00% (\$25.00) 1200

Business Purpose: CCSO RTTTA mtg

04/08/2011	Hotel	MARRIOTT 33716 NEW ORLEAN	MARRIOTT 33716 NEW ORLEAN	New Orleans	JP Morgan VISA	\$932.31
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Business Purpose: CCSO RTTTA mtg

● 04/04/2011	Dinner	MARRIOTT 33716 NEW ORLEAN	MARRIOTT 33716 NEW ORLEAN	New Orleans	JP Morgan VISA	\$34.00
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Allocations: 100.00% (\$34.00) 1200

Business Purpose: CCSO RTTTA mtg

● 04/06/2011	Hotel	MARRIOTT 33716 NEW ORLEAN	MARRIOTT 33716 NEW ORLEAN	New Orleans	JP Morgan VISA	\$239.00
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Allocations: 100.00% (\$239.00) 1200

Business Purpose: CCSO RTTTA mtg

● 04/04/2011	Hotel	MARRIOTT 33716 NEW ORLEAN	MARRIOTT 33716 NEW ORLEAN	New Orleans	JP Morgan VISA	\$239.00
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Allocations: 100.00% (\$239.00) 1200

Business Purpose: CCSO RTTTA mtg

● 04/04/2011	Hotel	MARRIOTT 33716 NEW ORLEAN	MARRIOTT 33716 NEW ORLEAN	New Orleans	JP Morgan VISA	\$309.00
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Allocations: 100.00% (\$309.00) 1200

Business Purpose: CCSO RTTTA mtg

● 04/06/2011	Hotel Tax	MARRIOTT 33716 NEW ORLEAN	MARRIOTT 33716 NEW ORLEAN	New Orleans	JP Morgan VISA	\$34.07
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NotUsed

From: STAN HEFFNER [REDACTED]@earthlink.net]
Sent: Tuesday, March 29, 2011 9:28 PM
To: Oswald, John
Subject: Re: State Board of Education Announces Interim Superintendent

John....

Oops! As you can imagine, I came home tonight to many, many e-mails. The last thing I did today was talk with Jonathan, so I messed up by not looking closely enough to my e-mails.

I think meeting with John Laramy would be an excellent idea. It would give me a chance to understand better what is going on, and that can only help to make things happen more smoothly.

It is OK to use my office e-mail (since that is also accessible to me via Blackberry). It is: stan.heffner@ode.state.oh.us

Or, he can call my cell: 614-[REDACTED] at his convenience.

Again, my apologies for my mix-up. It's been a crazy day here.

Stan

----- Original Message -----

From: Oswald, John [REDACTED]
To: [REDACTED]@earthlink.net
Sent: Tuesday, March 29, 2011 9:23 PM
Subject: Re: State Board of Education Announces Interim Superintendent

It's John, Stan, not Jonathan.

John Laramy, who is on my staff, will also be at the SCASS. Would you like him to meet with you in private to talk about his impressions of working at ETS? Sometimes connecting with someone else who's not part of the hiring process is helpful. He is very discreet.

If you'd rather not, that's fine too. I just thought I'd offer.

John

From: STAN HEFFNER <[REDACTED]@earthlink.net>
To: Oswald, John
Sent: Tue Mar 29 17:58:17 2011
Subject: Re: State Board of Education Announces Interim Superintendent

Hi Jonathan....

Yes, I will be in New Orleans for the SCASS meeting, and staying for the Thursday morning meeting of the SMARTER Balanced states to participate in their update and policy discussions. I can be reached via my office e-mail or by cell.

Stan

----- Original Message -----

From: Oswald, John [REDACTED]
To: [REDACTED]@earthlink.net
Sent: Tuesday, March 29, 2011 8:50 PM
Subject: Re: State Board of Education Announces Interim Superintendent

From: Laramy, John
Sent: Friday, April 01, 2011 5:07 PM
To: STAN HEFFNER
Cc: Oswald, John
Subject: RE: Meeting in New Orleans

Stan,

Thank you. Hope you have a nice weekend as well.

John E. Laramy
ETS
225 West Union Avenue
Wheaton, Illinois 60187
Office: 630-588-8069
Cell: 630-██████████
jlaramy@ets.org

From: STAN HEFFNER [██████████@earthlink.net]
Sent: Friday, April 01, 2011 3:59 PM
To: Laramy, John
Cc: Oswald, John
Subject: Re: Meeting in New Orleans

Hi John:

I can't access my personal e-mail when I'm away from home, but my state e-mail address is: stan.heffner@ode.state.oh.us and, to reiterate, my cell phone number is: 614-██████████.

I'm also staying at the New Orleans Marriott, so that should make things more convenient to meet. Feel free to use my state e-mail to ask about meeting, or we can talk via cell (thanks for sharing your numbers, too), or I'm sure we will cross

NotUsed

From: STAN HEFFNER [REDACTED]@earthlink.net]
Sent: Monday, March 28, 2011 6:59 PM
To: Oswald, John
Subject: Re: Time to talk today?

Hi John...

Because this is my home e-mail address, I just now got your message, and I apologize for the lateness of this reply. Please also feel free to contact me also at my work e-mail: stan.heffner@ode.state.oh.us

I am meeting with a Governor's office aide first thing Tuesday morning but would be available for a telephone call at any time past 10:00 am EST. My cell phone number is: 614-[REDACTED]

I very much look forward to speaking with you. I expect to be named as Acting State Superintendent tomorrow afternoon, having cleared the final hurdle (and background check) from the Governor's office. If possible, the best time to talk would be later in the morning on Tuesday, if that works for you.

Thank you, and thank you for the opportunity to join what I consider to be a top notch organization.

Stan

----- Original Message -----

From: "Oswald, John" <JOswald@ETS.ORG>
To: <[REDACTED]@earthlink.net>
Sent: Monday, March 28, 2011 11:30 AM
Subject: Time to talk today?

> Hi, Stan.

>
> It looks like we're really close to a deal and that's terrific! Is there a time today that we can talk by phone? I am at the CCSSO conference in Washington DC, but can be pretty flexible about stepping out and making a call.

>
> If that's OK, please provide me with a number to call.

>
> Thanks,
> John

NotUsed

From: Oswald, John
Sent: Friday, April 15, 2011 9:25 AM
To: Heffner, Stan
Cc: [REDACTED]@earthlink.net; Kit Viator; Huizar, Karen
Subject: RE: ~Introduction

Great, Stan.

Today is a holiday in San Antonio, San Jacinto Day, and our office is closed. So Karen will not be available until Monday. Just think! When you move to San Antonio, you'll have this holiday to celebrate ... but we don't celebrate Columbus Day or Patriot's Day!

Regards,
John

From: Heffner, Stan [<mailto:Stan.Heffner@ode.state.oh.us>]
Sent: Friday, April 15, 2011 8:22 AM
To: Oswald, John; Kit Viator
Cc: [REDACTED]@earthlink.net
Subject: RE: ~Introduction

Hi John and Kit:

Thank you, John, for sharing contact information with us. I'm very excited about being able to work with Kit again, and I look forward to joining the ETS team. The signed letter of employment and supporting materials are being faxed to ETS today.

If Kit would like to contact me in ways other than my cell phone, I've included some additional contact information below:

Home e-mail: [REDACTED]@earthlink.net
Home phone: 614-[REDACTED]
Office phone: 614-995-4839

I've blocked May 10-22 for a trip to San Antonio to look at real estate. Hopefully, we can keep the wolves at bay from my calendar. My secretary, [REDACTED] [REDACTED], is also making contact with Karen today to discuss other logistics.

I agree that we have a great team, and I am proud to be a member of it.

Stan

NotUsed

From: Huizar, Karen
Sent: Thursday, April 14, 2011 6:56 PM
To: [REDACTED]
Subject: RE: Stan Heffner

Hello! Sorry I didn't get a chance to call you this afternoon. I will call you in the morning, for sure.

Regards,

Karen Huizar
Administrative Supervisor & Assistant to the Vice President
ETS K-12 Assessment Programs
10999 Interstate Highway 10 West, Suite 400
San Antonio, Texas 78230
(210) [REDACTED] phone
(210) 558-5636 fax

From: [REDACTED] [mailto:[REDACTED]@ode.state.oh.us]
Sent: Thursday, April 14, 2011 12:09 PM
To: Huizar, Karen
Subject: Stan Heffner

Hi Karen,

Could you please call me when you have a chance? 614-[REDACTED] I am Stan's assistant and I have a few questions about his transition to ETS.

Thanks!

[REDACTED]

[REDACTED]
Assistant to Stan Heffner
Ohio Department of Education
614-[REDACTED]

NotUsed

From: Huizar, Karen
Sent: Thursday, April 28, 2011 12:45 PM
To: [REDACTED]
Subject: RE: Stan Heffner

Hi [REDACTED],

Just checking in on Stan. Is he still planning on coming to San Antonio in a few weeks? Has he been getting the relocation information he needs for our Human Resources group? Can I help with anything?



*Karen Huizar
Administrative Supervisor & Assistant to the Vice President
ETS K-12 Assessment Programs
10999 Interstate Highway 10 West, Suite 400
San Antonio, Texas 78230
(210) [REDACTED] phone
(210) 558-5636 fax*

From: [REDACTED] [mailto:[REDACTED]@ode.state.oh.us]
Sent: Thursday, April 14, 2011 12:09 PM
To: Huizar, Karen
Subject: Stan Heffner

Hi Karen,

Could you please call me when you have a chance? 614-[REDACTED] I am Stan's assistant and I have a few questions about his transition to ETS.

Thanks!

[REDACTED]

[REDACTED]
*Assistant to Stan Heffner
Ohio Department of Education
614-[REDACTED]*

NotUsed

From: [REDACTED] [REDACTED@ode.state.oh.us]
Sent: Monday, June 13, 2011 12:19 PM
To: Huizar, Karen
Subject: Form for Stan Heffner
Attachments: DOC015.PDF

Karen,

Stan Heffner asked that I send this back to you. Please let me know if you have any questions.

Thanks!

[REDACTED]
**Office of the Superintendent
Ohio Department of Education
25 South Front Street
Columbus, Ohio 43215
Office: 614-[REDACTED]
Fax: 614-728-4781**

PLEASE NOTE: This message and any response to it may constitute a public record, and therefore may be available upon request in accordance with Ohio public records law. (ORC 149.43)

Note for: Karen Huizar

Re: NDA for Stan Heffner

Date: June 6, 2011

Please find attached the nondisclosure agreement (NDA) that you requested.

Please review the NDA. If it is acceptable, please send to your contact for signature and have it signed (ETS Director or above).

Once the NDA has been fully executed, please fax the NDA to 609-734-1700 (or scan and send as an email attachment) to my attention.

If you have any questions, please let me know.



Lynda Tessein
General Counsel's Office
Educational Testing Service
Rosedale Road MS 23-C
Princeton, NJ 08541
609-734-5432 (Voice)
609-734-1700 (Fax)

Email: ltessein@ets.org



PROPRIETARY INFORMATION NONDISCLOSURE AGREEMENT

Send signed original to: ETS Office of General Counsel, 42-L

This Non-Disclosure Agreement (the "Agreement") is made between Educational Testing Service, located at Rosedale Rd., Princeton, NJ 08541 ("ETS") and the individual identified below (the "Individual") as of the date written below.

ETS and the Individual have commenced or intend to commence discussions and dealings relating to the preparation for the individual's employment beginning August 1, 2011 for ETS in the K-12 Division (the "Business Purpose"). In order to pursue the Business Purpose, ETS and the Individual recognize that there is a need for ETS to disclose to the Individual certain confidential information to be used only for the Business Purpose and to protect such confidential information from unauthorized use and disclosure.

In consideration of the disclosure of such information by ETS, the Individual agrees as follows:

1. This Agreement will apply to any confidential and proprietary information disclosed by ETS including, without limitation, any information concerning the function, processes, design, specifications, tools or other characteristics of ETS's products or services, product development plans, technology, software, source code, object code, web design, patent applications, intellectual property, any marketing or customer information, customer lists, financial information, trade secrets, business plans, any student, examinee or candidate testing or demographic data, and the following specific ETS information: Reports and research materials, and whether such information is in written, oral or visual form (collectively, "Confidential Information").

2. The Individual agrees (i) to hold ETS's Confidential Information in confidence, (ii) not to disclose such Confidential Information to any third parties (other than a third party to whom ETS has consented to in writing in advance of any such disclosure and who has executed a written confidentiality agreement limiting the use and disclosure of ETS Confidential Information to the same extent provided in this Agreement), and (iii) not to use any Confidential Information for any purpose except for the Business Purpose. In the event that the Individual is requested or required (by deposition, interrogatories, requests for information or documents in legal proceedings, subpoena, civil investigative demand or other similar process) to disclose any of the Confidential Information, the Individual shall provide ETS with prompt written notice of any such request or requirement so that ETS may seek a protective order or other appropriate remedy and/or waive compliance with the provisions of this Agreement. If, in the absence of a protective order or other remedy or the receipt of a waiver from ETS, the Individual is nonetheless, in the written opinion of the Individual's legal counsel, legally compelled to disclose Confidential Information to any tribunal or else stand liable for contempt or suffer other censure or penalty, the Individual may, without liability hereunder, disclose to such tribunal only the portion of the Confidential Information which such counsel advises the Individual is legally required to be disclosed, provided that the Individual exercises its best efforts to preserve the confidentiality of the Confidential Information, including, without limitation, by cooperating with ETS to obtain appropriate protective order or other reliable assurance that confidential treatment will be accorded the Confidential Information by such tribunal.

3. Confidential Information will not include information which: (i) is now, or hereafter becomes, through no act or failure to act on the part of the Individual, generally known or available to the

public; (ii) was lawfully known by the Individual prior to the effective date of this Agreement or; (iii) was acquired by the Individual from a third party which has no obligation of confidentiality to ETS.

4. If the Individual decides not to proceed with the Business Purpose, it will promptly inform ETS of that decision. Upon ETS's request, the Individual will promptly return to ETS all tangible items received from ETS containing or consisting of Confidential Information and all copies thereof, and will destroy any abstracts or summations of such information made by the Individual, and will certify in writing its compliance with this Section 4.

5. The Individual recognizes and agrees that nothing contained in this Agreement will be construed as (i) granting any rights to the Individual, by license or otherwise, to any Confidential Information except as specified in this Agreement or (ii) constitute an offer with respect to any potential business relationship with ETS.

6. This Agreement will be construed, interpreted, and applied in accordance with the laws of the State of New Jersey (excluding its body of law controlling conflicts of law). This Agreement is the complete and exclusive statement regarding the subject matter of this Agreement and supersedes all prior agreements, understandings and communications, oral or written, between the parties regarding the subject matter of this Agreement.

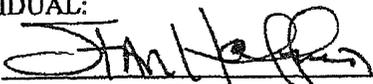
7. In addition to any and all remedies of ETS hereunder or under applicable law, all of which shall be cumulative and exercisable concurrently, ETS shall be entitled to seek an injunction from a court of competent jurisdiction for the purpose of stopping or preventing any existing or anticipated breach of the terms of this Agreement, which rights shall not preclude the additional right of ETS recovering damages for any breach.

8. The terms and conditions of this Agreement shall inure to the benefit of and be binding upon the respective successors and assigns of the parties hereto. This Agreement may be executed in counterparts, each of which when so executed shall be an original and all of which, when taken together, shall constitute one and the entire Agreement.

9. If any clause or other provision of this Agreement is or becomes illegal, invalid or unenforceable, the intention of the parties is that all of the remaining portions of the Agreement shall not be affected thereby and that all the portions of the Agreement not so affected shall remain separately valid and in full force and effect.

IN WITNESS WHEREOF, the Individual has executed this Agreement by signing below.

INDIVIDUAL:

By: 
(Signature)

Name: Stan Heffner

Date: JUN 13 2011

Address 1: _____

Address 2: _____

Telephone: _____

Facsimile: _____

NotUsed

From: [REDACTED] [REDACTED]@ode.state.oh.us]
Sent: Tuesday, July 05, 2011 9:08 AM
To: Huizar, Karen
Subject: FW: CCSSO Expedia Corporate Account-Reactivated-ICCS
Attachments: image003.jpg; image004.png; image8c69ee.GIF

Information for Minnesota, not sure, if you are already working with CCSSO but wanted to pass along the information. I think they sent this to me by mistake thinking that I was the one booking his travel for this event.

[REDACTED]
Office of the Superintendent
Ohio Department of Education
25 South Front Street
Columbus, Ohio 43215
Office: 614-[REDACTED]
Fax: 614-728-4781

PLEASE NOTE: This message and any response to it may constitute a public record, and therefore may be available upon request in accordance with Ohio public records law. (ORC 149.43)

Kimberly Griffin, CTE
 Travel Coordinator
 Meeting Services
 Council of Chief State School Officers
 Office: 202-312-6422

From: Heffner, Stan
Sent: Friday, July 01, 2011 6:53 PM
To: [REDACTED]
Subject: Fw: CCSSO Expedia Corporate Account-Reactivated-ICCS

From: Kimberly Griffin, CTE [mailto:kimberlyg@ccsso.org]
Sent: Friday, July 01, 2011 06:39 PM
To: Heffner, Stan; Delisle, Deborah; Deborah Delisle (Phyllis.patterson@ode.state.oh.us)
 <Phyllis.patterson@ode.state.oh.us>; Deborah Delisle ([REDACTED])
 <[REDACTED]>
Cc: Michele Parks <michelep@ccsso.org>
Subject: CCSSO Expedia Corporate Account-Reactivated-ICCS

Your profile account is currently available to place a travel reservation on hold and send to CCSSO for payment. If applicable please register for the meeting you will be attending (**Prior**) to reserving and sending your airline/train choices for approval/payment.

Option 1: Selecting Travel by Phone

NotUsed

From: [REDACTED] [REDACTED]@ode.state.oh.us]
Sent: Monday, July 11, 2011 7:41 AM
To: Huizar, Karen
Subject: RE: Minneapolis trip for Stan Heffner
Attachments: image001.gif

Thanks for the update, hope you had a nice vacation. I am happy to answer any questions regarding Stan's new AA. He is great to work with and has a great sense of humor.

Thanks!

[REDACTED]
Office of the Superintendent
Ohio Department of Education
25 South Front Street
Columbus, Ohio 43215
Office: 614-[REDACTED]
Fax: 614-728-4781

PLEASE NOTE: This message and any response to it may constitute a public record, and therefore may be available upon request in accordance with Ohio public records law. (ORC 149.43)

From: Huizar, Karen [mailto:KHuizar@ETS.ORG]
Sent: Sunday, July 10, 2011 10:40 PM
To: [REDACTED]
Subject: RE: Minneapolis trip for Stan Heffner

Hi – thanks for the info, it will be very helpful. I was going to look at flights this week now that I'm back from vacation. I'll be booking it through our company travel agency though, rather than through CCSSO's travel agency, which is only for the state chiefs. Yes, the Hilton is booked and I submitted his registration. I'll send all the details to you along with the flight info. I'm getting ready to start interviews for the hiring of Stan's administrative assistant, so I might call you to see if you have any insight for me on the type of person or qualities I might consider during the interview process (never a fun thing...ugh!).

Thanks and I'll be in touch soon with the travel details.

From: [REDACTED] [mailto:[REDACTED]@ode.state.oh.us]
Sent: Friday, July 08, 2011 11:23 AM
To: Huizar, Karen
Subject: Minneapolis trip for Stan Heffner

Wanted to make sure you had this information. I know you mentioned that you had confirmed his reservation with CCSSO. If you can send me copies of his confirmation/reservation numbers I will make sure he has a folder with trip information before he departs Ohio.

[REDACTED]

From: [REDACTED]
Sent: Friday, March 18, 2011 2:20 PM
To: Melmer, Rick
Subject: RE: Stan Heffner

I believe the plan is Steve will drive him there. I'll let you know if something changes.

Thank you and have a nice weekend.

[REDACTED]

From: Melmer, Rick [mailto:Rick.Melmer@usd.edu]
Sent: Friday, March 18, 2011 12:41 PM
To: [REDACTED]
Subject: RE: Stan Heffner

Diana

I think the flight schedule looks fine. Based on my draft schedule – we would have Stan interviewing on the 1st at 10:00 am – 11:15 am in Chamberlain at the SD Hall of Fame Board Room. Would Stan need to secure ground transportation or is Steve Willard going to help him there?

Rick Melmer - Dean
USD School of Education
Delzell Education Center 102
414 E. Clark Street
Vermillion, SD 57069
(605) [REDACTED]
Rick.Melmer@usd.edu

From: [REDACTED] [mailto:[REDACTED]@ode.state.oh.us]
Sent: Friday, March 18, 2011 10:39 AM
To: Melmer, Rick
Subject: Stan Heffner

Good Morning Mr. Melmer,

Stan has asked me to look for possible flights for his trip to South Dakota on April 1. I have shared the flight shown below with him and he has asked that I forward it on to you to see if it meets with your approval.

Please let me know if you think this will work on your end and I will proceed with making the arrangements.

Thank you,
[REDACTED]

[REDACTED]
Assistant to Stan Heffner
Ohio Department of Education
614-[REDACTED]

[REDACTED]

From: Heffner, Stan
Sent: Wednesday, February 16, 2011 6:05 PM
To: [REDACTED]
Subject: FW: Secretary Ad
Attachments: Ad - DOE Secretary.docx

Please prepare a regular envelope for mailing. I have some plain ones in the upper right hand cupboard to the left of my computer. Thanks!

From: Melmer, Rick [<mailto:Rick.Melmer@usd.edu>]
Sent: Friday, February 04, 2011 7:09 PM
To: Heffner, Stan
Subject: FW: Secretary Ad

From: Melmer, Rick
Sent: Friday, February 04, 2011 6:07 PM
To: 'stan.heffner@ohio.state.oh.us'
Subject: Secretary Ad

Stan

It was nice to visit today. I have attached the information that we discussed. We'd welcome your application and interest in the position. Take care Stan!!

Rick Melmer - Dean
USD School of Education
Delzell Education Center 102
414 E. Clark Street
Vermillion, SD 57069
(605) [REDACTED]
Rick.Melmer@usd.edu

NotUsed

From: [REDACTED] [REDACTED]@ode.state.oh.us]
Sent: Monday, May 02, 2011 12:26 PM
To: Huizar, Karen
Subject: RE: Stan Heffner

Karen,

I do believe Stan is planning a trip to San Antonio in the next few weeks; however, the details have not been finalized. I do not know if he has been working with anyone regarding the relocation but I will be happy to inquire and get back with you as quickly as I can.

Please let me know if you have any additional questions.

Thanks!

[REDACTED]
Office of the Superintendent
Ohio Department of Education
25 South Front Street
Columbus, Ohio 43215
Office: 614-[REDACTED]
Fax: 614-728-4781

From: [REDACTED]
Sent: Monday, May 02, 2011 7:51 AM
To: Huizar, Karen
Cc: [REDACTED]
Subject: RE: Stan Heffner

Good Morning Karen,

Sorry for the delay in responding to your e-mail. I have been out of the office. Stan has now moved on to his new position as Interim State Superintendent here at ODE and has a new assistant. I have copied her on this e-mail so that she can check with him and get back to you.

Thanks,

[REDACTED]

From: Huizar, Karen [mailto:KHuizar@ETS.ORG]
Sent: Thursday, April 28, 2011 12:45 PM
To: [REDACTED]
Subject: RE: Stan Heffner

Hi [REDACTED],