

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Posan v. Boyer*, Slip Opinion No. 2026-Ohio-1898.]

NOTICE

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SLIP OPINION NO. 2026-OHIO-1898

POSAN, APPELLEE, v. BOYER ET AL., APPELLANTS.

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Cause remanded to court of appeals for application of Hoskins v. Cleveland.

(No. 2025-0491—Submitted May 19, 2026—Decided May 27, 2026.)

APPEAL from the Court of Appeals for Summit County,

No. 31116, 2025-Ohio-529.

The below judgment of the court was joined by KENNEDY, C.J., and FISCHER, DEWINE, DETERS, HAWKINS, and SHANAHAN, JJ.

BRUNNER, J., concurred in part and dissented in part and would dismiss the cause as having been improvidently accepted as to both propositions of law.

{¶ 1} Sua sponte, as to proposition of law No. I, the judgment of the Ninth District Court of Appeals is reversed and the cause is remanded to that court for application of our decision in *Hoskins v. Cleveland*, 2026-Ohio-1225.

SUPREME COURT OF OHIO

{¶ 2} As to proposition of law No. II, the cause is sua sponte dismissed as having been improvidently accepted.

Stark & Knoll and Orville L. Reed III, for appellee, Amanda Posan.

Hanna, Campbell & Powell, L.L.P., and Kenneth A. Calderone, James M. Lyons Jr., and John R. Chlysta, for appellants, William J. Boyer, Barberton Board of Education, and Barberton High School.
