Attachment 11: Evidence of Adoption of TLE Guidelines

Evidence that the SEA has adopted one or more guidelines of local teacher and principal evaluation and support systems

Attachment 11A: Senate Bill 2033 of 2010
Attachment 11B: Senate Bill 207 of 2013
Attachment 11C: Senate Bill 426 of 2013
Attachment 11D: State Board of Education Minutes December 15, 2011 (Page 6)
Attachment 11E: State Board of Education Minutes February 23, 2012 (Pages 6-7)
Attachment 11F: State Board of Education Minutes April 26, 2012 (Pages 10-19)
Attachment 11G: State Board of Education Minutes December 19, 2012 (Pages 6-11)
Attachment 11H: State Board of Education Minutes December 19, 2013 (Page 5)
Attachment 11I: State Board of Education Agenda January 21, 2014 (Item #8a - will be replaced with minutes when available)
Attachment 11J: State Board of Education Agenda March 4, 2014 (Item #7a - will be replaced with minutes when available)

An Act

ENROLLED SENATE
BILL NO. 2033

By: Coffee, Jolley, Ford, Rice and Leftwich of the Senate

and

Benge and Shumate of the House

An Act relating to schools; stating legislative finding; amending 70 O.S. 2001, Sections 5-141 and 5-141.2, which relate to teacher pay; authorizing school districts to adopt certain type of salary schedule; increasing maximum allowable incentive pay amount; authorizing implementation of certain incentive pay plans; providing requirements and procedures for the incentive pay plans; amending 70 O.S. 2001, Section 6-101.10, which relates to evaluation policy for teachers and administrators; modifying criteria upon which evaluations are based; clarifying individuals authorized to conduct evaluations; expanding authorized training; creating the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE); specifying components of TLE; requiring the State Department of Education to provide certain data to certain entities; defining a term; creating the Oklahoma Race to the Top Commission; specifying membership of the Commission; providing for administrative and operational matters of the Commission; specifying duties of the Commission; amending 70 O.S. 2001, Section 6-101.3, as amended by Section 8, Chapter 434, O.S.L. 2003 (70 O.S. Supp. 2009, Section 6-101.3), which relates to teacher definitions; modifying certain definitions; amending 70 O.S. 2001, Section 6-101.13, which relates to certified administrators; prohibiting the reemployment of a principal under certain

circumstances; amending 70 O.S. 2001, Sections 6-101.22, as amended by Section 1, Chapter 112, O.S.L. 2006, 6-101.24, 6-101.26, as last amended by Section 2, Chapter 112, O.S.L. 2006 and 6-101.27 (70 O.S. Supp. 2009, Sections 6-101.22 and 6-101.26), which relate to the Teacher Due Process Act of 1990; requiring career and probationary teachers to be dismissed or not reemployed under certain circumstances; expanding circumstances under which an administrator must take certain actions; clarifying time limit to file a trial de novo petition under certain circumstances; modifying time allowed for a board of education to serve its answer; modifying time period in which the trial de novo must be held; clarifying certain employment status and benefits continue throughout certain appeal process; limiting length of time certain compensation and benefits must be paid; specifying the significant basis to be used in a school district reduction-in-force plan; amending 70 O.S. 2001, Section 11-103.6a, as amended by Section 3, Chapter 289, O.S.L. 2002 (70 O.S. Supp. 2009, Section 11-103.6a), which relates to curriculum review; requiring the State Board of Education to adopt curriculum revisions for certain purposes; amending Section 1, Chapter 195, O.S.L. 2009 (70 O.S. Supp. 2009, Section 1210.544), as amended by Section 1 of Enrolled Senate Bill No. 509 of the 2nd Session of the 52nd Oklahoma Legislature, which relates to school alternative governance arrangements; requiring the State Board of Education to establish a process to identify a certain type of school; requiring certain school district boards of education to implement an intervention model for certain schools; specifying intervention models; allowing certain schools to complete an alternative governance arrangement; authorizing State Board of Education to delay implementation of certain provisions; requiring implementation of certain provisions by certain deadline; providing for codification; providing for noncodification; providing effective dates; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

Recognizing the potential for dramatically improving student achievement in this state due to the opportunity available through the federal Race to the Top program, the Legislature finds that all of the provisions of this act are necessary to support Oklahoma's application for the second round of federal Race to the Top funding.

SECTION 2. AMENDATORY 70 O.S. 2001, Section 5-141, is amended to read as follows:

Section 5-141. A. Each school district of this state shall adopt a minimum salary schedule and shall transmit a copy of it to the State Board of Education within thirty (30) days after adoption. A school district shall not calculate ~~teacher's~~ salaries of teachers solely as a proportion of the salaries of ~~that district's~~ the administrators of the district.

B. Districts shall be encouraged to provide compensation schedules to reflect district policies and circumstances, including differential pay for different subject areas and special incentives for teachers in districts with specific geographical attributes. Districts may also adopt a salary schedule that provides additional compensation for achieving certain ratings under the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6 of this act. Any salary schedule adopted by a district pursuant to this section shall not set salaries at amounts less than those set pursuant to Section 18-114.12 of this title.

C. The State Department of Education shall compile a report of the minimum salary schedules for every school district in the state and shall ~~provide such information~~ submit the report to the Governor, Speaker of the House of Representatives, and President Pro Tempore of the Senate no later than December 15 of each year.

~~B.~~ D. Each school district shall file within fifteen (15) days of signing the contract, the employment contract of the superintendent of the school district with the State Department of Education. The Department shall keep all ~~such~~ contracts available

for inspection by the public. The school district shall not be authorized to pay any salary, benefits or other compensation to a superintendent which are not specified in the contract on file and shall not pay administrators any amounts for accumulated sick leave that are not calculated on the same formula used for determining payment for accumulated sick leave benefits for other full-time employees of that school district and shall not pay administrators any amounts for accumulated vacation leave benefits that are not calculated on the same formula used for determining payment for accumulated vacation leave benefits for other twelve-month full-time employees of that school district.

~~C.~~ E. By October 1 of each year each district board of education shall prepare a schedule of salaries and fringe benefits paid administrators employed by the district, including a description of the fringe benefits. The schedule shall be a public record and shall be disclosed as required by the Oklahoma Open Records Act~~, Section 24A.1 et seq. of Title 51 of the Oklahoma Statutes~~. The ~~district~~ board shall file a copy of the schedule with the State Department of Education within one week of completion.

~~D.~~ F. For purposes of this section the term "administrator" shall include employees who are employed and certified as superintendents, assistant superintendents, principals, and assistant principals and who have responsibilities for supervising classroom teachers.

SECTION 3. AMENDATORY 70 O.S. 2001, Section 5-141.2, is amended to read as follows:

Section 5-141.2 A. ~~On or before September 1, 1990~~ In addition to incentive pay plans authorized pursuant to Section 4 of this act, the State Board of Education shall develop not fewer than five ~~(5)~~ different model incentive pay plans and shall distribute information about each plan to every school district board of education. No plan developed by the Board or implemented by ~~the local~~ a school district board of education shall permit payment in any one (1) year of incentives to any one teacher amounting to more than ~~twenty percent (20%)~~ fifty percent (50%) of ~~said teacher's~~ the regular salary of the teacher, exclusive of fringe benefits or extra duty pay. Any incentive pay award shall be an annual award and shall not be a part of a ~~teacher's~~ continuing contract of a teacher. Any

incentive pay awards received shall be excluded from ~~such teacher's~~ the compensation of a teacher for purposes of calculating retirement pursuant to the Teachers' Retirement System of Oklahoma~~, established in Section 17-102 of Title 70 of the Oklahoma Statutes~~ and shall not be subject to taxes levied by the Federal Insurance Contributions Act (F.I.C.A.), to the extent ~~such~~ an exemption is provided by federal law.

B. ~~Beginning with the 1991-92 school year, each~~ A school district board of education may adopt an academically based, district incentive pay plan for the ~~district's~~ classroom teachers in the district. The district may adopt any incentive pay plan consistent with the requirements of this section, which may include any incentive pay plan developed by the State Board of Education pursuant to this section. The ~~local~~ school district board of education shall appoint an advisory committee consisting of teachers, parents, business persons or farmers and other local citizens to advise the board in formulating an incentive pay plan. Prior to the adoption of ~~such~~ a plan, the board of education shall place ~~such~~ the plan on the school board agenda for public comment and shall submit the plan to the State Board of Education for final approval on or before March 1 prior to implementation of the plan during the succeeding school year. The board of education shall comply with the provisions of this subsection for any year a plan is to be modified.

C. ~~Beginning with the 1991-92 school year, a~~ A school district shall be required to adopt and implement an academically based, district incentive pay plan for any school year following the receipt by the school district board of education, of a petition signed by twenty percent (20%) of the classroom teachers employed in the district which calls for the adoption of an incentive pay plan for the district.

D. ~~Pupil~~ Student test scores shall not be the sole criterion for allocation of incentive pay under any plan developed or approved by the Board.

E. For the purposes of this section only, "classroom teacher" shall mean any employee who holds certification and assignment outside the classification of administrator.

F. The State Board of Education shall promulgate rules ~~and regulations~~ necessary for the effective implementation and administration of this section.

G. Each ~~local~~ school district board of education shall provide for a local evaluation committee which shall advise the board on which teachers are to receive incentive pay awards and the amount of each incentive pay award according to the plan.

H. Nothing herein shall preclude a school district from supplementing ~~to~~ any monies appropriated to ~~such~~ the district for the purposes of funding the ~~district's~~ incentive pay plan~~,~~ of the district with monies from the ~~district's~~ general fund for the district.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5-141.4 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. 1. In addition to incentive pay plans authorized pursuant to Section 5-141.2 of Title 70 of the Oklahoma Statutes, beginning with the 2012-13 school year, a school district may implement an incentive pay plan that rewards teachers who are increasing student and school growth in achievement.

2. Teacher performance shall be measured using the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6 of this act.

3. Individual teacher incentive pay awards shall be based upon:

a. achieving either a "superior" or "highly effective" rating under the TLE, and

b. grade level, subject area, or school level performance success.

B. 1. Beginning with the 2012-13 school year, a school district may implement an incentive pay plan as authorized pursuant to this section.

2. For purposes of this section, "leader" means a principal, assistant principal or any other school administrator who is responsible for supervising classroom teachers.

3. School leader effectiveness shall be measured using the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6 of this act.

4. Individual school leader incentive pay awards shall be based upon:

a. achieving either a "superior" or "highly effective" rating under the TLE, and

b. grade level, subject area, or school level performance success.

C. Incentive pay plans implemented pursuant to subsections A and B of this section shall be developed through a collaborative planning process involving stakeholders, including teachers and school leaders.

D. In addition to individual teacher and leader incentive pay plans, as authorized pursuant to this section, districts may develop and implement incentive pay systems for:

1. Teaching in critical shortage subject areas including, but not limited to, foreign language;

2. Teachers and leaders who work in low-performing schools as determined by the State Board of Education;

3. Teaching in the subject areas of Science, Technology, Engineering, and Math (STEM); or

4. Teachers and leaders who work in schools or school districts designated by the State Board of Education as hard-to-staff.

E. 1. Prior to implementation of any incentive pay plan developed pursuant to this section, the school district board of education shall place the plan on the agenda for public comment at a meeting of the district board of education.

2. After approval of the incentive pay plan, the school district board of education shall submit the plan to the State Board of Education for final approval. Within sixty (60) days of receipt of the plan, the State Board shall review and approve or reject the plan. If it is determined that the plan meets the requirements of this section, the State Board shall approve the plan. If the plan does not meet the requirements of this section, the State Board shall reject the plan and provide written notification to the school district board of education along with the grounds for rejection.

3. The district board of education shall comply with the provisions of this subsection for any year a plan is to be modified.

F. Any incentive pay award shall be an annual award and shall not be a part of a continuing contract for an employee. Any incentive pay award to any teacher or leader shall not exceed more than fifty percent (50%) of the regular salary of the teacher or leader, exclusive of fringe benefits or extra duty pay. Any incentive pay awards received shall be excluded from compensation for purposes of calculating retirement pursuant to the Teachers' Retirement System of Oklahoma and shall not be subject to taxes levied by the Federal Insurance Contributions Act (F.I.C.A.), to the extent such exemption is provided by federal law.

SECTION 5. AMENDATORY 70 O.S. 2001, Section 6-101.10, is amended to read as follows:

Section 6-101.10 A. Each school district board of education shall maintain and annually review, following consultation with or involvement of representatives selected by local teachers, a written policy of evaluation for all teachers and administrators. In those school districts in which there exists a professional negotiations agreement made in accordance with Sections 509.1 et seq. of this title, the procedure for evaluating members of the negotiations unit and any standards of performance and conduct proposed for adoption beyond those established by the State Board of Education shall be negotiable items. Nothing in this ~~act~~ section shall be construed to annul, modify or to preclude the renewal or continuing of any existing agreement heretofore entered into between any school district and any organizational representative of its employees. Every policy ~~so~~ of evaluation adopted by a board of education shall:

1. Be based upon a set of minimum criteria developed by the State Board of Education, which by no later than the 2013-14 school year, shall be revised and based upon the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) developed by the State Board of Education as provided in Section 6 of this act;

2. Be prescribed in writing at the time of adoption and at all times when amendments ~~thereto~~ to the policy are adopted. The original policy and all amendments to the policy shall be promptly made available to all persons subject to the policy;

3. Provide that all evaluations be made in writing and that evaluation documents and responses thereto be maintained in a personnel file for each evaluated person;

4. Provide that every probationary teacher be evaluated at least two times per school year, once prior to November 15 and once prior to February 10 of each year;

5. Provide that every teacher be evaluated once every year, except as otherwise provided by law; and

6. Provide that, except for superintendents of independent and elementary school districts and superintendents of area school districts, who shall be evaluated by the ~~local~~ school district board of education, all certified personnel~~, including administrators,~~ shall be evaluated by ~~certified administrative personnel~~ a principal, assistant principal, or other trained certified individual designated by the ~~local~~ school district board of education.

B. All ~~personnel~~ individuals designated by the ~~local~~ school district board of education to conduct the personnel evaluations shall be required to participate in training conducted by the State Department of Education or training provided by the school district using guidelines and materials developed by the State Department of Education prior to conducting ~~such~~ evaluations.

C. The State Department of Education shall develop and conduct workshops pursuant to statewide criteria which train ~~such administrative personnel~~ individuals in conducting evaluations.

D. The State Board of Education shall monitor compliance with the provisions of this section by ~~local~~ school districts.

E. Refusal by a ~~local~~ school district to comply with the provisions of this section shall be grounds for withholding State Aid funds until ~~such~~ compliance occurs.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-101.16 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. By December 15, 2011, the State Board of Education shall adopt a new statewide system of evaluation to be known as the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE).

B. The TLE shall include the following components:

1. A five-tier rating system as follows:

a. superior,

b. highly effective,

c. effective,

d. needs improvement, and

e. ineffective;

2. Annual evaluations that provide feedback to improve student learning and outcomes;

3. Comprehensive remediation plans and instructional coaching for all teachers rated as needs improvement or ineffective;

4. Quantitative and qualitative assessment components measured as follows:

a. fifty percent (50%) of the ratings of teachers and leaders shall be based on quantitative components which shall be divided as follows:

(1) thirty-five percentage points based on student academic growth using multiple years of standardized test data, as available, and

(2) fifteen percentage points based on other academic measurements, and

b. fifty percent (50%) of the rating of teachers and leaders shall be based on rigorous and fair qualitative assessment components;

5. An evidence-based qualitative assessment tool for the teacher qualitative portion of the TLE that will include observable and measurable characteristics of personnel and classroom practices that are correlated to student performance success, including, but not limited to:

a. organizational and classroom management skills,

b. ability to provide effective instruction,

c. focus on continuous improvement and professional growth,

d. interpersonal skills, and

e. leadership skills;

6. An evidence-based qualitative assessment tool for the leader qualitative portion of the TLE that will include observable and measurable characteristics of personnel and site management practices that are correlated to student performance success, including, but not limited to:

a. organizational and school management, including retention and development of effective teachers and dismissal of ineffective teachers,

b. instructional leadership,

c. professional growth and responsibility,

d. interpersonal skills,

e. leadership skills, and

f. stakeholder perceptions; and

7. For those teachers in grades and subjects for which there is no state-mandated testing measure to create a quantitative assessment for the quantitative portion of the TLE, an assessment using objective measures of teacher effectiveness including student performance on unit or end-of-year tests. Emphasis shall be placed on the observed qualitative assessment as well as contribution to the overall school academic growth.

C. The Oklahoma Race to the Top Commission created in Section 7 of this act shall provide oversight and advise the State Board of Education on the development and implementation of the TLE.

D. The State Department of Education shall provide to the Oklahoma State Regents for Higher Education and the Oklahoma Commission for Teacher Preparation timely electronic data linked to teachers and leaders derived from the TLE for purposes of providing a basis for the development of accountability and quality improvements of the teacher preparation system. The data shall be provided in a manner and at such times as agreed upon between the Department, the State Regents and the Commission.

E. For purposes of this section, "leader" means a principal, assistant principal or any other school administrator who is responsible for supervising classroom teachers.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-101.17 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created to continue until July 1, 2016, in accordance with the provisions of the Oklahoma Sunset Law, the Oklahoma Race to the Top Commission.

B. The membership of the Commission shall consist of:

1. The Superintendent of Public Instruction, or designee;

2. A member of the Senate, appointed by the President Pro Tempore of the Senate;

3. A member of the House of Representatives, appointed by the Speaker of the House of Representatives;

4. A member of the Senate, appointed by the Minority Leader of the Senate;

5. A member of the House of Representatives, appointed by the Minority Leader of the House of Representatives;

6. A representative from the Office of the Governor or the executive cabinet, appointed by the Governor;

7. The Executive Director of the Oklahoma Commission for Teacher Preparation, or designee;

8. A representative of a technology center school district, appointed by the Director of the Oklahoma Department of Career and Technology Education;

9. A representative of an institution within The Oklahoma State System of Higher Education, appointed by the Chancellor of Higher Education;

10. A representative of a statewide organization representing school district boards of education, appointed by the President Pro Tempore of the Senate;

11. A representative of a statewide organization representing public school superintendents, appointed by the Speaker of the House of Representatives;

12. A representative of a statewide organization representing business and education, appointed by the President Pro Tempore of the Senate;

13. An individual employed by a business or company located in this state, appointed by the Speaker of the House of Representatives;

14. Three (3) representatives, one (1) from each of the three (3) largest statewide organizations representing active public school teachers, appointed by the Governor;

15. A representative of a statewide parent-teacher organization, appointed by the Governor;

16. A representative of a philanthropic organization involved in education, appointed by the Governor; and

17. An individual involved in Science, Technology, Engineering and Mathematics (STEM) education, appointed by the Governor.

C. Initial appointments pursuant to the provisions of this section shall be made no later than August 1, 2010. Members shall serve at the pleasure of the appointing authority. Vacancies shall be filled by the original appointing authority. The State Superintendent of Public Instruction, or designee, shall serve as chair of the Commission. Members of the Commission shall select a vice-chair from the membership of the Commission. Meetings of the Commission shall be held at the call of the chair. A majority of the members of the Commission shall constitute a quorum for the transaction of any business.

D. Members of the Commission shall receive no compensation for serving on the Commission, but shall receive travel reimbursement as follows:

1. State employees who are members of the Commission shall be reimbursed for travel expenses incurred in the performance of their duties by their respective agencies in accordance with the State Travel Reimbursement Act;

2. Legislative members shall be reimbursed in accordance with Section 456 of Title 74 of the Oklahoma Statutes; and

3. All other members of the Commission shall be reimbursed by the State Department of Education for travel expenses incurred in

the performance of their duties in accordance with the State Travel Reimbursement Act.

E. Staff support for the Commission shall be provided by the State Department of Education and the Oklahoma Commission for Teacher Preparation.

F. Members who serve on the Commission shall be exempt from the dual-office-holding prohibitions of Section 6 of Title 51 of the Oklahoma Statutes.

G. The Commission shall comply with the provisions of the Oklahoma Open Meeting Act and the Oklahoma Open Records Act.

H. The duties of the Commission, as specified in paragraphs 6 and 7 of subsection I of this section, shall not be contingent upon the state being selected to receive or the state actually receiving any federal Race to the Top funding.

I. The Commission shall:

1. Coordinate and report on the effort of the state to implement the federal Race to the Top program;

2. Work closely with members of the executive cabinet, the State Board of Education, executives of state agencies, and legislative leaders to determine the requirements imposed on and opportunities afforded to the state by the federal Race to the Top program, as well as the most efficient and productive use of Race to the Top funding;

3. Monitor the flow of federal Race to the Top program funds to ensure compliance with all requirements of the law and transparency of the process;

4. Ensure that adequate reporting and compliance mechanisms and safeguards regarding the federal Race to the Top program are in place;

5. Ensure full, thorough and easily accessible public disclosure of the use of all funds received under the federal Race to the Top program;

6. Monitor progress of results in areas described in the state Race to the Top plan, including:

a. raising student achievement overall and by subgroup and closing gaps in achievement,

b. adopting common high-quality curricular standards,

c. supporting the transition to enhanced standards and high quality assessments,

d. accessing and using state education data,

e. using data to improve instruction,

f. providing high-quality pathways for aspiring teachers and administrators,

g. development of effectiveness measures for teachers and administrators,

h. improving teacher and administrator effectiveness based on performance,

i. ensuring equitable distribution of effective teachers and administrators,

j. improving the effectiveness of teacher and administrator preparation programs,

k. providing effective support to teachers and administrators,

l. turning around the lowest-achieving schools, and

m. ensuring successful conditions for high-performing charter school and other innovative schools; and

7. Provide oversight and advise the State Board of Education on the development and implementation of the Oklahoma Teacher and

Leader Effectiveness and Evaluation System (TLE) as created in Section 6 of this act, including:

a. making recommendations to the State Board regarding the development and implementation of the TLE prior to adoption of any permanent rules or policies by the State Board,

b. regularly reviewing progress toward development and implementation of the quantitative and qualitative measures that comprise the TLE,

c. regularly reviewing progress toward timely access to student growth data,

d. regularly reviewing the correlation between the quantitative and qualitative scores and other data to ensure that the TLE is being implemented with validity and that evaluations of individuals conducted by school districts are meaningful and demonstrate that reasonable distinctions are being made relating to performance,

e. assuring input and participation from teachers and leaders on the development and implementation of the TLE,

f. gathering public comment on the development and effectiveness of the TLE, and

g. assuring that the TLE is based on research-based national best practices and methodology.

J. The Commission shall issue a report by December 31 of each year and submit a copy of the report to the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate.

SECTION 8. AMENDATORY 70 O.S. 2001, Section 6-101.3, as amended by Section 8, Chapter 434, O.S.L. 2003 (70 O.S. Supp. 2009, Section 6-101.3), is amended to read as follows:

Section 6-101.3 As used in Section 6-101 et seq. of this title:

1. "Administrator" means a duly certified person who devotes a majority of time to service as a superintendent, elementary superintendent, principal, supervisor, vice principal or in any other administrative or supervisory capacity in the school district;

2. "Dismissal" means the discontinuance of the teaching service of an administrator or teacher during the term of a written contract, as provided by law;

3. "Nonreemployment" means the nonrenewal of an administrator's or teacher's contract upon expiration of the contract;

4. "Career teacher" means a teacher who ~~has~~:

a. for teachers employed by a school district during the 2011-12 school year, has completed three (3) or more consecutive complete school years ~~in such capacity~~ as a teacher in one school district under a written continuing or temporary teaching contract, or

b. for teachers employed for the first time by a school district under a written continuing or temporary teaching contract on or after July 1, 2012:

(1) has completed three (3) consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching contract and has achieved a rating of "superior" as measured pursuant to the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6 of this act for at least two (2) of the three (3) school years, with no rating below "effective",

(2) has completed four (4) consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching contract, has averaged a rating of at least "effective" as measured pursuant to the TLE for the four-year period, and has received a rating

of at least "effective" for the last two (2) years of the four-year period, or

(3) has completed four (4) or more consecutive complete school years in one school district under a written continuing or temporary teaching contract and has not met the requirements of subparagraph a or b of this paragraph, only if the principal of the school at which the teacher is employed submits a petition to the superintendent of the school district requesting that the teacher be granted career status, the superintendent agrees with the petition, and the school district board of education approves the petition. The principal shall specify in the petition the underlying facts supporting the granting of career status to the teacher;

5. "Probationary teacher hearing" means the hearing before a ~~local~~ school district board of education after a recommendation for dismissal or nonreemployment of a probationary teacher has been made but before any final action is taken on said recommendation, held for the purpose of affording such teacher all rights guaranteed by the United States Constitution and the Constitution of Oklahoma under such circumstances and for enabling the board to determine whether to approve or disapprove the recommendation;

6. "Career teacher pretermination hearing" means the informal proceeding before the ~~local~~ school district board of education held for the purpose of providing a meaningful opportunity to invoke the discretion of the decision maker after a recommendation for dismissal or nonreemployment of a career teacher has been made but before any final action is taken on the recommendation in order to ensure that the career teacher is afforded the essential pretermination due process requirements of notice and an opportunity to respond;

7. "Probationary teacher" means a teacher who:

a. for teachers employed by a school district during the 2011-12 school year, has completed fewer than three (3) consecutive complete school years ~~in such capacity~~

as a teacher in one school district under a written teaching contract, or

b. for teachers employed for the first time by a school district under a written teaching contract on or after July 1, 2012, has not met the requirements for career teacher as provided in paragraph 4 of this section;

8. "Suspension" or "suspended" means the temporary discontinuance of an administrator's or teacher's services, as provided by law; and

9. "Teacher" means a duly certified or licensed person who is employed to serve as a counselor, librarian or school nurse or in any instructional capacity; an administrator shall be considered a teacher only with regard to service in an instructional, nonadministrative capacity.

SECTION 9. AMENDATORY 70 O.S. 2001, Section 6-101.13, is amended to read as follows:

Section 6-101.13 A. Whenever the ~~local~~ school district board of education or the administration of a school district shall determine that the dismissal or nonreemployment of a full-time certified administrator from ~~his~~ the administrative position within the school district should be effected, the administrator shall be entitled to the following due process procedures:

1. A statement shall be submitted to the administrator in writing prior to the dismissal or nonreemployment which states the proposed action, lists the reasons for effecting the action, and notifies the administrator of his right to a hearing before the ~~local~~ school district board of education prior to the action; and

2. A hearing before the ~~local~~ school district board of education shall be granted upon the request of ~~such~~ the administrator prior to the dismissal or nonreemployment. A request for a hearing shall be submitted to the board of education not later than ten (10) days after the administrator has been notified of the proposed action.

B. Failure of the administrator to request a hearing before the ~~local~~ school district board of education within ten (10) days after receiving the written statement shall constitute a waiver of the right to a hearing. No decision of the ~~local~~ board of education concerning the dismissal or nonreemployment of a full-time certified administrator shall be effective until the administrator has been afforded due process as specified in this section. The decision of the ~~local~~ school district board of education concerning the dismissal or nonreemployment, following the hearing, shall be final.

C. A principal who has received a rating of "ineffective" as measured pursuant to the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6 of this act for two (2) consecutive school years, shall not be reemployed by the school district, subject to the due process procedures of this section.

SECTION 10. AMENDATORY 70 O.S. 2001, Section 6-101.22, as amended by Section 1, Chapter 112, O.S.L. 2006 (70 O.S. Supp. 2009, Section 6-101.22), is amended to read as follows:

Section 6-101.22 A. Subject to the provisions of the Teacher Due Process Act of 1990, a career teacher may be dismissed or not reemployed for:

1. Willful neglect of duty;

2. Repeated negligence in performance of duty;

3. Mental or physical abuse to a child;

4. Incompetency;

5. Instructional ineffectiveness;

6. Unsatisfactory teaching performance;

7. Commission of an act of moral turpitude; or

8. Abandonment of contract.

B. Subject to the provisions of the Teacher Due Process Act of 1990, a probationary teacher may be dismissed or not reemployed for cause.

C. 1. A career teacher who has been rated as "ineffective" as measured pursuant to the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6 of this act for two (2) consecutive school years shall be dismissed or not reemployed on the grounds of instructional ineffectiveness by the school district, subject to the provisions of the Teacher Due Process Act of 1990.

2. A career teacher who has been rated as "needs improvement" or lower pursuant to the TLE for three (3) consecutive school years shall be dismissed or not reemployed on the grounds of instructional ineffectiveness by the school district, subject to the provisions of the Teacher Due Process Act of 1990.

3. A career teacher who has not averaged a rating of at least "effective" as measured pursuant to the TLE over a five-year period shall be dismissed or not reemployed on the grounds of instructional ineffectiveness by the school district, subject to the provisions of the Teacher Due Process Act of 1990.

D. 1. A probationary teacher who has been rated as "ineffective" as measured pursuant to the TLE for two (2) consecutive school years shall be dismissed or not reemployed by the school district subject to the provisions of the Teacher Due Process Act of 1990.

2. A probationary teacher who has not attained career teacher status within a four-year period shall be dismissed or not reemployed by the school district, subject to the provisions of the Teacher Due Process Act of 1990.

E. A teacher shall be dismissed or not reemployed, unless a presidential or gubernatorial pardon has been issued, if during the term of employment the teacher is convicted in this state, the United States or another state of:

1. Any sex offense subject to the Sex Offenders Registration Act in this state or subject to another state's or the federal sex offender registration provisions; or

2. Any felony offense.

~~D.~~ F. A teacher may be dismissed, refused employment or not reemployed after a finding that such person has engaged in criminal sexual activity or sexual misconduct that has impeded the effectiveness of the individual's performance of school duties. As used in this subsection:

1. "Criminal sexual activity" means the commission of an act as defined in Section 886 of Title 21 of the Oklahoma Statutes, which is the act of sodomy; and

2. "Sexual misconduct" means the soliciting or imposing of criminal sexual activity.

~~E.~~ G. As used in this section, "abandonment of contract" means the failure of a teacher to report at the beginning of the contract term or otherwise perform the duties of a contract of employment when the teacher has accepted other employment or is performing work for another employer that prevents the teacher from fulfilling the obligations of the contract of employment.

SECTION 11. AMENDATORY 70 O.S. 2001, Section 6-101.24, is amended to read as follows:

Section 6-101.24 A. When a teacher receives a rating as measured pursuant to the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6 of this act that may lead to a recommendation for the dismissal or nonreemployment of the teacher or when an administrator ~~who has the responsibility of evaluating a teacher~~ identifies poor performance or conduct that the administrator believes may lead to a recommendation for the ~~teacher's~~ dismissal or nonreemployment of the teacher, the administrator shall:

1. Admonish the teacher, in writing, and make a reasonable effort to assist the teacher in correcting the poor performance or conduct; and

2. Establish a reasonable time for improvement, not to exceed two (2) months, taking into consideration the rating on the evaluation or the nature and gravity of the ~~teacher's~~ performance or conduct.

B. If the teacher does not correct the poor performance or conduct cited in the admonition within the time specified, the administrator shall make a recommendation to the superintendent of the school district for the dismissal or nonreemployment of the teacher.

C. Whenever a member of the board of education, superintendent, or other administrator identifies poor performance or conduct that may lead to a recommendation for dismissal or nonreemployment of a teacher within the district, the administrator who has responsibility for evaluation of the teacher shall be informed, and that administrator shall comply with the procedures set forth in this section. If the administrator fails or refuses to admonish the teacher within ten (10) days after being so informed by the board, superintendent, or other administrator, such board, superintendent or other administrator shall admonish the teacher pursuant to the provisions of this section.

D. Repeated negligence in performance of duty, willful neglect of duty, incompetency, instructional ineffectiveness or unsatisfactory teaching performance, for a career teacher, or any cause related to inadequate teaching performance for a probationary teacher, shall not be a basis for a recommendation to dismiss or not reemploy a teacher unless and until the provisions of this section have been complied with.

SECTION 12. AMENDATORY 70 O.S. 2001, Section 6-101.26, as last amended by Section 2, Chapter 112, O.S.L. 2006 (70 O.S. Supp. 2009, Section 6-101.26), is amended to read as follows:

Section 6-101.26 A. Whenever a board of education receives a recommendation from the superintendent for the dismissal or nonreemployment of a teacher, the board or individual designated by the board shall mail a copy of the recommendation to the teacher by certified mail, restricted delivery, return receipt requested, by personal delivery to the teacher with a signed acknowledgement of

receipt, or by delivery by a process server. By the same means, the board shall notify the teacher of the right to a hearing before the board and the date, time and place set by the board for the hearing, which shall be held within the school district not sooner than twenty (20) days or later than sixty (60) days after receipt of notice by the teacher, the date on the personal receipt by hand-delivery to the teacher, or the date of delivery by a process server. The notice shall specify the statutory grounds upon which the recommendation is based upon for a career teacher or shall specify the cause upon which the recommendation is based upon for a probationary teacher. The notice shall also specify the underlying facts supporting the recommendation. At the hearing, the teacher shall be entitled to all rights guaranteed under the circumstances by the United States Constitution and the Constitution of Oklahoma.

B. The career teacher pretermination hearing shall be conducted by the district board as follows:

1. The superintendent or designee shall, in person or in writing, specify the statutory ground upon which the recommendation is based. The superintendent or designee shall also specify the underlying facts and provide an explanation of the evidence supporting the recommendation for the dismissal or nonreemployment of the career teacher; and

2. The career teacher or designee shall have the opportunity to present reasons, either in person or in writing, why the proposed action should not be taken.

C. Only after the career teacher has a meaningful opportunity to respond to the recommendation for dismissal or nonreemployment at the pretermination hearing shall the board decide whether to accept or reject the recommendation of the superintendent. The vote made by the board shall be made in an open meeting. The board shall also notify the career teacher of its decision, including the basis for the decision, by certified mail, restricted delivery, return receipt requested or substitute process as provided by law. If the decision is to accept the recommendation of the superintendent, the board shall include notification of the right of the career teacher to petition for a trial de novo in the district court within ten (10) days of receipt of notice of the decision. At the pretermination hearing the burden of proof shall be upon the superintendent or

designee and the standard of proof shall be by the preponderance of the evidence. The career teacher shall receive any compensation or benefits to which ~~such~~ the teacher is ~~otherwise~~ entitled ~~until such time as the teacher's case is adjudicated at a trial de novo if the career teacher petitions for the trial de novo~~ as provided in Section 6-101.27 of this title. Such compensation and benefits shall not be provided during any further appeal process.

D. The probationary teacher hearing shall be conducted by the district board according to procedures established by the State Board of Education.

E. Only after due consideration of the evidence and testimony presented at the hearing shall the district board decide whether to dismiss or nonreemploy the probationary teacher. The vote of the board shall be made in an open meeting. The board shall also notify the probationary teacher of the decision, including the basis for the decision, by certified mail, restricted delivery, return receipt requested, or substitute process as provided by law. The decision of the board regarding a probationary teacher shall be final and nonappealable. At the hearing the burden of proof shall be upon the superintendent or designee, and the standard of proof shall be by the preponderance of the evidence. The probationary teacher shall receive any compensation or benefits to which the teacher is otherwise entitled until such time as the decision of the board becomes final. If the hearing for a probationary teacher is for nonreemployment, such compensation and benefits may be continued only until the end of the current contract of the teacher.

SECTION 13. AMENDATORY 70 O.S. 2001, Section 6-101.27, is amended to read as follows:

Section 6-101.27 A. A career teacher shall be entitled to a trial de novo as set forth in subsection C of Section 6-101.26 of this title. If the teacher elects to petition for a trial de novo, the teacher shall file the petition within ten (10) days of receipt of notification of the right to a trial de novo from the board of education in the district court of the county in which the school district is located. ~~Within ten (10) days of receipt of the board's notification of said teacher's right to a trial de novo, the teacher shall file a petition for a trial de novo.~~

Upon filing the petition, the court clerk shall issue a summons and cause service by mail to be made to the clerk of the ~~local~~ school district board of education by certified mail, restricted delivery with return receipt requested or substitute process as provided by law.

B. If, within the ten-day period, the career teacher fails to file a petition for a trial de novo concerning the ~~teacher's~~ dismissal or nonreemployment of the teacher, the teacher shall be deemed to have waived the right to a trial de novo and the initial determination of the board of education shall be final.

C. The ~~local school~~ board of education shall serve its answer within ~~twenty (20)~~ ten (10) days of the service of summons and petition upon it. The trial de novo shall be scheduled at the earliest possible date which will permit both parties adequate time to prepare for a just trial of the issues involved, provided however, ~~said~~ the trial de novo shall be scheduled and held not less than ten (10) days and no later than ~~thirty (30)~~ forty (40) days after the answer has been filed.

D. Except as otherwise provided specifically in this section, the law generally applicable to civil suits filed in district court shall apply to the proceedings for trial de novo under this section. At the trial de novo the standard of proof shall be by the preponderance of the evidence and the burden of proof shall be on the school district superintendent or designee, as representative of the ~~local~~ board of education, to establish de novo that the ~~teacher's~~ dismissal or nonreemployment of the teacher is warranted. The trial de novo shall proceed as a nonjury trial before the court. The court shall determine de novo all issues of fact and law necessary for full adjudication of the dispute at the trial. The court shall not, by applying principles of collateral estoppel or res adjudicata or otherwise, give preclusive effect to findings of fact or determinations of the board of education with regard to the issues necessary to determine the adequacy of the dismissal or nonreemployment of the teacher in the trial de novo. Within three (3) days following the conclusion of the trial de novo, the judge shall prepare written findings of fact and conclusions of law and shall enter judgment directing either of the following:

1. That the ~~local~~ board of education reinstate the career teacher with full employment status and benefits effective immediately. The reinstatement with full employment status and benefits shall continue throughout any appeal process; or

2. That the decision of the ~~local~~ board of education for the dismissal or nonreemployment of the career teacher be sustained.

In addition, the court may enter an order awarding the prevailing party attorneys fees and costs.

E. The time limits set forth in this section for the proceedings before the district court may be extended by mutual agreement of the parties with the approval of the district court.

F. 1. Except as otherwise provided for in this subsection, the career teacher shall receive any compensation or benefits to which the teacher is entitled until sixty-three (63) days after the petition for trial de novo is filed by the career teacher or the judgment is entered in the trial de novo, whichever occurs first.

2. If the board of education, without the consent of the career teacher, takes actions or files motions which result in judgment in the trial de novo being entered more than sixty-three (63) days after the date the petition for trial de novo was filed, the career teacher shall be entitled to continue to receive compensation and benefits until judgment is entered.

3. If the career teacher, without the consent of the board of education, takes actions or files motions which result in judgment in the trial de novo being entered more than sixty-three (63) days after the date the petition for trial de novo was filed, the career teacher shall not be entitled to any compensation and benefits after sixty-three (63) days after the petition for trial de novo is filed by the career teacher.

4. If both the board of education and the career teacher take actions or file motions which result in judgment in the trial de novo being entered more than sixty-three (63) days after the date the petition for trial de novo was filed, the career teacher shall be entitled to receive compensation and benefits for an additional

time period equal to the time extensions requested by the board of education.

5. If the district court, without the mutual consent of the parties, takes action to reschedule or continue the trial de novo which results in judgment in the trial de novo being entered more than sixty-three (63) days after the date the petition for trial de novo was filed and the judgment entered directs the board of education to reinstate the career teacher, the career teacher shall be entitled to receive any back compensation and benefits which the career teacher would have normally received for the time period between sixty-three (63) days after the petition for trial de novo was filed by the career teacher and judgment is entered.

G. The decision of the district court shall be final and binding upon the teacher and the board of education unless the teacher or the board of education appeals the decision of the district court in the manner provided by law for the appeal of civil cases from the district court.

SECTION 14. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-101.31 of Title 70, unless there is created a duplication in numbering, reads as follows:

The primary basis used in determining the retention or reassignment of affected teachers and administrators when a school district implements a reduction-in-force plan shall be the ratings of the teachers and administrators as measured pursuant to the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6 of this act.

SECTION 15. AMENDATORY 70 O.S. 2001, Section 11-103.6a, as amended by Section 3, Chapter 289, O.S.L. 2002 (70 O.S. Supp. 2009, Section 11-103.6a), is amended to read as follows:

Section 11-103.6a A. Each area of subject matter curriculum, except for technology curriculum, adopted by the State Board of Education for implementation by the beginning of the 2003-04 school year shall be thoroughly reviewed by the State Board every six (6) years according to and in coordination with the existing subject area textbook adoption cycle, and the State Board shall implement any revisions in such curriculum deemed necessary to achieve further

improvements in the quality of education for the students of this state.

B. By August 1, 2010, the State Board of Education shall adopt revisions to the subject matter curriculum adopted by the State Board for English Language Arts and Mathematics as is necessary to align the curriculum with the K-12 Common Core State Standards developed by the Common Core State Standards Initiative, an effort coordinated by the National Governors Association Center for Best Practices and the Council of Chief State School Officers. The revised curriculum shall reflect the K-12 Common Core State Standards in their entirety and may include additional standards as long as the amount of additional standards is not more than fifteen percent (15%) of the K-12 Common Core State Standards.

SECTION 16. AMENDATORY Section 1, Chapter 195, O.S.L. 2009 (70 O.S. Supp. 2009, Section 1210.544), as amended by Section 1 of Enrolled Senate Bill No. 509 of the 2nd Session of the 52nd Oklahoma Legislature, is amended to read as follows:

Section 1210.544 A. 1. The State Board of Education shall establish a process to identify schools in the state that are consistently listed as a persistently low-achieving school in accordance with subsection (g)(6) of Section 1003 of Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended. A school district board of education with a school identified as being among the persistently lowest-achieving schools in the state shall implement one of the following four intervention models for the school:

a. turnaround model - replacing the principal and rehiring not more than fifty percent (50%) of the staff and granting to the principal sufficient operational flexibility to fully implement a comprehensive approach to substantially improve student outcomes,

b. restart model - converting or closing the school and reopening it as a charter school under an operator or an education management organization that has been selected through a rigorous review process. Except for the average daily membership and county population

limitations specified in subsection A of Section 3-132 of this title, any charter school created pursuant to this subparagraph shall be subject to the provisions of the Oklahoma Charter Schools Act,

c. school closure - closing the school and enrolling the students who attended that school in other schools in the school district that are higher-achieving, or

d. transformation model - implementing each of the following strategies:

(1) replace the principal,

(2) develop and increase teacher and school-leader effectiveness,

(3) institute comprehensive instructional reform,

(4) increase learning time and create community-oriented schools, and

(5) provide operational flexibility and sustained support.

2. If a school identified as being among the persistently lowest-achieving schools in the state has already implemented an alternative governance arrangement within the last two (2) years prior to the identification, the school may continue implementation of the alternative governance arrangement.

B. 1. Notwithstanding any other provision of state law, for schools that are identified for school improvement by the State Board of Education for four (4) consecutive years, the district board of education shall implement one of the following alternative governance arrangements for the school in accordance with subparagraph (B) of subsection (b)(8) of Section 1116 of ~~Public Law No. 107-110~~ Title I of the Elementary and Secondary Education Act of 1965, as amended:

~~1. Reopening~~

a. reopening the school as a public charter school~~;~~. Except for the average daily membership and county population limitations specified in subsection A of Section 3-132 of this title, any charter school created pursuant to this subparagraph shall be subject to the provisions of the Oklahoma Charter Schools Act,

~~2. Replacing~~

b. replacing all or most of the school staff assigned to the school, which may include the principal, who are relevant to the failure to make adequate yearly progress and by transferring the replaced staff to another school or by dismissing or not reemploying the replaced staff in accordance with the provisions of the Teacher Due Process Act of 1990 or in accordance with subsection C of this section, if applicable~~;~~,

~~3. Entering~~

c. entering into a contract with an entity, such as a private management company, with a demonstrated record of effectiveness, to operate the public school~~;~~,

~~4. Turning~~

d. turning the operation of the school over to the State Board of Education~~;~~, or

~~5. Any~~

e. any other major restructuring of the governance arrangement of the school that makes fundamental reforms, such as significant changes in the staffing and governance of the school, to improve student academic achievement in the school and that has substantial promise of enabling the school to make adequate yearly progress. If the chosen governance arrangement does not produce adequate yearly progress within two (2) years from the date of implementation of the restructured governance arrangement, the State Board of Education shall assume control of the school

as provided for in paragraph 2 of this subsection ~~B of this section~~.

~~B.~~ 2. For any school that fails to comply with the provisions of paragraph 1 of this subsection ~~A of this section~~ by the end of the school year following its identification for school improvement for four (4) consecutive years, the State Board of Education shall assume control of the management and operations of the school, including control of the staff assigned to the school. The Board shall retain all funds that otherwise would have been allocated to the school district based on the average daily membership of the school which shall be used to operate the school.

C. 1. A district board of education for a district with an average daily membership of more than 30,000 which implements an alternative governance arrangement as provided in paragraph 2 of subsection A of this section may utilize the following procedures, upon approval of the district board and concurrence of the executive committee of the appropriate local bargaining unit:

a. any teacher not retained at the school site shall be given status as a full-time substitute teacher within the school district for a period of not to exceed two (2) years,

b. if the teacher is not offered a contract teaching position at a school in the district within the two-year period specified in subparagraph a of this paragraph, the district board shall be authorized to not reemploy the teacher, and

c. the district board shall designate trained, certified, instructional staff to provide teacher support, development and evaluation, which may include certified personnel other than administrators.

2. Any actions taken pursuant to this subsection shall not be subject to the Teacher Due Process Act of 1990. The decision by the district board for renewal or nonrenewal shall be final.

3. For purposes of this subsection, a full-time substitute teacher shall perform the duties assigned by the district

superintendent and shall continue to receive the same salary, benefits and step increases that the teacher would otherwise be entitled to for the time period the teacher serves as a full-time substitute.

SECTION 17. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The State Board of Education may delay implementation of Sections 8 through 14 of this act for school districts which have not adopted a revised policy of evaluation as required pursuant to the provisions of Section 6-101.10 of Title 70 of the Oklahoma Statutes; provided, all school districts shall be required to implement the provisions of Sections 8 through 14 of this act no later than July 1, 2013.

SECTION 18. Sections 1 through 7 and 15 through 17 of this act shall become effective July 1, 2010.

SECTION 19. Sections 8 through 14 of this act shall become effective July 1, 2012.

SECTION 20. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 25th day of May, 2010.

Presiding Officer of the Senate

Passed the House of Representatives the 26th day of May, 2010.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Governor this 27th

day of May, 2010,

at 2:00 o'clock P M.

By: [illegible]

Approved by the Governor of the State of Oklahoma the 28th day of

May, 2010, at 6:15 o'clock P M.

[illegible]

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this

28th day of May, 2010,

at 7:15 o'clock P M.

By: M. Susan Savage

An Act

ENROLLED SENATE
BILL NO. 207

By: Ford of the Senate

and

Coody of the House

An Act relating to schools; amending 70 O.S. 2011, Sections 6-101.10 and 6-101.16, which relate to teacher evaluations; removing deadlines for certain evaluations; changing the frequency of evaluations; providing an effective date; and declaring an emergency.

SUBJECT: Teacher evaluations

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-101.10, is amended to read as follows:

Section 6-101.10. A. Each school district board of education shall maintain and annually review, following consultation with or involvement of representatives selected by local teachers, a written policy of evaluation for all teachers and administrators. In those school districts in which there exists a professional negotiations agreement made in accordance with Sections 509.1 et seq. of this title, the procedure for evaluating members of the negotiations unit and any standards of performance and conduct proposed for adoption beyond those established by the State Board of Education shall be negotiable items. Nothing in this section shall be construed to annul, modify or to preclude the renewal or continuing of any existing agreement heretofore entered into between any school

district and any organizational representative of its employees. Every policy of evaluation adopted by a board of education shall:

1. Be based upon a set of minimum criteria developed by the State Board of Education, which by no later than the 2013-14 school year~~,~~ shall be revised and based upon the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) developed by the State Board of Education as provided in Section ~~6~~ 6-101.16 of this ~~act~~ title;

2. Be prescribed in writing at the time of adoption and at all times when amendments to the policy are adopted. The original policy and all amendments to the policy shall be promptly made available to all persons subject to the policy;

3. Provide that all evaluations be made in writing and that evaluation documents and responses thereto be maintained in a personnel file for each evaluated person;

4. Provide that every probationary teacher be evaluated at least two times per school year, ~~once prior to November 15 and once prior to February 10 of each year~~ once during the fall semester and once during the spring semester;

5. Provide that every teacher be evaluated once every year, except ~~as otherwise provided by law~~ for career teachers receiving a "superior" or "highly effective" rating under the TLE, who may be evaluated once every two (2) years; and

6. Provide that, except for superintendents of independent and elementary school districts and superintendents of area school districts~~,~~ who shall be evaluated by the school district board of education, all certified personnel shall be evaluated by a principal, assistant principal, or other trained certified individual designated by the school district board of education.

B. All individuals designated by the school district board of education to conduct the personnel evaluations shall be required to participate in training conducted by the State Department of Education or training provided by the school district using guidelines and materials developed by the State Department of Education prior to conducting evaluations.

C. The State Department of Education shall develop and conduct workshops pursuant to statewide criteria which train individuals in conducting evaluations.

D. The State Board of Education shall monitor compliance with the provisions of this section by school districts.

E. Refusal by a school district to comply with the provisions of this section shall be grounds for withholding State Aid funds until compliance occurs.

SECTION 2. AMENDATORY 70 O.S. 2011, Section 6-101.16, is amended to read as follows:

Section 6-101.16. A. By December 15, 2011, the State Board of Education shall adopt a new statewide system of evaluation to be known as the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE).

B. The TLE shall include the following components:

1. A five-tier rating system as follows:

a. superior,

b. highly effective,

c. effective,

d. needs improvement, and

e. ineffective;

2. Annual evaluations that provide feedback to improve student learning and outcomes<u>, except as provided for in subsection C of this section</u>;

3. Comprehensive remediation plans and instructional coaching for all teachers rated as needs improvement or ineffective;

4. Quantitative and qualitative assessment components measured as follows:

a. fifty percent (50%) of the ratings of teachers and leaders shall be based on quantitative components which shall be divided as follows:

(1) thirty-five percentage points based on student academic growth using multiple years of standardized test data, as available, and

(2) fifteen percentage points based on other academic measurements, and

b. fifty percent (50%) of the rating of teachers and leaders shall be based on rigorous and fair qualitative assessment components;

5. An evidence-based qualitative assessment tool for the teacher qualitative portion of the TLE that will include observable and measurable characteristics of personnel and classroom practices that are correlated to student performance success, including, but not limited to:

a. organizational and classroom management skills,

b. ability to provide effective instruction,

c. focus on continuous improvement and professional growth,

d. interpersonal skills, and

e. leadership skills;

6. An evidence-based qualitative assessment tool for the leader qualitative portion of the TLE that will include observable and measurable characteristics of personnel and site management practices that are correlated to student performance success, including, but not limited to:

a. organizational and school management, including retention and development of effective teachers and dismissal of ineffective teachers,

b. instructional leadership,

c. professional growth and responsibility,

d. interpersonal skills,

e. leadership skills, and

f. stakeholder perceptions; and

7. For those teachers in grades and subjects for which there is no state-mandated testing measure to create a quantitative assessment for the quantitative portion of the TLE, an assessment using objective measures of teacher effectiveness including student performance on unit or end-of-year tests. Emphasis shall be placed on the observed qualitative assessment as well as contribution to the overall school academic growth.

C. Career teachers receiving a "superior" or "highly effective" rating under the TLE may be evaluated once every two (2) years.

D. The Teacher and Leader Effectiveness Commission shall provide oversight and advise the State Board of Education on the development and implementation of the TLE.

~~D.~~ E. The State Department of Education shall provide to the Oklahoma State Regents for Higher Education and the Oklahoma Commission for Teacher Preparation timely electronic data linked to teachers and leaders derived from the TLE for purposes of providing a basis for the development of accountability and quality improvements of the teacher preparation system. The data shall be provided in a manner and at such times as agreed upon between the Department, the State Regents and the Commission.

~~E.~~ F. For purposes of this section, "leader" means a principal, assistant principal or any other school administrator who is responsible for supervising classroom teachers.

SECTION 3. This act shall become effective July 1, 2013.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 27th day of February, 2013.

Eddie Fields
Presiding Officer of the Senate

Passed the House of Representatives the 2nd day of April, 2013.

Mike Jackson
Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 3rd
day of April, 20 13, at 4:17 o'clock P M.
By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 8th
day of April, 20 13, at 1:16 o'clock P M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 8th
day of April, 20 13, at 2:15 o'clock P. M.
By: Amy V. Parker

An Act

ENROLLED SENATE
BILL NO. 426

By: Ford of the Senate

and

Sears, Nelson, Wright and Hulbert of the House

An Act relating to teacher evaluations; amending 70 O.S. 2011, Section 6-101.3, which relates to definitions; modifying certain definitions; amending 70 O.S. 2011, Section 6-101.10, as amended by Section 1 of Enrolled Senate Bill No. 207 of the 1st Session of the 54th Oklahoma Legislature, which relates to school district evaluation policies; deleting certain revision date; requiring certain revisions to be phased in based on certain schedule; establishing a schedule of evaluation policy revisions; clarifying deadlines for evaluations of probationary teachers; amending 70 O.S. 2011, Section 6-101.13, which relates to the dismissal or nonreemployment of administrators; making certain provisions contingent upon implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System; amending 70 O.S. 2011, Section 6-101.16, as amended by Section 2 of Enrolled Senate Bill No. 207 of the 1st Session of the 54th Oklahoma Legislature, which relates to Oklahoma Teacher and Leader Effectiveness Evaluation System; directing the State Board of Education to work cooperatively with school district for certain purposes; allowing the Board to adopt certain alternative percentages; directing the State Department of Education to keep certain records confidential; amending 70 O.S. 2011, Section 6-101.22, as amended in Section 2 of Enrolled Senate Bill No. 283 of the 1st Session of the 54th Oklahoma Legislature, 6-101.24 and 6-101.31, which relate to

the Teacher Due Process Act of 1990; making certain provisions contingent upon implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System; amending Section 17, Chapter 291, O.S.L. 2010, which relates to delayed implementation of certain provisions of law; updating language; and modifying certain implementation date;

SUBJECT: Teacher evaluations

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-101.3, is amended to read as follows:

Section 6-101.3. As used in Section 6-101 et seq. of this title:

1. "Administrator" means a duly certified person who devotes a majority of time to service as a superintendent, elementary superintendent, principal, supervisor, vice principal or in any other administrative or supervisory capacity in the school district;

2. "Dismissal" means the discontinuance of the teaching service of an administrator or teacher during the term of a written contract, as provided by law;

3. "Nonreemployment" means the nonrenewal of the contract of an administrator or teacher upon expiration of the contract;

4. "Career teacher" means a teacher who:

a. for teachers employed by a school district ~~during the 2011-12 school year~~ prior to full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title, has completed three (3) or more consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching contract, or

b. for teachers employed for the first time by a school district under a written continuing or temporary teaching contract ~~on or~~ after ~~July 1, 2012~~ full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title:

(1) has completed three (3) consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching contract and has achieved a rating of "superior" as measured pursuant to the ~~Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE)~~ TLE as set forth in Section ~~6~~ 6-101.16 of this ~~act~~ title for at least two (2) of the three (3) school years, with no rating below "effective",

(2) has completed four (4) consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching contract, has averaged a rating of at least "effective" as measured pursuant to the TLE for the four-year period, and has received a rating of at least "effective" for the last two (2) years of the four-year period, or

(3) has completed four (4) or more consecutive complete school years in one school district under a written continuing or temporary teaching contract and has not met the requirements of subparagraph a or b of this paragraph, only if the principal of the school at which the teacher is employed submits a petition to the superintendent of the school district requesting that the teacher be granted career status, the superintendent agrees with the petition, and the school district board of education approves the petition. The principal shall specify in the petition the underlying facts supporting the granting of career status to the teacher;

5. "Teacher hearing" means the hearing before a school district board of education after a recommendation for dismissal or nonreemployment of a teacher has been made but before any final action is taken on the recommendation, held for the purpose of affording the teacher all rights guaranteed by the United States Constitution and the Constitution of Oklahoma under circumstances and for enabling the board to determine whether to approve or disapprove the recommendation;

6. "Probationary teacher" means a teacher who:

a. for teachers employed by a school district ~~during the 2011-12 school year~~ prior to full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title, has completed fewer than three (3) consecutive complete school years as a teacher in one school district under a written teaching contract, or

b. for teachers employed for the first time by a school district under a written teaching contract ~~on or~~ after ~~July 1, 2012~~ full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title, has not met the requirements for career teacher as provided in paragraph 4 of this section;

7. "Suspension" or "suspended" means the temporary discontinuance of the services of an administrator or teacher, as provided by law; and

8. "Teacher" means a duly certified or licensed person who is employed to serve as a counselor, librarian or school nurse or in any instructional capacity; an administrator shall be considered a teacher only with regard to service in an instructional, nonadministrative capacity.

SECTION 2. AMENDATORY 70 O.S. 2011, Section 6-101.10, as amended by Section 1 of Enrolled Senate Bill No. 207 of the 1st Session of the 54th Oklahoma Legislature, is amended to read as follows:

Section 6-101.10. A. Each school district board of education shall maintain and annually review, following consultation with or involvement of representatives selected by local teachers, a written policy of evaluation for all teachers and administrators. In those school districts in which there exists a professional negotiations agreement made in accordance with ~~Sections~~ Section 509.1 et seq. of this title, the procedure for evaluating members of the negotiations unit and any standards of performance and conduct proposed for adoption beyond those established by the State Board of Education shall be negotiable items. Nothing in this section shall be construed to annul, modify or to preclude the renewal or continuing of any existing agreement heretofore entered into between any school district and any organizational representative of its employees. Every policy of evaluation adopted by a board of education shall:

1. Be based upon a set of minimum criteria developed by the State Board of Education, which ~~by no later than the 2013-14 school year,~~ shall be revised and based upon the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) developed by the State Board of Education as provided in Section 6-101.16 of this title. The revisions to each policy of evaluation shall be phased in according to the following schedule:

a. for evaluations of teachers and administrators conducted during the 2012-2013 school year, school districts shall for purposes of testing the TLE incorporate on a trial basis the qualitative components of the TLE as provided for in subparagraph b of paragraph 4 of subsection B of Section 6-101.16 of this title into the evaluations used in all or a representative sampling of school sites within the district and may at the option of the school district incorporate on a trial basis the other academic measurement quantitative components of the TLE as provided for in division (2) of subparagraph a of paragraph 4 of subsection B of Section 6-101.16 of this title into the evaluations used in all or a representative sampling of school sites within the district,

b. for evaluations of teachers and administrators conducted during the 2013-2014 school year, school districts shall incorporate and put into operation the qualitative components of the TLE as provided for in subparagraph b of paragraph 4 of subsection B of Section 6-101.16 of this title into the evaluations used in all school sites within the district. For the 2013-2014 school year one hundred percent (100%) of the evaluation rating of teachers and administrators shall be based on the qualitative component of the TLE. In addition, for evaluations of teachers and administrators conducted during the 2013-2014 school year, school districts shall for purposes of testing the TLE incorporate on a trial basis the student academic growth and other academic measurement quantitative components of the TLE as provided for in subparagraph a of paragraph 4 of subsection B of Section 6-101.16 of this title into the evaluations used in all or a representative sampling of school sites within the district. However, nothing in this subparagraph shall preclude a school district with an average daily attendance of more than thirty-five thousand (35,000) from incorporating at its own expense the quantitative model of the TLE and basing up to fifty percent (50%) of the evaluation rating of teachers and administrators on the quantitative components of the TLE, as defined by the district's written policy, during the 2013-2014 school year,

c. for evaluations of teachers and administrators conducted during the 2014-2015 school year, school districts shall for purposes of establishing baseline data incorporate the student academic growth and other academic measurement quantitative components of the TLE as provided for in subparagraph a of paragraph 4 of subsection B of Section 6-101.16 of this title into the evaluations used in all school sites within the district. For the 2014-2015 school year one hundred percent (100%) of the evaluation rating of teachers and administrators shall be based on the qualitative component of the TLE, and no portion of the evaluation rating shall be based on the quantitative components

of the TLE. However, nothing in this subparagraph shall preclude a school district with an average daily attendance of more than thirty-five thousand (35,000) from incorporating at its own expense the quantitative model of the TLE and basing up to fifty percent (50%) of the evaluation rating of teachers and administrators on the quantitative components of the TLE, as defined by the district's written policy, during the 2014-2015 school year, and

d. for evaluations of teachers and administrators conducted during the 2015-2016 school year and each school year thereafter, school districts shall fully implement the TLE and incorporate and put into operation both the qualitative components of the TLE as provided for in subparagraph b of paragraph 4 of subsection B of Section 6-101.16 of this title and the student academic growth and other academic measurement quantitative components of the TLE as provided for in subparagraph a of paragraph 4 of subsection B of Section 6-101.16 of this title into the evaluations used in all school sites within the district. For the 2015-2016 school year and each school year thereafter, fifty percent (50%) of the evaluation rating of teachers and administrators shall be based on the qualitative component of the TLE and fifty percent (50%) shall be based on the quantitative component of the TLE;

2. Be prescribed in writing at the time of adoption and at all times when amendments to the policy are adopted. The original policy and all amendments to the policy shall be promptly made available to all persons subject to the policy;

3. Provide that all evaluations be made in writing and that evaluation documents and responses thereto be maintained in a personnel file for each evaluated person;

4. Provide that every probationary teacher ~~be evaluated~~ receive formative feedback from the evaluation process at least two times per school year, once during the fall semester and once during the spring semester;

5. Provide that every teacher be evaluated once every year, except for career teachers receiving a "superior" or "highly effective" rating under the TLE, who may be evaluated once every two (2) years; and

6. Provide that, except for superintendents of independent and elementary school districts and superintendents of area school districts who shall be evaluated by the school district board of education, all certified personnel shall be evaluated by a principal, assistant principal, or other trained certified individual designated by the school district board of education.

B. All individuals designated by the school district board of education to conduct the personnel evaluations shall be required to participate in training conducted by the State Department of Education or training provided by the school district using guidelines and materials developed by the State Department of Education prior to conducting evaluations.

C. The State Department of Education shall develop and conduct workshops pursuant to statewide criteria which train individuals in conducting evaluations.

D. The State Board of Education shall monitor compliance with the provisions of this section by school districts.

E. Refusal by a school district to comply with the provisions of this section shall be grounds for withholding State Aid funds until compliance occurs.

SECTION 3. AMENDATORY 70 O.S. 2011, Section 6-101.13, is amended to read as follows:

Section 6-101.13. A. Whenever the school district board of education or the administration of a school district shall determine that the dismissal or nonreemployment of a full-time certified administrator from the administrative position within the school district should be effected, the administrator shall be entitled to the following due process procedures:

1. A statement shall be submitted to the administrator in writing prior to the dismissal or nonreemployment which states the proposed action, lists the reasons for effecting the action, and notifies the administrator of his right to a hearing before the school district board of education prior to the action; and

2. A hearing before the school district board of education shall be granted upon the request of the administrator prior to the dismissal or nonreemployment. A request for a hearing shall be submitted to the board of education not later than ten (10) days after the administrator has been notified of the proposed action.

B. Failure of the administrator to request a hearing before the school district board of education within ten (10) days after receiving the written statement shall constitute a waiver of the right to a hearing. No decision of the board of education concerning the dismissal or nonreemployment of a full-time certified administrator shall be effective until the administrator has been afforded due process as specified in this section. The decision of the school district board of education concerning the dismissal or nonreemployment, following the hearing, shall be final.

C. ~~A~~ After full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title, a principal who has received a rating of "ineffective" as measured pursuant to the ~~Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE)~~ TLE as set forth in Section ~~6~~ 6-101.16 of this ~~act~~ title for two (2) consecutive school years, shall not be reemployed by the school district, subject to the due process procedures of this section.

SECTION 4. AMENDATORY 70 O.S. 2011, Section 6-101.16, as amended by Section 2 of Enrolled Senate Bill No. 207 of the 1st Session of the 54th Oklahoma Legislature, is amended to read as follows:

Section 6-101.16 A. By December 15, 2011, the State Board of Education shall adopt a new statewide system of evaluation to be known as the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE). The Board shall work cooperatively with school districts to fully implement both the quantitative and qualitative components of the TLE in all school districts by the 2015-2016

school year as provided for in Section 6-101.10 of this title, including determining the final calculation of the student academic growth measurement as provided for in division (1) of subparagraph a of paragraph 4 of subsection B of this section and developing a teacher/student assignment verification system.

B. The TLE shall include the following components:

1. A five-tier rating system as follows:

a. superior,

b. highly effective,

c. effective,

d. needs improvement, and

e. ineffective;

2. Annual evaluations that provide feedback to improve student learning and outcomes, except as provided for in subsection C of this section;

3. Comprehensive remediation plans and instructional coaching for all teachers rated as needs improvement or ineffective;

4. Quantitative and qualitative assessment components measured as follows:

a. fifty percent (50%) of the ratings of teachers and leaders shall be based on quantitative components which shall be divided as follows:

(1) thirty-five percentage points based on student academic growth using multiple years of standardized test data, as available, and

(2) fifteen percentage points based on other academic measurements, and

b. fifty percent (50%) of the rating of teachers and leaders shall be based on rigorous and fair qualitative assessment components;

5. An evidence-based qualitative assessment tool for the teacher qualitative portion of the TLE that will include observable and measurable characteristics of personnel and classroom practices that are correlated to student performance success, including, but not limited to:

a. organizational and classroom management skills,

b. ability to provide effective instruction,

c. focus on continuous improvement and professional growth,

d. interpersonal skills, and

e. leadership skills;

6. An evidence-based qualitative assessment tool for the leader qualitative portion of the TLE that will include observable and measurable characteristics of personnel and site management practices that are correlated to student performance success, including, but not limited to:

a. organizational and school management, including retention and development of effective teachers and dismissal of ineffective teachers,

b. instructional leadership,

c. professional growth and responsibility,

d. interpersonal skills,

e. leadership skills, and

f. stakeholder perceptions; ~~and~~

7. For those teachers in grades and subjects for which there is no state-mandated testing measure to create a quantitative assessment for the quantitative portion of the TLE, ~~an assessment using objective measures of teacher effectiveness including student performance on unit or end-of-year tests~~ the State Board of Education may adopt alternative percentages from those set forth in paragraph 4 of this subsection. Emphasis shall be placed on the observed qualitative assessment as well as contribution to the overall school academic growth; and

8. For first-year teachers, evaluations shall be based solely on qualitative components set forth in subparagraph b of paragraph 4 of this subsection and the State Board of Education shall adopt alternative percentages from those set forth in paragraph 4 of this subsection.

C. Career teachers receiving a "superior" or "highly effective" rating under the TLE may be evaluated once every two (2) years.

D. The Teacher and Leader Effectiveness Commission shall adopt the student academic growth and other academic measurement quantitative components of the TLE as provided for in subparagraph a of paragraph 4 of subsection B of Section 6-101.16 of this title by May 1, 2014. The Commission shall provide oversight and advise the State Board of Education on the development and implementation of the TLE.

E. A school district which has incorporated quantitative components of the TLE pursuant to subparagraphs b and c of paragraph 1 of subsection A of Section 2 of this act may continue using those quantitative components, as defined by the school districts' written policies, regardless of the State Board of Education's adoption of quantitative components pursuant to this section.

F. The State Department of Education shall provide to the Oklahoma State Regents for Higher Education and the Oklahoma Commission for Teacher Preparation timely electronic data linked to teachers and leaders derived from the TLE for purposes of providing a basis for the development of accountability and quality improvements of the teacher preparation system. The data shall be provided in a manner and at such times as agreed upon between the Department, the State Regents and the Commission.

~~F.~~ G. For purposes of this section, "leader" means a principal, assistant principal or any other school administrator who is responsible for supervising classroom teachers.

H. The State Department of Education shall keep records of annual evaluations received pursuant to this section confidential.

SECTION 5. AMENDATORY 70 O.S. 2011, Section 6-101.22, as amended in Section 2 of Enrolled Senate Bill No. 283 of the 1st Session of the 54th Oklahoma Legislature, is amended to read as follows:

Section 6-101.22. A. Subject to the provisions of the Teacher Due Process Act of 1990, a career teacher may be dismissed or not reemployed for:

1. Willful neglect of duty;

2. Repeated negligence in performance of duty;

3. Mental or physical abuse to a child;

4. Incompetency;

5. Instructional ineffectiveness;

6. Unsatisfactory teaching performance;

7. Commission of an act of moral turpitude; or

8. Abandonment of contract.

B. Subject to the provisions of the Teacher Due Process Act of 1990, a probationary teacher may be dismissed or not reemployed for cause.

C. Upon full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title:

1. A career teacher who has been rated as "ineffective" as measured pursuant to the ~~Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE)~~ TLE as set forth in Section 6-101.16 of this title for two (2) consecutive school years shall be dismissed or not reemployed on the grounds of instructional ineffectiveness by the school district, subject to the provisions of the Teacher Due Process Act of 1990~~.~~;

2. A career teacher who has been rated as "needs improvement" or lower pursuant to the TLE for three (3) consecutive school years shall be dismissed or not reemployed on the grounds of instructional ineffectiveness by the school district, subject to the provisions of the Teacher Due Process Act of 1990~~.~~; and

3. A career teacher who has not averaged a rating of at least "effective" as measured pursuant to the TLE over a five-year period shall be dismissed or not reemployed on the grounds of instructional ineffectiveness by the school district, subject to the provisions of the Teacher Due Process Act of 1990.

D. Upon full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title:

1. A probationary teacher who has been rated as "ineffective" as measured pursuant to the TLE for two (2) consecutive school years shall be dismissed or not reemployed by the school district subject to the provisions of the Teacher Due Process Act of 1990~~.~~; and

2. A probationary teacher who has not attained career teacher status within a four-year period shall be dismissed or not reemployed by the school district, subject to the provisions of the Teacher Due Process Act of 1990.

E. A teacher shall be dismissed or not reemployed, unless a presidential or gubernatorial pardon has been issued, if during the term of employment the teacher is convicted in this state, the United States or another state of:

1. Any sex offense subject to the Sex Offenders Registration Act in this state or subject to another state's or the federal sex offender registration provisions; or

2. Any felony offense.

F. A teacher may be dismissed, refused employment or not reemployed after a finding that such person has engaged in criminal sexual activity or sexual misconduct that has impeded the effectiveness of the individual's performance of school duties. As used in this subsection:

1. "Criminal sexual activity" means the commission of an act as defined in Section 886 of Title 21 of the Oklahoma Statutes, which is the act of sodomy; and

2. "Sexual misconduct" means the soliciting or imposing of criminal sexual activity.

G. As used in this section, "abandonment of contract" means the failure of a teacher to report at the beginning of the contract term or otherwise perform the duties of a contract of employment when the teacher has accepted other employment or is performing work for another employer that prevents the teacher from fulfilling the obligations of the contract of employment.

H. A school district shall notify the State Board of Education within ten (10) days of the dismissal or nonreemployment of a probationary or career teacher for reasons outlined in subsection F of this section.

SECTION 6. AMENDATORY 70 O.S. 2011, Section 6-101.24, is amended to read as follows:

Section 6-101.24. A. ~~When~~ Upon full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title, when a teacher receives a rating as measured pursuant to the ~~Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE)~~ TLE as set forth in Section ~~6~~ 6-101.16 of this ~~act~~ title that may lead to a recommendation for the dismissal or nonreemployment of the teacher or when an administrator identifies poor performance or conduct that the administrator believes may lead to a recommendation for the dismissal or nonreemployment of the teacher, the administrator shall:

1. Admonish the teacher, in writing, and make a reasonable effort to assist the teacher in correcting the poor performance or conduct; and

2. Establish a reasonable time for improvement, not to exceed two (2) months, taking into consideration the rating on the evaluation or the nature and gravity of the performance or conduct.

B. If the teacher does not correct the poor performance or conduct cited in the admonition within the time specified, the administrator shall make a recommendation to the superintendent of the school district for the dismissal or nonreemployment of the teacher.

C. Whenever a member of the board of education, superintendent, or other administrator identifies poor performance or conduct that may lead to a recommendation for dismissal or nonreemployment of a teacher within the district, the administrator who has responsibility for evaluation of the teacher shall be informed, and that administrator shall comply with the procedures set forth in this section. If the administrator fails or refuses to admonish the teacher within ten (10) days after being so informed by the board, superintendent, or other administrator, such board, superintendent or other administrator shall admonish the teacher pursuant to the provisions of this section.

D. Repeated negligence in performance of duty, willful neglect of duty, incompetency, instructional ineffectiveness or unsatisfactory teaching performance, for a career teacher, or any cause related to inadequate teaching performance for a probationary teacher, shall not be a basis for a recommendation to dismiss or not reemploy a teacher unless and until the provisions of this section have been complied with.

SECTION 7. AMENDATORY 70 O.S. 2011, Section 6-101.31, is amended to read as follows:

Section 6-101.31. ~~The~~ Upon full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title, the primary basis used in determining the retention or reassignment of affected teachers and

administrators when a school district implements a reduction-in-force plan shall be the ratings of the teachers and administrators as measured pursuant to the ~~Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE)~~ TLE as set forth in Section ~~6~~ 6-101.16 of this ~~act~~ title.

SECTION 8. AMENDATORY Section 17, Chapter 291, O.S.L. 2010, is amended to read as follows:

Section 17. The State Board of Education may delay implementation of Sections ~~8 through 14~~ 6-101.3, 6-101.13, 6-101.22, 6-101.24, 6-101.26, 6-101.27 and 6-101.31 of ~~this act~~ Title 70 of the Oklahoma Statutes for school districts which have not adopted a revised policy of evaluation as required pursuant to the provisions of Section 6-101.10 of Title 70 of the Oklahoma Statutes; provided, all school districts shall be required to implement the provisions of Sections ~~8 through 14~~ 6-101.3, 6-101.13, 6-101.22, 6-101.24, 6-101.26, 6-101.27 and 6-101.31 of ~~this act~~ Title 70 of the Oklahoma Statutes no later than July 1, ~~2013~~ 2016.

Passed the Senate the 21st day of May, 2013.

Presiding Officer of the Senate

Passed the House of Representatives the 24th day of May, 2013.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 24th
day of May, 20 13, at 10:18 o'clock P M.
By: A Rockwell

Approved by the Governor of the State of Oklahoma this 29th
day of May, 20 13, at 4:08 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 29th
day of May, 20 13, at 5:25 o'clock P. M.
By: Chris Morris

Minutes of the Regular Meeting of the

STATE BOARD OF EDUCATION
OLIVER HODGE EDUCATION BUILDING:
2500 NORTH LINCOLN BOULEVARD, ROOM 1-20
OKLAHOMA CITY, OKLAHOMA

December 15, 2011

The State Board of Education met in regular session at 1:05 p.m. on Thursday, December 15, 2011, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 12:30 p.m. on Wednesday, December 16, 2011.

The following were present:

Ms. Connie Holland, Chief Executive Secretary
Ms. Terrie Cheadle, Administrative Assistant

Members of the State Board of Education present:

State Superintendent Janet Barresi, Chairperson of the Board
MG (R) Lee Baxter, Lawton
Ms. Amy Ford, Durant
Mr. Brian Hayden, Enid
Mr. William "Bill" Price, Oklahoma City
Mr. William "Bill" Shdeed, Oklahoma City

Others in attendance are shown as an attachment.

Minutes of the Regular Meeting of
the State Board of Education
December 15, 2011

CALL TO ORDER AND ROLL CALL

Superintendent Barresi called the State Board of Education regular meeting to order at 1:05 p.m. and welcomed everyone to the meeting. Ms. Holland called the roll and ascertained there was a quorum.

PLEDGE OF ALLEGIANCE, OKLAHOMA FLAG SALUTE, AND MOMENT OF SILENCE

Superintendent Barresi led Board members and all present in the Pledge of Allegiance to the American Flag, and a salute to the Oklahoma Flag, and a moment of silence.

OCTOBER 27, 2011 REGULAR BOARD MEETING MINUTES APPROVED

NOVEMBER 17, 2011 REGULAR BOARD MEETING MINUTES APPROVED

Board Member Baxter made a motion to approve the minutes of the October 27, 2011, regular state Board meeting. Board Member Ford seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; Mr. Hayden, abstain; Gen. Baxter, yes; and Mr. Shdeed, yes.

Board Member Ford said there is a correction in the first sentence, the Board meeting date should be December 15, 2011, and not December 17, 2012. She made a motion to approve the minutes of the November 17, 2011, regular state Board meeting as corrected. Board Member Hayden seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; Gen. Baxter, yes; Mr. Hayden, yes; Mr. Price, yes; and Ms. Ford, yes.

STATE SUPERINTENDENT

Information from the State Superintendent

Superintendent Barresi introduced Mr. Joel Robison, Chief of Staff, for the State Department of Education. She said Mr. Robison rounds out a team in terms of the area of policy, policy development, and legislative relations. In addition to the team, Mr. Gardenhire will partner with Mr. Robison, as the Director of Policy and Communications, and Ms. Jessica Russell rounds out the team as Legislative Affairs and Policy Advisor. It is a very strong team that will be great in providing information to the Board, Legislature, and Governor's office.

Superintendent Barresi said Board members have for review the Fiscal Year 2013 budget proposal which the bulk will fill requirements for funding, rule making publications for the *Reading Sufficiency Act*, and the A through F Accountability System. We are moving forward with implementing all reforms passed by the Legislature and she

is proud of staff multitasking in getting all things done. The United States Department of Education (USDE) will announce recipients of the Early Learning Challenge grants on Friday, December 16, 2011. Currently, work is being done regarding an issue with the flexible benefit allowance with the Legislature. There is legislation contemplating changes in the way the program is administered. The Legislature has been provided figures on the requirements for the flexible benefit allowance for FY12 should that legislation pass. Board members will review the recommendations of the Teacher and Leader Effectiveness Commission and hear public comment. The recommended Fiscal Year 2013 budget is a good one and requests a $157 million increase. The budget request includes funding for the National Board Certified Teachers be restored; the flexible benefit allowance twelve-month requirements which is approximately one-third of the budget request; additional adult education funding cut from the FY12 budget; implementation of reforms; and funding to restore additional items cut from the FY12 budget.

Comments from Representatives of the
Tulsa County Association of School Administrators

Superintendent Barresi said the Association of Tulsa County School Administrators requested to appear before the Board and introduced Mr. Clark Ogilvie, Superintendent, Owasso Public Schools. Mr. Ogilvie thanked Board members for the opportunity to speak regarding the consequence for senior students who do not pass the four required end-of-instruction (EOI) tests in order to graduate with a diploma this spring. Mr. Ogilvie reviewed the Tulsa County superintendents concerns and request in regards to sun setting or delaying the diploma requirement for a period of time or at least until the common core standards are completely implemented in the 2014-15 school year, and the EOI tests are fully developed on a parallel course. The association challenged the State Board and Legislators to support legislation to do so. Board members were provided hand out materials to review.

Mr. Ogilvie, in response to Board Member Baxter's question on the percentage/range of students that fail or complete requirements, said his personal theory is that in smaller school districts more personal attention is given to seniors as opposed to larger districts, numbers are higher because seniors do not receive much personal attention. This will be the first year for this test.

Superintendent Barresi said the law requirement has been in place since 2005 and the date mandated as the year in which students are required to pass four out of the seven examinations.

Mr. Ogilvie said it is the Achieving Classroom Excellence (ACE) initiative brought forth by former Governor Henry and former State Superintendent Garrett.

Board Member Price asked if the EOI tests were a national test or solely a state created test?

Dr. Cathy Burden, Superintendent, Union Public Schools, said the EOI tests were developed in the state of Oklahoma and are not national tests. Because of the different cut scores in various years we are concerned about the reliability and validity of the test as actually measuring what we hoped to accomplish with a high school diploma and that is readiness for college and career. There are no national statistics indicating the tests are

a good predictor and therefore our concern about the quality of this test is something that leads us to this recommendation.

Board Member Baxter said the association's recommendation indicates touring of the common core standards will fix this problem. Is that what you are suggesting?

Dr. Burden said we do believe that with the common core and appropriate assessments we will have more confidence in the relationship between the assessment and its predictability for college success or career success. Of course it has yet to be determined because the assessments have not been seen. However, we know there is not a high level of confidence in the current EOI's to make a high stakes decision about graduation based on those could leads us to making improper decisions for students. We are particularly concerned about students who are ELL as well as on IEP's and those students are probably in a higher number. Parents of the students who are not able to pass these tests will have concerns their child may have met the graduation requirements locally and state graduation course requirements, yet the test alone will keep them from graduating opens up the possibility of lawsuits.

Superintendent Barresi said if Board members so choose background materials on the ACE legislation, requirements, test developments, research/development/validation, graduation rates, and alternative testing can be provided. Also, the common assessments of the 2013-14 school year implementation and 2014-15 school year for English language arts and mathematics that will replace the EOI's can be provided as well. Once Board members have reviewed, an expanded discussion will be scheduled as an agenda item presentation.

FIRST-YEAR SUPERINTENDENTS

First-year superintendent(s) attending the meeting were Mr. Michael Blackburn, Superintendent, Stratford Public Schools; Mr. Mike Broyles, Superintendent, Braggs Public School; Ms. Leslie Christian, Superintendent, Turner Public Schools; Ms. Peggy Constien, Superintendent, Waynoka Public Schools; Ms. Karen Lyles, Superintendent, Hugo Public Schools; Mr. Charles Peckio, Superintendent, Frink-Chambers Public School; and Mr. Bobby Waitman, Superintendent, Milburn Public Schools.

CONSENT DOCKET APPROVED

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2011-2012 school years, and other requests:

(a) **Abbreviated School Day – OAC 210:35-29-2 and OAC 210:35-3-46**
Bethany Public Schools, Bethany Academic Conservatory, Oklahoma County
Bridge Creek Public Schools, Alternative School Cooperative, Grady County
Little Axe Public Schools, Cleveland County

(b) **Library Media Services – OAC 210:35-5-71 and OAC 210:35-9-71**
Putnam City Public Schools, Oklahoma County

(c) **Planning Period – OAC 210:35-5-42**
Bridge Creek Public Schools, High School and Middle School, Grady County
Sapulpa Public Schools, High School, Creek County

(d) **Library Media Specialist Exemption – 70 O. S. § 3-126**
Little Axe Public Schools, Cleveland County

(e) Request approval for State Board of Education or Oklahoma Private School Accreditation Commission (OPSAC) accredited private school wishing to participate in the Lindsey Nicole Henry Scholarships for Students with Disabilities program: St. John's Episcopal School, Southwest Association of Episcopal Schools private school – 70 § 13-101.2D

(f) Request approval of exceptions to State Board of Education regulations concerning teacher certification – 70 O. S. § 6-187

(g) Request approval of recommendations from the Teacher Competency Review Panel for applicants to receive a license - 70 O. S. §6-202

Board Member Baxter made a motion to approve the Consent Docket. Board Member Ford seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; Mr. Hayden, yes; Gen. Baxter, yes; and Mr. Shdeed, yes.

TEACHER CERTIFICATION

Report on Alternative Placement Certification and Troops to Teachers

Professional Standards Production Report

Superintendent Barresi said Mr. Jeff Smith, Director, Teacher Certification, was present to answer questions from the Board, if needed.

These were reports only and no action was required.

ACADEMIC AFFAIRS

Office of Student Support

Adoption of the Oklahoma Teacher and Leader Effectiveness Evaluation System Approved

Ms. Kerri White, Assistant State Superintendent, Office of Student Support, presented a recommendation request from the Teacher and Leader Effectiveness Commission (TLE). Currently ten states have a statewide TLE system, and Oklahoma is leading the way in implementing the reforms. The state TLE system is designed to encourage continuous professional growth leading toward improved student achievement for all Oklahoma students. The law requires the new system be comprised of multiple measures of effectiveness and the State Board of Education (SBE) to adopt a five tier rating system that rates administrators and teachers on a scale from ineffective to superior; annual evaluations that provide feedback that will improve student learning and outcomes; development of comprehensive remediation plans; and provide instructional coaching for evaluations that are rated in needs of improvement or ineffective.

State law divides the evaluation system based on percentages. Fifty percent of ratings will come from quantitative components and fifty percent rigorous and fair qualitative assessments. Ms. White reviewed the required administrator and teacher qualitative and quantitative assessment tools and the qualitative and quantitative assessment tools for administrators and teachers in non mandated statewide testing. She overviewed TLE as defined by state statutes, purpose, TLE commission role, SBE statutory requirements, national best practices, methodology, school district TLE requirements, TLE recommendations, TLE implementation, timelines, frameworks, default, public comment, and recommended evaluation systems. Ms. White provided Board members additional documentation on McREL's preliminary scope of work and budget proposal regarding their leader qualitative framework.

Ms. White introduced Ms. Amy Polonchek, Chief of Staff, Tulsa Public Schools.

Ms. Poloncheck and Ms. Tahlia Shaull, Executive Director, TLE Initiative, Tulsa Public Schools reviewed the primary qualitative assessment component recommended by the TLE Commission as a default framework. Ms. Shaull video highlighted the Tulsa School District's evaluation framework model, characteristics, implementation, results and impact; student success, growth and achievement; and teacher expectations, performance, guidance, and support.

Public Comment

Superintendent Barresi announced public comment was open. Ms. Kathy Dunn, Mid-Del Public Schools; Ms. Linda Hampton, Oklahoma Educators Association (OEA), Ms. Susan Harris, Tulsa Metro Chamber; Mr. Ed Allen, Oklahoma City AFT; and Representative Corey Holland, appeared to speak to the Oklahoma TLE system. Each speaker were allowed three minutes to speak.

Ms. Dunn said the implementation of common core, new rigorous assessments, and the new teacher evaluation system presented a full plate for the Mid-Del School District. We knew professional development would be the key to success for implementation of

each new requirement. Common core professional development was not in the Tulsa evaluation model but it was found in the Marzano's Arts and Science of Teaching model which was used to develop an evaluation model. We examined the commission's three recommended models of which the Tulsa model had the most appeal for its easiness and quick implementation for Mid-Del. But with further study and research of the different models we found the Marzano model became the play book for Mid-Del School District that instructed implementation/execution, guidance, team work, and common language for engagement. Ms. Dunn asked the Board's consideration of the Marzano model for the Oklahoma model.

Ms. Hampton said the Oklahoma Education Association supports the Tulsa TLE Observation and Evaluation system model and the TLE Commission's recommendation for the Tulsa model. This is due largely to the collaborative teacher involvement, input/process/design, and implementation. However, the evaluation process cannot be successful if there is no change in attitude about the evaluation process. Training and practice which are two very different things is very important when looking at the way evaluations were done and the way they will be done. Funding is crucial and must be available for any of these plans to work because they cannot be successful with only partial funding or no funding. The bottom line is to invest in what is best for the children in Oklahoma and asked the Board to consider the Tulsa model.

Ms. Harris said she was a member of the TLE Commission and Vice President of the Tulsa Metro Chamber for Educational Workforce. The whole initiative is something the Tulsa community first began in 2009 and before the passing of House Bill 2033. The Gates Foundation approached Tulsa and invited them to compete in their Teacher Effectiveness Grant program. Tulsa received $500,000 through the MacKenzie Corporation's Consulting Services to help build the application and to identify the district's strengths and weaknesses. The Gates Foundation was impressed with the grant application and awarded a $500,000 Accelerator Grant which has been received yearly to pay for implementing the TLE program. Local community funders of corporations and foundations have also invested approximately $1 million a year with the Tulsa Public School District to further the work because they recognized the district did not have the resources. Since 2009 the TPS system has been based on national research and best practices, team development, indicators and evaluations. Evaluations are a small piece of what Tulsa has done to change to a performance based culture. If done appropriately it can happen statewide in every district. The TLE Commission has met eight times since June 2011, to hear and review presentations of various models and now recommend the Tulsa model. The key reason being was Oklahomans developed the Tulsa model. Ms. Harris said she hoped the Board would seriously consider the recommendation of the TLE Commission to adopt the Tulsa model because it will make a difference in the state and change the culture in all schools, not just the Tulsa School District.

Mr. Allen said he was the President of the Oklahoma City American Federation of Teachers (AFT), the bargaining agent for Oklahoma City teachers, and is a member of the TLE Commission. He approached the development of a new evaluation system as an opportunity to create an evaluation that improves practices in student outcomes and an opportunity to move away from the old ways, old thinking, and old attitude. Meaningful change requires something different because if teaching practices are to be improved evaluation practices must be different. Effective evaluation is a process and it is not an event so we must ask ourselves do we want an evaluation that stresses continuous improvement, which is a process, or one that stresses decision making which is an event. The current evaluation system is an event used for decision making and is viewed as

ineffective and punitive. He believes the Commission recommendation regarding the teacher evaluation will not give the desired results unless the desired result is to have the first cousin of the current system. A good evaluation process is one of constant conversation built around many classroom observations and it is labor intensive. The Danielson and Marzano presentations to the Commission stressed this point, Tulsa did not. When specifically asked about the time needed for an evaluation the Tulsa presenter stated two thirty-minute observations are performed, followed by conversation each time and then submit the evaluation. The answer matched the literature Tulsa provided to the Commission with their observation evaluation handbook. The phrase 'continuous improvement' which is in the statute and must be addressed, was mentioned one time. Continuous improvement was not mentioned on their stated purpose in the handbook or in their stated goals. The Tulsa model is not the continuous conversation or the continuous improvement model that all teachers need. The Commission received 1200 public comment responses of which the vast majority was educators. By a two to one margin respondents preferred Marzano over the Tulsa model. Several Commission members expressed a view that the respondents really did not know what they were talking about. He suggested the respondents did know and the Commission should be listening to them. At the last Commission meeting TPS unleashed a strong attack against the Marzano model questioning the value and validity of the model. The facts are that Marzano and also Danielson are widely known, used, and well regarded throughout the country which is no reason to doubt Marzano as TPS would like the Board to do. Marzano is the proven model, not Tulsa, and it is unwise to name a default evaluation model that has just been developed, is not favored by educators who gave input, is not used anywhere in the country, and will likely bring unforeseen problems. Mr. Allen urged the Board to adopt the Marzano model as the default evaluation model for meaningful change.

Representative Holland said it was not his place to tell the Board what to do and that it was their position to make a decision that is best and he respected that position. But as an educator on hiatus from the Marlow School District while serving in the Legislature his stance is the purpose of a school is student learning. A better system has been needed for a long time, and the model the Board chooses must be administered effectively. Tulsa Public Schools has certainly accomplished this and should be commended for doing so. Through a collaborative effort they developed a system that could be very effective in TPS. What we do not know is how well the TPS model will work statewide because even though it may be a great model it is at its genesis, or its beginning. The other models have existed for years, and have decades of research and validation as to their effectiveness, not only for large schools, but smaller schools. The model should be chosen for its effectiveness across the state. The Board has a difficult task and there are no assurances on how things will work out whatever their decision. If anyone states any one of the models will be great they are deceiving themselves and the Board, because there is no way of knowing. The model chosen will be extremely important because the decisions made in education and moving forward hinge upon this system. As a state leading reform in education the system selected will have a large role to play in the reform. The statutes state this system will take the decision out of the hands of school boards, because it clearly states if there are two years of ineffective ratings a person shall be dismissed. The school board will not have a choice, so it is important we get this right.

Ms. White introduced Ms. Alicia Currin-Moore, Executive Director, Teacher and Leader Effectiveness.

Board Member Hayden said what is being recommended is a pilot program for the 2012-13 school year and then a permanent program for the following year. Where is the word 'pilot' in the statute and where is the language around selecting a default?

Ms. White said neither the word pilot nor default is in statute. They are recommendations of the State Department of Education (SDE) staff in order to help districts transition. Rather than waiting until the 2013-14 school year, at which time it is required for all local boards to align with the TLE, allowing a transition by doing a pilot in the year prior would be an option. The default was a recommendation of the TLE Commission based on experiences of other states. There are states at various levels of implementation in this process, and some have minimal criteria similar to what is in Oklahoma statute. Some states have identified an instrument for every district to use, while others have identified a short list of instruments that meet statutory criteria for districts to use, and yet, some identified a short list but decided to put their efforts behind one default. The TLE Commission recommended, based on the experience of other states, naming a default to function in that manner but to approve a short list of options.

Board Member Baxter asked but it was not required?

Ms. White said no, that is not a requirement of the statute.

Board Member Baxter referred to Mr. Allen's comments that the evaluation system is a process and not an event. He said we may be trying to make this into an event rather than creating a process that insures we get what we seek. All three models are outstanding but at the end of the day it does not matter much as to which model is selected, because the districts will figure out their selection and make it work to their best possible advantage. What concerns him and the many citizens that contacted him is that this does not come down to being all about the money. The question(s) is will it be all about the money or all about the kids, or is it all about the teachers or all about the money? In hearing the dialog about strengths and weaknesses of these systems is it really about the strengths and weaknesses or about who gets the money to further develop their model. He has faith in the Commission and assumes they do know what they are talking about. However, the legislation goes back for some time and the Commission could have been working on this issue longer than they had been. He would like to find a way to not make this decision and go through a pilot program to allow the districts to be involved with the evaluation system they want to use over a period of time. He would like to see the SDE work with the TPS model and the issues that surround it. He presumes the Tulsa model is the correct model based on the Commission's recommendation. Why not do this and work for a year using all three models, distribute the money to those models based on the districts that want to use them, and ultimately make a decision at the end of the pilot program.

Board Member Price said he concurred with Board Member Baxter. Basically having and going through a pilot program would help determine which system will be the default system. The Commission approved three systems for teachers and two for administrators and the money should follow what the districts decisions are on a per pupil basis. The Commission will be in effect for three or more years and they may decide to stay with the recommendation or modify. If there is a pilot project the money would follow the district's decision on a per pupil basis. A critical factor he heard during the presentations was coaching. Having talked with numerous superintendents who have said one of the key issues is that it is not necessarily the system, but videotaping the classroom to be able to help coach the system. How would athletic coaches coach

anyone if they do not video tape them? It is not an invasion of privacy, but a way to properly implement any of the systems in a logical way. Also, instruction may change a little when being monitored and observed. He encourages school districts to do it this way rather than just observation in the classroom. Additionally, it would also be a protective mechanism for the teacher, which would be more important than the system we have. Another part is the quantitative portion of this equation, which he does commend on the value added, having the testing be on growth not on the basis of whether or not you are in a wealthy school district. He commended the SDE in moving towards increased rigor in the testing, which is needed.

Board Member Ford thanked those with public comment and said their comments are valuable. She commended the TLE Commission for their efforts in bringing forth the recommendations. She said the Board is as good as the information provided to help make the best and right decision.

Board Member Hayden said the reason for the pilot and default question was because he was having a hard time linking up why we are doing a pilot if we have already named the default. He shares some of the same concerns Board members have referenced. The Commission spent a lot of time and the recommendations are all great products and will yield great results. At this time, no one can say which one is better for our state. He said he was having a hard time selecting a default, understood doing a pilot and having the commission in place to evaluate, and then determine what works best. We may decide the choices are Marzano and Tulsa and both are equally the defaults after some period of time. He recognizes it is best for school districts to have options rather than the Board allowing one model to use. The Tulsa model may work well in Tulsa but may not work as well in Enid; Marzano may work great in Enid but not well in Tulsa. His struggle is around the word 'default' and has yet to see anything concrete regarding the funding allocated for this. If the Board approves what is proposed is the funding in place to implement, and if it is not we will trip ourselves before we get out of the gate. He asked do we have all the needed funding to implement three models and a pilot?

State Superintendent Barresi said the SDE is working out a robust professional development menu for implementation of all the reforms and looked at all the resources that are available to us. We have experienced savings through efficiencies in staffing in the SDE. She does not promise all the funding is available to implement every reform but staff is working with the Legislature on that issue and contemplating grants. For implementation of this program the amount would be $1.5 million and we intend to administer the budget as directed by the Board. We are also intent on doing everything we can for full implementation of this system. Staff is completely devoted to assuring that Oklahoma has one of the best systems for developing the best teachers in the country.

Board Member Hayden asked that would be a yes.

Superintendent Barresi said yes for this first year. We are working to identify funding sources for FY13 going forward.

Board Member Shdeed said he agreed with fellow Board members and that it is premature to make such an important decision. He complimented Tulsa on the work and is curious to see what it looks like next year. Cameras in the classroom are a good idea for the students and teachers. It may also help with behavioral problems if students know cameras are in the classroom.

Board Member Baxter said to reinforce Board Member Ford's comment in regard to the Tulsa model; we cannot and should not underestimate the work of the Commission in recommending the Tulsa model. Could the Board make the Tulsa model the presumptive default model for the state subject to the pilot program with a final recommendation in a year? The Board does not want the TLE Commission members to perceive in any way that the Board is down grading their very strong recommendation. He thinks it needs more time.

Board Member Price motioned the TLE Commission has approved certain frameworks for district selection both for teacher and leadership evaluation. A pilot program will be conducted over the 2012-2013 school year using the approved frameworks that are selected by each district. At the end of the pilot program, both the TLE Commission and the State Board of Education will be better able to evaluate each framework. Based on the TLE Commission's recommendations, the State Board of Education names the Tulsa's TLE Observation and Evaluation System for the Teacher Training Evaluation and McRel Principal Evaluation System for the Leadership Training Evaluation as the presumptive default frameworks. During the pilot program, the allocation of funds between approved frameworks will be supported by local funds or at the discretion of the Oklahoma Department of Education through a formula based on the district's average daily attendance. At the end of the pilot program, in one year, after further study and recommendations by the TLE Commission, the State Board of Education will adopt default frameworks; and to table the TLE permanent recommendation items #1a, #1b, #1d, and #1e; and to approve the adoption of the TLE permanent recommendation items #1c and #1f after striking the second sentence of each recommendation; and to approve the TLE permanent recommendation items, without change, #2, #3a, #3b, #4, and #5.

Board Member Ford seconded the motion.

Ms. White confirmed the motioned items.

Board Member Baxter said the initial paragraphs prior to the individual recommendations were a part of the motion. Does this meet the legal/legislative deadline requirement to make a decision by December 15?

Ms. Lisa Endres, General Counsel, said yes. The statute is very general and neutral and indicates by December 15 the Board adopts a system and by adopting the three systems for districts to choose would meet the statutory requirements.

Board Member Hayden asked regarding the presumptive default does it carry any implication or is it just recognition of the Commission?

Board Member Price said he thinks it indicates the Board is differential to the Commission, but we need to wait until later. We presume this is going to be the default, but if the results of the pilot project turn out differently the Commission and the Board may change our minds. He did not intend it to have any strong legal….

Board Member Baxter said his intent was to keep the Tulsa model at the forefront based on the recommendation of the Commission and to allow the Board to have due consideration before making a decision to overturn the recommendation in favor of another system.

Superintendent Barresi said as a point of information to the Board this will begin in FY12-13 and we will come back next year at this point in time.

Board Member Prices said next year is after the pilot year.

Board Member Baxter said an amendment may or may not be in order, but because of the sensitivity and importance of this issue he would like an update report presented at each Board meeting on the status of the pilot program. The SDE and Tulsa could possibly work together on an update on the progress of the pilot program as we go through the next year.

Superintendent Barresi said we would be more than happy to keep the Board apprised as well as the TLE Commission.

The motion carried with the following votes: Mr. Shdeed, yes; Gen. Baxter, yes; Mr. Hayden, yes; Mr. Price, yes; and Ms. Ford, yes.

FINANCIAL SERVICES

FY2013 Budget Request Approved

Ms. Mathangi Shankar, Director of Financial Services, said Financial Services include the Office of the Comptroller, Oklahoma Cost Accounting System (OCAS), and the State Aid Office. Ms. Shankar presented the SDE budget request for fiscal year 2013 and reviewed the considerations of reform initiatives the Department is planning for the upcoming years. She said for comparison purposes the 2011fiscal year was added to the spreadsheet handout which had not been included in the Board packet. In putting together the budget request for FY2013 many things were considered and the top considerations were the reform initiatives, FY12 budget reductions, and federal and state matching requirements. She overviewed the funding categories that included financial support of public schools, public school activities, instructional materials or text books, agency administrative and support functions budget. The total budget request increase totaled $157,980,925, of which 49.4 percent or $78.7 million is for the financial support of schools. The public school activities budget for all programs including the flexible benefit allowance and the increase for FY13 is $45 million.

Superintendent Barresi said the Department is returning to FY11 numbers which was cut $100,000 million, plus an additional $57 million for various programs. The four areas of the budget request are the financial support of public schools, instructional materials or textbooks, public school activities fund, administrative and support functions which is essentially the Department budget request. The Board review and approval of the budget will allow the SDE to move forward in submitting to the Governor and the Legislature.

Board Member Price said the Legislature needs to find ways to cut administrative costs in the schools in general. Superintendent Barresi has done a commendable job in reducing the administrative overhead by cutting positions in the Department. The Board needs to find more creative ways to reduce administrative costs in general to the schools. We have an obligation to the National Board certified teachers. In the future with the new testing and ability to judge teachers and determine if teachers are highly effective

teachers they should particularly be rewarded. Rewarding accomplishments is better than awarding qualifications because it is more beneficial to kids in the long run.

Board Member Price made a motion to approve the request. Board Member Ford seconded. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; Mr. Hayden, yes; Gen. Baxter, yes; and Mr. Shdeed, yes.

Award of Employment Assistance Benefit in the form of Severance for Former Employees of the Annexed School Districts: Boynton-Moton Public Schools, Wakita Public Schools, and Pickett-Center Public School Approved

Ms. Shankar presented a request for a one-time severance allowance to qualifying applicants for former employees of annexed school districts from Boynton-Moton, Wakita, and Picket-Center.

Board Member Hayden asked for clarification on the severance allowance process.

Ms. Endres said legislation indicates that out of the consolidation fund, which is funding for all annexation consolidation, school districts can use the funds in certain categories. Severance is one of the categories. Statute states that if a teacher(s) loses their job due to annexation or consolidation, whether voluntary or involuntary, they are allowed to apply for severance to the annexing school district. If they apply, the statute says the school district may award up to 80 percent of the gross wage(s) in severance. To qualify for severance the statute states the teacher must be employed at the annexing district or at any other school district. Unemployment compensation will also count as part of the assistance benefit and can be offset with regard to the up to 80 percent portion. The SBE grants severance to annexed school district employees when an annexed district does not pay severance out of the school district's consolidation funds. Provisions in the statute allow the employees to apply for severance by September 1 of the year preceding annexation and the SBE shall award up to 80 percent of the gross year wages. Ms. Endres said up until 2010 the SBE never had one application for severance. During this time former employees of annexed districts made severance application request directly to the SBE and not the school district(s). The increase in requests prompted the need for rules to determine and give the SBE a rubric to set the severance allowance. Emergency rules were created setting the rubric formula based upon years of service, efforts in seeking employment, unemployment benefits, and 80 percent determinations. The promulgated rules are set to go before the legislature for permanent adoption. The 33 severance requests amount is approximately $332,000. If the old 'up to' rubric was used the amount would be over $700,000.

Board Member Hayden said the two key words used were 'shall' and 'formula or method'. Does the emergency rule take in consideration the timing from losing a job to collecting severance?

Ms. Shankar said it states by September 1 of the following year.

Board Member Hayden said if someone lost their job, did not receive severance from the annexing district, and collected unemployment they can get severance. What if they are employed at another district? Some employees could have a three month gap and receive a one year salary for…

Ms. Endres said current legislation provides that when a teacher(s) loses employment due to annexation or consolidation, unemployment benefits are received, and by September 1 they are not hired at the annexing district, the teachers(s) are entitled to severance in addition to unemployment. If they are hired at any other district they would not be discounted for being eligible for severance. What is discounted is the efforts of looking for employment because of the way the law and statute are structured.

Board Member Price said if a person who is employed or away from the dismissing district, or a person who applied for jobs closer to the dismissing district and cannot get a job, or a person who applied for employment only at the dismissing school district are all treated differently using the formula?

Ms. Endres said we did try to make it a factor in the formula. It is not by any means the only factor but we do try to make the applicant show efforts to replace unemployment. Once again we are looking at equality. The teacher that has 25 plus years of experience and is close to retirement would find it much more difficult to go statewide to find employment verses the one to five year teacher who has the flexibility in their career to go to another district. We looked at throughout the implementation of the formula and the formula rubric is in the rules. The other instance critical part of the legislation is that no severance is allowed to the individual who is a good teacher and is employed by the annexing district.

Board Member Hayden made motion to approve the request and Board Member Ford seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; Gen. Baxter, yes; Mr. Hayden, yes; Mr. Price, yes; and Ms. Ford, yes.

LEGAL SERVICES DIVISION

Revocation of Teaching Certificate and Teacher Number of Jeremy James Smith

Ms. Lisa Endres, General Counsel, said Mr. Smith submitted a waiver and voluntary surrender of the certificate prior to the meeting and therefore no Board action is required.

Report and Overview of the Upcoming Permanent Rulemaking Schedule and Process

Ms. Kim Richey, Assistant General Counsel, presented an overview the emergency/permanent rulemaking procedure/process/adoption, 2012 schedule of anticipated permanent rules, filings, and public comment/hearings.

This was a report only and no action was required.

ADJOURNMENT

There being no further business the meeting adjourned at 3:20 p.m. Board Member Shdeed made a motion to adjourn and Board Member Price seconded the motion. The motion passed unanimously.

The next regular meeting of the State Board of Education will be held on Thursday, January 26, 2012, at 9:30 a.m. The meeting will convene at the State Department of Education, 2500 North Lincoln Blvd., Oklahoma City, Oklahoma.

_____
Janet Barresi, Chairperson of the Board

_____
Connie Holland, Chief Executive Secretary

Minutes of the Meeting of the

STATE BOARD OF EDUCATION
OLIVER HODGE EDUCATION BUILDING:
2500 NORTH LINCOLN BOULEVARD, ROOM 1-20
OKLAHOMA CITY, OKLAHOMA

February 23, 2012

The State Board of Education met in regular session at 9:35 a.m. on Thursday, February 23, 2012, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 9:30 a.m. on Wednesday, February 22, 2012.

The following were present:

Ms. Connie Holland, Chief Executive Secretary
Ms. Terrie Cheadle, Administrative Assistant

Members of the State Board of Education present:

State Superintendent Janet Barresi, Chairperson of the Board
MG (R) Lee Baxter, Lawton
Ms. Amy Ford, Durant
Mr. Brian Hayden, Enid
Ms. Joy Hofmeister, Tulsa
Mr. William "Bill" Price, Oklahoma City
Mr. William "Bill" Shdeed, Oklahoma City

Others in attendance are shown as an attachment.

Minutes of the Meeting of
the State Board of Education
February 23, 2012

CALL TO ORDER AND ROLL CALL

Superintendent Barresi called the State Board of Education regular meeting to order at 9:35 a.m. and welcomed everyone to the meeting. Ms. Holland called the roll and ascertained there was a quorum.

PLEDGE OF ALLEGIANCE, OKLAHOMA FLAG SALUTE, AND MOMENT OF SILENCE

Superintendent Barresi led Board members and all present in the Pledge of Allegiance to the American Flag, and a salute to the Oklahoma Flag, and a moment of silence.

JANUARY 15-16, 2012, STATE BOARD OF EDUCATION RETREAT MEETING APPROVED

Board Member Baxter made a motion to approve the minutes of the January 15-16, 2012, State Board Retreat meeting and Board Member Price seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Hayden, yes; Ms. Hofmeister, yes; Gen. Baxter, yes; Mr. Shdeed, yes; and Mr. Price, yes.

JANUARY 26, 2012, REGULAR STATE BOARD OF EDUCATION MEETING APPROVED

Board Member Ford made a motion to approve the minutes of the January 26, 2012, state Board regular meeting and Board Member Hayden seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Shdeed, yes; Gen. Baxter, yes; Ms. Hofmeister, yes; Mr. Hayden, yes; and Ms. Ford, yes.

STATE SUPERINTENDENT

Information from the State Superintendent

Superintendent Barresi said the legislative session was opened by Governor Fallin with her State of the State address, and her kind comments regarding the progress being made in education are greatly appreciated. The Governor has always been an advocate for quality education in Oklahoma and the State Department of Education (SDE) looks forward to continue working with her. Productive REAC^{3}H Network meetings were held in Oklahoma City and Tulsa, and the effort is moving forward well regarding transitioning to the Oklahoma C^3 Standards, and teacher and leader effectiveness. Ms. Cara Cusick is the new Director of the REACH^{3}H Network and is working with member districts to continue to strengthen the network. The United States Department of Education granted the No Child Left Behind waiver in January. Superintendent Barresi thanked educators throughout the REAC^{3}H Network for their contributions in the input and writing of the waiver. She complemented SDE staff for their hard work on writing the waiver in conjunction with state educators and during the approval process.

The SDE has been focused in the past weeks on reaching and notifying individual school sites and districts that have been ranked as priority, focus, differentiated intervention schools, and reward schools.

Superintendent Barresi asked Ms. Ashley Hahn, Events Coordinator to update Board members on their request for remote State Board meeting, throughout the state.

Ms. Hahn presented Board members for their consideration a list of school districts and sites to hold three to four State Board of Education (SBE) meetings in the 2012 calendar year. At this time we are in discussions with Tulsa Public Schools to be the first district location, and to host the April 26, 2012, SBE meeting. The venue(s) is still to be determined but the Board will receive progress updates. Ms. Hahn said most of the schools were rural school districts and sites of which several extended an invite to the SBE. Board members were asked to contact Ms. Hahn on their preferences and opinions and she would report back the various schools sizes and members concerns/wishes.

Board Member Hayden said during the visit he would like to see and know what the schools are doing to be proactive, the areas where they are struggling , and not just the 'crown jewels'.

Superintendent Barresi said she is in agreement. There is nothing like being on site to hear the challenges and see the successes. She said visitation during and after the school year had been discussed instructed Board members to contact Ms. Hahn with their preferences.

Board Member Price said in addition to SBE site visits he encourages Board members to visit school districts/sites within their congressional districts on a monthly basis. It is important Board members get a feel for and be able to ask how various legislation and rules impact school districts.

CONSENT DOCKET APPROVED

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2011-2012 school years, and other requests:

(a) **Allow Two School Days in a 24-Hour Period – 70 O. S. § 1-111**
Mill Creek Public Schools, Johnston County
Porter Consolidated Schools, Wagoner County

(b) **Cooperative Agreements for Alternative Education Programs – 70 O. S. § 1210.568**
Pocola Public Schools, LeFlore County

(c) **Noncertified Substitute Teachers – 70 O. S. § 6-105**
Strother Public Schools, Seminole County

(d) Request approval of exceptions to State Board of Education regulations concerning teacher certification – 70 O. S. § 6-187

(e) Request approval of recommendations from the Teacher Competency Review Panel for applicants to receive a license - 70 O. S. § 6-202

Board Member Baxter made a motion to approve the Consent Docket. Board Member Ford seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Hayden, yes; Ms. Hofmeister yes; Gen. Baxter, yes; Mr. Shdeed, yes; and Mr. Price, yes.

TEACHER CERTIFICATION

Report on Alternative Placement Certification and Troops to Teachers Professional Standards Production Report

Superintendent Barresi said Mr. Jeff Smith, Director, Teacher Certification, was present to answer questions from the Board, if needed.

These were reports only and no action was required.

ACADEMIC AFFAIRS

Office of Instruction

Oklahoma Elementary Mathematics Specialist Certification Program Approved

Mr. Jeff Downs, Director, Science, Technology, Engineering, and Math (STEM), presented a request for a certification program for Oklahoma elementary mathematics specialist (OEMS). Ms. Courtney Lockridge, Director, Mathematics was very instrumental in the project and process along with Mr. Jeff Smith and Mr. Saeed Sarani, Oklahoma State Regents for Higher Education.

This initiative is a crucial building block for improving the rigor of mathematics in Oklahoma. The OEMS is a process that allows elementary and early childhood teachers to earn an elementary mathematics specialist certification in grades PK-5. These teachers are required to have the knowledge and understanding of elementary school mathematics, and mathematics concepts and skills developed through the secondary level. This also includes having specialized knowledge to understand and support student learning of elementary mathematics; as a OEMS professional be prepared to take on collegial non-evaluative leadership roles within their schools and districts; and to have a broad view of many aspects and resources needed to support and facilitate effective instruction and professional growth.

Mr. Sarani reviewed the areas of national data/outlook, the need for national and local OEMS, competency processes, statewide data/statistics, mathematics consortium timelines, partnerships, competencies, reviews and studies.

Mr. Smith reviewed the OEMS program prerequisites, requirements and credentials; pedagogical content and standards alignment, coursework proficiency and leadership; certification requirements, qualifications, restrictions, application and recommendations; SDE fee and certificate issuance. The benefit of having an OEMS certification in place, as several other states do, makes Oklahoma more marketable for out-of-state teachers that have this type certification. If we do not have an equivalent certificate then we cannot offer one. This will make us more equitable.

Board Member Price said he was pleased the group utilized the teachers and leader evaluation system. He asked if an internship had been considered as a prerequisite or as a

requirement? Being mentored by a great teacher makes a huge difference in terms of the quality of the teaching that comes from the person going through the system.

Mr. Downs said a prerequisite is an excellent suggestion in the process to increase rigor in mathematics and would be further investigated. He agreed that mentoring is crucial especially in the elementary levels because sometimes teachers are not as confident as they need to be, to be effective. This is the right step to get us to that point.

Board Member Baxter made a motion to approve the OEMS certification program and Board Member Price seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Shdeed, yes; Gen. Baxter, yes; Ms. Hofmeister, yes; Mr. Hayden, yes; and Ms. Ford, yes.

Focused Field of Career Study in Biomedical Sciences at Central Technology Center Approved

Mr. Downs presented a request recommending a course of study which was reviewed and approved by SDE staff and aligned to the C^3 standards.

Ms. Tina Fugate, STEM and Academic Coordinator, Oklahoma Department of Career and Technology Education, said the focused field of career study in biomedical sciences is an existing program for eleventh and twelfth grade students. The request is to enroll tenth grade students, especially those students in highly rural areas. Impacting them with science and math in the younger grade will better help them to be more successful post secondarily.

Board Member Ford made a motion to approve the request and Board Member Hayden seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Hayden; yes, Ms. Hofmeister, yes; Gen. Baxter, yes; Mr. Shdeed, yes; and Mr. Price, yes.

Office of Educational Support

Add TerraNova as an Alternate Test for the Oklahoma Achieving Classroom Excellence (ACE) End-of-Instruction (EOI) Exams Approved

Ms. Melissa White, Executive Director, Counseling/ACE presented a request to add TerraNova as an alternate test for the Oklahoma Achieving Classroom (ACE) end-of-instruction examinations. The Department of Defense schools us the TerraNova assessment, but does not use end-of-course instruction assessments. Ms. White said she received numerous calls from relocated military families with high performing students that who performed well on the TerraNova but had no other assessment equal to the Oklahoma EOI. The TerraNova is a Norm Referenced Test and it was determined a 670 cut score was the same proficiency as the EOI scores in all subjects. The TerraNova alternate test meets ACE graduation requirements for military students that have not met the testing requirement by another form of assessment and have not taken and/or failed the PSAT.

Board Member Baxter asked was a test conducted of the population of such students to get a sense of whether the 670 cut score was right?

Ms. White said we used the TerraNova with students that have taken EOI's and looked at what was a proficient score and then compared it to the TerraNova to get the 670 cut score.

Board Member Baxter made a motion to approve the request and Board Member Ford seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Hayden, yes; Ms. Hofmeister, yes; Gen. Baxter, yes; Mr. Shdeed, yes; and Mr. Price, yes.

2011 Edition of the Danielson's Framework for Teaching Evaluation Instrument to Replace the Previous Version of this Model Approved and Adopted by the State Board of Education Approved

Dr. Chris Caram, Deputy Superintendent, Academic Affairs, presented a request for the Danielson Framework for Teaching Evaluation Instrument 2011 edition model. The Board approved the Danielson's 2007 Framework for Teaching Edition model, but the model did not include an evaluation instrument. The 2011 edition model upgrades the 2007 edition model which can be used by Oklahoma.

Dr. Stefni Hite, Chief Operating Officer, The Danielson Group, overviewed the 2007 and 2011editions for clarification, history, and differences; framework domains, components and elements; Measures of Effective Teacher (MET) research project study, professional development learning and evaluation instruments; and teaching proficiency system framework tool, evaluators and online observer credentialing.

Board Member Price said when you referred to observers you were talking about people going in to watch a part of a class?

Dr. Hite said absolutely. It is a fundamental piece of observing teacher practice. Agreeing with Board Member Price, she said videotaping is absolutely encouraged, because even the MET research project study was all video hours of instruction. A blended approach is definitely the way forward, by having qualified observers watching video as well as in class observation.

Superintendent Barresi said the MET analysis is a powerful analysis performed across all the selected frameworks by the state. She asked was this your first MET analysis?

Dr. Hite said this is the 2009 MET analysis and is part of the preliminary findings just recently released. The framework was found to be validated and a reliable instrument in terms of correlating levels of instruction assessed by multiple evaluators against the student achievement.

Superintendent Barresi asked do you anticipate continuing to participate in future MET analysis?

Dr. Hite said yes.

Superintendent Barresi said the Marzano, Danielson and Tulsa models are participating in the process and she anticipates requiring certification for all observers with all three models. It will be based on successfully completing both the cognitive test, showing depth of knowledge about framework, displaying competency of their evaluation abilities by observing tapes of teachers in order to establish that all-important inter-rater reliability critical in all three frameworks.

Board Member Hofmeister asked is the device format similar to an ipad?

Dr. Hite said yes. This model can be used on paper and is also available on multiple hand held devices.

Board Member Hofmeister asked if it was an app that is downloaded to a variety of things already existing or something that is purchased?

Dr. Hite said there are multiple tools from which schools can choose and not any one process is recommended.

Board Member Hayden asked was the Teacher and Leader Effectiveness (TLE) Commission aware this was in the works at the time they made a recommendation to the Board.

Dr. Caram said when presented there was not a choice of which one did or did not have an instrument. Earlier this week a Webinar with Ms. Charlotte Danielson was conducted with the TLE Commission and the differences in the two models were presented. A TLE meeting had been scheduled but there was no quorum for voting therefore the information was posted on the SDE Website for access.

Superintendent Barresi said as this progresses over the next several years there will be occasions when the Board will be presented upgrades, updates, and TLE recommendations to each of the frameworks. We are anxious for the training to be developed and begin statewide for school districts that choose this particular framework.

Board Member Hayden made a motion to approve the request and Board Member Ford seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Shdeed, yes; Gen. Baxter, yes; Ms. Hofmeister, yes; Mr. Hayden, yes; and Ms. Ford, yes.

FIRST-YEAR SUPERINTENDENTS

First-year superintendent(s) attending the meeting were Mr. Ty Harman, Superintendent, Bowlegs Public Schools; Mr. Christopher Karch, Superintendent, Calvin Public Schools; Mr. Rob Armstrong, Superintendent, Oologah-Talala Public Schools; and Mr. Joe Van Tuyl, Superintendent, Stroud Public Schools.

LEGAL SERVICES

Revocation of Superintendent Certificate and Number of Shelbie J. Williams Approved

Superintendent Barresi informed Board members this was a due process hearing procedure. The matter before the State Board of Education is the Complaint filed for the SDE against Dr. Shelbie J. Williams, the former superintendent of Boynton-Moton Schools. She advised Board members of the Oklahoma Administrative Code Rules 210:1-5-1 and as Chairperson of the Board will rule on the evidence, competency of witnesses, and questions of law during the proceedings. After all presentations, evidence and witnesses are heard, the State Board of Education will be given the opportunity to deliberate in open meeting and issue a ruling on this matter. The Board's decision will be considered final.

Superintendent Barresi asked if parties were present and ready to proceed. Ms. Lisa Endres, General Counsel, was present on behalf of the State Department of Education.

Dr. Shelbie J. Williams, former superintendent, Boyton-Moton Public School and her witnesses were present.

Superintendent Barresi said Ms. Endres would present the SDE Complaint and evidence to the SBE.

Ms. Endres said Board members were presented the revocation request action item at the January 19, 2012, State Board meeting. At the request of Dr. William's the item was moved to this meeting. Board members received in the original Board material packet a Complaint filed against Dr. Williams on behalf of the State Department of Education. The Complaint is based upon the January 1, 2010-May 27, 2011 Oklahoma State Auditor and Inspector's special audit findings of Boynton-Moton Public School, an extensive review of the records, and Boynton-Moton School Board meeting minutes. In Dr. Williams role as a school superintendent, having sworn an oath of office to abide by the Constitution of Oklahoma and other states, violated the Constitution of Oklahoma when she presented a 151 percent contract increase, as the school district's chief leading financial officer, to the Boynton-Moton School Board which they approved for the following 2011 fiscal year. This resulted in the district violating the Constitution of Oklahoma because Dr. Williams allowed herself, in the written contract terms, to obtain a $20,000 payment in the month of August. The State Auditor and Inspector's Office indicated this is a violation of the Constitution of Oklahoma because services must be paid as they are rendered and no services are paid in advance. Dr. Williams received an advanced payment at the beginning of the school year, August 2010, before services were rendered. This also constitutes a violation of the Constitution of Oklahoma and violation of her oath of office as a school superintendent.

The second finding and reason for presentation to the Board, is Dr. Williams gave herself a 151 percent pay increase for the first year of her superintendent contract with Boynton-Moton Public Schools and was paid $36,000 per year. The school district had an enrollment of less than 50 students. Dr. Williams' contract increased to $88,000 a year during the 2010 fiscal year. She received other stipends that resulted in compensation totaling $90,400 for that contract year. The school district at this time was unable to hire teachers in order to maintain state accreditation. Additionally, per state statutes, Dr. Williams violated the Oklahoma Cost Accounting System (OCAS) rules and procedures by the presentation of the contract. The OCAS rules state a school district cannot exceed ten percent of its budget for the purpose of all administrative cost and not just the salary of the superintendent. Dr. Williams' salary for the 2010 fiscal year exceeded the ten percent OCAS rule on its own, and did not include any other administrative costs for the school district. It is for these reasons we believe Dr. Williams was derelict in her duties either willfully or negligently by not informing the Boynton-Moton School Board in a timely manner, during a time when district enrollment was decreasing and had decreased to 49 percent from 2008 through 2010. Dr. Williams benefitted at the expense of her students personally by giving herself the pay increase, which was one of the contributing factors why the school district loss accreditation.

Ms. Endres submitted into evidence the State Auditor and Inspector's January 1, 2010 through May 27, 2011, special audit report of Boynton-Moton Public School as the basis and reason for the Findings of Fact and Conclusions of Law for the State Board of Education to revoke Dr. Shelbie Williams' superintendent certificate.

Superintendent Barresi asked was there any objections to the admission of the Department's evidence into the record? There were no objections and evidence was admitted. Dr. Williams, as the Defendant, was sworn in for her admission of testimony.

Dr. Williams in presenting her position to the Board said her first day at Boynton-Moton Public School was September 8th, 53 days after the start of the school year. The school district did not have any applicants for the superintendent position and was unable to hire one prior to the start of school. The school secretary at that time made the contract with her that offered $36,000. Dr. Williams informed the school secretary the salary offer was low for a superintendent salary and agreed on the $36,000 salary. She agreed partly because she knew of the school successes in various state athletic championships, and the parents wanting to retain children at the school.

Dr. Williams called her witnesses Dr. Henry Petree, Deputy, Muskogee County Sheriff Department; and Mr. Herbert Adkins, former Boynton-Moton School Board President and resident.

Dr. Petree upon sworn testimony affirmed he was not sure what all had taken place. He met Dr. Williams shortly after she began working at the school and confronted him regarding an embezzlement situation she had found. He advised Dr. Williams to contact the District Attorney's (DA) office and the DA advised her to file a case. Dr. Petree had no knowledge of the laws regarding school salaries, school board and/or State Board of Education authorities pertaining to embezzlement issues. He knew Dr. Williams over a two year period when he worked as a school resource officer and sheriff deputy for schools in Muskogee County. During that time he attended school board meetings and was concerned for her safety because of her relationship with the school board and the volatile board meetings.

Ms. Endres made an objection to Dr. Williams' questions and asked that her questions refer to only the allegations brought against her.

Superintendent Barresi was in agreement and said Dr. Williams and student safety issues were not a part of the allegations. Dr. Williams was asked to direct questions specifically to the allegations.

Dr. Williams questioned if Dr. Petree was knowledgeable of her days/hours worked; aware of her concerns of the school finances; present when school board members voted to rehire and increase her salary; and present when State Department of Education staff came to provide extra safety at school.

Dr. Petree said Dr. Williams worked many times when she was not on the schedule and he knew she was very concerned about the schools finances. He was not present at that school board meeting. The Sheriff's Department was requested to provide a deputy on duty.

Ms. Endres questioned was Dr. Petree a member of the Boynton-Moton School Board; aware of anything discussed today regarding Dr. Williams' salary increases and/or approval; aware of the financial situation of Boynton-Moton Public School during its last year of operation and how long the financial problems had existed?

Dr. Petree responded no he was not a board member and was not at that particular board meeting. Dr. Williams' salary probably would have been discussed in an executive session which he could not attend. He was aware of the school's financial situation and concerned about having the money to keep school open. The two years he was there a finance problem did exist.

Board Member Price asked if a deputy sheriff was charging the Sheriff's Department a monthly travel allowance: In addition to charging $1000 to $2000 for mileage, what would you do in the sheriff's department? Is that double billing?

Dr. Petree said it would appear to him it is.

Board Member Price asked what action would he probably take?

Dr. Petree said not understanding the circumstances; there certainly would be an investigation.

Board Member Price asked if the investigation proved it was accurate would they probably be terminated?

Dr. Petree said it would depend on whether or not the board had, in this case, approved it, and looking at it from the outside, the sheriff's office could not to do anything. Had it not been approved it would be a more serious situation.

Board Member Price asked does the school board have the power to override state law and to allow double billing?

Dr. Petree said he did not understand nor could address state law governing schools.

Dr. Williams questioned what Mr. Hubert Adkins considered the schools situation was the first year she came to the school district; was she given access to the bank by the Board; was access given to any documents in the secretary's room; present when secretary returned safe file that held accreditation and financial documents and if so what did they find; aware that because of the secretary she could not present any information to school board; made board aware from the beginning there were financial problems; during first year of employment did he observe times she worked; did community want the school open; school received approximately $250,000 in federal funds; during board meeting voted to give her a raise when she presented superintendent fair market value salary payment versus the lesser amount she was making; board did not know the depth of the cuts when school came into the black June 28th school?

Mr. Hubert Adkins upon sworn testimony affirmed he was a former president of the Boynton-Moton School Board and when Dr. Williams was first hired by the school they could not tell her how much money the school had. He was not Board member at that time. The board did not give her access to the bank; no access was given to any documents and the file cabinet was empty, but should have had everything Dr. Williams had control over. Mr. Adkins was aware she could not present to board and she told the board there were financial problems. Dr. Williams did a lot of work around school, kept everything going, and was blind to most the things she should have known about. The community wanted the school open and when the community realized the school was in the red the alumni association raised funds to pay schools bills. Federal funds were received. On an average Dr. Williams made $20,000 less than an average school the size of Boynton-Moton. The board knew there would be cuts but did not know what they would be. Mr. Adkins said he wasn't a board member when Dr. Williams was hired but he knew her when she was at another school. He did know she was responsible with money. At the time she was hired he wasn't a board member nor did he know her salary. He did know once she found out what was going on and brought the school out of the red back into black, he felt she deserved a raise.

Ms. Endres questioned Mr. Adkins about when he was a board member voting to give Dr. Williams a pay raise; as a board member felt it important to be aware of budget cuts prior to voting a pay raise and was aware the pay raise was a 151 percent increase; was the pay raise approved on June 28 and did he agree; Dr. Williams made board the aware the state sends allocation notices in July; board presented the fiscal year budget cuts in July, August, and September; aware the approved contract contained a pre-payment clause; aware the total compensation as superintendent the last year was $90,400; during the school's last year of operation how many students were in the district; the drop in enrollment occurred after the pay increase; prior to the increase was there less than 50 students; was he familiar with school finance laws regarding budget preparation and yearly estimations; board aware school district was operating in the black at the end of fiscal year for 2009 due to the help of the community; was the reason school district lost accreditation due having less than $75,000 in the budget, unable to hire two certified teachers and the superintendent's pay raise; board members made aware of the ten percent cap on superintendent pay raises and that her pay raise would exceed the administrative cap for the upcoming school year; was it not her responsibility to provide projections/estimates to board; as a board member was he concerned that she presented a contract requesting a 151 percent pay increase on June 28th, she received the state budget cuts in July, but did not inform the board it was operating in the red until September.

Mr. Adkins responded he voted to give Dr. Williams a pay raise; he did know there would be budget cuts but not how much; the raise was approved in June; yes board knew about the allocation notices; yes the board received some budget cuts information in those months; he was not aware of the prepayment clause; was not aware of the compensation; at one time there was over 100 students and at one board meeting approximately 30 students transferred and also the girls basketball coach left and students followed; enrollment dropped after the board approved the pay increase; there were approximately 100 students prior to the pay increase; yes he was familiar with state aid which was cut after the big transfer of students; yes with the help of the community the district was operating in the black; no to losing accreditation because of the budget, no to being unable to hire teachers or no because of the pay raise; yes board was aware of pay cap and she did not know how many students would be there the next year; she did provide board with all information she knew about; yes the timeline of events would concern him.

Dr. Williams asked witness Mr. Bruce Reed, a resident of the Boynton community, to tell what condition the school was in on her first day as Superintendent of Boynton which was to September 8.

Mr. Bruce Reed upon sworn testimony affirmed when he became involved he wasn't sure it was Dr. Williams first day but it was after his wife was hired at the school cafeteria. At one time he was a board member and became dissatisfied with how the school was being run. He decided to transfer his children to Morris but returned a daughter until the eleventh grade. Dr. Williams spent a lot of her money for the school and he was glad she had taken over. Today he did not know the reason why Dr. Williams was present and could only speak on what he saw at the school. Boynton was falling down years prior to Dr. Williams coming. She worked hard and many hours trying to help hold Boynton together and the amount of money she received was not what closed the school.

Superintendent Barresi said the past financial difficulty of the district under other leadership was not in question today. What was needed are questions directly relating towards the allegations being considered today.

Dr. Williams questioned if Mr. Reed was aware during the year when she earned $36,000, that she put fuel in vehicles for basketball games.

Mr. Reed responded most everything he knew was hearsay. He did hear she bought the diesel but did not see her fuel any vehicles.

Superintendent Barresi asked Dr. Williams to direct question towards the allegations.

Board Member Ford said Mr. Reed was concerned about the condition of the school when Dr. Williams came in. What was the school condition in March 2011 after the two years?

Mr. Reed said he was concerned about the condition of the school before she came to the school, several years before. He said he did not know why Dr. Williams was here and could not speak to that. He could only speak on what he knew and was instructed to speak only on certain things. He had nothing further to say.

Dr. Williams' evidence was submitted with no objections. Upon her sworn testimony she provided her teaching, principal and superintendent credentials and transcripts. She said she was devastated about the allegations and never had any performance questions in 20 years of teaching. The SDE advised against taking the position at Boynton, but she knew the school would close without a superintendent and wanted to help keep staff employed. Boynton's problems were severe and several safety issues occurred against board members and herself. Her time at Boynton was spent working day and night getting the school in the black with the help of the community raising money, alumni donations and her donations. Boynton experienced success that year and the girls the won state basketball championship. She was underpaid as a superintendent according to the superintendent salaries schedule in Oklahoma and she has a Doctorate of Education.

Board Member Baxter asked had Dr. Williams performed a comparison of superintendent salaries of schools with less than 50 students in a district? He said the salary schedule she provided indicates at a small school in Cyril, Oklahoma the superintendent salary is $38,425.

Dr. Williams said she thought the superintendent was a part-time principal and part-time superintendent.

Board Member Baxter said it was disingenuous to compare the superintendent salary of a school with 50 students with a major school district with considerably more students.

Dr. Williams said the information may be accurate for that superintendent's salary but may not reflect everything they get paid for. In June of that year, no bank would work with the school; therefore she personally paid to have lawn care or other things done. This was the reason she requested money up front or in advance.

Board Member Ford said no one would argue there are challenges for superintendents. The first year worked Dr. Williams was paid $36,000 and brought the school into the black with donations and federal money. Knowing there would be budget cuts how did you justify, regardless of your out of pocket expenses, the increase you received? Did you think raising community funds would offset that amount?

Dr. Williams said no. She did not see the appropriations until July which were $726,000. The district had already spent $1,060,000. At that time they were not concerned because ARRA

federal money would be provided which would pay one teacher salary. The job was too difficult for that amount of money, but had she not continued the school would have closed immediately.

Board Member Ford said the school ultimately closed as the audit indicates because of the salary increase.

Dr. Williams said the audit reasons were not her view. There had to be a superintendent. Large cuts in the budget came in September that year and two years prior which are reflected in the board minutes. Part-time math and English teachers had been hired at the high school even with the budget cuts.

Board Member Hayden said in September you knew about the budget cuts. What action did you take in response to the cuts with your income?

Dr. Williams said yes she knew about the budget cuts and watched every dollar. When the math and English teacher walked out she knew they could not afford to hire the…

Board Member Hayden said to be more specific, what did you do in response to your income? You presented a contract which was a significant wage increase for you. In September you knew there was a budget cut. Did you come back to the school board to retract what you presented for your compensation?

Dr. Williams said she acted on the advice from the SDE which was because the two teachers had quit and let the school board allow students to transfer. She did not think of cutting her salary but probably would have in March.

Board Member Hayden asked would you have cut your salary in March even knowing in September there were significant budget decreases?

Dr. Williams said no. She was still looking at the budget every minute and thought the school could make it. What happened to the budget was the $34,000 attorney fee and a $26,000 fee for audit reports.

Board Member Hayden said constitutionally you cannot take cash up front and your administrative expenses cannot exceed ten percent. What is your response to that?

Dr. Williams said at the time she did not think it was a problem. There was $980,000 along with federal funds collected, and compared to only spending $1,060,000 the year before. She hoped that would have gotten the school through the next year.

Board Member Price asked how many administrators versus teachers were there and their pay in this small school district?

Dr. Williams said she was superintendent and had a part-time principal who was paid $25,000.

Board Member Price said the ten percent applies to all administrators including yourself. You were even further beyond the ten percent when the salaries were combined.

Dr. Williams said that is what kills rural schools.

Board Member Baxter asked where does responsibility for this lie? Is the superintendent of schools responsible or the school board who approves the contracts, makes agreements, and agrees to pay employee this amount of money responsible?

Dr. Williams said the responsibility is 100 percent with the school board.

Board Member Shdeed said it is the school board's ultimate responsibility but obviously you had a school board that did not understand information what they were provided. In many areas this can be found throughout the state but it does not mean they should be taken advantage of.

Superintendent Barresi said it is the responsibility of the superintendent to provide accurate information to the board for their deliberation in terms of their capacity as superintendent. While they have a specific fiduciary responsibility to the district as elected board members they must rely on their superintendents to give them accurate information.

Board Member Price and Hayden asked if the alleged violates are components that are included in superintendents' training/certification requirements?

Ms. Endres said page 8 of the Boynton-Moton audit report references and cites the Oklahoma Administrative Code provision as to the requirements and duties of the superintendent. New school board member training does consist of a school finance section for new members as well as for superintendents.

Ms. Endres questioned if Dr. Williams set the board agendas; if she gave financial reports to the board; and as a superintendent was she aware the SDE annually releases school district state aid figures every July?

Dr. Williams responded yes to the questions.

Ms. Endres questioned in June 2010, did Dr. Williams present the board her contract before the figures were known to her. Is that correct?

Dr. Williams responded yes. She had to return to work July 1 since she was rehired.

Ms. Endres questioned if Dr. Williams was able to project the budget amount from one fiscal year to the next and did she personally examine the budget for 2009 when determining her salary, or was it based only on market figures. In looking at the 2009 budget did she determine an $88,000 salary would fit within the ten percent when she presented it to the school board; are you familiar with the Oklahoma Cost Accounting System (OCAS) statutes that indicated the size of Boynton-Moton School district should not exceed ten percent. Is your testimony today that based upon your projected income for fiscal year 2011 you were meeting the ten percent mark when you contracted for $88,000 and when reviewing the temporary appropriations did she account for all administrative personnel, was the $88,000 fiscal year 2011 contract purely for superintendent services? The contract is not comparable to superintendent contracts with services broken down making $100,000. All superintendent services were not in the contract to justify the salary.

Dr. Williams responded she knew there would be a decrease and yes she looked at the 2009 budget. She did know the budget at all times. She was aware of the OCAS statutes and thought she was meeting the ten percent based on the temporary appropriation papers she received. She did not take into account that half the principal's salary but no one knew the cut

would be $200,000. She performed other duties but they were not broken down in the contract. Yes the contract was for superintendent services only; it would have been more comparable because she performed everything.

Superintendent Barresi instructed Dr. Williams to answer were her duties included in the contract.

Ms. Endres questioned was it in your contract that you were doing all these other jobs, the salary was justification for other positions or did your contract simply state that this was the salary you would receive for superintendent services; who wrote the contract and did she consult with legal counsel when the contract was presented to the board; was Mr. Moyer asked specifically to review your contract and did he talk with you; was Mr. Moyer contacted to be present today; would it have been easier to have waited until the July board meeting to present the figures; at the July board meeting did you present the figures; in July or August she knew the budget decreased and it did not occur to her to adjust the contract; was the contract to repay all the things she did for the school and donated that she keeps referencing; was there a process of reimbursement for expenditures; was the contract and pay raise her way of equaling all her expenditures and did you base your contract in your examination of what superintendents make and not on districts with the same number of students and salaries. There is a ten percent cap on administrative costs which is based upon the number of students in the districts. It is obvious to stay within the cap superintendents at smaller schools will have smaller salaries than those at larger schools.

Dr. Williams in response to questions said yes, she wrote the contract and it was presented to John Moyer the school attorney as were all other contracts; Mr. Moyer talked with us but she did not request him to be present today because she could not afford to; she would not have had a job had she waited for the July board meeting; she presented the figures in August before school began; she did not adjust the contract at the earlier time and had donated $43,365 worth of books; the contract was not a repayment but was the fair market value for a superintendent in Oklahoma; the first year she did receive hardly any reimbursements in order to keep the school open; the contract amount is what she believes a superintendent should make; the law does not state with a certain numbers of students enrolled you can only receive a certain amount of money as superintendent; yes there is the ten percent cap; there's not much salary difference only if the superintendent has other duties or its considered part of the contract.

Board Member Price said claiming a $200 car allowance and $1003.40 mileage expense is disturbing when the law states one or the other can be claimed. How do you justify, especially with school district that is having a hard time, double billing them for mileage and car allowance?

Dr. Williams said the first year she traveled to Oklahoma City and Tulsa several times but did not claim the expense. She claimed mileage the second year because there were many trips to the Tulsa based school attorney and Oklahoma City but that her contract states "..car allowance, mileage." Dr. Williams said she was not double billing in order to catch up for the previous year, she was not that kind of person. Only claiming car allowance would not have been enough and she could have done better by claiming the mileage.

Board Member Price said her explanation for claiming both did sound like she was catching up for the first year.

Dr. Williams said that was conjecture. She did her best.

Board Member Ford said the audit referenced that Dr. Williams had been at a school district previously closed. Was the school closed due to financial issues?

Dr. Williams said yes, for some reason that had an effect on why she only received $1.00 on the settlement. It was another school she was trying to help.

Board Member Price said you are claiming $72,000 severance pay from Boynton-Moton. How much severance did she receive from the other school closing?

Dr. Williams said $24,000 take home/after taxes of the 80 percent or $44,000.

Board Member Ford said the audit states she received $44,000 in severance from the state school consolidation assistance fund on the closure of the Liberty School District in fiscal year 2011. To clarify, according to the audit, your salary was $50,000 with a bonus clause of $5,000 if you got in the black. It also states you did receive $44,000 in severance pay.

Superintendent Barresi asked for closing statements

Ms. Endres referred Board Members to page 8 of the Boynton-Moton School District audit exhibit. She said Dr. Williams' fiscal year 2010 contract was not attached to the audit and asked it be admitted to the record.

Superintendent Barresi asked for objections, there was none. The fiscal year contract was admitted as evidence.

Ms. Endres said the Oklahoma Administrative Code carries the same weight and authority as state statute. There is sufficient evidence presented today based upon the State Auditor and Inspector's findings, a review of the records, and the testimony of Dr. Shelbie Williams, that she may have considered part but not all of the administrative costs that go into the ten percent makeup. As a superintendent, she is charged with the duty to make sure the numbers are accurate. As superintendent and leader of the school board she is able to estimate and project her budget and expenditures. What has been presented is a contract that was presented in June with a significant pay increase when there had been reports by the SDE and throughout the state budget cuts would be coming for fiscal year 2010. At that time instead of waiting a month, and maybe on a month-to-month contract, which many teachers at the school district did per the audit report, including the basketball coach/teacher for the entire year, the one person who did have a contract and did not have to take any pay cut was the superintendent. Dr. Williams wrote the contract, presented it to her board, and presented information regarding the budget to ensure she received the money she was requesting. Once the information was in her possession that she had exceeded the OCAS rule requirements, it was then her obligation to make the necessary adjustments needed. She indicated she had hired some teachers but had they quit or were terminated. The audit report findings indicated the teachers could not be hired because there was no money. It would have taken $52,000 of Dr. Williams' pay raise to pay the $75,000 necessary for teachers but instead the money went to the superintendent's salary. At no time, pursuant to her own testimony, did she indicate that she ever thought of adjusting her salary down in order to meet the cost accounting reporting which is a dereliction of duty. Whether intentional or simply negligent, it still amounts to a dereliction of duty, as well as, the Constitution prohibition against 'front paying' which is something that all state governmental agencies know not to do.

These two reasons alone justify revoking the superintendent certificate so that this does not happen to a third school district in Oklahoma.

Dr. Williams thanked Board Members for listening and said Boynton-Moton School District was a hard place to work. At no time did she ever make a plan to try to recoup something but just wanted superintendent's pay for a superintendent's job. This is the most embarrassing thing to ever happen to her. She said I am 61 years old and have worked since I was 20 years old in education. Take your votes seriously. I did not mean to cause harm. That is all.

Superintendent Barresi reminded the Board this is a matter related to revocation of Dr. Williams's superintendent certificate not her teaching certificate. She advised it is the Board's decision to vote on the matter or to continue the matter at a later date for decision.

Board Member Ford made a motion to approve the request to revoke the superintendent certificate and number of Dr. Shelbie J. Williams. Board Member Hofmeister seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Hayden, yes; Ms. Hofmeister, yes; Gen. Baxter, yes; Mr. Shdeed yes; and Mr. Price, yes.

ACADEMIC AFFAIRS

Office of Instruction

ESEA Waiver Overview as it Relates to Reward, Targeted Intervention, Focus, Priority and C^3 Schools, Procedures and Timelines Regarding C^3 and Priority Schools, and the District Determination Review Process

Superintendent Barresi said the SDE was granted the ESEA waiver because of the reforms passed by the Oklahoma Legislature and signed into law by Governor Fallin. We must stay the course on the reforms going forward. Oklahoma law is very clear and as a requirement the State Board of Education shall take action on chronically failing schools. Action would have been taken and should have been taken regardless whether or not the waiver was granted. The advantage of the waiver is it gives the SDE more flexibility to work with all districts. The process presented today is one that was carefully developed to be both objective, fair, and to be judicious. Oklahomans have shown their strong commitment to establishing a quality education system in the state of Oklahoma. There is no reason Oklahoma cannot rank first in the quality of the education we are providing to our students. If we are to meet this commitment we must take action on multiple fronts. A large amount of work is being done at school districts towards economies and efficiencies, and assuring more dollars get into their classrooms. The system of accountability and flexibility that is being extended to districts is part of this effort. This information will be presented in a more deliberative fashion because we think it is critical to celebrate the reward schools. It is important to work with them to identify their successes and to find ways to celebrate and reward schools, and to also duplicate their best practices and transmit that to all other districts.

Ms. Kerri White, Assistant State Superintendent, Office of Educational Support, via video recording, presented an update on Oklahoma's *Elementary and Secondary Education Act* (ESEA) flexibility request approved by the United States Department of Education on February 8, 2012.

Mr. Richard Caram, Director of C^3 Schools, presented the C^3 school district capacity determination (DCD) review process that included the review team selection, representation and criteria, focus areas for DCD, reviewers, district recommendations/reporting, school

identification and intervention options, state monitoring and partnerships, plan and progress implementation, DCD deadlines/timelines, C^3 school recommendations to SBE and turnaround principles implemented 2012-2013 school year. Mr. Caram said review teams were collaborative efforts assigned to sections.

Superintendent Barresi clarified that the March 29th timeline was established prior to the Board members our discussion. We want to be sure everything is fully evaluated and we are looking at a possible special board meeting the first week and no later than the second week of April to assure all information is in, discussions had, and to be ready to bring recommendations to the Board in a timely fashion.

Board Member Baxter asked where does the district superintendent participate in this process beyond submitting the initial capability documentation and the district reform plan. Can the district superintendent indicate concurrence or agreement with a recommended course of action to the Board? How do we envision that will work?

Mr. Caram said the course of action takes place when they are reviewed with the individual schools and district prior to the SBE meeting. There is input which is where the partnership begins of creating a workable plan.

Board Member Hayden commented he is aware the process has caused some angst with different groups. He said the former school board member at Boynton-Moton School that removed his children from there asked "where was the SDE to help this failing school". This resonated with him and that it is what the SBE is trying to do. The word 'takeover' has been said but it is not 'taker over' it is how can we, the SBE, provide additional help and resources to schools that in need.

Mr. Caram said some school superintendents have expressed their angst which is understandable. Now that they have reviewed the process it has given them ideas of what they can do. There are districts doing great things so it is not about takeover, it is about partnership and what the SDE can do to get all districts driving in the same direction.

Board Member Baxter said the whole process will be judged in the light of not what we are doing today or decide in April, but what the result is two years down the road.

Board Members expressed the need for SDE/SBE and school districts to dialog and work in partnership for what is best for Oklahoma students. None of the school districts are surprised about where they are not meeting state criteria. These are not adversarial acts of the SBE nor aggression against the school districts but simply trying to find ways to help the school districts. Hopefully the rhetoric will allow the opportunity to do that. The rhetoric begins the dialog and stars the conversation.

This was a report only and no action was required.

Report on Current Rule Promulgation Tabled

Superintendent Barresi said the item would be presented at the Special SBE meeting, March 5, 2012.

Ms. Kim Richey, Assistant General Counsel, said the public comment period for the rules released in January 2012, has been extended through Thursday, March 1, 2012. Those rules include reading sufficiency, supplemental online, transfer, transportation, and all emergency

rules previously passed last fall. On Friday, March 2, 2012 a new public comment period opens for the rules, including the A-F rules. Comment period for rules just released on Monday will end March 19, 2012, with a public hearing at 10 a.m.

Office of Educational Support

Report on Teacher and Leader Effectiveness Evaluation System (TLE)

Dr. Caram presented an update report on the Teacher and Leader Effectiveness evaluation system (TLE). The three teacher effectiveness and two leader effectiveness models will be presented throughout the state on February 28, 29 and March 1, 2012. Representatives of each model will provide training to school district participants. Prior to the trainings school districts must notify SDE of their selections by April 16, 2012. Dates and times will be provided to Board members.

Superintendent Barresi said multiple platforms and different ways are being sought to transmit accurate information to districts and it is critical they review each model. The system when finalized and active should have a direct correlate to improve academic achievement, and effective classroom teachers will result in improved academic achievement. It should not be dismissed as a something easy to do, it is part of the very critical foundation for schools to use as they continuously improve and move forward. All three models will be available. There is confusion regarding presumptive defaults and defaults. It does not mean after the SBE decides the other frameworks will go away. The word ‘default’ relates to the SBE decisions regarding the distribution of funds for continuing education for professional development should the funds continue to be available in the future with legislative appropriations.

Board Member Baxter asked if the recommendation of the Commission only had to do with the appropriation of dollars to the models?

Superintendent Barresi said the Commission’s recommendation and SBE approval had to do with how those dollars are distributed regarding the professional development of all the models. The initial recommendation to the SBE was a $75/$25 split and the SBE voted to equally distribute the dollars for the pilot year. The SBE agreed at the end of the fiscal year 2012-2013, to reconsider the decision, review the model and system and make a decision. All the models, to clarify, will remain and be available for districts to use. The term presumptive default relates to how the dollars in the future for professional will be distributed.

Board Member Price said to clarify it is not divided three ways between the three systems, it is proportionate to the number of school districts that choose each of the models.

Superintendent Barresi said yes, thank you for the clarification. Funds are distributed based on the average daily attendance (ADM) of each district.

This was a report only and no action was required.

PUBLIC COMMENT

Superintendent Barresi recognized Ms. Ginger Tinney, Professional Oklahoma Educators (POE).

Ms. Tinney's said if the SDE takes over a school do the companies that will manage school(s) have a proven success record at turning schools around and will the contracts, terms, and amounts for the companies be made public?

One part of the waiver states that a school, without prior notice, will be shut down and the students will be sent to surrounding schools that are not on a needs improvement list. Parents are concerned about the "without prior notice part". This would cause a traumatic stop and start into an entirely new environment.

Teachers are concerned if they are in a needs improvement school and doing a good job, but the state takes it over, that they can never work there again and cannot work at a school on the needs improvement list. Will any school not on a needs improvement list hire them, or not hire them because they were at a needs improvement school? This is a career killer. Will teachers being in by the management company be Oklahoma state certified teachers or just teachers they will hire?

Board Member Price said closing a school is a last option.

Ms. Tinney said language within the waiver is "taking over". This is why there are questions of where did 'local control' go.

Superintendent Barresi said the state law passed in 2009 that speaks to this specifically states "the State Board shall". This will take effect whether or not the waiver was in place. The draconian actions described by Ms. Tinney are not part of our philosophy. The lists of options were listed by the United State Department of Education but it is certainly last resort options.

Board Member Ford asked did today's conversation and comments give a level of comfort that the SBE is working towards a partnership to determine what is best for the student.

Ms. Tinney apologized she did not hear the SBE concerns/comments. Teachers feel the climate is very anti-teacher, and anti-throw us under the bus attitude.

Board Member Shdeed said this is not the message the SBE is trying to send.

Board Member Ford said the paper does not convey the SBE commitment and she believes it is the SDE's commitment to determine the best learning path for students.

Board Member Baxter asked said teachers to give us a little time. We are at the front end of a very interesting and thoughtful process, and hopes we are worthy of that for the students, teachers and parents. If we are not, he was sure it would be brought to the Board's attention.

Ms. Tinney said Professional Oklahoma Educators is very committed to what is best for students. We do not want to see local control taken away.

Board Member Hofmeister said as a Board member she is very committed to local control. Every conversation she has had has made her more convinced that there is a desire to have open conversations. She is very interested in hearing from teachers and superintendents, because that helps her know better how to make a decision.

ADJOURNMENT

There being no further business the meeting adjourned at 12:40 p.m. Board Member Baxter made a motion to adjourn and Board Member Ford seconded the motion. The motion carried unanimously.

The next regular meeting of the State Board of Education will be held on Thursday, March 29, 2012, at 9:30 a.m. The meeting will convene at the State Department of Education, 2500 North Lincoln Blvd., Oklahoma City, Oklahoma.

_____
Janet Barresi, Chairperson of the Board

_____
Connie Holland, Chief Executive Secretary

Minutes of the Regular Meeting of the

STATE BOARD OF EDUCATION
WILL ROGERS COLLEGE HIGH/JR HIGH SCHOOL
3909 EAST 5TH PLACE
TULSA, OKLAHOMA

April 26, 2012

The State Board of Education met in regular session at 9:45 p.m. on Thursday, April 26, 2012, in the Will Rogers College High/JR High School Auditorium at 3909 East 5th Place, Tulsa, Oklahoma. The final agenda was posted at 9:30 p.m. on Thursday, April 25, 2012.

The following were present:

Ms. Connie Holland, Chief Executive Secretary
Ms. Terrie Cheadle, Administrative Assistant

Members of the State Board of Education present:

State Superintendent Janet Barresi, Chairperson of the Board
MG (R) Lee Baxter, Lawton
Ms. Amy Ford, Durant
Mr. Brian Hayden, Enid
Ms. Joy Hofmeister, Tulsa
Mr. William "Bill" Price, Oklahoma City
Mr. William "Bill" Shdeed, Oklahoma City

Others in attendance are shown as an attachment.

Minutes of the Regular Meeting of
the State Board of Education
April 26, 2012

CALL TO ORDER AND ROLL CALL

Superintendent Barresi called the State Board of Education regular meeting to order at 9:45 a.m. and welcomed everyone to the meeting. Ms. Holland called the roll and ascertained there was a quorum.

PLEDGE OF ALLEGIANCE, OKLAHOMA FLAG SALUTE, AND MOMENT OF SILENCE

The Will Rogers College High/JR High School ROTC Color Guard led Superintendent Barresi, Board members, and all present in the Pledge of Allegiance to the American Flag, a salute to the Oklahoma Flag, and a moment of silence. Students of Will Rogers led the singing of the National Anthem and provided entertainment.

MARCH 29, 2012 REGULAR BOARD MEETING MINUTES TABLED

Superintendent Barresi tabled the minutes of the March 29, 2012, regular meeting until the May 24, 2012, Board meeting.

STATE SUPERINTENDENT

Welcome

Dr. Keith Ballard, Superintendent, Tulsa Public Schools, welcomed Superintendent Barresi, State Board of Education members and guests to a school that is emblematic of so many things going on today and greatness of the past. The school was built in 1936 and is a national historical registry location. Will Rogers School has produced many authors, musicians, and military leaders and continues to experience its greatness today. The school was a low performing school, became a part of the Project Schoolhouse initiative, and now has affiliation with college programs.

Dr. Ballard introduced Mr. Gary Percefull, President, Tulsa Public School Board of Education; Ms. Paula Wood, Tulsa Public Schools; and Mr. John Gaberino, Tulsa Metro Chamber.

Mr. Gaberino said on behalf of the Tulsa Metro Chamber and the entire business community, he welcomed Superintendent Barresi, Board members, and guests. Tulsa is proud of the public schools in Tulsa and proud the State Board is meeting in a very special place. Since 1996, Tulsa has invested over $800 million in bond funds in Tulsa school buildings. Mr. Gaberino said he was at the meeting because the business community cares about what happens in public education. Approximately 1,600 members of the business community and partners in education are in different Tulsa school buildings throughout the area. The business community supports programs such as Oklahoma Scholars and the college access career readiness coaches program. Tulsa employers have also stepped up to financially support the Teach for America Program and the Tulsa Teacher and Leader Effectiveness initiative to ensure every child has a highly effective teacher every day. We are pleased about the support the Tulsa Teacher and

Leader Effectiveness evaluation framework has received from districts across the state. Mr. Gaberino said on the behalf of the Tulsa Metro Chamber and the 3,000 members we pledge to work with the State Department and Dr. Ballard, his administration, and the McLain educators and families to implement the C^3 collaboration. Everyone wants to help make this partnership work to improve the education offered to Tulsa students. There is room for improvement, and the Chamber will work with the McLain partners in education to offer any assistance possible. We are selfish in this effort. We know we do it because it is the right thing to do, but also because we know that businesses cannot survive much less strive to succeed without an educated workforce. He thanked everyone for being at the meeting.

Dr. Ballard said we continue to be a part of eight schools in the Bill and Melinda Gates Teacher Effectiveness initiative. We were not winners of the big dollars, but we do receive substantial support from the Bill and Melinda Gates Foundation. A group of community supporters for Tulsa Public Schools banded together and pays all the salaries in the Teacher and Leader Effectiveness department and helps to bring various consultants to the district. Dr. Ballard introduced Ken Levit and Annie Van Hanken, from the George Kaiser Family Foundation.

Dr. Ballard introduced Ms. Stacy Vernon, Principal, Will Rogers College High/JR High School. Ms. Vernon began as a Spanish teacher in Tulsa Public Schools and rose through the ranks to head Edison High School. She certainly embraced the new evaluation system and tied professional development to that system. She did not hesitate to come to Will Rogers. Ms. Vernon has undertaken the challenge in an exemplary manner.

Ms. Vernon thanked the SBE for taking the opportunity to see school in action on a regular day. Board Members will be provided facility tours by students and were encouraged to ask questions about their school, academics, and future plans. We have students in Grades 6-10 this year. The middle school students have finished their state testing and are beginning to work on their year-end activities and their final exams. The high school students are in the middle of end-of-instruction testing. She encouraged Board members to talk to the students about what is happening at Will Rogers. The students know the importance of testing. All students have a seven-year plan regardless of which grade they are in so that they know where they are going and they know what they need to do to get there. Students play a big part in their academic experience and that is new for many of the students. The majority of the students came from two middle schools that were closed as part of Project Schoolhouse and consolidated at Will Rogers. Many students that have never thought about attending college or having any kind of education beyond high school are now considering that opportunity. The school is very proud of the fact that quite a few sophomores have been accepted into the tech programs for next year. When we talk about college and career ready, we are talking about the students getting that right now. We are very concerned about our students knowing what college is actually like. We have been fortunate this year to have some partners in the business community and have been able to take the entire sophomore class to visit three college campuses throughout the state.

Information from the State Superintendent

Superintendent Barresi thanked Dr. Ballard for hosting the State Board of Education meeting and Ms. Vernon and her staff for their hospitality at the beautiful historic location.

Superintendent Barresi reviewed Department activities that included: the SDE Digital Learning Summit; future remote SBE meetings at Howe Public Schools and two other school sites; Web-based Civics Education promoted by Justice Sandra Day O'Connor; Tulsa $REAC^3H$ network meetings; State Superintendent's Roundtable; 20-member Leadership Advisory

Council/Board; Classroom Teacher Advisory Board; the SDE budget request; C^3 Schools meetings/MOUs rollout; $REAC^3H$ coaches; State Superintendent's listening tour/school site visits; and SDE rule approvals.

FIRST-YEAR SUPERINTENDENTS

First-year superintendent(s) attending the meeting were Ms. Lori Boehme, Superintendent, Caney Public Schools, and Mr. Scott Chenoweth, Superintendent, Perry Public Schools.

CONSENT DOCKET

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2011-2012 and 2012-2013 school years and other requests:

(a) **Adjunct Teachers – 70 O. S. § 6-122.3**
Weatherford Public Schools, High School, Custer County

(b) **Allow Two School Days in a 24-Hour Period – 70 O. S. § 1-111**
Calera Public Schools, Bryan County

(c) **Cooperative Agreements for Alternative Education Programs – 70 O. S. § 1210.568**
Reydon Public Schools, High Schools, Roger Mills County

(d) **Library Media Services – OAC 210:35-5-71 and 210:35-9-71**
Jones Public Schools, Jones Elementary School, Oklahoma County
Panola Public Schools, Latimer County

(e) Request approval of recommendations from the Teacher Competency Review Panel for applicants to receive a license - 70 O. S. § 6-202

Board Member Baxter made a motion to approve the Consent Docket and Board Member Price seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Hayden, yes; Ms. Hofmeister, yes; Gen. Baxter, yes; Mr. Shdeed, yes; and Mr. Price, yes.

TEACHER CERTIFICATION

Exceptions to Certain Alternative Certification Requirements for University of Tulsa Graduates Approved

Mr. Joel Robison, Chief of Staff, presented an exception request for alternative certification for June 2012 graduate students in math, science, English, history and foreign languages teacher education programs at the University of Tulsa (UT). The Oklahoma Commission for Teacher Preparation (OCTP) does not currently approve these teacher education programs.

Board Member Ford said once the certification is in place this brings those that have already graduated in. . . .

Dr. Diane Beals, Associate Professor, School of Urban Education-UT, said because of exigencies of both state certification and UT staffing issues, UT teacher education program graduates were allowed to apply for certification through the alternative placement program and be exempt from the work experience statutory requirement and Teacher Competency Review Panel (TCRP) by the previous SDE administration. The teacher education graduates must apply for alternative certification, complete a nationally approved full teacher education program, and pass required competency examinations. Future graduates will be approved by UT as staff increases.

Board Member Ford made a motion to approve the exception request waiving the alternative certification requirement. Board Member Hayden seconded the motion.

Board Member Shdeed asked if this will continue or just graduates to date.

Superintendent Barresi said it is graduates to date. This is an exception and as Ms. Beals stated they are taking efforts to correct the issue.

Board Member Shdeed said that is what he understood but wanted to clarify.

The motion carried with the following votes: Mr. Price, yes; Mr. Shdeed, yes; Gen. Baxter, yes; Ms. Hofmeister, yes; Mr. Hayden, yes; and Ms. Ford, yes.

Waiver of Degree Major Requirement for Alternative Certification Approved

Mr. Robison presented an exception request from Mr. David S. Milner to waive requirement for alternative certification. Mr. Milner's degree did not meet the alternative certification requirement. The TCRP determined that Mr. Milner would be a quality teacher and recommends certification to the SBE.

Board Member Hayden made a motion to approve the exception request and Board Member Ford seconded the motion. The motion carried with the following vote: Ms. Ford, yes; Mr. Hayden, yes; Ms. Hofmeister, yes; Gen. Baxter, yes; Mr. Shdeed, yes; and Mr. Price, yes.

Professional Standard Production Report

There were no questions from the Board. This was a report only and no action was required.

ACADEMIC AFFAIRS

Santa Fe South Middle School's Status As Not Being a C^3 Partnership School Approved

Mr. Richard Caram, Director of C^3 Schools, said the SBE requested Santa Fe South Middle School resubmit the district capacity determination document on which they met the required deadline. A panel of SDE staff reviewed/discussed the document, and the group came to a consensus on the ratings. After reviewing the documentation, Santa Fe moved from 10th to 52nd. Santa Fe submitted better information that was well organized. The Santa Fe document consisted of four notebooks, and the review process took six hours to complete.

Board Member Baxter asked how much information was actually submitted in the short period of time.

Mr. Caram said compared to the first document submitted, the second document was contained in four notebooks. An enormous amount of work was done in a very short time.

Superintendent Barresi asked how long it took the team to evaluate the information.

Mr. Caram said approximately six hours.

Board Member Baxter said he appreciated everything that has been done. It must be quite a process to review 2,500 pages of capacity determinations on all these schools. We really have that sort of great analytical capability. It must be a very rigorous effort to evaluate all the information and get the number down to half a dozen schools let alone to try to run a school district and submit the information. As we go forward in the years ahead, can we find a more efficient, economical way for this process? He said he appreciated the fact the SDE looked at this issue again, and the results are great.

Board Member Ford commended SDE staff on this effort in a very short period of time.

Mr. Caram said it was an enormous effort.

Board Member Ford asked if the SDE anticipates having a more standardized approach to the information. Some schools provided little information, and some provided much more information.

Mr. Caram said this is a learning process. There will be many alterations and changes based on what has been done. We had a model from the United States Department of Education (USDE) and other states.

Board Member Ford said she would anticipate it would make the process not only less burdensome on the districts but also on staff.

Mr. Caram said that would be his goal.

Board Member Shdeed said that is exactly what this is – a learning process. We have gone through one round, and it will become much easier and efficient as time goes by. It certainly should. Maybe the fact that Santa Fe South chose not to help initially has taught us all something.

Mr. Caram agreed. We are here to learn at all levels.

Board Member Baxter asked how to proceed. Santa Fe is not currently on the list. We did not add them to the list last time.

Superintendent Barresi said correct.

Board Member Baxter asked if any action was actually required.

Superintendent Barresi said we are advising the Board that the internal recommendation by SDE staff is to move Santa Fe South Middle School to the Priority Level II status and continue to work with the district. It is the official recommendation that the State Board decline

the previous recommendation of moving Santa Fe South to the C^3 list. At the April 9, 2012, Board meeting the recommendation was to add them to the C^3 list, but the Board tabled that action.

Board Member Price made a motion to decline placing Santa Fe South Middle School on the C^3 Partnership School list. Board Member Ford seconded the motion.

Board Member Hofmeister asked had Santa Fe Middle School been informed that they would move and have they had any opposed opinion of being in the Level II group. She said she had no information.

Mr. Chris Brewster, Superintendent, Santa Fe South Middle School, said what was the direct question.

Board Member Hofmeister asked if Mr. Brewster had a comment about that action.

Mr. Brewster said from the onset we have had a contention that we were not in the lowest performing five percent of middle and junior high schools in the state, as we understood the waiver to require for placement within any area on the priority schools list. We are appreciative of the SDE staff's work on the CDC evaluation and concur with the determination. They did an excellent job in a short period of time reviewing an enormous amount of information. Our original contention was that we disagreed with the placement within the list to begin with. Knowing the timeframe between now and August, where letter grades are going to be assigned to schools and that will now cause placement within the list. We do not wish to cause any great difficulties for the Board or the SDE as they work through this process. We will deal with it, as we need to. Our belief is Santa Fe is not in the lowest five percent of academic performance and if not, we would not be a priority school.

Board Member Hayden asked if Santa Fe South Middle School is not on the C^3 list, does another school drop down into the list.

Mr. Caram said no.

Superintendent Barresi said at this time work will continue with the current six schools, looking into the spring test results, and a report will be made to the SBE in the future.

The motion carried with the following votes: Mr. Price, yes; Mr. Shdeed, yes; Gen. Baxter, yes; Ms. Hofmeister, yes; Mr. Hayden, yes; and Ms. Ford, yes.

Superintendent Barresi said we would continue to work to improve this process going forward. It was based on other models, mostly from the federal government. Comments have been received from other superintendents who have submitted information that it was helpful to have an opportunity to step back and reflect with their staff, faculty and board and to look at the overall functioning of their district and they are taking specific actions to improve from there.

Board Member Ford asked if the Board would receive updates about the other partnership schools.

Mr. Caram said yes. He will meet with schools.

Superintendent Barresi said SDE staff has been visiting with community advisory boards, forming more community advisory boards, and working with superintendents. We are at various

stages with each of these schools and working very hard to get plans under way. We will continue to provide the Board updates.

Board Member Price said that maybe the best benefit is not that certain schools were rated, but the self-evaluation of schools caused their own improvement. He asked if that had been Mr. Caram's observation.

Mr. Caram said absolutely. He had conversations with seven superintendents that went through this process this week. One topic of conversation was what the schools have implemented and been working on and how can the SDE help.

Superintendent Barresi said now that the list is set we will move forward. The Board will see an intense involvement with the C^3 schools and with the Level II schools. They will have a greater presence of the SDE and be in contact with the SDE and working with them in reviewing data, specific professional development for teachers and for their leadership. Most of the Level II schools have received a School Improvement Grant, and their work is ongoing as well.

Office of Educational Support

School Improvement Grants (SIG) 1003 (g) Approved

Ms. Gina Scroggins, Director, School Turnaround, presented a request recommending School Improvement Grants (SIG) 1003(g) to three schools. The *Elementary and Education Act* authorizes the school improvement grants. This grant provides additional funding and resources to turn around schools. To date, Oklahoma has been awarded three SIG grants from the USDE and subsequently is able to award sub-grants to districts and schools. Currently there are 11 SIG schools and approximately $56,000,000 has been awarded. Some of the benefits of the grants include increased support to schools through the school support teams, improved teacher effectiveness, job embedded professional development, increased learning time is another component of the grant, and increased teacher collaboration time. To date the impact of SIG is that 7,000 students have been impacted by the SIG funds in both elementary and secondary education schools, including one alternative charter school. The local education agencies (LEAs) try to accurately place the teaching population with the student population as well as ensure there is a diverse and appropriate curriculum for the students. In addition these teachers are being trained and educated in job embedded professional development that addresses cultural differences, learning styles, and student engagement in order to meet the diverse needs of the students. The majority of students are economically disadvantaged and within that encompasses students that are English language learners (ELL) and also students on IEPs. The SIG grant has afforded supplemental teachers to help support these students, additional ELL assistance, and increased learning time. The purpose of the data is to identify and target the needs of these students. The third competition for the SIG has been completed. According to the USDE, Oklahoma is being noted as the first to apply for SIG funds using the new priority schools definition, and USDE is very excited Oklahoma is leading this effort. The total funding award for this cohort is just over $5,300,000. This award is being made available through remaining SIG funds. This competition began four weeks ago. Sixty-six schools were eligible, and of the 66, six actually applied for the grant. Three of those schools are recommended for the grant.

Board Member Ford asked was the low number of applicants that were eligible because of the timeframe or the time of year.

Ms. Scroggins said she could only speculate as to why the number was low. Initially, there were 30 applicants that responded and sent in a letter of intent and attended multiple

videoconferences and webinars, but when the deadline came, there were six applicants. The reality is this grant is providing less funding than what this grant has provided in the past. The initial grant award was $33,000,000, and this grant is $5,000,000. From the beginning of this process, schools were aware the grant award would only be between one and three. The USDE recommended only one school be awarded. Generally, these schools receive $6,000,000 over a three-year period, but we know there is a greater need in Oklahoma and are happy to be able to award three grants based on the funding amount provided to Oklahoma.

Board Member Baxter asked when was the SDE aware issuance of grants would be allowed.

Ms. Scroggins said a day or two within the first videoconference on March 21, 2012.

Board Member Baxter asked when were the applications due.

Ms. Scroggins said applications were due April 20, 2012, to the SDE.

Board Member Baxter asked what date the decision was made.

Ms. Scroggins said grant reviewers had three days to review.

Board Member Baxter asked what drove the date that the decision had to be made.

Ms. Scroggins said the USDE.

Board Member Baxter asked if the SDE could not have requested more time.

Ms. Scroggins said more time was requested. What is different about this competition from the previous competition is that there seems to be a sense of urgency for pre-implementation. If awarded today, the schools could begin to implement by the next Monday. The schools will receive their funding as soon as the draw down is received from the USDE, and they can begin securing external providers, securing personnel, and begin planning for their professional development this summer.

Board Member Baxter said his biggest concern is that we give the schools every minute of the time possible. Six out of 66 does not make any sense. This is free money.

Ms. Scroggins agreed. There is a lot of work involved in writing these grants. The grant readers were provided training on the requirements of the SIG grant. Grant readers were made up of SDE personnel, Title I committee practitioners, school support team leaders, and district personnel. The grants were read three times each. The applicants had to score a level three on a rubric that had a level of one to three. If all schools were determined eligible, then a second set of criteria had to be used. In addition, the LEAs must demonstrate the greatest need for funds and the strongest commitment to prioritize SIG in their school. The following LEAs have demonstrated they will use school improvement grant funds to provide adequate resources and related support to each priority school identified in the LEAs application in order to implement fully and effectively the requirements of the SIG grant. State Board approval is requested to award the schools the 1003(g) School Improvement Grant: Shidler Elementary School and Roosevelt Middle School, Oklahoma City Public Schools, and Butner Elementary School, Butner Public Schools.

Board Member Hayden asked which three were not selected.

Ms. Scroggins said Grant, Marcus Garvey, and Clayton.

Board Member Baxter asked where is Butner located.

Ms. Scroggins said Butner is located in Seminole County.

Board Member Ford asked the size of Butner School District.

Superintendent Barresi said there are 226 students in the elementary school.

Board Member Price said he was curious about the criteria. How was this judged? Are the reforms more important than the amount of money? How successful have these grants been in turning around schools?

Ms. Scroggins said the first cohort is about to complete their second year of the grant. Most research states it takes more than the three years to see turnaround efforts. There has been tremendous improvement in the schools with external providers, with data, and the protective teacher collaboration time. Many changes are occurring. Two of today's nominees are current SIG awardees. The criteria for the rubric are very straightforward. It is specifically the requirements in the grant that had to be addressed. If the reviewers had questions about any of the information, they were asked to write comments and then follow up with the school districts for clarity.

Board Member Price said he presumes Shidler and Roosevelt had previous grants. Is that correct?

Ms. Scroggins said not those schools. The district has other schools with grants.

Board Member Ford made a motion to approve the request and Board Member Hofmeister seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Hayden, yes; Ms. Hofmeister, yes; Gen. Baxter, yes; Mr. Shdeed, yes; and Mr. Price, yes.

Changes to Tulsa's Teacher and Leader Effectiveness (TLE) Observation and Evaluation System Approved

Ms. Kerri White, Assistant State Superintendent, Office of Educational Support, said in December 2011, the Board approved the processes for implementation of the Teacher and Leader Effectiveness (TLE) evaluation instrument. One of the components of the process was that any modification to the framework itself would be brought before the SBE and the likelihood the change would improve student achievement demonstrated.

In January, the SDE was approached by the developers of the Danielson framework with such a proposed change that was brought to the Board in February. It included a two-year refereed research study that was conducted on the new instrument with the changes made to determine whether it was likely to improve student achievement. The Board did approve that change in February.

In March the SDE was approached by the developers of the Tulsa framework with a change request, so we began collecting the data on what is the research base behind that decision and what led the developers to make that decision. The SBE has received information regarding the request from Tulsa Public Schools to make changes to the Tulsa TLE observation and evaluation system.

Ms. White said she wanted to draw the Board's attention to the implications of the modification to any framework. Particularly a few calls were received from districts after today's agenda was posted wanting to know what this meant for them because they just selected this model, and they asked what is the change. Those districts have been assured that the change that is being proposed is a change that would not drastically modify the overall model in such a way it might change a district's decision. However, we have also encouraged districts to understand that if they do change their decision on what model they want to use based on a modification, that would be possible, but we do not expect that to be likely.

Ms. White reviewed the proposed changes to the Tulsa rubric and an explanation of those change and the research brief provided by Tulsa Public Schools regarding the validation studies. When those two attachments were received at the SDE, there were questions about the two studies that were referenced since the studies themselves were not included in the packet. We requested those two studies. There was some confusion in the conversation, and Ms. White apologized for any misunderstanding she had regarding what the research base was. We believed that we were directed to the Gathering Feedback for Teaching Study, which was part of the Measure of Effective Teaching Study (METS). This particular study was not the research base behind the decision, but information was gleaned from the particular study that informed the general practices of fair assessment.

Board Member Ford asked if the Gathering Feedback for Teaching Study was used as an outline.

Ms. White said her understanding was that it was for general background information but was not the basis of this particular decision. We could not find the direct connection between this study and the proposed change, which is why additional information was requested in trying to determine the rationale or research base for this proposed change. Board members also had for review general background information, a horizontal bar chart comparing some indicators from the Tulsa framework with some overall value added research from the Tulsa model, and data charts. The information that is primarily data charts is not refereed research studies, or at least we have not seen that evidence.

Board Member Baxter said did it occur to anybody at any time to stop sending emails back and forth. This information was submitted on March 28, 2012. Why did we not sit down, have a discussion, and talk about this until everyone understood this the same way? Why are we sitting here in this awkward situation when this could have been resolved early in April? Why does the process work the way it does?

Ms. White said because of several factors. This was not a contentious conversation back and forth. We were asking for information. There were many phone conversations and emails in the process. We believed what we were asking for was understood and information was being collected. It has been an ongoing conversation.

Board Member Baxter asked what does the SDE need now to be happy?

Ms. White said she wanted to make it very clear that there is no judgment being made about the quality of the research or the conclusion of Tulsa Public Schools. The information, when Danielson brought their research forward, was a nationally recognized two-year refereed research study. We are not requesting that Tulsa do a two-year study. We just want to make certain the research base is a valid research study and because we have not seen a published study. Data charts are available, but there is no determination yet that the research methodology was a solid methodology.

Board Member Baxter said Tulsa is not able to explain that to the satisfaction of the SDE. Do you think they are making up the charts rather than based on research?

Ms. White said no, she is not a statistician nor a quantitative researcher. In looking at the information, there were connections that are probably good solid connections.

Board Member Baxter asked if this information went to an expert in the SDE that does that type of analysis. He asked Ms. White how she applied the judgments if she lacks the skill set that she believes is needed.

Ms. White said if we had a published report of the study that had been refereed, we could easily say a research committee said it was valid research. If we had the study, and it had not been refereed, it could be submitted to a university research committee to determine if it was a valid methodology for research. A quantitative researcher could determine if it was vetted and a quality research study.

Ms. White said for the Danielson framework the information was provided to the Teacher and Leader Effectiveness (TLE) Commission first. The process that was approved does not require the TLE Commission to approve a modification but for the SBE to approve a modification. The TLE Commission did not make an action on Danielson's framework.

Board Member Ford asked where does the TLE Commission stand on this issue. She said she was frustrated because the SBE received information regarding this issue on a very short timeframe. She said she would like to see information that has gone through and been vetted by the TLE Commission and then submitted to the SBE.

Ms. White said for the Danielson framework the information was provided to the TLE Commission first. The process that was approved does not require the TLE Commission to approve a modification, but for the SBE to approve a modification. The TLE Commission did not make an action on Danielson's framework, but the information was provided to them. Because they did not take action and there were no comments received from TLE Commission members, the SDE brought that to the SBE with the assumption that was moving forward in a proper direction. Since the time of this request from Tulsa, there has not been a TLE Commission meeting. The next meeting is scheduled for May 3, 2012. Some documents have been provided to the TLE Commission. The most recent documents we have received were not forwarded to the TLE Commission, but those documents could be shared.

Board Member Ford asked what is the responsibility of the TLE Commission as it relates to the SBE.

Ms. White said their primary responsibility is to make recommendations to the SBE and to give oversight to the implementation process. There are several items outlined specifically in the law. Modifications to the framework is not listed in statute as a responsibility of the TLE Commission, and that is not a responsibility the TLE Commission indicated they wanted to keep when they made that recommendation. The recommendation from December was that it would go straight to the SBE and would not necessarily need to come back to the TLE Commission.

Board Member Ford said when they are silent, is the SBE to assume the TLE Commission approves.

Board Member Hayden said he understood it was up to the SBE.

Board Member Hofmeister asked information was submitted to whom.

Ms. White said all research universities in the state have internal review boards.

Board Member Shdeed said Tulsa wants to change their model. At the SBE meeting several months ago, the Board agreed to look at three models and give the process a year. Is that correct?

Ms. White said the SBE did approve all three models recommended by the TLE Commission.

Board Member Shdeed asked why Tulsa cannot make a tweak to their model. It is not a major change and does not affect the outcome.

Ms. White said she was not opposed to and had not made a judgment on the conclusions that Tulsa came to, but her role was to provide the SBE information regarding if the change was likely to improve student achievement. She said she did not feel she had enough information to make a recommendation to the SBE based on that factor.

Board Member Shdeed said it is still during the one-year test time and in fact Tulsa is responsible for their program that they present to the SBE.

Ms. White said the SBE is responsible for approving a modification.

Superintendent Barresi said the SBE should expect continuing requests for changes based on ongoing research for all three models. Danielson and Marzano have been established for so long they do not make many changes. Tulsa is in the second year for full implementation. She said she anticipates more of those requests in the future. That is not a judgment of good or bad. Staff was instructed to set up a process to review the requests for changes, review the research, evaluate the research, and independently validate the research if possible. We are fully aware that may not be the case for Tulsa. It is not a judgment statement. This is very high stakes. This has to do with employment and whether or not a teacher is hired, fired, promoted, or receives performance pay. She said we want to set the best standard going forward. We fully recognize this needed to be taken to the TLE Commission first. That was done with Danielson, and it was not an action item because they are not required to approve.

Board Member Baxter said the TLE Commission recommended to the SBE that the Tulsa model be adopted as the model for the state of Oklahoma. In the process, the SBE established going through the evaluation process for a year, and part of that SBE decision was that the Tulsa model is the presumptive model for Oklahoma. Unless something drastic happens, that will remain true. A large number of school districts have chosen the Tulsa model. This change is not a major change to the model. At the end of the year, we agreed we would look at all three models. The TLE has already made their recommendation, so it is up to this Board.

Board Member Ford said she agrees, but she has hesitation about approving a modification that has not been presented to the TLE Commission. The TLE Commission made a recommendation that the SBE agreed with. The information provided is a summary that we need additional data to support. Can that be done? Are we just looking at a timing issue?

Ms. White said when the SDE asked for the study, the summary of the study was submitted. She has not seen the methodology piece. Either the methodology can be submitted to

a researcher to determine if the methodology is appropriate with appropriate conclusions. If that has been done the information could be included the study itself.

Board Member Ford asked if the methodology been requested.

Ms. White said we thought we were having that conversation and communication, and as of yesterday the actual studies had not been received, just the summaries of studies.

Board Member Baxter asked Ms. White if she is not confident that Tulsa is accurately reflecting work that has been done

Superintendent Barresi said statute requires verified research based models and that means verifying the study not just a summary of the research. We are not trying to be difficult. We have simply set a standard for approval that in the future will be brought to us by all three models. We are trying to work with Tulsa so we can fulfill the requirements of the law and meet the standard.

Board Hofmeister said she would like to hear what those changes are.

Board Member Hayden said the amount of research and the supporting data should be based on the material being changed. If it is a minor tweak, it should not take much research. If it is a major change and overhaul to the program, then it should. We need to base our request on documentation and research to the level of the decision we are trying to make.

Ms. Jana Burke, Tulsa Public Schools, presented and reviewed the requested changes to the Tulsa evaluation model. Changes include removing Indicator 6 dealing with the physical environment of the classroom that has minimal correlation to student achievement. We are replacing this one indicator. There will still be 20 indicators. One factor that had been within another element of the evaluation rubric was not given the special attention it was due. Indicator 19 focused on three types of relationships: a teacher's relationship with students, a teacher's relationship with adults, and a teacher's relationship with parents. One element in Indicator 19 was removed and made a new indicator. There are several non-substantive changes similar to those made by Danielson. We did not change the substance; we simply made improvements. Ms. Burke said she does not think the changes require a refereed research study. We have external studies compared to some evaluation systems that do not that the TLE Commission approved. Those evaluation research studies were provided to the TLE Commission. The reason for this type of process is to strengthen measures. Danielson looked to research and input from the field when making changes. Tulsa does not think Danielson was put through the same amount of scrutiny as Tulsa, especially when the change to the Tulsa model has to do with whether or not you evaluate a teacher's physical environment. Several stakeholders were involved in the update. When the link between physical environment of a classroom and student achievement was measured there was a correlation of .03. That is compared to an overall average correlation in the district of .23. Indicator 19 evaluates teacher's interaction with students, colleagues, and families had a correlation of 1.7. None of the MET validation studies have been conducted by Tulsa Public Schools, which distinguishes Tulsa from one of the three models approved by the SBE. The University of Wisconsin gave Tulsa an extra opportunity to validate their protocol. The law does not require a validation study of any provider be authorized and to have an update made. The law requires a study be research based. Wisconsin looked at Tulsa's valuation data. One is being used for information purposes and one used for high stakes setting. The district also has value added modeling. The overall correlation was at .23, which is completely in line with national models. Some non-substantive changes were made to the model

to clarify and simplify indicators. The formatting was improved. All changes to the model have been presented to the SDE since March 28, 2012.

Board Member Baxter made a motion to approve the request and Board Member Hofmeister seconded the motion.

Board Member Ford asked if the motion was a full motion to approve the changes to the model.

Board Member Baxter said yes.

Board Member Price asked if there would be an objection to a provision that we would at least approve it today and have it presented to the TLE Commission, as it should be, and to provide any data that may be missing by the next meeting. That would be an amendment to approve it today but to have those two provisions. The TLE Commission is supposed to look at it at some stage. Mr. Price said he understood the need to approve today because the training needs to be done. We should at least try to follow the law in terms of presentation to the TLE Commission for their evaluation and thoughts.

Board Member Baxter said he did not have an objection, but as he understands, the Danielson change was presented to the TLE Commission; they did not respond, so the SBE assumed that everything was okay. He asked Mr. Price if that was what he was suggesting.

Board Member Price said he was suggesting that all of them should go back to the TLE Commission and at least have them review any changes in any of the programs.

Board Member Baxter asked Mr. Price if he thought having the TLE Commission look at all the models again would be useful now or toward the end of the one-year trial period.

Board Member Price said what is critical is by the end of the year. If they are meeting on May 3, 2012, the TLE Commission could do it then.

Board Member Ford said her fear is that if the SBE moves forward and then the Commission reviews, does not like the changes, and wants to make a change, that would put the SBE in the position of deciding whether to do that. There needs to be a protocol on how we handle these kinds of items. They should go to the TLE Commission before they come to the SBE because that is their task. No reflection on today or the Danielson model. We do need to set a protocol on going forward about how we are going to address these issues so the SBE is not caught with the TLE Commission coming behind us.

Board Member Baxter said he was under the impression that the TLE Commission declined to have that responsibility or role, and it was not required in law. He asked if that is what Ms. White said.

Ms. White said the recommendation the TLE Commission made was that all modifications would have to be approved by the SBE. That recommendation was silent on what role they would have in the process. The modification to the Danielson model was not presented as an action item to the TLE Commission because it did not require a recommendation. The TLE Commission did not meet after the SDE was contacted by Tulsa regarding this modification. The next Commission meeting is not until May 3, 2012, and we were trying to move the process through. The information was provided to the Commission on the Danielson

framework. Information was provided by email to the Commission regarding the Tulsa modification.

Board Member Baxter said so in fact this was never considered in any way by the Commission, the Danielson model. Is that correct? It was never considered or on the agenda as a matter of open meeting. It was not an action item. What was it and did the SBE vote on this? What happened?

Ms. White said it was on the agenda as a presentation. At that meeting there was not a quorum: therefore, there are no minutes of that meeting.

Board Member Baxter said therefore, there was no meeting. The TLE Commission is subject to the Oklahoma Open Meetings Act and never met to consider the Danielson update. Is that true?

Ms. White said that was correct.

Board Member Baxter said why all of a sudden do we want the Tulsa model to be done that way? If the information could be sent to the TLE Commission by email and then report that the Commission considered it and did not have any comment. That was not what happened. The TLE Commission is subject to the Open Meetings Act. They have rules, and they have an agenda. If they do not meet, Danielson cannot be given credit for having an approved update. That is just not true.

Ms. White said with all due respect it was not her recommendation that it go to the TLE Commission. One of the Board members made that recommendation.

Board Member Baxter said he was not asking how or whether it went. It was not considered, was it? The Commission never received a briefing other than by random email. Charlotte Danielson did not brief her update to the TLE Commission.

Ms. White said Charlotte Danielson did provide a presentation. Because there was not a quorum at that meeting, the recording of that meeting was made available to the Commission members who were unable to attend the meeting.

Board Member Baxter said the TLE Commission has never met in a session governed by the Open Meetings Act and considered a briefing by Danielson or had any discussion, or have they?

Ms. White said the distinction is by definition of Open Meetings Act. She deferred to Ms. Lisa Endres, General Counsel, regarding what can be said happened in that meeting where there was not a quorum.

Superintendent Barresi said there was a membership of people within the Commission. There simply were not enough members present to establish a quorum. The information was presented.

Ms. Endres said when a meeting is called and there is no quorum present, the members that are present can hear information. It would not be considered a formal meeting. It would not be recorded as a meeting. There would be no recorded minutes. The item was not an action item, which was the only reason it was allowed to be presented. Had it been an action item at the TLE Commission meeting, it would have been a violation of the Open Meetings Act to hear.

It was not on the agenda as an action item. It was for information only. The Webinar was provided to the TLE Commission members.

Board Member Baxter said he had confidence in the TLE Commission, but we want to change the rules in the middle of the year.

Board Member Ford said she did not think the rules were changing. She said what if the TLE Commission does not like the changes that the SBE approved. Then the SBE is in direct odds with the Commission. She said she thinks the Commission has a history and been sitting long enough to understand the models.

Board Member Baxter said but at the same time, they have not opted to take this area of responsibility. Perhaps we should ask them if they want to.

Board Member Ford said they have not opted to approve the changes. The SBE approved the model. The Commission has tasked the SBE with approving the changes. She said she understood the Commission has not declined to review and offer suggestions or comments on these changes.

Board Member Baxter said but we do not know that because there has never been a meeting of the Commission where this . . . He asked if Ms. Ford would be comfortable suggesting the Commission look at all the models and changes the SBE has approved before the one year period is over and see if there are any questions.

Board Member Ford said she was not. It is difficult to approve something and then have somebody come behind that has a depth of knowledge to say that was a mistake. She said all she was asking is in the future the Commission review the changes. It is no reflection on the change that Tulsa has asked to make and no reflection on the Danielson model. She said she was trying to lay a process out so as we move forward through the years there is a clear understanding. That understanding would be that when something is sitting before the SBE for approval, that it has been vetted through a Commission that is statutorily in place for that depth of knowledge.

Board Member Baxter said that makes sense. He said you set the process then implement the process. You do not try to implement the process before it is established. He said the Danielson update took about 40 seconds, and he did not recall any talk about the TLE Commission having to bless all that. It is the responsibility of the SBE not the TLE Commission. If they want to advise that is good.

Board Member Ford said she wants a clear understanding going forward that when something is sitting in front of the SBE that is a request on the TLE because it is such an important aspect of the reforms that we have put in place, that it has gone through the TLE Commission.

Board Member Baxter said he was going with that. He said he is also mindful of the fact that the TLE Commission does not ever meet. The last two meetings have not taken place and so he does not want to be part of a cog that slows anybody's process. Tulsa is getting ready to train right now. He said he does not want to wait and see if the TLE Commission is going to meet or has a quorum.

Board Member Ford agreed.

Board Member Price said that is the reason why as an amendment to General Baxter's motion let the SBE approve this today so the training can move forward, let us have a provision in which all plans need to be presented to the TLE Commission sometime before the end of the year and that any data that any of the plans need to provide to the SBE, need to be provided.

Board Member Baxter said then we are signing up for a solution that could be that there could never be enough data to justify a vote.

Board Member Price said we are voting today to approve. Mr. Price's question was will General Baxter approve the amendments which is that any data needs to be provided to the SDE, and the TLE Commission should review any changes before the end of the time period.

General Baxter said he does not understand all the numbers, and he does not know who is telling the truth and who is not. Does the law require a refereed study or not? This is intuitive. Tulsa wants to throw out the part about messy classrooms and place more emphasis on teacher/student relationships. What are we arguing about?

Superintendent Barresi said she could guarantee that even after the trial year, the SBE will continue to have requests to change the model on all three. A process was set up early on for approval of those, and the TLE Commission is an advisory commission to the SBE. We believe it is important in the vetting process for them to receive the information and to bring the information to the SBE for approval. No, we do not require refereed research studies. That is simply part of the industry standard. The fact that Danielson went through a two-year process, refereed and independently evaluated is great. It was very easy to move forward and bring before the SBE. It is in no way a comment on the quality of the research for the Tulsa changes. When the data and information was received from Tulsa, most of it was in narrative form. In an attempt to be as thorough as possible and follow a process, we simply asked for the research articles. Instead of waiting for a TLE Commission meeting, but in respect for Tulsa and their model, this was brought before this decision making body. She said she did not think one way or the other the training that is about to begin will be affected.

Board Member Baxter said they said it would and they are the ones who have to do the training.

Superintendent Barresi said well, there is a difference there. Nevertheless in respect to Tulsa and their model, we bypassed the TLE Commission and brought it before the decision making body. The process used for both models will continue to be pursued. It is very important. The changes are not a minor issue because it is the way the model will look forever. We need to be as careful as possible every single model is treated as equally as possible. We will continue to move along and set high standards for the models because they matter, because this is about effective teachers in classrooms and student achievement.

Board Member Price said it is a distinction without a difference. If we approve the model today and we are not affecting the teacher training, but simply putting out a general policy that the TLE Commission should before the end of the year review this because that is their job. Any data studies should be provided. We may have violated a policy in that we did not have the TLE Commission meet and have a quorum, but we do not want that to be the norm going forward.

Board Member Hayden said he appreciated Superintendent Barresi's comments on the process. There has to be some kind of a process, but consideration given to detail and research based on what was asked to be changed/modified. He said there does need to be a process, and it is high stakes. This SBE makes decisions every Board meeting on high stakes issues that will

affect education. Everything is high stakes, but we are appointed to make those kinds of decisions. It is fair for the SDE to request the information and give a presentation on what has been requested and what their opinion is on the materials provided, and for Tulsa to present on their model and we make a decision as a Board which is what we do regarding everything else. We may decide something presented does not have the research and as a Board, we may ask for more information and table a decision. He said he did not need the TLE Commission to make all those decisions because it is only a three-year body.

Board Member Baxter said he would accept an amendment that called for approval of the update and the review of all changes by the TLE Commission prior to the end of the one-year period prescribed by the Board for evaluation of the models. He said he would not accept an amendment that includes an undefined data call for research that is not required by the law.

Board Member Price made a motion to amend Board Member Baxter's motion to approve the modifications to the Tulsa model, and that this change and all future changes be presented to the TLE Commission for review prior to the end of the pilot year. Board Member Shdeed seconded the motion.

Board Member Hofmeister asked if it was an academic year. When does the year end? Is it the school year end or the end of . . .

Board Member Price said the end of the pilot year.

Superintendent Barresi asked if General Baxter would accept the amendment.

General Baxter accepted the amendment to the original motion.

The motion carried with the following votes: Mr. Price, yes; Mr. Shdeed, yes; General Baxter, yes; Ms. Hofmeister, yes; Mr. Hayden, yes; and Ms. Ford, yes.

Update on the Teacher and Leader Effectiveness Evaluation System (TLE)

Ms. Alicia Currin-Moore, Executive Director, Teacher and Leader Effectiveness, gave a brief update on the work of the TLE Commission and school districts across the state as data collection continues regarding the frameworks school districts have selected

April 16, 2012, was the deadline for districts to provide information to the SDE regarding their selection of the teacher framework and leader framework. As of April 20, 2012, 464 districts had responded to the survey and 66 non-responding districts. One district selected the Danielson model, 44 districts selected the Marzano model, and 419 districts have selected the Tulsa model. The total number of administrators that need training is 2,471.

Ms. Currin-Moore gave some background information on the leader frameworks selection. The statute provides for an exception. Superintendents of independent or elementary school districts, superintendents of area school districts who shall be evaluated by the school district board of education, will be evaluated by the board of education, and all others will use the administrator framework models. We interpreted that statute to mean the district can meet an exception therefore not needing to select a leader evaluation model. If a district has a superintendent who is also the principal of the school and there are no other leaders in the district, there is no need for that type of district to select a leader framework. Because of that, fewer districts provided information on leader models because some districts qualified for that

exception. The total of responding districts for the leader model was 419, and of that number 404 selected the McRel framework and 15 selected the Reeves framework. There are 1,026 administrators who need training, and 1,007 need the McRel training and 19 that will need the Reeves training.

Board Member Ford asked about the districts that did not respond.

Ms. Currin-Moore said she was making phone calls to those districts. Some districts have tabled these issues until their upcoming board meetings. Information was provided through a superintendent listserv, and some districts, because of personnel changes, were not on that list.

Board Member Price asked how districts plan to implement the models. The Gates study indicated more than one session needs to be reviewed, and videotaping was emphasized. He said he was convinced that regardless of how fine the model, without videotaping multiple sessions you cannot sustain doing coaching the teachers that need to be coached, disciplinary actions cannot be done and sustained, and outstanding teachers cannot be rewarded as effectively. He said he would encourage videotaping rather than an administrator just walking in and watching part of a classroom and then having their opinion challenged.

Ms. Currin-Moore said there is actually an RFP in the process of being distributed for training for the Marzano, Danielson, and Tulsa model, as well as the McRel and Reeves model. Part of the RFP requires a certain level of training hours and certification assessment. That certification assessment will have a written examination portion to provide a basic foundational understanding of the framework, and there will be a video portion the evaluators will score using the new rubric and match that against master evaluators. The combination of the two scores will create a certification**.** Their framework must certify an evaluator in Oklahoma**.**

This was a report only and no action was required.

Update on Achieving Classroom Excellence (ACE) Graduation Survey Results

Ms. Melissa White, Executive Director, Counseling/ACE, presented an update on the Achieving Classroom Excellence (ACE) graduation survey results. The results of the survey indicate 93.3 percent of seniors are on track to graduate.

Board Member Ford asked how many have not reported.

Ms. White said 121.

Board Member Hofmeister said that seems like a large number.

Board Member Hofmeister asked if that is the number of schools or districts.

Ms. White said districts.

Board Member Hofmeister said over 100 districts have not submitted information.

Ms. White said yes.

Superintendent Barresi said the survey is voluntary. We are trying to keep track of where we sit as a state.

Board Member Hayden said we are still at 93 percent.

Ms. White said yes.

Board Member Hayden said it is amazing the number has not moved since last meeting.

Board Member Hofmeister asked why the number has not moved.

Ms. White said because the number of students added that are graduating seniors versus the number missing has stayed consistent. The average is still 93.3 percent.

Board Member Hofmeister asked how many students are not on track to graduate.

Ms. White said 2,040 students from the reporting districts are not on track to graduate.

Board Member Hofmeister said districts have reported 2,040 students, but we do not know about the remaining 100. The number could be larger.

Board Member Ford said the number could be any number. There are a number of districts at 100 percent.

Ms. White said in November the number was 6,000 without all districts reporting. Now the number is 4,000 less with not all districts reporting.

Board Member Ford asked if there was concern there might be reporting errors.

Ms. White said an email was sent to all superintendents of districts not reporting.

Board Member Ford asked if the districts provide information about the number of students that have looked to the alternative tests and projects.

Ms. White said the actual survey asked questions about missing EOIs. There were not specific questions about alternative tests.

Board Member Hofmeister asked when does the spring testing window close.

Ms. White said May 4, 2012.

Board Member Price said people tend to wait until the last minute. How much would this number decrease, and what feedback has been received indicating a student has tried everything and it did not work, or we have not tried different things? What is a typical response from the school districts that do not have 100 percent?

Ms. White said there was an open testing window in December. From November to now, it looks as though the number has dropped significantly with the open testing window. There is currently an open testing window.

Board Member Price asked if the number would go down half.

Ms. White said it is hard to know.

Board Member Price asked is the excuse that they have not tried the projects or the testing, or is the excuse that they have tried everything and it has failed?

Ms. White said both. Most of the time, when talking about options, there is typically an option someone has not considered, and when they do pursue an option, it is a success.

This was a report only and no action was required.

Update on Achieving Classroom Excellence (ACE)
End-of-Course Projects

Ms. White gave an update on the ACE end-of-course projects survey that was due April 1, 2012. It has been reported that 251 students have attempted projects, and 63 of those have completed projects, 163 are still in progress, and 25 have quit the project or showed proficiency some other way. Some students attempted more than one project.

Board Member Ford asked for clarification of the incomplete and not started categories on the survey.

Ms. White said incomplete means that a project was opened and looked at and not started means it was not even opened. The vast majority of districts have not attempted projects.

This was a report only and no action was required.

LEGISLATIVE UPDATE

Mr. Joel Robison, Chief of Staff, gave an overview of legislation including two bills that have been signed by the Governor. HJR 1125 was recently filed by Representative Shelton and is a disapproval Resolution regarding the A-F rules that will soon be reviewed by the Administrative Rules Committee. Mr. Robison reviewed other legislation dealing with the elimination of some reporting requirements, allowing school districts and other state agencies to not utilize the OSBI background check, the flexible benefit allowance, allowing school districts to maintain their current flexibility in spending, combining the Oklahoma Commission for Teacher Preparation and the Office of Accountability, changing how the SDE would address setting cut scores and performance standards, virtual schools, and National Board certified teacher stipend.

PUBLIC COMMENT

Mr. Rob Miller, Principal, Jenks Middle School, provided comment regarding his concern of the implementation of the ACE graduation requirements for the class of 2012 and respectfully requested the Board grant a one-year waiver to all students who have not already met the ACE requirements.

Mr. Keiv Brummet, Clerk, Farris School Board, presented two Open Records requests. The reason for submitting the requests is trouble with T-3 lines, email, and the internet at Farris.

Ms. Janet Dunlop, Broken Arrow Public Schools, provided comment about concerns regarding the ACE legislation in place. Broken Arrow currently has almost 20 students who will not graduate.

ADJOURNMENT

There being no further business, the meeting adjourned at 3:00 p.m. Board Member Ford made a motion to adjourn and Board Member Price seconded the motion. The motion carried unanimously.

The next regular meeting of the State Board of Education will be held on Thursday, May 24, 2012, at 9:30 a.m. The meeting will convene at the State Department of Education, 2500 North Lincoln Blvd., Oklahoma City, Oklahoma.

_____
Janet Barresi, Chairperson of the Board

_____
Connie Holland, Chief Executive Secretary

Minutes of the Regular Meeting of the

STATE BOARD OF EDUCATION
OLIVER HODGE EDUCATION BUILDING:
2500 NORTH LINCOLN BOULEVARD, ROOM 1-20
OKLAHOMA CITY, OKLAHOMA

December 19, 2012

The State Board of Education met in regular session at 9:35 a.m. on Wednesday, December 19, 2012, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 9:30 a.m. on Tuesday, December 18, 2012.

The following were present:

Ms. Connie Holland, Chief Executive Secretary
Ms. Terrie Cheadle, Administrative Assistant

Members of the State Board of Education present:

State Superintendent Janet Barresi, Chairperson of the Board
Ms. Amy Ford, Durant
Mr. Brian Hayden, Enid
Ms. Joy Hofmeister, Tulsa
Mr. William "Bill" Price, Oklahoma City
Mr. William "Bill" Shdeed, Oklahoma City

Members of the State Board of Education not present:

MG (R) Lee Baxter, Lawton

Others in attendance are shown as an attachment.

Minutes of the Regular Meeting of
the State Board of Education
December 19, 2012

CALL TO ORDER AND ROLL CALL

Superintendent Barresi called the State Board of Education regular meeting to order at 9:35 a.m. and welcomed everyone to the meeting. Ms. Holland called the roll and ascertained there was a quorum.

PLEDGE OF ALLEGIANCE, OKLAHOMA FLAG SALUTE, AND MOMENT OF SILENCE

Superintendent Barresi led Board Members and all present in the Pledge of Allegiance to the American Flag, a salute to the Oklahoma Flag, and a moment of silence.

NOVEMBER 15, 2012 REGULAR BOARD OF EDUCATION MEETING MINUTES APPROVED

Board Member Ford made a motion to approve the minutes of the November 15, 2012, regular State Board of Education meeting. Board Member Hofmeister seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Hayden, yes; Ms. Hofmeister yes; Mr. Shdeed, yes; and Mr. Price, yes.

STATE SUPERINTENDENT

Information from the State Superintendent

Superintendent Barresi – Because of last Friday's tragedy in Connecticut, there has been a great deal of discussion and questions asked about Oklahoma and the safety of our students. Every school district has a policy on how to deal with intruders on the grounds of school campuses and inside school buildings. Every school is required to have drills with lockdowns twice a year. We have begun to work with the Oklahoma State School Boards Association and ask that each school board in the state review all of their policies to assure they are up to date and focused on student safety. This situation needs to be dealt with at each district. With the unique geography of the state of Oklahoma, some of our districts are very proximal to first responders and other districts are quite remote. There have been questions as to whether we should develop one state policy, one procedure, and one mandate. No, we all know the most important ingredients to make sure children are safe, and we are asking each district to consider this and review all of their procedures and policies. We also have asked districts to look at issues including everything from bullying to working with parents who have concerns and how they will communicate with parents, family members, and the public. It is absolutely critical that teachers know their role if a situation like this should occur. It is important that every educator including classroom teachers understand the necessity of making sure they work closely with their principals and school administration. We are moved by the courage of the teachers in that school, but the first thing I thought of was that it is naturally the inclination of every single teacher in the country. My prayer is that as a nation, we take a strong look at what it means for the safety of our children, how we can go forward as a nation and focus on what we are doing to assure we are raising kids that

are in a safe environment where they can focus on learning and teachers can focus on teaching.

I appreciate the comments from educators across the state. Their input is being taken to heart. We will do everything we can to support any district as they move forward to assure that children are safe.

Board Members, thank you for coming in at this special meeting time. I appreciate you all being here and working with us on the tight schedule through the holiday season.

Recognition of Coweta Public Schools, Wagoner County, as a 2012 Advanced Placement Honor Roll District

Superintendent Barresi presented a certificate of recognition to Coweta Public Schools as the only Oklahoma recipient of the 2012 Advanced Placement Honor Roll District, as well as for their excellent scores on the Advanced Placement (AP) examinations. Approximately 539 school districts are recognized throughout the United States and selected for this top honor. Coweta Public Schools is being praised for their AP students' scores, increase in the number of students who scored three or higher on the AP exam, and a 25 percent increase in the total number of students who took the AP exam this year. Congratulations.

Recognition of Jimmy Y. Wu, a senior, and Jessica Oehrlein, a graduate, Oklahoma School of Science and Mathematics, as 2012 Oklahoma Advanced Placement Scholars

Superintendent Barresi presented certificates of recognition to Jimmy Wu and Jessica Oehrlein as 2012 Oklahoma Advanced Placement Scholars. Mr. Wu is a senior and Ms. Oehrlein a graduate from the Oklahoma School of Science and Mathematics. Superintendent Barresi introduced Mr. Frank Wang who is the new president of the Oklahoma School of Science and Mathematics.

Recognition of the Botball/Robotics Team from Norman Public Schools, Cleveland County

Superintendent Barresi recognized students from Norman North and Norman High School, Norman Public Schools Botball/Robotics team, and congratulated them on winning the world championship and South Central Regionals another year. The team is led by David Askey, Adam Lifsics, and Kevin Warren all teachers from Norman Public Schools. A brief video on the history and competition activity of Botball at Norman Public Schools was presented.

Superintendent Barresi invited Board Members to attend a competition; it is so exciting and amazing to see the work that all the students have done and their dedication.

First-Year Superintendents

First-year superintendent(s) attending the meeting were Mr. Roger Carter, Superintendent, Tulsa Cascia Hall; Mr. Casey Reed, Superintendent, Sweetwater Public Schools; Mr. Jay Thomas, Superintendent, Agra Public Schools; Mr. Craig Wall,

Superintendent, Valliant Public Schools; Ms. Jeannette Smith, Superintendent, Eufaula Public Schools; and Ms. Cindy Hackney, Superintendent, Anadarko Public Schools.

CONSENT DOCKET APPROVED

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2012-2013 school years, and other requests:

(a) **Allow Two School Days in a 24-Hour Period – 70 O. S. § 1-111**
Quinton Public Schools, Pittsburg County
Shady Point Public School, LeFlore County
Wanette Public Schools, Pottawatomie County
Whitesboro Public Schools, LeFlore County

(b) **Length of School Day - 70 O. S. § 1-109**
Jay Public Schools, Delaware County
Sterling Public Schools, Comanche County

(c) **Library Media Specialist Exemption – 70 O. S. § 3-126**
Ardmore Public Schools, Charles Evans Elementary School, Carter County
Yukon Public Schools, Independence Elementary School, Canadian County

(d) **Planning Period – OAC 210:35-9-41 and OAC 210:35-7-41**
Ardmore Public Schools, Carter County
Colbert Public Schools, Bryan County
Dewar Public Schools, Okmulgee County
Guymon Public Schools, Texas County

(e) **Abbreviated School Day – OAC 210:35-29-2 and OAC 210:35-3-46**
Blackwell Public Schools, Kay County
Hobart Public Schools, Kiowa County
Kellyville Public Schools, Creek County
Wynnewood Public Schools, Garvin County

(f) **Library Media Services – OAC 210:35-5-71 and 210:35-9-71**
Jones Public Schools, Middle School, Oklahoma County
McLoud Public Schools, Pottawatomie County
Swink Public School, Choctaw County

(g) Request approval on recommendations from the Teacher Competency Review Panel for applicants to receive a license - 70 O. S. § 6-202

(h) Request approval on exceptions to State Board of Education regulations concerning teacher certification – 70 O. S. § 6-187

(i) Request approval of sponsorship/donation from Magnuson Hotel and Meridian Convention Center for future State Department of Education training and events – 70 O. S. § 3-104 (12)

Board Member Hayden made a motion to approve the Consent Docket. Board Member Ford seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Shdeed, yes; Ms. Hofmeister, yes; Mr. Hayden, yes; and Ms. Ford, yes.

ACADEMIC AFFAIRS

Statutory Waiver Request to Allow Two Days in a 24-hour Period and a Deregulation Request to Allow Less than a Four-hour Less Day for the Alternative Education Program by Oklahoma City Public Schools, Douglass High School Approved

Ms. Melissa White, Executive Director, Counseling/ACE – I present Douglass High School's plan to assure students are on track to graduate with their cohort of students. In working with Oklahoma City Public Schools, one of the options briefly discussed at the last State Board of Education meeting was to implement an alternative education program in Douglass High School, which is the road we have taken. One of the statutory waivers requested is a component of alternative education to offer a three-hour night school that will waive the four hours and 12 minutes during that evening time. I emphasize it is just a component of the alternative education program. The program is also going to be during intersessions, Saturdays, and through the summer.

Board Member Ford – Is the four hours and 12 minutes a requirement under something we are waiving?

Ms. White – Yes, we are waiving the four hours and 12 minutes component under the alternative education program for the night school. Students attending the night school will also be enrolled as fulltime students during the regularly scheduled school day. They will actually be attending school for 10 hours, which goes to the deregulation request for them to have the ability to have two-school days within a 24-hour time limit.

Board Member Shdeed made a motion to approve the requests and Board Member Ford seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Hayden, yes; Ms. Hofmeister yes; Mr. Shdeed, yes; and Mr. Price, yes.

Superintendent Barresi – We are continuing to work very closely with Oklahoma City Public Schools on their plans to assist the junior and senior students to graduate on time. Ms. White is very involved in working with the district and is beginning audits of the sophomore and freshman classes. The junior class audits have been completed, and those student schedules are being changed to meet the needs of the students. We found a similar level of difficulty of the junior students with their scheduling and with their transcripts. Ms. White will begin staff training requested by Oklahoma City Public Schools to conduct audits of all the district high schools. We will report to the SBE on the progress.

TEACHER CERTIFICATION

Teacher Certification Production Report

Superintendent Barresi - Mr. Jeff Smith, Executive Director, Teacher Certification, is present to answer questions from the Board, if needed.

ACADEMIC AFFAIRS

Office of Educational Support

Update on the Teacher and Leader Effectiveness Evaluation System, (TLE) Implementation

Ms. Laura McGee, Executive Director, Teacher and Leader Effectiveness – I have 11 years of teaching experience both in non-tested and tested grades and subjects. The subject of building teachers and leaders who are effective and able to affect our students is very important to me. I look forward to working with the SBE. Ms. Kerri White will present an update on the work of working group #1 who met and submitted recommendations to the TLE Commission for the other academic measures, which makes up 15 percent of the quantitative portion of the TLE. The Commission approved their recommendations, and we were excited to be able to involve so many stakeholders in this process. I am scheduling a working group #2 to work on collaborating as we look at the quantitative portion of the TLE for non-tested grades and subjects and for teachers who did not have a teaching assignment. The first video conference is scheduled for January 9, 2013, at 1:30 p.m. At the video conference we will explain what the working group will be doing and will invite all participation.

A meeting will be scheduled for early January to work with SDE staff that are building the data system for roster verification and finalizing the details needed to coordinate with Battelle for Kids. This spring we will have a no stakes, voluntary, district participation and roster verification so that districts can become familiar with this process and begin gathering data for the purpose of informing instruction.

Value added models for tested subjects will be discussed at the next TLE Commission. We are encouraging all TLE Commission members to attend as it is incredibly important for us to have a quorum in order to make decisions and move forward.

My personal goal is to provide a great deal of professional development to our teachers and districts. I believe communication is key as we move forward in training teachers and helping them to understand that value added is really a tool for them. It helps them to understand that the qualitative portion of the TLE is not punitive in any way, but for the first time we truly have an evaluation system that allows teachers to receive feedback that will help them grow as professionals. I will be working to develop webinars, video conferences, online training for teachers and leaders, and going into the districts offering any professional development needs they may have.

Recommendations Regarding Other Academic Measures Policies for the Oklahoma Teacher and Leader Effectiveness Evaluation System Approved

Ms. Kerri White, Assistant State Superintendent, Educational Support – The other academic measures is the body of the recommendations brought to the Board today. The other academic measures are 15 percent of the overall TLE Evaluation System. The 50 percent qualitative is moving along very well in schools this year during the pilot phase. We will be discussing the 35 percent quantitative pieces in the early spring moving forward.

The 15 percent other academic measures recommendations presented today begin with #6 from the TLE Commission because last December recommendations 1 through 5 were presented.

From the TLE Commission recommendations 6a and 6b are definitions of other academic measures:

> Recommendation 6a – Other Academic Measures (OAMs) are additional alternative instruments ensuring a robust teacher evaluation, capturing unique facets of effective teaching and reflecting student academic performance impacted by the teacher.
>
> Recommendation 6b – is the same definition for leaders.
>
> Recommendation 7a – discusses a process that would be used in implementing other academic measures:
>
> Recommendation 7a – The TLE Commission recommends that the teacher make the annual selection of the Other Academic Measure from a list approved by the Oklahoma State Board of Education that has also been approved by the local board of education so that each teacher has at least two options that are grade level appropriate.
>
> Recommendation 7b – the same definition for leaders.

Originally, the Commission had planned to have the list approved by the State Board, and questions were raised about some of the measures that may be approved by the State Board but may not be readily accessible in some districts or for some teachers. The Commission thought it made more sense to allow the local board to review the list approved by the State Board and determine which are readily available in the district so the district is not accruing costs that they might not otherwise have. They wanted to make sure an individual teacher or an individual leader has at least two options that are appropriate for that educator on the list.

Recommendation 8 is to approve that list of other academic measures. The list is divided into several categories and within each category, there are specific measures. The categories include state assessments, value added model scores, off-the-shelf assessments, A through F report card components, perceptions surveys that have been validated, student competitions, and a miscellaneous, which are those few assessments that did not fit into any of the other categories. We wanted to make sure there were appropriate measures for both tested and non-tested grades and subjects and for teachers without teaching assignments. Nurses, counselors, and librarians fall under the definition of teacher. The working group and Commission discussed extensively that if the Board chooses to approve the recommendation and list today, that does not mean that the list cannot be modified in the future. Additions can be made to the list as we become aware of other assessments that make sense for educators at different stages.

Recommendation 9 gives guidance to districts about what they need to include in their evaluation policies related to other academic measures. There are five components to Recommendation 9:

1. Follow the guidelines adopted by the Oklahoma State Board of Education based on recommendations of the TLE Commission.
2. Only allow for use of OAMs that meet the definition adopted by the Oklahoma State Board of Education based on recommendations of the TLE Commission.
3. Require teachers and leaders to select an OAM that is relevant to the job duties of those educators and can provide actionable feedback.
4. If there are at least two options of OAMs listed on the Approved Other Academic Measures List that are relevant to the job duties of a teacher or leader, that educator must select one of the options on the list. If there are not at least two options of OAMs listed on the Approved Other Academic Measures List that are relevant to the job duties of a teacher or leader, the local school board must provide at least two relevant options that meet the definition of Other Academic Measure adopted by the Oklahoma State Board of Education.
5. Create an OAM evaluation rating for each teacher and each leader on a 5-point scale where 5 is Superior, 4 is Highly Effective, 3 is Effective, 2 is Needs Improvement, and 1 is Ineffective.

Recommendation 10 provides suggestions that give guidance to districts about establishing their policies. The components included in recommendation 10 are:

1. Districts may consult with a consortium of districts (such as their local REAC^{3}H Network) or regional committees to provide consistency from district to district on the development and implementation of local OAM policies.
2. District OAM evaluation policies should consider the following:
   a. Determining timelines and processes for selection of OAMs, end of year scoring of OAMs, and inclusion of OAM results into the final evaluation score. (Recommended procedures for this component are provided as Recommendation #11. Some of the language used throughout this section is based on the recommended procedures and may not be relevant to all district OAM policies.)
   b. Offering as many OAM choices as possible to teachers and leaders, ensuring that no fewer than two appropriate options are available for each teacher or leader. (For teachers and leaders of multiple subjects and/or multiple grade levels, a total of at least two OAM options must be available. It is not the intent of the TLE Commission that teachers and leaders have at least two options available for each subject and/or grade level taught. Nor is it the intent of the TLE Commission that teachers and leaders of multiple subjects and/or multiple grades would be required to select an OAM for each subject or grade taught.)
   c. Determining whether a teacher or leader may select more than one OAM. If a district policy allows for more than one OAM, the policy will also need to include how the multiple measures will result in an OAM evaluation rating of 1-5. It is suggested that no more than two OAMs be chosen in a given year by a teacher or leader, and that if two are chosen that the scores attained be averaged together.
   d. Allowing those teachers who receive an individual Value Added Model (VAM) score because they teach in a grade and subject that has state tests used for calculating individual VAM scores to substitute their VAM score (on a 5-point scale) for the OAM if they choose.

e. Establishing a process for teachers and leaders to collaboratively develop SMART goals and 5-point rating scales with peers.
f. Establishing a mediation process in the cases where teachers or leaders and their respective evaluators cannot agree on a SMART goal or 5-point rating scale.
g. Providing processes for teachers or leaders who encounter extenuating circumstances (such as extended illness, acceptance of a student teacher, natural disaster, flu epidemic, or those situations that materially impact the achievement of the teacher or leader's students) after initial agreement of SMART goals and 5-point rating scales. This process might include development of a high quality reflective analysis of their student performance and factors that contributed to the teacher or leader's inability to reach expected targets.

Recommendation 11 includes forms for recommended procedures for evaluation processes discussed in Recommendation 9, Section 2a, and the following components:

1. During the first nine weeks of school, each teacher and each leader shall do each of the following:
   a. Determine an academic area of focus for the teacher or leader's students that will guide the OAM for the teacher or leader.
   b. Administer a pre-assessment or locate data that can be used as a pre-assessment of the academic area of focus.
   c. Select an OAM that will be used to measure the performance of the academic area of focus at the end of the year (or after instruction for the academic area of focus is complete). See "Approved Other Academic Measures List."
   d. Establish a SMART goal for the academic area of focus as measured by the OAM. SMART goals are Specific, Measurable, Attainable and Ambitious, Results-driven, and Time-bound. SMART goals should be established based on pre-assessment data.
   e. Establish a 5-point rating scale for the SMART goal, where 5 is Superior, 4 is Highly Effective, 3 is Effective, 2 is Needs Improvement, and 1 is Ineffective.
   f. By way of signature, receive agreement from the evaluator on the SMART goal and 5-point rating scale. Additional consultation may be necessary in order to reach agreement.
2. At the end of the school year (or after instruction for the academic area of focus is complete), all teachers and leaders shall consult with their respective evaluators to determine if the SMART goal was reached and what score will be assigned based on the previously agreed upon 5-point rating scale for the OAM. Documentation of student performance should be provided.
3. Because the results of many OAMs are unavailable until after evaluations must be completed for re-employment decisions, OAM results will be calculated as 15 percent of teacher and leader evaluations during the year following their attainment.

Examples of Terms and Processes Described in Section 1.a through 1.f

a. Examples of "academic areas of focus" include but are not limited to:
   - Mathematical problem solving skills
   - Reading on grade level
   - Reading sight-music fluently
   - Understanding verb conjugation in world languages

b. Examples of "pre-assessments of the academic area of focus" include but are not limited to:
   - Fourth grade state math test scores of current fifth grade students
   - Student results from reading screener administered in the first weeks of school
   - Beginning of year benchmark (baseline) assessments
   - Selections from "Approved Other Academic Measures List"
c. Examples of "Other Academic Measures" are provided in "Approved Other Academic Measures List."
d. Examples of "SMART goals for the academic area of focus" include but are not limited to:
   - All students below proficient on the state math test will improve scores by one performance level, and all students scoring proficient or advanced will remain above proficient or improve by one performance level.
   - 95% of students will reach grade level on the state reading test.
   - Scores of a 3, 4, or 5 on the U.S. History Advanced Placement exam will increase by 20%.
   - Students will earn the highest score possible on site-reading at contest from at least one judge.
e. Examples of "5-point rating scales for the SMART goals" include but are not limited to:
   - SMART goal: 95% of students will reach grade level on the state reading test, as measured by Proficient and Advanced scores.
     5 – 100% of students score Proficient or Advanced
     4 – 95% of students score Proficient or Advanced
     3 – 90% of students score Proficient or Advanced
     2 – 75% of students score Proficient or Advanced
     1 – less than 75% of students score Proficient or Advanced
   - SMART goal: 15% more students will pass the _____ (off-the-shelf assessment) for eighth grade this year than passed the same assessment for seventh grade last year.
     5 – 20% increase in passing rate
     4 – 15% increase in passing rate
     3 – 10% increase in passing rate
     2 – 5% increase in passing rate
     1 – less than 5% increase in passing rate

During this process one of the concerns of Commission members is making sure that no matter what other academic measures are approved, either on our list or at the local level, that they really do meet those definitions of other academic measure that are Recommendations 6a and 6b. The timeline of implementation has been a concern, and in working with legislators on the timeline for the whole system, we do believe if adopted today it is possible to move forward with the timeline for other academic measures specified in law. We would be collecting information next school year that would be used the following school year in the evaluation. Teachers of non-tested grades and subjects and teachers without teaching assignments have been part of the concern and we want to make sure no groups are left out.

Board Member Ford – How are you going to address the first concern?

Ms. Kerri White – The working group went through the list to make the recommendation and determined that each of those do meet that definition. If we do ensure that at the local level, those are selected based on an individual teacher or leader's job duties and not chosen at random. Approval is requested for Recommendations 6a, 6b, 7a, 7b, 8, 9, 10, and 11.

Board Member Ford made a motion to approve the recommendations. Board Member Hayden seconded the motion.

Board Member Hofmeister – How will you be addressing the gathering of information about what was selected on some of the options? Is there oversight or a report?

Ms. White – According to the statute, there are pieces of information for the evaluation system that will be collected for the TLE Commission to provide that oversight as it is implemented. We will be doing that in a number of ways. Some pieces will be sent to us from each school and each district. We may look for some pieces more on a monitoring component where a certain percentage of schools are selected each year to look at their policies and procedures to make sure we are following the overall adopted policies throughout the state. That will be part of the overall implementation monitoring process which will begin next year on the qualitative side and then continue on the quantitative components as those get fully implemented.

The motion carried with the following votes: Mr. Price, yes; Mr. Shdeed, yes; Ms. Hofmeister, yes; Mr. Hayden, yes; and Ms. Ford, yes.

Achieving Classroom Excellence (ACE) Exceptions and Exemptions for End-of-Course Projects Approved

Ms. Melissa White, Executive Director, Counseling/ACE – The end-of-course projects is something we are pushing for schools to use as an alternative method for students to demonstrate proficiency on the end-of-instruction (EOI) assessments. In the spring of 2011, the State Board approved the Algebra II EOI as an alternate to the Algebra I EOI and the same for English III for the English II. The benefit would be for those students who moved into Oklahoma and had already received instruction in Algebra I, or maybe during their Algebra I year, it was not as clear to them, but entering Algebra II they were able to understand better and were successful, and it would count for the other subject as well. Algebra I and English II are the required two of the four to meet ACE standards. We are requesting that the end-of-course projects could also be in that list of approved. If a student demonstrates proficiency on the Algebra II project, it would also count for the Algebra I project.

Board Member Ford made a motion to approve.

Board Member Hofmeister – Is the focus different with English II as opposed to English III. Is the focus for one more literary and the focus for the other more writing? Is it truly a building process?

Ms. Melissa White – It is building. The projects are very similar. English III is literature components and a bit more writing. If a student demonstrates proficiency on that level, they have actually done a bit more.

Board Member Hayden seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Hayden, yes; Ms. Hofmeister yes; Mr. Shdeed, yes; and Mr. Price, yes.

Achieving Classroom Excellence (ACE)
Exceptions and Exemptions – PLAN Approved

Ms. Melissa White – The PLAN assessment is an approved assessment for Algebra I and biology on the alternative list. The PLAN assessment is typically given during the student's sophomore year. All students in Oklahoma have the opportunity to take that assessment during their sophomore year, and it is paid for by the Oklahoma State Regents for Higher Education. The PLAN assessment is currently used in all grades and is a local decision if students take the assessment in their junior or senior year, but the Regents only pay for the sophomore year. For the PLAN assessment to be used for ACE, we are requesting that it has to be given during that window the Regents offer that assessment. The PLAN is not like the ACT, and when students receive their score report, they are given an item analysis. For the validity of this assessment and for all students to be given a fair opportunity to demonstrate proficiency without any additional assistance, it is requested that it can only be offered at that time to count for the ACE graduation requirements.

Board Member Hofmeister – Is the concern that by taking the test in the junior year there is a problem with . . . I do not understand the problem.

Ms. Melissa White – There is potential that the validity could be in question. It is the same test, and once the test is given for the academic year, the school is provided a student report that breaks down the assessment by subjects and gives an item analysis.

Board Member Ford – Is the concern students taking the same test more than once during an academic year?

Ms. Melissa White – Yes, and using it for demonstration of proficiency for ACE.

Board Member Ford – So the issue is not taking the test the junior year instead of the sophomore year, but the number of times a student takes the test during the year.

Ms. Melissa White – Yes.

Board Member Hofmeister – So are you suggesting students cannot take the test their junior year?

Ms. Melissa White – No. The test needs to be administered during the open testing window provided by the Regents of each academic year.

Board Member Price – Is there also problems with one student taking the test and giving another student the answers.

Ms. Melissa White – There is that potential, and that is why we are requesting that all students must be assessed during that window.

Board Member Ford – You are asking for the validity of the test to only count towards the EOI if it is taken in the Regent's window.

Ms. Melissa White – Yes. That window is usually in the early fall.

Board Member Ford made a motion to approve the request. Board Member Hofmeister seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Shdeed, yes; Ms. Hofmeister, yes; Mr. Hayden, yes; and Ms. Ford, yes.

Board Member Ford – The ACT test can be used in lieu of some of the EOI requirements. When would that qualify?

Ms. Melissa White – For a student who has received instruction outside of that school, already completed instruction in Algebra I, and has an ACT score that is high enough, can use the ACT score for demonstration of proficiency. If a student moves into a school in the middle of the school year and they are currently enrolled in that class, they must take the EOI assessment first before applying the alternate score.

Board Member Ford – Shifting the EOI requirements towards the ACT shifts the cost towards the student.

Ms. Melissa White – Yes.

Board Member Hayden – If a student does not pass Algebra I, does the ACT serve as an alternative for Algebra I?

Ms. Melissa White – Yes. The cost to take the ACT is $35, but if using the writing component, which a student must have to replace the English EOIs, the cost is $50. There are scholarships available, but the school must apply for those.

Superintendent Barresi – Maridyth McBee, Assistant State Superintendent, Accountability and Assessments, can provide information she compiled on a side-by-side comparison between the ACT and the state exams. State exams cost approximately $9 per student per test. The ACT is a norm-referenced test, and the state tests are criterion reference tests, so it is an apple and oranges component. Using the ACT does not satisfy federal government reporting requirements under accountability for English and mathematics.

Board Member Ford – One of the bills filed talked about 18 and moving to 14 and that is a huge concern of mine.

Board Member Hofmeister – There is also the issue of graduation and planning to be admitted into a college. I think that is another discussion.

Superintendent Barresi – If the ACT is taken during the senior year, there is no time for remediation of the student in any one of the subjects. We will get that comparison information to Board members.

Oklahoma Advisory Council on
Indian Education Annual Report for 2012

Mr. Dwight Pickering, Director, American Indian Education – The Oklahoma Advisory Council on Indian Education was established through House Bill 2929. Their purpose is to make recommendations to the State Superintendent of Public Instruction

and the Department of Education on education matters pertaining to Native American students in Oklahoma. I would like to introduce Mr. Ray Rodgers, Chairman of the Oklahoma Advisory Council on Indian Education, Director of Indian Education for Sapulpa Public Schools, and a member of the Seneca-Cayuga Nation.

Mr. Ray Rodgers – The Advisory Council has 18 Council members that are a cross section of Indian country in Oklahoma. One of the concerns presented to Governor Fallin is that there are still some vacancies on the Council. There are some nominations that have been presented to the Governor's office, and we hope those will be approved soon.

One of the current issues is the Bureau of Indian Education (BIE). Most of the Indian Education programs funded in Oklahoma come through two components. One is the United States Department of Education through Title VII programs and the Johnson O'Malley Program. There is the possibility these offices will be taken out of Oklahoma, and that is a concern. We have been in consultation with tribal members and the National Indian Education Association asking that they have consultation hearings throughout the nation, but especially in Oklahoma. Oklahoma has over 130,000 Native American students.

There has been much discussion regarding the school report cards among Council members that representation during the consultation process of the formula has been neglected, and we would like to see if there will be any more discussion on that issue. Another concern is the rural schools. In some of those schools, the Indian population is 90 to 95 percent.

Regarding Native American Language certification, we are very pleased with the SDE and the partnership they have with formed with the Advisory Council and other members in Indian Country with the tribal nations and finding ways how to get tribal languages recognized as a component of graduation requirements. The only state test for certification is in the Cherokee language. Each tribal government has a language department. There is language speakers designated as the certified individual to teach the language in those tribal areas. Being able to teach in a public school is a concern because the person must be certified in that area. Two Advisory Council members serve on the Native American Language Certification Competency Setting Committee with Ms. Desa Dawson, Director of World Languages, at the SDE. One of the problems is that most of the fluent language speakers in the tribes are elderly or being able to obtain a college degree. Tribal languages are being lost across the country at an alarming rate. There are over 549 federally recognized tribes. Oklahoma has 39 tribes, and 37 of them are federally recognized.

An outside entity took the lead on an interim study regarding funding for the SDE Indian Education office. A copy of the interim study was provided to Representative Ann Coody. We hope there will be funding to help the SDE Indian Education office tackle some goals and objectives set by the Advisory Council for the state of Oklahoma regarding Indian education. In 2010, the tribal governments presented Oklahoma over $120 million dollars with a portion intended to go to education. We would like to see a Native American higher education liaison working directly with the colleges. Also part of the interim study was a comprehensive plan for Indian education curriculum that would help with providing professional development, relative lessons, and addressing Indian education, and having the Indian Education office at the SDE serve as a clearinghouse on Indian education issues would be ideal.

Recommendations were presented regarding the social studies component. Examples and resources are areas we would like to see built upon. The American Indian viewpoint is relevant to what we are doing in Oklahoma especially the partnership through the SDE. At this time, the Council does not think the story is being told in the schools, and it is a story that needs to be told. The code talkers are very briefly mentioned.

The charges and duties given to the Advisory Council by the state legislature include identifying strategies for developing the effective and reliable process of communication between Oklahoma education entities, educators, tribal organizations, and other interested parties and identifying and disseminating research-based measurable criteria both behavioral and academic, by which the success and efficiency of this education process is offered to Native American students can be measured. This task is beyond the scope of a volunteer organization through the Advisory Council and should come through the SDE Indian Education office.

Board Member Price – Where is the one tribal charter school located in Oklahoma, and how successful is the school? Does a tribe charter the school?

Mr. Rodgers – The school is completely funded through the Cherokee Nation and is located in Tahlequah. It is an immersion school, and the Cherokee language is the only language spoken in the school. The school is in its sixth year and is doing very well.

Board Member Price – If the provision on population was not in place, would you envision more charter schools chartered by tribes?

Mr. Rodgers – That would open the charter school option to tribes.

Mr. Pickering – I have been in contact with a number of tribes across the state that have interest in charter schools. They must be part of a Bureau of Indian Education boarding school.

This was a report only and no action was required.

Presentation on the College Board Student Achievement Report of the SAT, PSAT/NMSQT, and Advanced Placement Results for the 2011-2012 Academic Year

Ms. Cathy Seward, Executive Director, Advanced Placement/Gifted and Talented Education – Last year funding in the amount of $2.1 million dollars was received from the legislature for Advanced Placement (AP) and netted students and parents in Oklahoma over $4.1 million dollars in tuition savings. There was an increase in public school students who scored a three or higher with over 11,000 students. There were increases across the board for Black students. There was almost a 20 percent increase in students who did not respond when asked about ethnicity. We are providing technical assistance and teacher training including an online component College Board offers, and we are paying the registration fee. Advanced Placement summer institutes will be offered this summer. We have been training districts to use AP Potential, which is a computerized program that College Board provides based on PSAT data, and it can predict what score a student will make on an AP exam. Forty-seven percent of students

scored a three or higher on their AP exam. The national average dropped from 59 percent to 57 percent.

Almost 300 more students took the PSAT. The results for the PSAT are for sophomores and juniors. There are fee waivers for the PSAT to any student qualifying for free and reduced lunch. In many instances, the student will apply for the fee waiver but not show up to take the test.

Not as many Oklahoma students take the SAT as the ACT even though it is accepted at all our universities. From 2007, the number of students taking the SAT has dropped by approximately 1,000. One reason for the drop is the introduction of the mandatory writing portion of the SAT. Unfortunately, scores have dropped across the state across the board, but Oklahoma scores are higher than the national average. Studies indicate that students who take the PSAT two or more times score higher on the SAT.

Board Member Price – I was so impressed a few months ago with the Northrop Grumman Program and the Midwest City and Lawton Public Schools experience. The number of students taking and passing AP tests was transformed. How could that be replicated? If it could be replicated statewide, the numbers on AP would go through the roof. We need to have a public relations campaign about that.

Ms. Seward – That is a National Math/Science initiative. We initially visited Altus and Enid to determine if those school districts qualified for that initiative because if a district qualifies, there is no cost involved. A district is interested. National Math/Science has found half of the funds and work continues on the other half.

Board Member Price – Is both AP training and the $100 stipend for students and teachers?

Ms. Seward – Yes, there are incentives for the students and for the teachers. Schools can participate, and there is a cost involved. Professional development for the teachers, as well as follow-up to the professional development throughout the year, is provided.

Board Member Price – Would it be helpful if the legislature, for instance, next year appropriated either a matching fund for businesses that decide to participate or finance the program?

Superintendent Barresi – Our funding request to the legislature has an increase of $1 million dollars to the AP program to increase teacher training. Currently $650,000 a year is spent in scholarships for students in AP, and that does not meet the demand of students who are qualified to receive the stipend. The increased request for funding in aid to schools would allow more districts to consider scholarships on the PSAT and providing it more often. We have also requested $2.7 million dollars for the establishment of a competitive grant pool. We have a robust Science, Technology, Engineering and Math (STEM) strategic plan.

This was a report only and no action was required.

Office of Accountability and Assessments

District Annual A through F Report Cards

Ms. Maridyth McBee, Assistant State Superintendent, Accountability and Assessments – Earlier this month the district and state report cards were released. The same three components used for the district and state report cards were used for the site report cards. The whole school achievement portion of the state and district report cards included all the reading, English II, English III, math, Algebra I, Algebra II, and geometry, etc., for all students in grades three through the high school tests. In some cases, the Nsize for the districts allowed more reporting than for the individual sites when the numbers of students reporting were small. That was especially true on the growth component. The growth component includes only the reading pieces for grades three through eight, English II, math, and Algebra I. In some districts, there were not enough students in the bottom 25 percent to have a grade, but at the district level there might have been. The rules state that if there are not enough students to have 30 in the bottom 25 percent, then the entire growth grade is based on all students. If there were not 30 students at the site level and there might have been at the district, there might be a different way in which the grade was calculated.

Board Member Hofmeister – Was the Nsize the same for the district level as it was when applied to each individual school?

Ms. McBee – Yes, the definitions used at the site level were applied in exactly the same way at the district and state level. There was not a unique set of requirements for districts that would be different from the sites. The whole school performance component for the PK through eight districts was based on what would have been middle school criteria for a site. For the PK through 12 districts the whole school performance was the high school component. This will have some implications as we look at how the site report cards might look if averaged or took just the district report card. For the K through 12 districts the high school criteria was used just like for the site report cards that included graduation rates, advanced coursework participation, the AP/IB exam performance, advanced coursework performance, college entrance exam performance and participation, and the five-year graduation rate. There were opportunities for bonuses in the climate survey, parent and community engagement, ACE graduation participation, and college remediation. The way these were calculated was if half or more of the schools received bonus points, then the district received bonus points. District grades may be higher or lower than the average of the site grades. This occurred sometimes to the district's benefit and sometimes not to their benefit. The challenge came, for example, when an elementary school earned a C in performance or did not do well in the top one-third performance but earned an A in attendance. Together those grades came out to a B. Maybe the high school did well in performance and did not do well on graduation rate and the other criteria, and the grade averaged out to a B, but when the district criteria was used and all the performance, including low performance, together and used the high school criteria the grade would have been a C. This is part of the definition and did cause some consternation.

For the student achievement piece in reading, English II and III the state made an overall grade of C. For math, Algebra I, II, and geometry the state has an overall grade of B. For science and Biology I the overall grade is an A, for social studies topics a grade of B, writing a grade of B, and overall all school academic performance a grade of B. The reading and English portion for growth earned 82 points resulting in a grade of B. As

was the case for many districts in the bottom 25 percent of students, we did not show the growth that we would like to see. That is an area of focus as a state of how can we help districts and schools be able to better reach those students that are currently unsatisfactory or limited knowledge so we can increase their performance.

Board Member Hayden – That was a low B at 81.

Ms. McBee – Yes, a low B. In whole school performance as a state, the grade for graduation rate was a B, advanced coursework participation a grade of D, AP/IB performance a grade of D, college entrance exam participation a grade of B, college entrance exam performance was a grade of C, and the five-year graduation rate a grade of B. The overall whole school performance grade was a B, which at the state gives an overall grade of C.

A demographic page and report card will be posted to the SDE Web site. The demographic page will show the enrollment of the school, percent of students in each ethnic group, students with an IEP, students in poverty, and highly qualified teachers. There have been recent discussions about easier ways to collect data. There will be meetings with stakeholders to discuss and determine if we need to tweak any definitions or make any other changes in the way the report card is done for the future, and is the action steps being put together to address the needs that this diagnosis of where we stand in the state currently shows we are.

Board Member Price – I have a hard time figuring out how we can be an A in advanced coursework performance and a D in AP.

Ms. McBee – The reason is because there is more than AP and advanced coursework. There is also concurrent enrollment, which probably has more students than other categories.

Board Member Price - How do you know if a teacher is highly qualified?

Ms. McBee – There is a current definition for highly qualified teachers that the TLE Commission will expand and make more explicit.

Ms. Kerri White – A teacher's designation of being highly qualified does have to do with the certifications they have received and coursework they have completed in college.

Board Member Price – That is quite different from highly effective teachers. The highly effective teacher would be ultimately a much more important determining factor than highly qualified they are.

Ms. Kerri White – We are still required by the USDE to report highly qualified teacher status. Once the TLE system is fully up and running, we will be able to request from USDE to report effectiveness information as opposed to highly qualified information.

Board Member Ford – I would like to know who is participating in the conversations with districts and stakeholders.

Superintendent Barresi – I am having many one-on-one visits with superintendents, and I do my listening tour throughout the state on the Raise the Grade Together Tour. I have visited with board members, superintendents, teachers, and principals. I have met with the PTA Executive Committee. We meet with Leadership Advisory Council and developed a working group that day which was helpful.

Board Member Ford – Are those that expressed that they were not part of the process taking steps to make sure . . .

Superintendent Barresi – Most have been participating. We made a point of making sure we did everything we could to communicate that we are taking ideas. I would describe the participation as robust.

Board Member Price – I would like to commend Superintendent Barresi for reaching out. During the presentations it was mentioned of having more participation regarding the EOIs in the process. I blanch every time I hear that because there has been tremendous participation, and it is creating a false narrative that this has not been.

Superintendent Barresi – We are doing everything we can. We are going to move forward not only on that but also on all of our policy implementation. We make the Leadership Advisory Council meetings focused on spending enough time going deep into a subject around policy and policy development from the SDE.

Board Member Ford – Is concurrent enrollment addressed?

Ms. McBee – The performance on concurrent enrollment and AP/IB is separate. One avenue to take might be to combine those two so we have an overall advanced course participation regardless of the venue for advanced course work and then an overall performance. That would keep schools that have many students in concurrent enrollment but none in AP from receiving a low grade.

This was a report and no action was required.

C^3 SCHOOLS

State Board of Education Sponsorship of Sequoyah Charter School Postponed

Mr. Richard Caram, Director, C^3 Schools – Presented an application from Sequoyah Enterprises to run a charter school in conjunction with the Office of Juvenile Affairs (OJA). The legislature gave the OJA the opportunity to have a charter school for this specific population of young people who seem to be falling through the cracks. The OJA would better serve these children with a more consistent education system that would follow the students in the difficult process they are in when they are assigned to OJA. The charter school will have one site but will operate wherever the children are assigned in the system.

Board Member Ford – They will have to be in the system.

Mr. Caram – Yes,the group situations will not have more than nine children at any given time. This is individualized instruction. Sequoyah Enterprises has 300 professionals that work with them.

Board Member Ford – Are there other charters like this?

Mr. Caram – No, this will be the first.

Board Member Ford – I understand we are sponsoring this charter school. The students have to be under the care of OJA, but the application states that they will not discriminate against any student desiring to enroll and will allow any student that is a legal resident of the state. Does that take away the requirement to be . . .

Kim Richey, General Counsel – To my knowledge I am not aware that the State Board of Education has ever received a direct application to sponsor a charter school. The State Board is given the authority under the State Charter Schools Act to sponsor a charter school with the OJA or a contractor of the OJA who has entered into a contract with OJA to service students in certain types of homes. That is the authority under which we are working and goes to the qualifications of the applicant seeking to enter into partnership with the State Board for a charter school. In the Charter School Act, there is language with regard to admission of who can actually attend the charter school. There has been somewhat of an internal miscommunication. Mr. Caram has been working with Sequoyah since the beginning of December. He was under the impression I had seen a copy of the application and I had not. The language that concerned me was the language in the Charter School Act that states if it is the OJA, the admission policy must be limited to those students who are in custody of the OJA. Historically the SDE has read that as including OJA and any contractor. There was discussion regarding postponing this item for action today until we had the chance to review and make sure these little issues are cleared up and would give the Board the opportunity to review the application and submit any questions before the January 31, 2013, Board meeting. Federal law is implicated, and under certain federal law, entrance into a charter school cannot be limited.

Board Member Hofmeister – Who is now meeting this need? How are the students now being educated?

Mr. Caram – Introduced Mr. Michael Woods, Superintendent, Drummond Public Schools, and James Harris Office of Juvenile Affairs.

Mr. Woods – I became involved because of a desire to work with foster children in general and meet some of the needs they have. As these students move about the system, sometimes records and credits do not follow, and the students reach a point of frustration and stop attending school. Through that process, I met representatives from Sequoyah, and we embarked on this charter school mission to serve the specific students that are in the care and custody of the state of Oklahoma through a contract with Sequoyah Enterprises. Currently, the way students are served is the responsibility of the local school district. The challenge would be difficult for Drummond Public Schools to do because we do not have the resources to send four highly qualified teachers daily. The purpose is to address a differentiated type of instruction by using virtual instruction in a blended classroom method where students can receive short bites of individual instruction from morning to evening. The students are currently being served by the school districts in which the facility is located.

Board Member Ford – If a child that was part of this charter school was no longer in the custody of the state, do they leave that situation and return to the public school?

Mr. Woods – It depends. If a student turns 18, they sign themselves out and are done. We started a 501(c)3 called Next Step Tech with the idea of being able to provide the students with technology that would allow them to stay engaged with Sequoyah Charter School. The first opportunity a student has to leave residential home, they do so. We want to provide a method of delivery for the instruction that they can still be a part of even when they do leave Sequoyah Enterprises facilities or the Department of Human Services in general.

Board Member Ford – So you will have a plan.

Mr. Woods – Yes. This is a new concept. We hope we have identified a need and have a solution that fits those children. The reason for the questions regarding enrollment is that Sequoyah Enterprises is not OJA. There is an immediate for these students right now and a potential need for the state.

Board Member Price – This is a great idea. Including the definition of in the custody of the state of Oklahoma, how many students would be involved?

Mr. Woods – This started much broader, but we narrowed it down because of the difficulty of working with all the different individuals that would have to be involved. I am not sure there is an exact number being served because that is a very fluid number. We have chosen the flipped classroom model because the point of frustration is not listening to a lecture and not gathering the resources, but when the student sits down to do the assignment. Sequoyah has been very innovative in the way they manage the students.

Board Member Ford made a motion to postpone this item until the January 31, 2013, Board meeting. Board Member Hofmeister seconded the motion.

Superintendent Barresi – If this occurs in the future, the Board will see a first reading opportunity so you have a chance to voice questions and discuss and then on a second reading possibly take action. The applications are unique, and we want the Board to have plenty of time to consider and ask questions.

The motion carried with the following votes: Ms. Ford, yes; Mr. Hayden, yes; Ms. Hofmeister, yes; Mr. Shdeed, yes; and Mr. Price, yes.

FINANCIAL SERVICES

Oklahoma Cost Accounting System (OCAS) Penalties for Districts in Noncompliance of the September 1 Submission Date Approved

Ms. Nancy Hughes, Executive Director, Executive Director, Financial Accounting – Twelve school districts did not meet the September 1 submission deadline.

Board Member Ford – ADPC seemed to be mentioned frequently as a reason why some things had not happened.

Ms. Hughes – That is the software vendor for some school districts. If the school district chooses, that software vendor will upload their data for them, but it is still the school district's responsibility to check, re-certify, and lock the data, which is our signal the data is correct and ready for review.

Board Member Ford – Is this a continual problem for any of these school districts?

Ms. Hughes – Going back to 2006, there were only a few schools that did not meet the deadline.

Board Member Ford made a motion to waive the penalty for the listed schools. Board Member Shdeed seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Shdeed, yes; Ms. Hofmeister, yes; Mr. Hayden, yes; and Ms. Ford, yes.

School Districts Who Did Not Meet the Administrative Cost Criteria for the 2011-2012 School Year Postponed

Ms. Hughes – Three school districts exceeded administrative costs. For Cameron and Thackerville Public Schools, the reason was a mutual superintendent buyout. Farris Public School exceeded administrative costs.

If a school district has an enrollment over 1,500 students, the district can spend five percent of their allocation towards administrative costs. Administrative costs are the staff of the board of education, the secretary/clerk of the board of education, staff relations, negotiations staff, immediate staff of the superintendent, any superintendent, elementary superintendent, any assistant superintendent, any employee employed as a director, coordinator, supervisor, any one responsible for administrative function of the school district, or any consultant hired by the school district. When school districts code to those particular areas, that is calculated into their administrative costs. If enrollment is over 1,500 students, a district can only have five percent, 500-1,500 students a district can have seven percent, and below 500 students, a district can have eight percent administrative costs.

Board Member Shdeed – Has Farris Public School previously exceeded administrative costs?

Ms. Hughes – Since 2006, Farris Public School exceeded administrative costs in 2006, 2007, and 2012.

Board Member Ford – The average daily attendance at Farris is 69.89.

Ms. Hughes – Yes.

Superintendent Barresi – The amount exceeded for Cameron and Thackerville had to do with a buyout. Please give us more information about Farris Public School.

Ms. Hughes – They spent too much money on administrative costs.

Board Member Ford – What is the Board being asked to do?

Superintendent Barresi – The Board is being asked to waive the penalty.

Ms. Hughes – The amount exceeded is the amount of the penalty.

Superintendent Barresi – We need more details regarding Farris.

Ms. Hughes – Administrative costs were exceeded at Farris mainly because of the superintendent's salary.

Board Member Ford – What is the superintendent's salary?

Ms. Hughes - $100,000. The superintendent's salary is broken out into principal and only 40 percent of the superintendent's salary can go towards other administrative duties. Sixty percent of the superintendent's salary must be coded to superintendent.

Board Member Ford – The penalty for Farris is $68,000. Can we get a breakdown of the administrative costs for Farris?

Board Member Price – What was the amount of the buyout for Cameron and Thackerville Public Schools?

Ms. Hughes – It was difficult to determine. I reviewed the contracts. At one of the schools, the contract was changed two times. If the schools had not had a buyout, they would not have exceeded administrative costs.

Superintendent Barresi – The contracts were changed several times. Was that within one fiscal year and with board approval?

Ms. Hughes – Yes.

Board Member Ford made a motion to postpone agenda item 11b until the January 31, 2013, Board meeting. Board Member Hayden seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Hayden, yes; Ms. Hofmeister, yes; Mr. Shdeed, yes; and Mr. Price, yes.

SPECIAL EDUCATION SERVICES

Request from Sperry Public Schools, Tulsa County, for Reimbursement of Individuals with Disabilities Education Act (IDEA) Part B Late Claim Approved

Ms. Renee Axtell, Assistant State Superintendent, Special Education Services – Dr. Brian Beagles, Superintendent, Sperry Public Schools, notified the SDE through email requesting payment of late claims. The procedure for late claims includes a timeline for when late claims can be paid but also states that if a superintendent believes they have extenuating circumstances that information should be presented to the State Board. Department staff reviewed the financial records of Sperry Public Schools to determine if reporting was done within the timeframes dictated by procedure or were there ongoing issues with lateness. It was determined that information provided by Sperry Public Schools was within the timelines set.

Dr. Beagles – State Board rules state that the deadline to submit a federal reimbursement claim is August 1. Flow through money for IDEA is commonly referred to as 621 money. We all know that educating students with disabilities is an expensive endeavor. The 621 money is provided to districts to help offset the cost of educating students with disabilities. This particular case is a claim that runs January through June of last school year. The money in Sperry Public Schools was used to pay five special education teachers. There are state and federal rules about how to expend the money and a process to claim the money. The application was properly submitted, the money spent on certified teachers, and services provided to students with disabilities. Sperry Public Schools fell short on following through. In the transition of people, sometimes there is a learning curve. I was assured the claim had been submitted in July. In November, it was brought to my attention there was an issue with the claim. The issue has been addressed locally, and one of the individuals involved is no longer employed at Sperry.

Board Member Price – Will the federal government accept the claim?

Dr. Beagles – Yes.

Ms. Axtell – With the IDEA funds, it is a reimbursement situation. Schools have to expend the money and then submit the claims, and we allow the money to flow back to the district. If not corrected before the end of the month, this cannot be paid.

Board Member Price made a motion to approve the request and Board Member Shdeed seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Shdeed, yes; Ms. Hofmeister, yes Mr. Hayden, yes; and Ms. Ford, yes.

LEGAL SERVICES

Report and Overview of the Upcoming Permanent Rulemaking Schedule

Ms. Kim Richey, General Counsel – We have identified 15 rules needing amendments, updating, or just basic clean up. The only possible new rule that will be drafted is a potential rule to implement Senate Bill 1816, which was passed last year. That bill established the statewide virtual online charter school. There is a challenge to the implementation of that law.

There are three tracks to the rule schedule for this session. The State Board of Education is required to file a notice of intended rulemaking with the Secretary of State. The notice is published in the Oklahoma *Register* and the public comment period starts and ends with a hearing. The rule is amended and brought to the Board for consideration.

The first public hearing is set for February 15, 2013, and the first set of four rules will be brought to the Board for action at the February 28, 2013, Board meeting.

The second public hearing is set for March 6, 2013, and that set of rules will be brought to the Board for action at the March 28, 2013, Board meeting.

The third public hearing is set for March 25, 2013, and that set of rules will be brought to the Board for action at the March 28, 2013, Board meeting.

Board Member Price – What is the legal basis for the challenge to House Bill 1816?

Ms. Richey – If you recall during the last couple of days of session, there was confusion with regard to the $33 million dollar appropriation to public schools for the purpose of textbooks. On the final consideration of that bill in the House, an amendment was made that provided clarification on that appropriation. An attorney has filed a lawsuit to stop implementation of that bill claiming it violates the logrolling prohibition in the Constitution.

INFORMATION TO THE BOARD

Information was presented to the Board regarding the 2013 Math and Science Partnership Program.

Board Member Ford – If a student is being bullied in school can that student move to another district?

Superintendent Barresi – We have noticed an increase in the number of calls regarding bullying. We are teaming with the Department of Mental Health, sharing resources, and have hired an individual at the SDE to deal directly with bullying issues. Each district should have a bullying policy. Our first suggestion to parents is to go back to the classroom teacher and then the principal.

Board Member Ford – But failure on all those levels . . .

Ms. Richey – There is currently not a provision within state law to allow a transfer simply because of bullying. What would apply is the emergency transfer provision that is available to students if both the sending and receiving districts agree. Otherwise, the student would have to wait until the open transfer window that is from April to August. Two legislators are looking at creating a provision in law that would allow a victim of bullying, harassment, or intimidation to transfer.

Board Member Price – Representative Nelson is looking to include a provision on bullying in the Lindsey Nicole Henry Scholarship. In addition to special needs, a victim of bullying could apply for a scholarship. Are the receiving districts turning down those transfer applications?

Board Member Ford – Yes.

PUBLIC COMMENT

Ms. Julia Seay, Restore Oklahoma Public Education (ROPE), Yukon, Oklahoma – Restore Oklahoma Public Education has done extensive research on common core state standards. We along with many taxpaying Oklahomans are finding many flaws with that system. Thank you for your leadership regarding the school shooting. I feel very confident Oklahoma will do the right thing to take care of our children. Through their introduction into states through the Race To the Top Grant incentive, common core state standards represents the largest takeover of education since the first Elementary and Secondary Education Act introduced by LBJ in 1964. Though often billed as voluntary

states eagerly signed on to get a piece of the RTT grant funds often times tying themselves to the program by putting them into state law in order to get higher points on their grant applications Once adopted state school boards lose control of their ability to modify the common core state standards because the standards do not come from their board, their district, their country, or their state, but from a group of individuals scattered across the United States. Apparently few states read the fine print, which said that once implemented states could only add to the standards up to 15 percent but were unable to modify them further. If a school board cannot affect the course of curricula by changing the district's standards, what then is the purpose of the school board and how can parents affect the change in the program if they are dissatisfied? Because of free enterprise, ancillary and textbook supply companies have been scrambling to add the common core to their materials to sell to a broader audience. How will home schools and private schools find study materials not including the influence of the common core, like it or not? In fact, just yesterday the Homeschool Legal Defense Association came out with a statement against the common core for that and other reasons. The SATs and ACTs are being modified to fit the standards, and the common core state standards will be tested using expensive high bandwidth requiring computer tests a number of times during the year. Truly, there is no way in which public schools or private and home schools as well will be able to escape the reach of the common core if we let it stand. We truly believe that if we do not stop this program now it will become America's next Medicare or Social Security, and millions of children will be lost inside of a one size fits all system that will not bring the change the reformers have insisted.

ADJOURNMENT

Board Member Hayden made a motion to adjourn at 12:50 p.m. and Board Member Price seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Hayden, yes; Ms. Hofmeister, yes; Mr. Shdeed, yes; and Mr. Price, yes.

The next regular meeting of the State Board of Education will be held on Thursday, January 31, 2013, at 1:00 p.m. The meeting will convene at Howe High Public Schools, Howe, Oklahoma.

_____
Janet Barresi, Chairperson of the Board

_____
Connie Holland, Chief Executive Secretary

Minutes of the Regular Meeting of the

STATE BOARD OF EDUCATION
OLIVER HODGE EDUCATION BUILDING
2500 NORTH LINCOLN BOULEVARD, ROOM 1-20
OKLAHOMA CITY, OKLAHOMA

December 19, 2013

The State Board of Education met in regular session at 1:04 p.m. on Thursday, December 19, 2013, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 12:45 p.m. on Wednesday, December 18, 2013.

The following were present:

Ms. Kalee Isenhour, Secretary to the State Board of Education

Members of the State Board of Education present:

State Superintendent Janet Barresi, Chairperson of the Board
MG (R) Lee Baxter, Lawton
Ms. Amy Ford, Durant (left at 2:25 p.m./returned at 2:28 p.m.)
Ms. Cathryn Franks, Roosevelt
Mr. Daniel Keating, Tulsa
Mr. William "Bill" Price, Oklahoma City
Mr. William "Bill" Shdeed, Oklahoma City

Others in attendance are shown as an attachment.

Minutes of the Regular Meeting of
the State Board of Education
December 19, 2013

CALL TO ORDER AND ROLL CALL

Superintendent Barresi called the State Board of Education regular meeting to order at 1:04 p.m. and welcomed everyone to the meeting. Ms. Isenhour called the roll and ascertained there was a quorum.

PLEDGE OF ALLEGIANCE, OKLAHOMA FLAG SALUTE, AND MOMENT OF SILENCE

Superintendent Barresi led Board Members and all present in the Pledge of Allegiance to the American Flag, a salute to the Oklahoma Flag, and a moment of silence.

NOVEMBER 20, 2013 REGULAR BOARD OF EDUCATION MEETING MINUTES APPROVED

Board Member Ford made a motion to approve the minutes of the October 29, 2013, regular State Board of Education meeting. Board Member Shdeed seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Ms. Franks, yes; Mr. Keating, yes; Mr. Price, yes; and Ms. Ford, yes.

STATE SUPERINTENDENT

Information from the State Superintendent

Superintendent Barresi said we are preparing for the midyear adjustments of the initial allocation to districts, it is anticipated at the first of the year. We told school districts to be careful and conservative when we posted the initial state aid allocation in July. At districts' request, we held back the bare minimum on 1.5% of the initial allocation. We know there has been significant student growth. Our midyear adjustments treat all schools equally as the money follows the students wherever they happen to be enrolled.

We have requested $81.4 million in state aid which will bring the state aid funding formula to $1.9 billion. We anticipate asking for a supplemental request for this fiscal year to reflect the increase need in the state.

The Oklahoma State Department of Education (OSDE) posted a proposed draft of the Oklahoma Academic Standards (OAS) for Science for public comment. Educators and general public can submit written comments up to 4 p.m. on January 17, 2014. The standards were reviewed by more than 500 representatives from K-12 education, higher education, scientists, engineers, parents, and community members throughout the state. These standards are the base of what each student is expected to know by the end of each school year. The curriculum mode of teaching is up to the individual teacher as guided by their individual district school board.

In the months ahead, OSDE will be working with schools, parents, and communities to remind them that this school year will mark the first year of the third grade reading retention law.

In a news release, I noted that I believe the potential growth of virtual charter schools necessitates legislation that will focus on academic and financial accountability for such entities. It is vital to ensure that these schools are held to the same standards as the brick and mortar counter parts so their students can receive a high quality education. Items in the legislation will need to address the following: existing virtual charter schools must renegotiate their state contracts when they will fall under the purview of the Statewide Virtual Charter School Board, clarify how student attendance is measured, and grantee financial transparency.

2013 Blue Ribbon Recipients

Gloria Bayouth, Executive Director, Zada Farris, and Jazmin Madrigal, Titles I, IIA, VI, and X, recognized the 2013 Blue Ribbon Recipients. The Blue Ribbon School Program honors elementary, middle and high schools that are either academically superior or that demonstrate dramatic gains in student achievement to high levels. The 2013 Blue Ribbon recipients included: Bartlesville Mid-High, Bartlesville Public Schools; Eisenhower International Elementary, Tulsa Public Schools; Harding Charter Preparatory High School-Oklahoma City Public Schools; Wayland Bonds Elementary, Moore Public Schools; Central High Elementary, Central High Public Schools; and Chisholm High School, Chisolm Public Schools.

First-Year Superintendents

First-year superintendent(s) attending the meeting were Marjana Tharp, Vanoss Public School, and Kelly Husted, Keota Public Schools.

CONSENT DOCKET APPROVED

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2013-2014 school year and other requests:

(a) **Abbreviated School Day – OAC 210:35-29-2 and 210:35-3-46**
Clinton Public Schools, Custer County

(b) **Adjunct Teachers – 70. O.S. § 6-122.3**
Salina Public Schools, Mayes County

(c) **Allow Two School Days in a 24-Hour Period – 70 O. S. § 1-111**
Kingfisher Public Schools, Kingfisher County

(d) **Cooperative Agreements for Alternative Education Programs – 70 O. S. § 1210.568**
Turpin Public Schools, Beaver County

(e) **Length of School Day - 70 O. S. § 1-109**
Dewey Public Schools, Washington County
Millwood Public Schools, Oklahoma County

(f) **Library Media Services – OAC 210:35-5-71 and 210:35-9-71**
Dover Public Schools, Kingfisher County
Eufaula Public Schools, McIntosh County
Goodwell Public Schools, Texas County
Tecumseh Public Schools, Pottawatomie County

(g) **Library Media Specialist Exemption – 70 O. S. § 3-126**
Oklahoma City Public Schools, Oklahoma County
Bodine Elementary School
Jackson Middle School
Star Spencer High School
U.S. Grant High School

(h) **Planning Period – OAC 210:35-7-41 and OAC 210:35-9-41**
Ponca City Public Schools, Kay County

(i) Request approval on recommendations from the Teacher Competency Review Panel for applicants to receive a license - 70 O. S. § 6-202

(j) Request approval on exceptions to State Board of Education teacher certification regulations to permit issuance of emergency (provisional) certificates – 70 O. S. § 6-187

Board Member Baxter made a motion to approve the Consent Docket and Board Member Ford seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; Mr. Keating, yes; Ms. Franks, yes; General Baxter, yes; and Mr. Shdeed, yes.

FINANCIAL SERVICES

Qualified Zone Academy Bond (QZAB) Allocation Approved

Nancy Hughes, Executive Director, Financial Accounting presented QZAB allocation requests from Heavener Public Schools, Keota Public Schools, Okmulgee Public Schools, and Vian Public Schools. The allocations will be used for classroom renovations, energy efficiency, security upgrades, technology upgrades, HVAC system, flooring, lighting, and curriculum materials.

Board Member Ford made a motion to approve the Qualified Zone Academy Bond allocation and Board Member Shdeed seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Ms. Franks, yes; Mr. Keating, yes; Mr. Price, yes; and Ms. Ford, yes.

Oklahoma Cost Accounting System
(OCAS) penalties Approved

Ms. Hughes said districts have to submit their revenue and expenditures by September 1. Since September 1 was on a weekend and was followed by a holiday, the deadline was extended to September 3. Twelve schools missed the deadline with one school that also missed the deadline last year. All of the districts presented a letter of explanation as to the cause of the late submission.

Board Member Baxter made a motion to waive all of the OCAS penalties for districts in noncompliance of the September 1 submission date with the exception of Sharon-Mutual Public Schools. Board Member Ford seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; Mr. Keating, yes; Ms. Franks, yes; General Baxter, yes; and Mr. Shdeed, yes.

ACADEMIC AFFAIRS

OFFICE OF EDUCATOR EFFECTIVENESS

Value-Added Model
(VAM) recommendations Approved

Kerri White, Assistant State Superintendent, Office of Educator Effectiveness, presented an overview of the Teacher and Leader Effectiveness (TLE) system, discussed the TLE implementation timeline, and reviewed the recommendations by the TLE Commission.

Board Member Ford made a motion to approve the recommendations by the TLE Commission regarding Value-Added Model. Board Member Price seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Ms. Franks, yes; Mr. Keating, yes; Mr. Price, yes; and Ms. Ford, yes.

OFFICE OF INSTRUCTION

Summer Academy Reading Program
(SARP) research based programs Approved

Teri Brecheen, Executive Director of Literacy, presented a request for approval of the scientifically research-based programs for use by school districts in summer academy reading programs (SARP's) offered to meet requirements of the *Reading Sufficiency Act* (RSA) that included: Dynamic Measurement Group, Literacy First, LETRS Foundations, and Current Reading Specialist Certification by the State Department of Education.

Board Member Ford made a motion to approve the scientifically research-based programs for use in summer academy reading program under the *Reading Sufficiency Act*. Board Member Franks seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; Mr. Keating, yes; Ms. Franks, yes; General Baxter, yes; and Mr. Shdeed, yes.

Report on Math and Science Partnership Grant Recipients

Jeff Downs, Executive Director of STEM, presented a report on the recipients of the Math and Science Partnership (MSP) Grants. Grant recipients included Altus Public Schools, Anadarko Public Schools, Broken Arrow Public Schools, Broken Bow Public Schools, Byng Public Schools, Lawton Public Schools, Meeker Public Schools, Osage County, and Putnam City Public Schools. The MSP is a federal grant in which Oklahoma is currently allocating cycle 8 funds of the 9 issued. Grant funds are specifically for professional development programs and activities designed to improve teacher content knowledge, and math and science teaching skills. Funds cannot be used for any other funding sources.

Mr. Downs reviewed grant application requirements/process, statewide MSP summer workshop programs, schedules and meetings, Local Education Agency (LEAs) eligibility components, higher education partnership requirements, and teacher requirements; allocations, evaluation and agency oversight.

This is a report only and no action was taken.

Oklahoma Advisory Council on Indian Education (OACIE) Annual Report

Dwight Pickering, Director of American Indian Education, said the annual report of the Oklahoma Advisory Council on Indian Education (OACIE) is required per House Bill 2929 and was effective July 2010. Mr. Pickering introduced Ms. Lucy Ann Harjo, OACIE Vice Chairman, member of the Navajo Nation and Coordinator/Director of Indian Education, Norman Public Schools; and Mr. Jim Parrish, OACIE Chairman, member of the Choctaw Nation, Director of the Choctaw Language, and a former Oklahoma school educator and administrator.

Mr. Parrish greeted the State Board of Education (SBE) in the Choctaw language to show the uniqueness of the OACIE organization. The organization represents all Oklahoma Native American tribes and approximately 130,000 Native American students not only in academics but also in the language, history, and tribal cultures involved in Indian education; and as well as the SBE in which it is an honor. Mr. Parrish presented the 2013 yearly report that included recommendations, education updates and relationships regarding the OSDE/Tribes/Children partnerships and promotion of Indian education; board representatives, world language instruction, distance learning, cultural curriculum development; and committee/annual meeting highlights.

The OACIE recommended the State Board of Education (SBE) add additional staff to the OSDE-Office of Indian Education; provide continual support in the development of additional staff development for teachers and schools on cultural diversity of the Native American Student; and for the SBE to recommend the continuation of the OACIE organization to Oklahoma Legislators.

Board Members agreed a Resolution in support of the continuation will appear on the January 2014 SBE meeting.

This is a report only and no action was taken.

SCHOOL TURNAROUND

Charter School Sponsorship Policy Approved

Sam Duell, Executive Director of School Choice presented a request for approval of the Charter School Sponsorship Policy per the *Oklahoma Charter School Act* that allows the SBE to sponsor a charter school if an application is submitted from the Office of Juvenile Affairs (OJA) or entity(s) that contracts with the OJA office. The policy establishes guidelines for application submittal, review and approval process to the Oklahoma State Board of Education (OSBE) for sponsorship of a charter school.

Board Member Price made a motion to approve the Charter School Sponsorship Policy with the amendment on page 3 section C. 2. (b) to read "Executive Director of School Choice", instead of "Director of C^3 Schools." Board Member Ford seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Ms. Franks, yes; Mr. Keating, yes; Mr. Price, yes; and Ms. Ford, yes.

LEGAL SERVICES

Track 1 Proposed Administrative Rules Approved

Stephanie Moser Goins, Assistant General Counsel presented the following proposed permanent rules for adoption:

Chapter 10. School Administration and Instructional Services; Subchapter 13, Student Assessment – 210:10-13-16. Student exceptions and exemptions related to graduation requirements for end-of instruction exams ("ACE")

Board Member Ford made a motion to approve the request and Board Member Shdeed seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; Mr. Keating, yes; Ms. Franks, yes; General Baxter, yes; and Mr. Shdeed, yes.

Chapter 10. School Administration and Instructional Services; Subchapter 13. Student Assessment – 210:10-13-22. Implementation of a system of school improvement and accountability ("A-F")

Board Member Shdeed made a motion to approve the request. Board Member Ford seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Ms. Franks, yes; Mr. Keating, yes; Mr. Price, yes; and Ms. Ford, yes.

Chapter 15. Curriculum and Instruction; Subchapter 27. Reading Sufficiency Act – 210:15-27-2. Good cause exemptions for promotion under the Reading Sufficiency Act and 210:15-27-3. Standards for mid-year promotion of retained third graders

Board Member Ford made a motion to approve the request and Board Member Franks seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; Mr. Keating, yes; Ms. Franks, yes; General Baxter, yes; and Mr. Shdeed, yes.

Chapter 15. Curriculum and Instruction; Subchapter 34. Supplemental Online Course Procedures – 210:15-34-1. General Provisions

Board Member Price made a motion to approve the request and Board Member Baxter seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Ms. Franks, yes; Mr. Keating, yes; Mr. Price, yes; and Ms. Ford, yes.

Chapter 30. School Facilities and Transportation; Subchapter 5. Transportation – 210:30-5-8. School bus driver certification

Board Member Ford made a motion to approve the request and Board Member Franks seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; Mr. Keating, yes; Ms. Franks, yes; General Baxter, yes; and Mr. Shdeed, yes.

Track 2 Proposed Administrative Rules Approved

Ms. Stephanie Moser Goins, Assistant General Counsel presented the following proposed permanent rules for adoption:

Chapter 10. School Administration and Instructional Services; Subchapter 1. General Provisions – 210:10-1-20. Implementation of policies prohibiting harassment, intimidation, and bullying

Board Member Ford made a motion to approve the request and Board Member Price seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Ms. Franks, no; Mr. Keating, yes; Mr. Price, yes; and Ms. Ford, yes.

Chapter 10. School Administration and Instructional Services; Subchapter 13. Student Assessment – 210:10-13-2. Oklahoma School Testing Program (OSTP) scope and general administration and 210:10-13-11. Testing students with disabilities

Board Member Ford made a motion to approve the request and Board Member Price seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; Mr. Keating, yes; Ms. Franks, yes; General Baxter, yes; and Mr. Shdeed, yes.

Chapter 10. School Administration and Instructional Services; Subchapter 13. Student Assessment – 210:10-13-4. Test security and validity and 210:10-13-18. Oklahoma School Accountability System

Board Member Ford made a motion to approve the request and Board Member Franks seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Ms. Franks, yes; Mr. Keating, yes; Mr. Price, yes; and Ms. Ford, yes.

Chapter 15. Curriculum and Instruction; Subchapter 3. Priority Academic Student Skills; Part 13. The Arts

Board Member Ford made a motion to approve the request and Board Member Franks seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; Mr. Keating, yes; Ms. Franks, yes; General Baxter, yes; and Mr. Shdeed, yes.

Chapter 20. Staff; Subchapter 23. School Board Members – 210:20-23-3. Requirements for new school board member training and 210:20-23-4. Requirements for continuing education; certifications costs

Board Member Ford made a motion to approve the request and Board Member Price seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Ms. Franks, yes; Mr. Keating, yes; Mr. Price, yes; and Ms. Ford, yes.

Chapter 35. Standards for Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools; Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools; Part 17. School Facilities – 210:35-3-186. Site and buildings: size and space; accessibility; maintenance; health and safety

Board Member Ford made a motion to approve the request and Board Member Franks seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; Mr. Keating, yes; Ms. Franks, yes; General Baxter, yes; and Mr. Shdeed, yes.

Chapter 35. Standards for Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools; Subchapter 9. Additional Standards for Secondary Schools; Part 7. Standard IV: Curriculum, Instruction, Assessment and Climate – 210:35-9-31. Programs of study and graduation requirements

Board Member Ford made a motion to approve the request and Board Member Shdeed seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Ms. Franks, yes; Mr. Keating, yes; Mr. Price, yes; and Ms. Ford, yes.

INFORMATION TO THE BOARD

Information on the Oklahoma School for the Deaf

Mr. Kevin Nelson, Legislative Liaison and Ms. Jody Harlan, Communications Director for the Department of Rehabilitation Services presented a video overview on the Oklahoma School for the Deaf and provided an updated report.

Superintendent Barresi advised the MSP 2012 report was provided to Board members.

This was a report only and no action was required.

ADJOURNMENT

Board Member Ford made a motion to adjourn. Board Member Keating seconded the motion. There being no further business Board Members unanimously agreed to adjourn the meeting at 4:18 p.m.

The next regular meeting of the State Board of Education will be held on Thursday, January 23, 2014, at 1:00 p.m. The meeting will convene at the State Department of Education, 2500 North Lincoln Blvd., Oklahoma City, Oklahoma.

_____
Janet Barresi, Chairperson of the Board

_____
Kalee Isenhour, Secretary to the State Board

STATE BOARD OF EDUCATION
2500 NORTH LINCOLN BOULEVARD
STATE BOARD ROOM, SUITE 1-20
OKLAHOMA CITY, OKLAHOMA

AGENDA

Thursday, January 23, 2014

1. Call to order and roll call – 1:00 p.m.

2. Pledge of Allegiance, Salute to the Oklahoma State Flag, and Moment of Silence
(I salute the flag of the State of Oklahoma. Its symbols of peace unite all people.)

3. (Action)

(a) Discussion and possible action on minutes of the December 19, 2013 State Board of Education regular meeting

4. STATE SUPERINTENDENT

(a) Information from the State Superintendent

(b) 2012 Presidential Award for Excellence in Mathematics and Science Teaching

5. PUBLIC COMMENT

The State Board of Education shall hear public comment on any **Action** item listed on the current Board of Education meeting agenda. Public comments will be limited to only those subject matters covered in the current meeting agenda. Public comment will not be taken on issues relating to: (1) pending litigation against OSDE, OSBE, or agency employees; (2) a pending grievance; (3) an employee complaint; (4) complaints against OSDE employees; or (5) disciplinary action, suspension or termination of an OSDE employee. A sign-up sheet will be posted at least fifteen (15) minutes prior to the scheduled start time of the Board Meeting. Sign up must be completed prior to the scheduled start time of the meeting. The individual signing in must select one of the two public comment periods on the agenda to participate in. Only individuals who have signed up to speak will be recognized during the Public Comment period and will be recognized in the order in which they have signed in. Each speaker will be allocated three (3) minutes for presentation. The Board Chairperson may interrupt and/or terminate any presentation during public comment, which does not conform to the procedures outlined under this Section. The Board Chairperson reserves and retains the right to interrupt, terminate, or postpone public comment as necessary to effectuate the management of the public meeting.

6. CONSENT DOCKET (Action)

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2013-2014 school year and other requests:

(a) **Library Media Services – OAC 210:35-5-71 and 210:35-9-71**
Bridge Creek, Grady County

(b) Request approval on recommendations from the Teacher Competency Review Panel for applicants to receive a license - 70 O. S. § 6-202

(c) Request approval on exceptions to State Board of Education teacher certification regulations to permit issuance of emergency (provisional) certificates – 70 O. S. § 6-187

State Board of Education Meeting
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7. FINANCIAL SERVICES – Mathangi Shankar, Director

(a) Presentation of Achievement Awards for Excellence in Annual Financial Reporting - **Nancy Hughes, Executive Director, Financial Accounting**

8. ACADEMIC AFFAIRS

- **Office of Educator Effectiveness– Kerri White, Assistant State Superintendent**

(Action) (a) Discussion and possible action of the TLE Commission Recommendations regarding pilot year Value-Added Model (VAM) policies and Five-Tier Rating System of the Teacher and Leader Effectiveness Evaluation System (TLE) – **Kerri White, Assistant State Superintendent**

(Action) (b) Discussion and possible action to permit Tulsa Technology Center to offer Visual Graphic Design class for fine art credit for purposes of fulfilling requirements of 70 O.S. § 11-103.6 – **Melissa White, Executive Director of Counseling/ACE**

(c) Discussion relating to the transfer of the Lifelong Learning Division of the State Department of Education to the Department of Career and Technology Education

- **Office of Instruction – Marsha Thompson, Assistant State Superintendent**

(Action) (d) Discussion and possible action on the Advanced Placement First Time Materials and Equipment Grant pursuant to 70 O.S. § 1210.701-703 – **Lori Boyd, Director of Advanced Placement**

(Action) (e) Discussion and possible action on the Advanced Placement Second Time Materials and Equipment Grant pursuant to 70 O.S. § 1210.701-703 – **Lori Boyd, Director of Advanced Placement**

(Action) (f) Discussion and possible action on the Advanced Placement Training Grant pursuant to 70 O.S. § 1210.701-703 – **Lori Boyd, Director of Advanced Placement**

(Action) (g) Discussion and possible action on the Advanced Placement Vertical Team Grant awarded to a site for a specific discipline pursuant to 70 O.S. § 1210.701-703 – **Lori Boyd, Director of Advanced Placement**

(h) Presentation on the development of the draft Oklahoma Academic Standards for Science – **Tiffany Neill, Director of Science**

- **Office of Accountability and Assessments – Maridyth McBee, Assistant State Superintendent**

(i) Presentation on Technology Readiness Activities – **Kurt Burnhardt, Executive Director of Research**

9. LEGAL SERVICES – Kimberly Richey, General Counsel

(Action) (a) Discussion and possible action on proposed administrative rules pursuant to Administrative Procedures Act, 75 O.S. 250, *et. Seq.* – **Stephanie Moser Goins, Assistant General Counsel**

(1) Chapter 20. Staff; Subchapter 9. Professional Standards: Teacher Education and Certification. Part 9. Teacher Certification - 210:20-9-105. Non-traditional certification in special education

(2) Chapter 20. Staff; Subchapter 9. Professional Standards: Teacher Education and Certification. Part 15. General Competencies for Licensure and Certification - 210:20-9-152. General competencies for licensure and certification

(3) Chapter 20. Staff; Subchapter 9. Professional Standards: Teacher Education and Certification. Part 1. General Teaching Certificate Requirements - 210:20-9-9. Kinds, types, classes and processing fees of certificates

(4) Chapter 20. Staff; Subchapter 9. Professional Standards: Teacher Education and Certification. Part 9. Teacher Certification - 210:20-9-102. Career development program for paraprofessionals

(5) Chapter 20. Staff; Subchapter 9. Professional Standards: Teacher Education and Certification. Part 9. Teacher Certification - 210:20-9-110. Alternative placement teaching certificates

(6) Chapter35. Standards for Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools; Subchapter 1. General Provisions - 210:35-1-4. Standards eligible for deregulation

Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools. Part 1. Standard I: Philosophy (and/or Mission) and Goals
210:35-3-4. Standards eligible for deregulation
Part 3. Standard II: School-Community Relationships
210:35-3-24. Standards eligible for deregulation
Part 5. Standard III: Administration and Organization
210:35-3-44. Standards eligible for deregulation
Part 7. Standard IV: Curriculum, Instruction, Assessment and Climate
210:35-3-64. Standards eligible for deregulation
Part 9. Standard V: The School Staff
210:35-3-84. Standards eligible for deregulation
Part 11. Standard VI: Student Services
210:35-3-104. Standards eligible for deregulation
Part 13. Standard VII: The Media Program
210:35-3-124. Standards eligible for deregulation
Part 15. Standard VIII: Student Activities Program
210:35-3-144. Standards eligible for deregulation
Part 17. Standard IX: Financial Support
210:35-3-164. Standards eligible for deregulation
Part 19. Standard X: School Facilities
210:35-3-184. Standards eligible for deregulation

Subchapter 5. Additional Standards for Elementary Schools
Part 9. Standard V: The School Staff
210:35-5-46. Standards eligible for deregulation
Part 13. Standard VII: The Media Program
210:35-5-75. Standards eligible for deregulation

Subchapter 7: Additional Standards for Middle Level Schools
Part 5. Standard III: Administration and Organization
210:35-7-22. Standards eligible for deregulation
Part 9. Standard V: The School Staff
210:35-7-45. Standards eligible for deregulation
Part 13. Standard VII: The Media Program
210:35-7-65. Standards eligible for deregulation

Subchapter 9: Additional Standards for Secondary Schools
Part 5. Standard III: Administration and Organization
210:35-9-22. Standards eligible for deregulation
Part 9. Standard V: The School Staff
210:35-9-47. Standards eligible for deregulation
Part 13. Standard VII: The Media Program
210:35-9-75. Standards eligible for deregulation

(7) Chapter 35. Standards for Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools; Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools Part 23. Standard XII: Deregulation, Waivers, and the School District Empowerment Program – Rules and Procedures - 210:35-3-228. Required application criteria to be considered for requests for deregulations, waivers of statutory requirements, and participation in the School District Empowerment Program - 210:35-3-229. Applications for participation in the School District Empowerment Program

(8) Chapter 35. Standards for Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools; Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools Part 21. Standard XI: Accreditation Status - 210:35-3-201. Statement of the standard

(Action) (b) Discussion and possible action to convene into Executive Session for purposes of confidential communications between a public body and its attorney concerning a pending claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest, pursuant to 25 O. S. § 307 (B)(4)

Proposed action or claim to be discussed is *Epic 1 on 1 Charter School v. State of Oklahoma, ex rel. Oklahoma State Department of Education, Oklahoma State Board of Education,* and *Janet Barresi, State Superintendent of Public Instruction for the State of Oklahoma* (CV-2013-2356)

(a) Convene into Executive Session
(b) Return to Open Session
(c) Possible action

10. NEW BUSINESS

11. INFORMATION TO THE BOARD

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January 23, 2014

12. PUBLIC COMMENT

The State Board of Education shall hear public comment on any item listed on the current Board of Education meeting agenda. Public comments will be limited to only those subject matters covered in the current meeting agenda. Public comment will not be taken on issues relating to: (1) pending litigation against OSDE, OSBE, or agency employees; (2) a pending grievance; (3) an employee complaint; (4) complaints against OSDE employees; or (5) disciplinary action, suspension or termination of an OSDE employee. A sign-up sheet will be posted at least fifteen (15) minutes prior to the scheduled start time of the Board Meeting. Sign up must be completed prior to the scheduled start time of the meeting. The individual signing in must select one of the two public comment periods on the agenda to participate in. Only individuals who have signed up to speak will be recognized during the Public Comment period and will be recognized in the order in which they have signed in. Each speaker will be allocated three (3) minutes for presentation. The Board Chairperson may interrupt and/or terminate any presentation during public comment, which does not conform to the procedures outlined under this Section. The Board Chairperson reserves and retains the right to interrupt, terminate, or postpone public comment as necessary to effectuate the management of the public meeting.

13. ADJOURNMENT

SPECIAL MEETING OF THE STATE BOARD OF EDUCATION 2500 NORTH LINCOLN BOULEVARD STATE BOARD ROOM, SUITE 1-20 OKLAHOMA CITY, OKLAHOMA AGENDA

Tuesday, March 4, 2014

1. Call to order and roll call – 9:00 a.m.

2. Pledge of Allegiance, Salute to the Oklahoma State Flag, and Moment of Silence
(I salute the flag of the State of Oklahoma. Its symbols of peace unite all people.)

3. (Action)

(a) Discussion and possible action on minutes of the January 23, 2014 State Board of Education regular meeting

4. STATE SUPERINTENDENT

(a) Information from the State Superintendent

5. CONSENT DOCKET (Action)

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2013-2014 school year and other requests:

(a) **Abbreviated School Day – OAC 210:35-29-2 and 210:35-3-46**
Mid-Del Public Schools, Oklahoma County

(b) **Library Media Specialist Exemption – 70 O. S. § 3-126**
Jenks Public Schools, Tulsa County
Jenks Middle School

(c) **Planning Period – OAC 210:35-7-41 and OAC 210:35-9-41**
Ponca City Public Schools, Kay County
Ponca City High School

(d) Request approval on recommendations from the Teacher Competency Review Panel for applicants to receive a license - 70 O. S. § 6-202

(e) Request approval on exceptions to State Board of Education teacher certification regulations to permit issuance of emergency (provisional) certificates – 70 O. S. § 6-187

6. FINANCIAL SERVICES – Mathangi Shankar, Director

(Action) (a) Discussion and possible action on the Proposed Qualified Zone Academy Bond Allocations – OAC 210:40-83-3 – **Nancy Hughes, Executive Director, Financial Accounting**

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7. ACADEMIC AFFAIRS

- **Office of Educator Effectiveness– Kerri White, Assistant State Superintendent**

(Action) (a) Discussion and possible action on the TLE Commission Recommendations regarding Student Academic Growth for Non-Tested Grades and Subjects as well as the Effectiveness Ranges of Composite Teacher and Leader Effectiveness (TLE) Scores of the TLE Evaluation System – 70 O.S. § 6-101.16 – **Kerri White, Assistant State Superintendent**

- **Office of Accountability and Assessment – Maridyth McBee, Assistant State Superintendent**

(Action) (b) Discussion and possible action to issue annual report (A-F Report Cards) to Epic 1 on 1 Charter School pursuant to 70 O.S. § 1210.545 and State Board of Education rules – OAC 210:10-13-22

- **Office of Instruction – Marsha Thompson, Assistant State Superintendent**

(Action) (c) Discussion and possible action on the first year Advancement Via Individual Determination (AVID) Grants – 70 O.S. § 3-104 – **Lori Boyd, Director of Advanced Placement/AVID**

(Action) (d) Discussion and possible action on the second year Advancement Via Individual Determination (AVID) Grants – 70 O.S. § 3-104 – **Lori Boyd, Director of Advanced Placement/AVID**

8. LEGAL SERVICES – Kimberly Richey, General Counsel

(Action) (a) Discussion and possible action on proposed administrative rules pursuant to Administrative Procedures Act, 75 O.S. 250, *et. Seq.* – **Stephanie Moser Goins, Assistant General Counsel**

(1) Chapter 1. State Board of Education; Subchapter 3. Departmental Precepts – 210:1-3-8.1. Student Data Accessibility, Transparency and Accountability Act

(2) Chapter 1. State Board of Education; Subchapter 3. Departmental Precepts – 210:1-3-11. Open Records Act

(3) Chapter 10. School Administration and Instructional Services; Subchapter 1. General Provisions – 210:10-1-18. Transfers

(4) Chapter 10. School Administration and Instructional Services; Subchapter 1. General Provisions – 210:10-1-21. Emergency administration of anaphylaxis medication in public schools

(5) Chapter 10. School Administration and Instructional Services; Subchapter 3. Child Nutrition Program. Part 5. National School Lunch Program – 210:10-3-51. National School Lunch Program
Part 7. School Breakfast Program – 210:10-3-71. School Breakfast Program. Part 9. Summer Food Services Program for Children – 210:10-3-91. Summer food services program for children

(6) Chapter 25. Finance; Subchapter 5. Budgeting and Business Management; Part 2. Personnel and Procedures
210:25-5-10. The encumbrance clerk
210:25-5-11. The school district treasurer

(7) Chapter 35. Standards for Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools. Subchapter 5. Additional Standards for Elementary School; Part 13. Standard VII: The Media Program – 210:35-5-74. Statement of the standard
Subchapter 7. Additional Standards for Middle Level School Part 13. Standard VII: The Media Program 210:35-7-64 – Statement of the standard
Subchapter 9. Additional Standards for Middle Level Schools Part 13. Standard VII: The Media Program 210:35-9-74 – Statement of the standard

(8) Chapter 35. Standards for Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools. Subchapter 27. Proficiency Based Promotion
210:35-27-1. Purpose and scope
210:35-27-2. Proficiency based promotion and evaluations of student placement
210:35-27-3. Appropriate notation for credit in required curriculum area(s) completed through examination

9. CHIEF OF STAFF – Joel Robison, Chief of Staff

(Action) (a) Discussion and possible action on the request for Supplemental Funds for Fiscal Year 2014 – 70 O.S. § 3-104

10. ADJOURNMENT

Menu of Interventions and Supports for School Improvement

Based on the analysis of each school's comprehensive needs assessment, which may include data from the What Works in Oklahoma Schools surveys, WISE online assessment and planning tool, student achievement data, student behavior and attendance data, and recommendations from School Support Team members, the LEA will select differentiated interventions from the list below in consultation with SEA staff to target the specific needs of the school, its educators, and its students, including specific subgroups.

1. *Schoolwide Interventions & Supports*
    - Extended School Day, Week, or Year to Focus on Meeting Needs of Students at All Academic Levels
    - Regular Data Reviews following the Oklahoma Data Review Model
    - Curriculum Development and Evaluation of Available Resources
    - Professional Libraries and Book Studies Based on Identified Educator and Student Needs
    - Improving School Culture
    - School Partnerships with Business and Industry (including Teacher and/or Student Academies in Oklahoma Industry Sectors such as Aerospace, Healthcare, Manufacturing and Energy)
    - Early College High School Programs that Organize the School Around Ensuring that Students Participate in College-Credit Earning Courses while in High School (such as Dual Credit, Advanced Placement, International Baccalaureate, and Concurrent Enrollment)
    - Attendance Advocacy Programs that will Increase Student Engagement and Performance
    - High Quality Alternatives to Suspension such as Online Learning, Student/Parent Behavior Contracts, Principal Shadowing, and Parent Engagement Strategies
    - School Support Consultants including School Support Teams, Leadership Coaches, and Private Consultants

2. *Leadership Interventions & Supports*
    - Instructional Leadership Academies/Training for Superintendents, Principals, and Other Administrators
    - Research-Based Professional Development for Leaders, to be selected from the following list as appropriate: What Works in Oklahoma Schools, Pre-AP/AP Leadership Training, AVID Leadership Training, Professional Learning Communities, and Oklahoma Literacy Initiative Institutes
    - Job-Embedded Professional Development Informed by Oklahoma's Teacher and Leader Effectiveness Evaluation System (TLE)
    - Leadership Coaches to Support Principals and Other Site-Based Leaders
    - Implementation of Oklahoma's Nine Essential Elements Indicators, Rubrics, and Strategies, a Comprehensive Framework that Guides Schools and Districts in Making Strategic Decisions in the Areas of Academic Learning and Performance, Professional Learning Environment, and Collaborative Leadership

3. *Teacher Interventions & Supports*
    - Research-Based Professional Development for Teachers, to be selected from the following list as appropriate: What Works in Oklahoma Schools, Pre-AP/AP Institutes and Vertical Alignment Workshops, AVID Training, Professional Learning Communities, and Oklahoma Literacy Initiative Institutes
    - Job-Embedded Professional Development Informed by Oklahoma's Teacher and Leader Effectiveness Evaluation System (TLE)

- Teacher Collaboration Time to Analyze Student Achievement Data, Develop Classroom Lessons Aligned to State Standards and Common Core State Standards, Analyze Student Work, Develop Common Assessments, and Conduct Action Research Around School Needs
- Student Work Analysis Training to Examine the Quality of Classroom Assignments, Instruction, and Interventions
- Instructional Coaches Who Model Lessons and Assist Teachers in Using Student Assessment Data
- Teacher Leaders and Teacher Experts Who Serve as Model Classrooms, PLC Leaders, and Lead Teachers for Professional Growth Opportunities

4. *Classroom Interventions & Supports*
    - English Learner Instructional Strategies and Resources, including Pre-AP/AP Institutes and Vertical Alignment Workshops, AVID Training, and Sheltered Instruction Observational Protocol (SIOP) Training
    - Students with Disabilities Instructional Strategies and Resources, including Co-Teaching and Inclusion Models
    - Oklahoma Tiered Intervention System of Support (Response to Intervention and Positive Behavior Intervention and Supports)
    - High Quality Instructional Materials Aligned to State Standards and Common Core State Standards to Support Individual Student Needs in Meeting High Expectations
    - Student College, Career, and Citizenship Plans which Encompass Course Timelines, Career Goals, Community Service Projects, Service Learning Experiences, and Behavior Expectations that will Lead to C^3 Preparedness
    - Graduation Coach Programs to Assist Students in Development of College, Career, and Citizenship Plans and Timelines
    - Career Pathways/Career Ladders Programs that will Provide Students with Access to Courses and Certifications to Support Career Goals
    - Implementation of What Works in Schools Strategies (see What Works in Oklahoma Schools Resource Toolkit, a Comprehensive Needs Assessment for Schools and Districts)

5. *Parent and Community Interventions & Supports*
    - Public School Choice, including Providing Transportation for Students to Attend Higher Performing Schools within the District or in Neighboring Districts
    - Supplemental Tutoring Programs
    - Parent and Community Engagement Initiatives such as Community Round Tables, Town Hall Meetings, In-Kind Business Donations, and Business Expertise Support
    - Local Employer Support Strategies (for example, Career Mentorships and Career Exploration)
    - Parenting Classes, such as "How to File a FAFSA Form," "How to Help Your Child Read," and "How to Discipline Your Child Without Pulling Your Hair Out"
    - Classes for Parents and Community Members, such as English Language Development Classes, Technology Skills, Adult Education
    - Partnerships with Institutions of Higher Education and Career and Technical Education
    - Community Schools Initiative
        - On-site Health Clinics
        - Targeted Business/Community/Faith-Based Organization Partnerships
        - School-Based Social Worker Programs in Partnership with Department of Human Services
        - Youth Mentoring Programs
        - Food and Clothing Banks
        - Afterschool Programs (such as 21st Century Community Learning Centers)

Attachment 13: Oklahoma's Nine Essential Elements and 90 Performance Indicators

Oklahoma's research based Nine Essential Elements and 90 Performance Indicators serve as the foundation for comprehensive needs assessments and school improvement planning. The Ways to Improve School Effectiveness (WISE) Online Planning Tool is established on the 90 Performance Indicators.

Oklahoma WISE Planning Tool

Oklahoma Nine Essential Elements Performance Indicators

Italics = Rapid Improvement Indicators (identified in red as Key Indicators in WISE)

Academic Learning and Performance – CURRICULUM	
EE1A-1.01	*Instructional teams align the curriculum with state and national academic content and process standards that identify the depth of knowledge, skills, and abilities needed for student success.*
EE1A-1.02	Instructional teams articulate the learning standards through grade level objectives.
EE1A.1.03	*Instructional teams engage in discussions within the school which result in the elimination of unnecessary overlaps and close curricular gaps.*
EE1A.1.04	Instructional teams identify key curriculum vertical transition points between and among early childhood and elementary school; elementary and middle school; and middle school and high school to eliminate unnecessary overlaps and close curricular gaps.
EE1A.1.05	Instructional teams ensure curriculum provides effective links to career, postsecondary education, and life options.
EE1A.1.06	Instructional teams review alignment to standards and revise site-level curriculum accordingly.
EE1A.1.07	*School leadership and instructional teams ensure all students have access to the common academic core curriculum.*

Academic Learning and Performance – CLASSROOM EVALUATION AND ASSESSMENT	
EE1B-2.01	All teachers provide multiple classroom assessments that are frequent, rigorous, and aligned to standards.
EE1B-2.02	All teachers collaborate to develop common formative assessments and authentic assessment tasks (such as portfolios or projects) that are aligned with state standards.
EEIB-2.03	*All teachers design units of instruction to include pre- and posttests that assess student mastery of standards-based objectives.*
EE1B-2.04	All students can articulate expectations in each class and know what is required to be proficient.
EE1B-2.05	*All teachers use test scores, including pre- and posttest results, to identify instructional and curriculum gaps, modify units of study, and reteach as appropriate.*
EE1B-2.06	Instructional teams use student learning data to identify students in need of tiered instructional support or enhancement.
EE1B-2.07	School leadership and instructional teams examine student work for evidence that instruction is aligned to state standards.
EE1B-2.08	School leadership provides teachers and students with access to college and work readiness assessments in order to best plan high school courses of study.
EE1B-2.09	All teachers and instructional teams analyze student work to target and revise instruction and curriculum, and to obtain information on student progress.

Academic Learning and Performance – INSTRUCTION	
EE1C-3.01	*All teachers use varied instructional strategies that are scientifically research based.*
EE1C-3.02	*All teachers use instructional strategies and activities that are aligned with learning objectives.*
EE1C-3.03	*All teachers use instructional strategies and activities that are differentiated to meet specific student learning needs.*
EE1C-3.04	All teachers demonstrate the content knowledge necessary to challenge and motivate students to high levels of learning.
EE1C-3.05	All teachers incorporate the use of technology in their classrooms when it enhances instruction.
EE1C-3.06	School leadership provides sufficient instructional resources that are used by teachers and students for standards-aligned learning activities.
EE1C-3.07	All teachers examine and discuss student work collaboratively and use this information to inform their practice.
EE1C-3.08	*All teachers assign purposeful homework and provide timely feedback to students.*
EE1C-3.09	School leadership and all teachers address academic and workplace literacy and data analysis skills across all content areas.

Effective Learning Environment – Effective Teachers – SCHOOL CULTURE	
EEIIA-4.01	*School leadership fosters a positive school climate and provides support for a safe and respectful environment.*
EEIIA-4.02	School leadership implements practices that focus on high achievement for all students.
EEIIA-4.03	*All teachers hold high academic and behavioral expectations for all students.*
EEIIA-4.04	All teachers and nonteaching staff are involved in decision-making processes related to teaching and learning.
EEIIA-4.05	*All teachers recognize and accept their professional role in student successes and failures.*
EEIIA-4.06	School leadership makes teaching assignments based on teacher instructional strengths to maximize opportunities for all students.
EEIIA-4.07	*All teachers communicate regularly with families about individual student progress.*
EEIIA-4.08	All teachers and staff provide time and resources to support students' best efforts.
EEIIA-4.09	School leadership and all teachers celebrate student achievement publicly.
EEIIA-4.10	All school staff and students practice equity and demonstrate respect for diversity.
EEIIA-4.11	Students assume leadership roles in the classroom, school, co-curricular activities, extra-curricular activities, and community.

Effective Learning Environment – Effective Teachers – STUDENT, FAMILY, AND COMMUNITY SUPPORT	
EEIIB-5.01	*Families and communities are active partners in the educational process and work with staff to promote programs and services for all students.*
EEIIB-5.02	*All students have access to academic and behavioral supports including tutoring, co- and extra-curricular activities, and extended learning opportunities (e.g., summer bridge programs, Saturday school, counseling services, Positive Behavior Intervention Supports [PBIS] and competitive and noncompetitive teams).*
EEIIB-5.03	School leadership and all teachers implement strategies such as family literacy to increase effective parental involvement.
EEIIB-5.04	School leadership and staff provide students with academic and non-academic guidance programs, including peer and professional counseling and mentoring, as needed.
EEIIB-5.05	*All school staff provide timely and accurate academic, behavioral, and attendance information to parents.*
EEIIB-5.06	School leadership and staff actively pursue relationships to support students and families as they transition from grade to grade, building to building, and beyond high school.
EEIIB-5.07	School leadership ensures that appropriate stakeholders (e.g., school staff, students, parents, family members, guardians, community organizations and members, business partners, postsecondary education institutions, and workforce) are involved in critical planning and decision-making activities.
EEIIB-5.08	School leadership and all staff incorporate multiple communication strategies that are culturally and linguistically appropriate and support two-way communications with families and other stakeholders.

Effective Learning Environment – Effective Teachers – PROFESSIONAL GROWTH, DEVELOPMENT, EVALUATION	
EEIIC-6.01	All teachers and school leadership collaboratively develop written individual professional development plans based on school goals.
EEIIC-6.02	School leadership plans opportunities for teachers to share their teaching skills with other teachers to build instructional capacity.
EEIIC-6.03	School leadership provides professional development for individual teachers that is directly connected to the Oklahoma indicators of effective teaching.
EEIIC-6.04	*School planning team uses goals for student learning to determine professional development priorities for all staff.*
EEIIC-6.05	All staff (principals, teachers and paraprofessionals) participate in professional development that is high quality, ongoing and job-embedded.
EEIIC-6.06	*School planning team designs professional development that has a direct connection to the analysis of student achievement data.*
EEIIC-6.07	School leadership implements a clearly defined formal teacher evaluation process to ensure that all teachers are highly qualified and highly effective.
EEIIC-6.08	School leadership implements a process for all staff to participate in reflective practice and collect schoolwide data to plan professional development.
EEIIC-6.09	School leadership provides adequate time and appropriate fiscal resources for professional development.
EEIIC-6.10	All teachers participate in professional development that increases knowledge of child and adolescent development, encourages the use of effective pedagogy, supports techniques for increasing student motivation, and addresses the diverse needs of students in an effective manner.

EEIIC-6.11	*School leadership provides opportunities for teachers to actively participate in collaboration and to engage in peer observations to improve classroom practice across disciplines and programs.*
EEIIC-6.12	School planning team designs professional development that promotes effective classroom management skills.
EEIIC-6.13	*School leadership uses the evaluation process to provide teachers with follow-up and support to change behavior and instructional practices.*

Collaborative Leadership – EFFECTIVE LEADERS	
EEIIIA-7.01	*School leadership develops and sustains a shared vision.*
EEIIIA-7.02	*School leadership makes decisions that are data-driven, collaborative, and focused on student academic performance.*
EEIIIA-7.03	School leadership collaborates with district leadership to create a personal professional development plan that develops effective leadership skills.
EEIIIA-7.04	School leadership disaggregates data for use in meeting needs of diverse populations and communicates that data to staff.
EEIIIA-7.05	School leadership ensures all instructional staff has access to curriculum-related materials and has received training in the effective use of curricular and data resources.
EEIIIA-7.06	School leadership ensures that instructional time is protected and allocated to focus on curricular and instructional issues, including adding time to the school day as necessary.
EEIIIA-7.07	School leadership provides effective organizational structures in order to allocate resources, monitor progress, and remove barriers to sustain continuous school improvement.
EEIIIA-7.08	School leadership provides organizational policies and resources necessary for implementation and maintenance of a safe and effective learning environment.
EEIIIA-7.09	School leadership provides processes for development and implementation of school policies based on a comprehensive needs assessment.
EEIIIA-7.10	*School leadership uses the indicators identified in the areas of academic performance, learning environment, and collaborative leadership to assess school needs.*
EEIIIA-7.11	School leadership uses knowledge and interpersonal skills to work with teachers as they define curricular and instructional goals.
EEIIIA-7.12	School leadership promotes distributed leadership, encouraging multiple roles for teacher leaders.
EEIIIA-7.13	School leadership collaborates with district leadership to develop strategies and skills to implement and sustain required organizational change.
EEIIIA-7.14	School leadership identifies expectations and recognizes accomplishments of faculty and staff.

Collaborative Leadership – Effective Leaders – ORGANIZATIONAL STRUCTURE AND RESOURCES	
EEIIIB-8.01	School leadership supports high quality performance of students and staff at their assigned site.
EEIIIB-8.02	School leadership designs the master schedule to provide all students access to the entire curriculum.
EEIIIB-8.03	*School leadership organizes and allocates instructional and noninstructional staff based upon the learning needs of all students.*
EEIIIB-8.04	*School leadership ensures efficient use of instructional time to maximize student learning.*
EEIIIB-8.05	School leadership uses effective strategies to attract highly qualified and highly effective teachers.
EEIIIB-8.06	School leadership provides time for vertical and horizontal planning across content areas and grade configurations.
EEIIIB-8.07	School leadership collaborates with district leadership to provide increased opportunities to learn such as virtual courses, dual enrollment opportunities, and work-based internships.
EEIIIB-8.08	School leadership provides and communicates clearly defined process for equitable and consistent use of fiscal resources.
EEIIIB-8.09	*School leadership directs funds based on an assessment of needs aligned to the school improvement plan.*
EEIIIB-8.10	School leadership allocates and integrates state and federal program resources to address identified student needs.

Collaborative Leadership – Effective Leaders – COMPREHENSIVE AND EFFECTIVE PLANNING	
EEIIIC-9.01	*School leadership uses a collaborative process to develop vision, beliefs, mission, and goals.*
EEIIIC-9.02	School planning team collects, manages, and analyzes data from multiple data sources.
EEIIIC-9.03	School planning team incorporates scientifically based research for student learning in school improvement plans.
EEIIIC-9.04	School planning team establishes goals for building and strengthening instructional and organizational effectiveness.
EEIIIC-9.05	*School planning team identifies action steps, resources, timelines, and persons responsible for implementing the activities aligned with school improvement goals and objectives.*
EEIIIC-9.06	School leadership and all staff implement the improvement plan as developed.
EEIIIC-9.07	*School leadership and all staff regularly evaluate their progress toward achieving the goals and objectives for student learning set by the plan.*
EEIIIC-9.08	School leadership and all staff regularly evaluate their progress toward achieving the expected impact on classroom practice and student performance specified in the plan.
EEIIIC-9.09	School leadership and all staff document the continuous improvement through a regular data review process.

Attachment 14: Teacher and Leader Qualitative Assessment Models

The Teacher and Leader Effectiveness (TLE) Commission has reviewed several models of teacher and leader qualitative assessments using a criteria checklist based on state law and national best practices. The following are descriptions of the models of teacher and principal assessment that have been reviewed and preliminarily recommended for adoption by the TLE Commission. Inclusion in this document does not guarantee final recommendation by the TLE Commission or adoption by the Oklahoma State Board of Education.

Danielson's Framework for Teaching

(From http://charlottedanielson.com/theframeteach.htm)

The *Framework for Teaching* is a research-based set of components of instruction, aligned to the INTASC standards, and grounded in a constructivist view of learning and teaching. In this framework, the complex activity of teaching is divided into 22 components (and 76 smaller elements) clustered into four domains of teaching responsibility: planning and preparation (Domain 1), classroom environment (Domain 2), instruction (Domain 3), and professional responsibilities (Domain 4). Each component defines a distinct aspect of a domain; two to five elements describe a specific feature of a component. Levels of teaching performance (rubrics) describe each component and provide a roadmap for improvement of teaching.The *Framework* may be used for many purposes, but its full value is realized as the foundation for professional conversations among practitioners as they seek to enhance their skill in the complex task of teaching. The *Framework* may be used as the foundation of a school or district's mentoring, coaching, professional development, and teacher evaluation processes, thus linking all those activities together and helping teachers become more thoughtful practitioners.

Read more: The Danielson Group and The ASCD Teacher Effectiveness Suite, powered by iObservation, offers a powerful online fusion of Charlotte Danielson's research-based Framework for Teaching, professional development, and supporting technology to increase teacher growth and raise student achievement.

Marzano's Causal Teacher Evaluation Model

(From http://www.marzanoevaluation.com/)

Bridging the gap between teacher evaluation and student achievement – After nearly five decades of study around effective teaching and learning practices, Dr. Robert Marzano expands his acclaimed work by releasing the Art and Science of Teaching Causal Teacher Evaluation Model. The first of its kind, this teacher evaluation model identifies the direct cause and effect relationship between teaching practices and student achievement to help teachers and leaders make the most informed decisions that yield the greatest benefits for their students. With the Marzano Model, districts can transform your teacher evaluation system from an exercise in compliance into an effective engine of incremental growth, one that reflects parallel gains between teacher assessment and student performance.

Read more: Marzano Research Laboratory and Research Base and Validation Studies on the Marzano Evaluation Model

Tulsa's Teacher/Leader Effectiveness Initiative
(From http://www8.tulsaschools.org/4_About_District/employee_standards_main.asp)
Tulsa Public Schools has embarked on a TEACHER and LEADER EFFECTIVENESS initiative that supports the core of our mission to raise achievement and provides the best possible education for our students. Research has shown that the key to advancing student learning rests most prominently with the teacher. The TPS Teacher Evaluation System recognizes the complexity and importance of teaching in a high-performing school system, one in which there is an emphasis on continuous improvement and shared accountability for student achievement. Teaching practice can and will grow in an individual school and in a school system that values constant feedback, analysis and refinement of the quality of teaching. Paralleling the teacher effectiveness effort is the leader effectiveness effort that mirrors the components and emphasis of the former. The TPS Teacher Evaluation System is a collaborative effort between the Tulsa Classroom Teachers' Association (TCTA) and the Tulsa Public Schools' administration. The system is part of the overall Teacher Effectiveness Initiative begun in 2009 and incorporates the views of teachers, principals, Education Service Center staff and association leadership.

Read more: Rubrics, Manuals, Presentations, and Explanations

Marzano's Leadership Evaluation System
Currently in pilot phase.

McREL's Principal Evaluation Systems
(From http://www.mcrel.org/evalsystems/)
Measure what matters most – Focus on what matters, measuring performance on teaching & leadership practices linked to student success**;** Ensure fairness, gauging educator performance on multiple indicators, including student achievement**;** Improve performance, differentiating and focusing professional development acco**rding to individual staff needs;** Streamline reviews, providing a web-based system for storing, tracking, and reporting results**.**

Read more: Teacher and Principal Evaluations

Reeves' Leadership Performance Matrix
(From http://www.iobservation.com/Reeves-Leadership-Matrix/)
Consistent with national and international research and standards, Dr. Douglas Reeves, founder of The Leadership and Learning Center, developed the Leadership Performance Matrix as an educational leadership **assessment** tool that facilitates growth and effectiveness in order to support teaching excellence and student learning.

Read more: Dimensions of Leadership and The Leadership and Learning Center

ATTACHMENT 15: GLOSSARY OF TERMS

ACRONYMS AND ABREVIATIONS

21st CCLC: 21st Century Community Learning Centers

ACCESS for ELLs: Assessing Comprehension and Communication in English State-to-State for English Language Learners

ACE: Achieving Classroom Excellence Act of 2005 (as amended)

ADP: American Diploma Project

AMO: Annual Measurable Objectives

AP: Advanced Placement

AVID: Advancement Via Individual Determination

C³: College, Career, and Citizen Ready

C3S: C3 Schools

CareerTech: Oklahoma's Career and Technical Education System

CCR: College- and Career- Ready

CCSS: Common Core State Standards

CCSSO: Council of Chief State School Officers

CII: Center on Innovation and Improvement

CTE: Career and Technical Education

ELA: English language arts

ELP: English Language Proficiency

EMO: Educational Management Organization

ESEA: Elementary and Secondary Education Act

FAY: Full Academic Year

GED: General Educational Development

IB: International Baccalaureate

ICCS: Implementing Common Core Systems

IDEA: Individuals with Disabilities Education Act

LEA: Local Education Agency (school district or charter school district)

MRL: Marzano Research Laboratory

MTP: Master Teachers Project

NAEP: National Association of Educational Progress

OAAP: Oklahoma Alternate Assessment Program

OBEC: Oklahoma Business and Education Coalition

OCCT: Oklahoma Core Curriculum Tests

OCTP: Oklahoma Commission for Teacher Preparation

OMAAP: Oklahoma Modified Alternate Assessment Program

OSDE: Oklahoma State Department of Education

OSTP: Oklahoma School Testing Program

PASS: *Priority Academic Student Skills*

PARCC: Partnership for Assessment of Readiness for College and Careers

PBIS: Positive Behavior Interventions and Supports

PLC: Professional Learning Community

RAO: Regional Accreditation Officer

REAC³H: Regional Educators Advancing College, Career, and Citizen Readiness Higher

Regents: Oklahoma State Regents for Higher Education

RtI: Response to Intervention

SEA: State Education Agency – Oklahoma State Department of Education

SIG: School Improvement Grant

SISR: School Improvement Status Report

SPDG: State Professional Development Grant

SSOS: Statewide System of Support

SST: School Support Team

STEM: Science, Technology, Engineering, and Mathematics

TLE: Teacher and Leader Effectiveness Evaluation System

USDE: United States Department of Education

WIDA: World-Class Instructional Design and Assessment

WISE: Ways to Improve School Effectiveness

WOC: Windows on Curriculum

DEFINITIONS

C3 Schools: A theoretical, geographically-unbound group of schools in which the operations and management of the schools, directly or indirectly related to student achievement, are controlled by the State Board of Education and the State Superintendent of Public Instruction.

College- and Career-Ready Standards (as defined by *ESEA Flexibility*): Content standards for kindergarten through 12th grade that build towards college and career readiness by the time of high school graduation. A State's college- and career-ready standards must be either (1) standards that are common to a significant number of States; or (2) standards that are approved by a State network of institutions of higher education, which must certify that students who meet the standards will not need remedial course work at the postsecondary level.

Common Core State Standards: K-12 academic standards in mathematics and English language arts, including literacy in multiple content areas, designed by a collaborative of states to prepare students for college and careers.

Differentiated Recognition, Accountability, and Support System: Newly developed state system designed to provide incentives and consequences that will motivate continuous school improvement in all schools and for all students in the state.

***ESEA Flexibility*:** The document provided by USDE to SEAs with the regulations and requirements for applying for the ESEA waiver package.

***ESEA Flexibility Request*:** The document submitted by the Oklahoma State Department of Education on behalf of the districts and schools in the state in order to request the ESEA waiver package.

Focus School (as modified from *ESEA Flexibility* for Oklahoma): A Title I or non-Title I school in the State that, based on the most recent data available, is contributing to the achievement gap in the State. The total number of Title I focus schools in a State must equal at least 10 percent of the Title I schools in the State. A focus school is a school that has a subgroup or subgroups with low achievement or, at the high school level, low graduation rates; or beginning in 2012, is a school with a School Grade of D. These determinations must be based on the achievement and lack of progress over a number of years of one or more subgroups of students identified under ESEA section 1111(b)(2)(C)(v)(II) in terms of proficiency on the statewide assessments that are part of the SEA's differentiated recognition, accountability, and support system, combined, or, at the high school level, graduation rates for one or more subgroups.

High-Quality Assessment (as defined by *ESEA Flexibility*): An assessment or a system of assessments that is valid, reliable, and fair for its intended purposes; and measures student knowledge and skills against college- and career-ready standards in a way that—

- covers the full range of those standards, including standards against which student achievement has traditionally been difficult to measure;

- as appropriate, elicits complex student demonstrations or applications of knowledge and skills;
- provides an accurate measure of student achievement across the full performance continuum, including for high- and low-achieving students;
- provides an accurate measure of student growth over a full academic year or course;
- produces student achievement data and student growth data that can be used to determine whether individual students are college and career ready or on track to being college and career ready;
- assesses all students, including English Learners and students with disabilities;
- provides for alternate assessments based on grade-level academic achievement standards or alternate assessments based on alternate academic achievement standards for students with the most significant cognitive disabilities, consistent with 34 C.F.R. § 200.6(a)(2); and
- produces data, including student achievement data and student growth data, that can be used to inform: determinations of school effectiveness for purposes of accountability under Title I; determinations of individual principal and teacher effectiveness for purposes of evaluation; determinations of principal and teacher professional development and support needs; and teaching, learning, and program improvement.

Principle 1 – College- and Career-Ready Expectations for All Students (as defined by *ESEA Flexibility*): Over the past few years, Governors and Chief State School Officers have developed and adopted rigorous academic content standards to prepare all students for success in college and careers in the 21st century. States are also coming together to develop the next generation of assessments aligned with these new standards, and to advance essential skills that promote critical thinking, problem solving, and the application of knowledge. To support States in continuing the work of transitioning students, teachers, and schools to a system aligned to college and career ready expectations, this flexibility would remove obstacles that hinder that work. To receive this flexibility, an SEA must demonstrate that it has college- and career-ready expectations for all students in the State by adopting **college- and career-ready standards** in at least reading/language arts and mathematics, transitioning to and implementing such standards statewide for all students and schools, and developing and administering annual, statewide, aligned, **high-quality assessments**, and corresponding academic achievement standards, that measure **student growth** in at least grades 3-8 and at least once in high school. An SEA must also support English Learners in reaching such standards by committing to adopt English language proficiency (ELP) standards that correspond to its college- and career-ready standards and that reflect the academic language skills necessary to access and meet the new college- and career-ready standards, and committing to develop and administer aligned ELP assessments. To ensure that its college- and career-ready standards are truly aligned with postsecondary expectations, and to provide information to parents and students about the college-readiness rates of local schools, an SEA must annually report to the public on college-going and college credit-accumulation rates for all students and student subgroups in each LEA and each high school in the State.

Principle 2 – State-Developed Differentiated Recognition, Accountability, and Support (as defined by *ESEA Flexibility*): Fair, flexible, and focused accountability and support systems are critical to continuously improving the academic achievement of all students, closing persistent achievement gaps, and improving equity. Based on the principles for accountability developed by the Council of Chief State School Officers, many States are already moving forward with next-generation systems that recognize student growth and school progress, align accountability determinations with support and capacity-building efforts, and provide for systemic, context-specific interventions that focus on the lowest-performing schools and schools with the largest achievement gaps. This flexibility would give SEAs and LEAs relief from the school and LEA improvement requirements of NCLB so they can implement these new systems. To receive this flexibility, an SEA must develop and implement a system of differentiated recognition, accountability, and support for all LEAs in the State and for all Title I schools in these LEAs. Those systems must look at student achievement in at least reading/language arts and mathematics for all students and all subgroups of students identified in ESEA section 1111(b)(2)(C)(v)(II); graduation rates for all students and all subgroups;

and school performance and progress over time, including the performance and progress of all subgroups. They may also look at student achievement in subjects other than reading/language arts and mathematics, and, once an SEA has adopted high-quality assessments, must take into account student growth. An SEA's system of differentiated recognition, accountability, and support must create incentives and include differentiated interventions and support to improve student achievement and graduation rates and to close achievement gaps for all subgroups, including interventions specifically focused on improving the performance of English Learners and students with disabilities. More specifically, the SEA's system must, at a minimum:

- Set new ambitious but achievable AMOs in at least reading/language arts and mathematics for the State and all LEAs, schools, and subgroups, that provide meaningful goals and are used to guide support and improvement efforts.
- Provide incentives and recognition for success on an annual basis by publicly recognizing and, if possible, rewarding Title I schools making the most progress or having the highest performance as "reward schools."
- Effect dramatic, systemic change in the lowest-performing schools by publicly identifying "priority schools" and ensuring that each LEA with one or more of these schools implements, for three years, meaningful interventions aligned with the turnaround principles in each of these schools. The SEA must also develop criteria to determine when a school that is making significant progress in improving student achievement exits priority status.
- Work to close achievement gaps by publicly identifying Title I schools with the greatest achievement gaps, or in which subgroups are furthest behind, as "focus schools" and ensuring that each LEA implements interventions, which may include tutoring and public school choice, in each of these schools based on reviews of the specific academic needs of the school and its students. The SEA must also develop criteria to determine when a school that is making significant progress in improving student achievement and narrowing achievement gaps exits focus status.
- Provide incentives and supports to ensure continuous improvement in other Title I schools that, based on the SEA's new AMOs and other measures, are not making progress in improving student achievement and narrowing achievement gaps.
- Build SEA, LEA, and school capacity to improve student learning in all schools and, in particular, in low-performing schools and schools with the largest achievement gaps. The SEA must provide timely and comprehensive monitoring of, and technical assistance for, LEA implementation of interventions in priority and focus schools, and must hold LEAs accountable for improving school and student performance, particularly for turning around their priority schools. The SEA and its LEAs must also ensure sufficient support for implementation of interventions in priority schools, focus schools, and other Title I schools identified under the SEA's differentiated recognition, accountability, and support system (including through leveraging funds the LEA was previously required to reserve under ESEA section 1116(b)(10), SIG funds, and other Federal funds, as permitted, along with State and local resources).

Principle 3 – Supporting Effective Instruction and Leadership (as defined by *ESEA Flexibility*): In recent years, many SEAs and LEAs have begun to develop evaluation systems that go beyond NCLB's minimum HQT standards, provide more meaningful information about the effectiveness of teachers and principals, and can be used to inform professional development and improve practice. High-quality systems, informed by research that affirms that educators have significant and lasting effects on student learning, draw on multiple measures of instructional and leadership practices to evaluate and support teacher and principal effectiveness. This flexibility will give SEAs and LEAs the ability to continue this work designed to increase the quality of instruction for all students by building fair, rigorous evaluation and support systems and developing innovative strategies for using them. To receive this flexibility, an SEA and each LEA must commit to develop, adopt, pilot, and implement, with the involvement of teachers and principals, teacher and principal evaluation and support systems that: (1) will be used for continual improvement of instruction; (2)

meaningfully differentiate performance using at least three performance levels; (3) use multiple valid measures in determining performance levels, including as a significant factor data on student growth for all students (including English Learners and students with disabilities), and other measures of professional practice (which may be gathered through multiple formats and sources, such as observations based on rigorous teacher performance standards, teacher portfolios, and student and parent surveys); (4) evaluate teachers and principals on a regular basis; (5) provide clear, timely, and useful feedback, including feedback that identifies needs and guides professional development; and (6) will be used to inform personnel decisions. An SEA must develop and adopt guidelines for these systems, and LEAs must develop and implement teacher and principal evaluation and support systems that are consistent with the SEA's guidelines. To ensure high-quality implementation, all teachers, principals, and evaluators should be trained on the evaluation system and their responsibilities in the evaluation system. As part of developing and implementing these evaluation and support systems, an SEA must also provide student growth data on current students and the students taught in the previous year to, at a minimum, teachers of reading/language arts and mathematics in grades in which the State administers assessments in those subjects in a manner that is timely and informs instructional programs. Once these evaluation and support systems are in place, an SEA may use data from these systems to meet the requirements of ESEA section 1111(b)(8)(C) that it ensure that poor and minority children are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers.

Principle 4 – Reducing Duplication and Unnecessary Burden (as defined by *ESEA Flexibility*): In order to provide an environment in which schools and LEAs have the flexibility to focus on what's best for students, an SEA should remove duplicative and burdensome reporting requirements that have little or no impact on student outcomes. To receive the flexibility, an SEA must assure that it will evaluate and, based on that evaluation, revise its own administrative requirements to reduce duplication and unnecessary burden on LEAs and schools.

Priority Academic Student Skills: Oklahoma's PK-12 academic content standards.

Priority School (as modified from *ESEA Flexibility* for Oklahoma): A school that, based on the most recent data available, has been identified as among the lowest-performing schools in the State. The total number of priority schools in a State must be at least five percent of the Title I schools in the State. A priority school is—

- a Title I school among the lowest five percent of Title I schools in the State based on the achievement of the "all students" group in terms of proficiency on the statewide assessments that are part of the SEA's differentiated recognition, accountability, and support system, combined, and has demonstrated a lack of progress on those assessments over a number of years in the "all students" group;
- a school among the lowest five percent of all schools in the State based on the achievement of the "all students" group in terms of proficiency on the statewide assessments that are part of the SEA's differentiated recognition, accountability, and support system, combined, and has demonstrated a lack of progress on those assessments over a number of years in the "all students" group;
- a Title I-participating, Title I-eligible, or non-Title I high school with a graduation rate less than 60 percent over a number of years; or
- a Tier I school under the SIG program that is using SIG funds to implement a school intervention model.

Regional Educators Advancing College, Career, and Citizen Readiness Higher: 70 volunteer districts throughout Oklahoma who have agreed to serve as coordinating agents for professional development, capacity-building efforts, and feedback from parents and local community members related to statewide initiative implementation.

Reward School (as modified from *ESEA Flexibility* for Oklahoma): A Title I or non-Title I school that, based on the most recent data available, is—

- a "**highest-performing school**," which is a school among schools in the State that have the highest absolute performance over a number of years for the "all students" group and for all subgroups, on the statewide assessments that are part of the SEA's differentiated recognition, accountability, and support system, combined, and, at the high school level, is also among the schools with the highest graduation rates. A highest-performing school must be making AYP for the "all students" group and all of its subgroups. A school may not be classified as a "highest-performing school" if there are significant achievement gaps across subgroups that are not closing in the school; or
- a "**high-progress school**," which is a school among the ten percent of schools in the State that are making the most progress in improving the performance of the "all students" group over a number of years on the statewide assessments that are part of the SEA's differentiated recognition, accountability, and support system, and, at the high school level, is also among the schools in the State that are making the most progress in increasing graduation rates. A school may not be classified as a "high-progress school" if there are significant achievement gaps across subgroups that are not closing in the school.

Standards that are Common to a Significant Number of States (as defined by *ESEA Flexibility*): Standards that are substantially identical across all States in a consortium that includes a significant number of States. A State may supplement such standards with additional standards, provided that the additional standards do not exceed 15 percent of the State's total standards for a content area.

State Network of Institutions of Higher Education (IHEs; as defined by *ESEA Flexibility*): A system of four-year public IHEs that, collectively, enroll at least 50 percent of the students in the State who attend the State's four-year public IHEs.

Student Growth (as defined by *ESEA Flexibility*): The change in student achievement for an individual student between two or more points in time. For the purpose of this definition, student achievement means—

- For grades and subjects in which assessments are required under ESEA section 1111(b)(3): (1) a student's score on such assessments and may include (2) other measures of student learning, such as those described in the second bullet, provided they are rigorous and comparable across schools within an LEA.
- For grades and subjects in which assessments are not required under ESEA section 1111(b)(3): alternative measures of student learning and performance such as student results on pre-tests, end-of-course tests, and objective performance-based assessments; student learning objectives; student performance on English language proficiency assessments; and other measures of student achievement that are rigorous and comparable across schools within an LEA.

Turnaround Principles (as defined by *ESEA Flexibility*): Meaningful interventions designed to improve the academic achievement of students in priority schools must be aligned with all of the following "turnaround principles" and selected with family and community input:

- providing strong leadership by: (1) reviewing the performance of the current principal; (2) either replacing the principal if such a change is necessary to ensure strong and effective leadership, or demonstrating to the SEA that the current principal has a track record in improving achievement and has the ability to lead the turnaround effort; and (3) providing the principal with operational flexibility in the areas of scheduling, staff, curriculum, and budget;
- ensuring that teachers are effective and able to improve instruction by: (1) reviewing the quality of all staff and retaining only those who are determined to be effective and have the ability to be successful in the turnaround effort; (2) preventing ineffective teachers from transferring to these

schools; and (3) providing job-embedded, ongoing professional development informed by the teacher evaluation and support systems and tied to teacher and student needs;

- redesigning the school day, week, or year to include additional time for student learning and teacher collaboration;
- strengthening the school's instructional program based on student needs and ensuring that the instructional program is research-based, rigorous, and aligned with State academic content standards;
- using data to inform instruction and for continuous improvement, including by providing time for collaboration on the use of data;
- establishing a school environment that improves school safety and discipline and addressing other non-academic factors that impact student achievement, such as students' social, emotional, and health needs; and
- providing ongoing mechanisms for family and community engagement.

A priority school that implements one of the four SIG models is implementing an intervention that satisfies the turnaround principles. An SEA may also implement interventions aligned with the turnaround principles as part of a statewide school turnaround strategy that allows for State takeover of schools or for transferring operational control of the school to another entity such as a recovery school district or other management organization.