

SUPREME COURT OF OHIO

Posan v. Boyer

2026-Ohio-1898 · No. 2025-0491 · Decided May 27, 2026

SUMMARY

The Supreme Court of Ohio reversed the Ninth District Court of Appeals’ judgment as to proposition of law No. I and remanded the case for application of Hoskins v. Cleveland, 2026-Ohio-1225. The court dismissed proposition of law No. II as having been improvidently accepted.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	Kennedy, C.J.; Fischer, J.; DeWine, J.; Deters, J.; Hawkins, J.; Shanahan, J.; Brunner, J.
JURISDICTION	Ohio
DECIDED	May 27, 2026
DOCKET	2025-0491
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appeal from the judgment of the Ninth District Court of Appeals for Summit County.
PRECEDENTIAL VALUE	Published
PARTIES	William J. Boyer, Barberton Board of Education, Barberton High School v. Amanda Posan

TOPICS

- appellate procedure
- appellate jurisdiction
- civil procedure

PRACTICE AREAS

- appellate procedure
- civil procedure

QUESTIONS PRESENTED

- Whether the judgment of the Ninth District Court of Appeals should be reversed and the cause remanded for application of Hoskins v. Cleveland as to proposition of law No. I.
- Whether proposition of law No. II should be dismissed as having been improvidently accepted.

HOLDINGS

1. The judgment of the Ninth District Court of Appeals is reversed, and the cause is remanded to that court for application of *Hoskins v. Cleveland*.
2. Proposition of law No. II is dismissed as having been improvidently accepted.

KEY QUOTATIONS

“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.” (§ 1)

“the cause is sua sponte dismissed as having been improvidently accepted.” (§ 2)

FACTUAL BACKGROUND

The opinion contains no substantive factual discussion. The case concerns an appeal from a Ninth District Court of Appeals judgment, with the Supreme Court addressing two propositions of law.

PROCEDURAL HISTORY

The Ninth District Court of Appeals issued a judgment in case No. 31116, reported at 2025-Ohio-529. The Supreme Court of Ohio reversed the appellate judgment as to proposition of law No. I and remanded for application of *Hoskins v. Cleveland*; it dismissed proposition of law No. II as having been improvidently accepted.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The cause is remanded to the Ninth District Court of Appeals for application of *Hoskins v. Cleveland, 2026-Ohio-1225*, as to proposition of law No. I. Proposition of law No. II is dismissed as having been improvidently accepted.

CASES CITED

- *Hoskins v. Cleveland, 2026-Ohio-1225*

OPINION

Posan v. Boyer

2026 Ohio 1898

PER CURIAM.

[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

This slip opinion is subject to formal revision before it is published in an advance sheet of the Ohio Official Reports. Readers are requested to promptly notify the Reporter of Decisions, Supreme Court of Ohio, 65 South Front Street, Columbus, Ohio 43215, of any typographical or other formal errors in the opinion, in order that corrections may be made before the opinion is published.

SLIP OPINION NO. 2026-OHIO-1898

POSAN, APPELLEE, v. BOYER ET AL., APPELLANTS. [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.] 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. _____ 2