



January 22, 2025

Jon Vitello

Marion, OH

Hello Jon,

Please be advised that the Board of Certification, Inc. (BOC) Professional Practice and Discipline Committee (Committee) has rendered the following decision with respect to the charge that you violated Codes 3.2 and 3.10 of the Code of Professional Responsibility (COPR) section of the BOC Standards of Professional Practice.

In a Charge letter dated September 12, 2024, the BOC informed you that the Committee had determined that good cause existed to believe that you have violated Codes 3.2 and 3.10 of the COPR section of the BOC Standards of Professional Practice. On March 8, 2023, you were indicted in the Common Pleas Court of Marion County Ohio for four counts of violating Ohio Statute §2907.321(A)(1), 2907.321(C), *second degree felony, Pandering Obscenity Involving a Minor*. On May 17, 2023, you were indicted in the Common Pleas Court of Marion County Ohio for six additional counts of violating Ohio Statute §2907.321(A)(1), 2907.321(C), *second degree felony, Pandering Obscenity Involving a Minor*. On December 13, 2023, you pled Guilty in the Common Pleas Court of Marion County Ohio to ten counts of violating Ohio Statute §2907.321(A)(1), 2907.321(C), *second degree felony, Pandering Obscenity Involving a Minor*. On January 23, 2024, you were sentenced to a minimum of 12 years to 13 ½ years of incarceration, five years of post-release control upon your release and advised by the court to register as Tier II sexual offender. On January 30, 2024, you entered into a Consent Agreement with the Ohio Occupational Therapy, Physical Therapy, Athletic Training Board for voluntary surrender of your state license.

#### Factual Findings

1. On March 8, 2023, you were indicted in the Common Pleas Court of Marion County Ohio for four counts of violating Ohio Statute §2907.321(A)(1), 2907.321(C), *second degree felony, Pandering Obscenity Involving a Minor*.
2. On May 17, 2023, Respondent was indicted in the Common Pleas Court of Marion County Ohio for six additional counts of violating Ohio Statute §2907.321(A)(1), 2907.321(C), *second degree felony, Pandering Obscenity Involving a Minor*.
3. On September 15, 2023, the BOC suspended your certification and sent you a Notice and Emergency Suspension Order electronically via Eversign. BOC did not receive a response.
4. On September 26, 2023, the BOC mailed the Notice and Emergency Suspension Order via USPS Certified mail to the correctional facility where you incarcerated.
5. On October 17, 2023, the Order was returned marked as undeliverable.
6. On October 19, 2023, the BOC mailed you the Notice and Emergency Suspension Order via USPS Certified mail to the personal address listed on your BOC profile.
7. On November 2, 2023, per USPS records, the BOC Notice and Emergency Suspension Order was delivered.
8. On December 13, 2023, you pled Guilty in the Common Pleas Court of Marion County Ohio to ten counts of violating Ohio Statute §2907.321(A)(1), 2907.321(C), *second degree felony, Pandering Obscenity Involving a Minor*.
9. On January 23, 2024, you were sentenced to a minimum of 12 years to 13 ½ years of incarceration, five years of post-release control upon your release and advised by the court to register as Tier II sexual offender.

10. On April 15, 2024, the BOC received the Ohio OTPTAT Board Consent Agreement for Voluntary Surrender you entered into on January 30, 2024.
11. On April 25, 2024, the BOC sent you a Consent Agreement electronically via Eversign for suspension of your certification with the possibility of a petition for reinstatement no sooner than the date of your release from incarceration. The BOC did not receive a response.
12. On May 13, 2024, the BOC called you but there was no voicemail service set up. The same day the BOC sent you a reminder electronically via Eversign. The BOC did not receive a response.
13. On May 30, 2024, the BOC mailed you the Consent Agreement via USPS Certified mail.
14. On June 11, 2024, the BOC received a Certified mail receipt signed by another individual, Heather Vitello, acknowledging delivery of the document on June 6, 2024. The BOC did not receive a response.
15. On August 6, 2024, the BOC sent you a Charge Letter electronically via Eversign for suspension of your certification. The BOC did not receive a response.
16. On August 8, 2024, Heather Vitello informed the BOC that she viewed the Charge Letter but wished for the BOC to work directly with you in resolving the matter.
17. On September 12, 2024, the BOC mailed you the Charge Letter to the correctional facility where you were incarcerated via USPS Certified mail.
18. On September 19, 2024, per USPS records, the Charge Letter was delivered.
19. On October 2, 2024, the BOC received a Certified mail receipt signed by another individual acknowledging receipt of the Charge Letter on September 20, 2024.
20. On October 22, 2024, the BOC received a Charge Letter signed by you affirming "I confirm receipt of the enclosed Charge Letter from the Board of Certification, Inc. (BOC) and that you selected the option "I admit to the truthfulness of the allegations outlined in the enclosed Charge Letter and request the BOC resend me the Consent Agreement for suspension of my certification via Eversign."
21. On October 24, 2024, the BOC mailed you a Consent Agreement for suspension of your certification via USPS Certified mail to the correctional facility where you are presently incarcerated.
22. On November 13, 2024, the BOC received a mail receipt signed by another individual for the Consent Agreement acknowledging it had been delivered on October 31, 2024. The BOC did not receive a response.

## Conclusions

Based on the lack of response to the Consent Agreement delivered on October 31, 2024, the Committee determined that the facts above are valid and that such actions violate Codes 3.2 and 3.10 of the COPR section of the BOC Standards of Professional Practice:

Code 3.2: The Athletic Trainer, specialist or applicant Practices in accordance with applicable local, state and/or federal rules, requirements, regulations and/or laws related to the practice of athletic training including, without limitation, applicable state licensing and ethical requirements.

Code 3.10: The Athletic Trainer, specialist or applicant takes no action that leads, or may lead, to the conviction, plea of guilty or plea of nolo contendere (no contest) to any felony or to a misdemeanor related to public health, patient care, athletics or education; this includes, but is not limited to: rape; sexual abuse of a child or patient; actual or threatened use of a weapon of violence; the prohibited sale or distribution of controlled substance, or its possession with the intent to distribute; or the use of the position of an Athletic Trainer to improperly influence the outcome or score of an athletic contest or event or in connection with any gambling activity.

As a result, the Committee has issued the following sanctions regarding your certification:

Your certification status is considered Suspended. Suspension of a BOC certification is considered public information and may be published or otherwise disclosed by the BOC. Further, while your certification is Suspended, you are not authorized to do the following:

1. Represent yourself to the public as a practicing Certified Athletic Trainer or Board-Certified Specialist or use the certification marks ATC® or BCS-O following your name; or
2. Serve as an item writer for any BOC certification exam; or
3. Serve as a supervisor or preceptor of students who are satisfying the athletic training requirements for certification eligibility.

You may petition for reinstatement in accordance with Section 13 of the BOC Discipline Procedures. Such petition may be brought by Respondent no sooner than the date of their release from incarceration for the offenses listed in Paragraph 2 on Page 1. Contact the BOC office for instructions how to petition for reinstatement, fees, and procedures.

Jon, this matter will remain a part of your BOC certification file and may be used for the purpose of determining sanctions in any future matters that come before the BOC Professional Practice and Discipline Committee or other Disciplinary Panels. You have the right to appeal a decision made by the Committee. An appeal must be received by the BOC within thirty (30) days of receipt of this decision. The appeal must be written and addressed to the BOC Chief Executive Officer. For details regarding the appeal process, please see the enclosed procedures.

Sincerely,

*Anne M. Minton*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Anne M Minton  
Printed Name

\_\_\_\_\_  
Chief Executive Officer  
Title

\_\_\_\_\_  
Jan 23 2025  
Date

cc: BOC Professional Practice and Discipline Committee  
BOC Counsel  
Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board

Enclosures: [BOC Standards of Professional Practice](#)  
[Professional Practice and Discipline Guidelines and Procedures](#)  
Copy of the Entry of Guilty Plea  
Copy of Judgement of Entry of Sentencing  
Copy of the Ohio OTPTAT Board Consent Agreement for Voluntary Surrender  
Copy of the Notice & Emergency Suspension Order  
Copy of the Consent Agreement Offer and Consent Agreement  
Copy of the signed Charge Letter