IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO

JAMIE L. HAMILTON BEGLEY,	:	APPEAL NO. C-250516 TRIAL NO. DR-1401215
Plaintiff-Appellee,	:	
vs.	:	
DANIEL R. BEGLEY,	:	*JUDGMENT ENTRY*
Defendant-Appellant.	:	

This cause was heard upon the appeal, the record, the briefs, and arguments.

For the reasons set forth in the Opinion filed this date, the judgment of the trial court is affirmed.

Further, the court holds that there were reasonable grounds for this appeal, allows no penalty, and orders that costs be taxed under App.R. 24.

The court further orders that (1) a copy of this Judgment with a copy of the Opinion attached constitutes the mandate, and (2) the mandate be sent to the trial court for execution under App.R. 27.

To the clerk:

Enter upon the journal of the court on 9/25/2026 .

Pursuant to App.R. 30, the clerk is directed to send all parties, or their counsel if represented, a copy of the court's judgment and note such action on the docket.

By: Jennifer Hunsley
Administrative Judge

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Plaintiff-Appellee,	:	
vs.	:	
DANIEL R. BEGLEY,	:	*O P I N I O N*
Defendant-Appellant.	:	

Appeal From: Hamilton County Court of Common Pleas, Domestic Relations Division

Judgment Appealed From Is: Affirmed

Date of Judgment Entry on Appeal: September 25, 2026

Stagnaro Hannigan Koop, Co., LPA, for Plaintiff-Appellee,

Fred S. Miller and *Patrick G. Moeller*, for Defendant-Appellant.

BOCK, Judge.

{¶1} Defendant-appellant Daniel Begley ("Father") appeals the trial court's judgment overruling his objections to the magistrate's decision, which modified a shared-parenting agreement and ordered, in relevant part, that the two minor children should continue to be homeschooled instead of attending a traditional brick-and-mortar school. In two assignments of error, Father argues that the trial court improperly relied on expert testimony to reach its decision and erred by ordering that Father and plaintiff-appellee Jamie L. Hamilton Begley ("Mother") are only required to meet every other year to consider the children's school placement. Because the trial court did not improperly rely on expert testimony and because its order regarding the consideration of school placement was reasonable, we overrule the assignments of error and affirm the trial court's judgment.

I. Factual and Procedural History

{¶2} In 2014, Mother and Father dissolved their marriage and entered into a shared-parenting plan ("SPP") for their children, A.H-B. (now 15) and N.H-B. (now 12). The SPP required the parents to confer on school placement and extracurricular activities but gave Mother final decision-making authority. During the Covid-19 pandemic, they agreed to homeschool the children for the 2020-2021 school year, supplemented by a cooperative program, and Mother continued selecting and purchasing the curriculum for the next four years.

{¶3} Ten years after entering the SPP, Mother moved to modify its parenting-time provision, while Father moved to modify it to transition both children from homeschooling to traditional schooling at Cincinnati Classical Academy ("the Academy"), a tuition-free charter school. A magistrate held a hearing on both motions.

{¶4} Before the hearing, the guardian ad litem ("GAL") recommended that

A.H-B. continue homeschooling, supplemented by two days per week at the Providence Extension Program ("Providence"), and that N.H-B. enroll at the Academy. The GAL noted that this would be a time that the siblings would be separated if attending traditional schooling as one was entering high school and the other middle school. The GAL noted that sending the younger child to a traditional school would address some of Father's concerns about the girls' social and emotional development.

A. The Hearing on School Placement

{¶5} At the hearing, Father argued that traditional schooling would better support the girls' independence and leadership skills. Mother maintained that homeschooling supplemented through Providence remained the best option.

{¶6} Mother presented the testimony of Mark Powers, an expert in cognitive and educational testing, who evaluated the girls in April 2024, after four years of homeschooling. A.H-B. scored in the superior or high-average range; N.H-B. scored in the average range with some above-average areas. Powers testified that both should continue achieving at similar levels, absent a traumatic event.

{¶7} Mother also called Vivian Chen. The trial court qualified her as an expert in college-admissions consulting. Father objected to Chen's qualifications and asserted bias because Chen is a friend of Mother's and teaches part-time at Mother's Taekwondo studio.

{¶8} Chen testified she has advised college-bound students for more than a decade, operates her own consulting business in which she advises two students per year, and volunteers as an admissions interviewer for Cornell University.

{¶9} Regarding A.H-B., Chen testified that homeschooling allows her to progress at an appropriate pace given her advanced math abilities. After reviewing the Academy's curriculum, Chen concluded that even its most advanced track was less

rigorous than the plan she had designed for A.H-B. Moreover, were A.H-B. to attend the Academy, she would have to repeat geometry. She opined that homeschooling would allow deeper, faster progress toward A.H-B.'s goals. Turning to N.H-B., Chen testified that, based on her achievement scores, enrolling her at the Academy in middle school would likely require her to repeat material she had already mastered, risking disengagement.

{¶10} Next, a Providence teacher testified on Mother's behalf. She described Providence's twice-weekly honors humanities program for grades 6-12. She testified that A.H-B. would thrive in its discussion-based environment and that N.H-B., a bright student and strong leader, would benefit from learning in a larger peer group.

{¶11} Mother testified that she owns and instructs at a Taekwondo studio where both children compete nationally. She stated that the girls enjoy homeschooling, have close friends, participate in youth and theater groups, and that N.H-B. plays soccer while A.H-B. takes dance.

{¶12} Mother further testified that N.H-B. is thriving academically at home, that the Academy lacks a gifted program, and that N.H-B.'s above-grade-level testing raises concerns about academic fit at the Academy. She also emphasized the girls' close bond and the emotional harm N.H-B. would experience if separated from her sister. She also noted that an Academy schedule would reduce her time with N.H-B., as N.H-B. would return home shortly before Mother leaves for work at the Taekwondo studio. Mother testified that the family has built its routine around homeschooling and extracurricular activities for five years—four with Father's agreement—and believes both children should continue homeschooling together.

{¶13} Father presented testimony from Janet O'Callaghan, the Academy's

director of enrollment, who described its humanities-focused and technology-free model, upcoming expansion to ninth grade, and supports for former homeschool students.

{¶14} Father also called Carole Bower of 3C Counseling. Bower met with the children several times and expressed concern that A.H-B.'s social development lagged behind peers, though she acknowledged that "BASC-3 evaluations" showed both girls' social and emotional development to be age-appropriate.

{¶15} Father testified that with one child entering high school and the other entering middle school, this is an ideal time to transition them to traditional schooling. He believed repeating geometry would benefit A.H-B. due to the Academy's more thorough instruction. He further testified that N.H-B.'s habit of looking up answers and working backwards would be curbed in a structured environment, and that she would gain leadership opportunities and access to team sports, including soccer. Father stated he wanted more transparency in the children's schooling, though he acknowledged that Mother has been providing weekly samples of their work since mediation.

{¶16} The GAL testified that she had no concerns about the children's social development given their extracurricular involvement. She believed both could succeed academically and socially at the Academy, though A.H-B. may need to repeat a math course. She also stated that Mother's homeschool curriculum is strong and that both children perform well but emphasized that effective homeschooling requires parental alignment. Both girls expressed a desire to continue homeschooling. The GAL believed Mother could secure appropriate courses for A.H-B. but was uncertain about N.H-B.'s options at Providence. She noted that the Academy offers robust extracurricular opportunities and acknowledged that a transition to the Academy would be difficult

for both girls.

B. The court's decision to continue homeschooling

{¶17} The magistrate conducted an in-camera interview with each child. Then, after considering the motions, the magistrate made several rulings involving the SPP. First, the magistrate ruled that both girls would continue to be homeschooled, with Mother curating the curriculum. Their education would be supplemented by attending two days per week at Providence. The magistrate found that Father's concern that the girls are socially behind was not supported by credible evidence.

{¶18} The magistrate also directed the parents to review the effectiveness of homeschooling every odd-numbered year, beginning in January 2027, and to consider with an open mind whether a brick-and-mortar school would better serve the children. Unless the parents agreed otherwise or the court ordered a change, the children were to continue homeschooling, with Mother selecting appropriate supplements. The decision further states that the parents may modify the arrangement at any time—before or after January 2027—by written agreement if they decide the children should attend a traditional school.

{¶19} Father objected to the magistrate's decision. First, he challenged placing N.H-B. in Providence and continued homeschooling, arguing it was against the manifest weight of the evidence. Under this objection, he noted that Chen should not have been qualified as an expert based on her limited experience and a degree unrelated to college counseling. Next, he objected to the magistrate's determination that the parents were required to revisit the children's school placement only every odd year beginning in January 2027.

{¶20} The trial court overruled the objections and adopted the magistrate's decision. Father now appeals.

II. Analysis

{¶21} Before addressing Father's assignments of error, we note that his appeal only challenges the trial court's decision as it pertains to his younger daughter, N.H-B. He does not raise any error involving his older daughter's school placement and acknowledges that homeschooling is in his older daughter's best interest. Accordingly, our review is limited to the trial court's decision ordering N.H-B. to be homeschooled, supplemented by two days at Providence.

A. First Assignment of Error

{¶22} In his first assignment of error, Father argues that "the trial court improperly relied on one of Mother's witnesses, Vivian Chen," in determining that N.H-B. should continue homeschooling. Essentially, Father argues that Chen should not have been qualified as an expert in college-admissions planning because her experience was minimal, her college degree was in an unrelated field, and college-admissions counseling was only part-time work for her.

{¶23} We review a trial court's determination that a witness is competent to testify as an expert for an abuse of discretion. *Bender v. Durrani*, 2024-Ohio-1258, ¶ 81 (1st Dist.).

{¶24} Evid.R. 702 permits a witness to testify as an expert when all of the following apply: (A) the testimony involves matters beyond lay persons' knowledge or experience; (B) the witness has specialized knowledge, skill, experience, training, or education about the subject matter of the testimony; and (C) the testimony is based on reliable scientific, technical, or other specialized information. The proponent of the testimony need not establish that the witness is the best or most qualified expert in the field; rather, the key is that the expert demonstrates "some knowledge on the particular subject superior to that possessed by an ordinary [trier of fact]." *Victor v.*

Kaplan, 2020-Ohio-3116, ¶ 55 (8th Dist.), quoting *Scott v. Yates*, 71 Ohio St.3d 219, 221 (1994). And "[t]here is no requirement that an individual possess a certain educational degree to qualify as an expert; rather, an individual's professional experience and training in a particular field may be sufficient to qualify one as an expert." *Id.*, citing *State v. Mack*, 73 Ohio St.3d 502, 511 (1995).

{¶25} Here, the record supports the trial court's determination that Chen was qualified to testify as an expert in college-admissions counseling. Chen testified that she has spent more than a decade advising students regarding course selection and extracurricular activities designed to improve their prospects for admission to highly-selective colleges and universities. Chen also has operated a college-admissions counseling business for five years. And Chen is a Cornell University alumna who serves as a volunteer admissions interviewer for Cornell. Although Chen works primarily as an investment advisor, her employment in another field does not negate the specialized knowledge she has acquired through more than a decade of counseling students about the college-admissions process. Based on her experience and training, Chen possessed knowledge beyond that possessed by an ordinary trier of fact concerning the types of courses and extracurricular activities that could best position a student for admission to a highly-selective college or university. Accordingly, the trial court was within its discretion to qualify Chen as an expert witness.

{¶26} Moreover, Chen's testimony was not materially related to the ruling he challenges on appeal—the determination that N.H-B. should continue homeschooling, supplemented by attendance at Providence two days a week. Chen's testimony was directed primarily at A.H-B.'s particular educational circumstances, including her giftedness, advanced academic progress, and access to specialized mathematics instruction in the homeschool setting. Chen offered no meaningful opinions involving

N.H-B., who was not yet at the stage of planning for college admission. Nor did Chen explain why homeschooling, supplemented by attendance at Providence, was necessary or preferable for N.H-B. Her only testimony about N.H-B. in this regard was that N.H-B. might have to repeat some classes if she transferred to the Academy, which could cause her to disengage.

{¶27} Furthermore, the trial court's decision involving N.H-B.'s educational placement appears to have rested primarily on evidence independent of Chen's testimony. The court considered, among other things, Powers's assessment of N.H-B.'s academic performance after four years of homeschooling, evidence involving N.H-B.'s adjustment to homeschooling, the family's circumstances, and N.H-B.'s expressed desire to continue homeschooling. The court also relied on testimony that N.H-B.'s social and emotional development were on par with that of her peers. Nothing in the record indicates that the court's ordering N.H-B. to continue homeschooling turned on Chen's expertise in college admissions. Because Chen's testimony was not pertinent to the determination Father challenges on appeal, we could not find prejudicial error.

{¶28} The remainder of Father's argument under this assignment involves the weight the trial court afforded Chen's testimony. Father contends that Chen's opinion was entitled to little or no weight because she did not speak directly with anyone at the Academy and instead relied on her review of the Academy's website in evaluating its curriculum. He also asserts that Chen's testimony should have been given no weight because she was biased, as Chen and Mother are friends and Chen is a part-time instructor at Mother's Taekwondo studio. These arguments involve the weight and credibility of Chen's testimony, matters committed to the province of the trier of fact. *See Bedard v. Gardner*, 2005-Ohio-4196, ¶ 58 (2d Dist.). Father had the opportunity to challenge Chen's credibility through cross-examination and to present evidence

contrary to her opinions. The trial court was entitled to consider these circumstances in determining what weight, if any, to afford Chen's testimony. We will not second-guess that determination on appeal.

{¶29} The first assignment of error is overruled.

B. Second Assignment of Error

{¶30} Father's second assignment of error contends that the trial court erred by ordering the parties to confer about school placement only every odd year.

{¶31} As this order constituted a modification to the parties' SPP, we review it for an abuse of discretion. *Dennis v. Dennis*, 2022-Ohio-1216, ¶ 14 (1st Dist.). R.C. 3109.04(E)(2)(b) generally governs SPP modifications that involve a child's school placement. *Marimon v. Marimon*, 2021-Ohio-3437, ¶ 20 (1st Dist.), citing *Fritsch v. Fritsch*, 2014-Ohio-5357, ¶ 21 (1st Dist.). Under R.C. 3109.04(E)(2)(b), the trial court may modify a shared-parenting plan's terms so long as the modification is in the best interest of the child.

{¶32} The trial court determined that an every-other-year review of the children's school placement was in their best interest. The court heard testimony from the GAL and Mother that Father had been having "conversations" with the children while driving them around, perhaps pressuring them about what they should say to the GAL. The GAL testified that these conversations were upsetting to the children, who were already concerned about a potential change in their school placement. The trial court emphasized that allowing two years before revisiting the issue would provide the children with stability and predictability, reducing their concerns about repeated disruptions and allowing them to focus on their schooling.

{¶33} Father has not demonstrated that the trial court acted arbitrarily, unreasonably, or unconscionably in adopting this approach. The court expressly

recognized that the parties could agree, in writing, to change the children's school placement before the next scheduled review. Thus, the court's order did not foreclose the parties from changing the children's school placement sooner if they mutually agreed to do so. Under these circumstances, we cannot say that the trial court abused its discretion by requiring the parties to revisit the issue every other year.

{¶34} We overrule the second assignment of error.

III. Conclusion

{¶35} We overrule both assignments of error and affirm the trial court's judgment.

Judgment affirmed.

KINSLEY, P.J., and **CROUSE, J.,** concur.