

Attachment 4: Evidence that the State has formally adopted college- and career-ready content standards consistent with the State's standards adoption process

Attachment 4A: State Board of Education Minutes – June 2010 and March 2011

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**Minutes of the
Meeting of the State
Board of Education**

June 24, 2010

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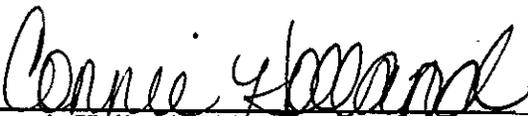
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the State Board of Education
June 24, 2010

meeting agenda. The Adair County Sheriff and the Regional Accreditation Officer for the district have been dispatched to the Bell School building until Mr. Paul Pinkerton arrives with the keys. Warrants have been signed for disbursements to the Belfonte and Stilwell School Districts in order to make payments to the Bell teachers.

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 2.30 p.m. The next regular meeting of the State Board of Education will be held on Tuesday, July 27, 2010, at 9:30 a.m. The meeting will convene at the State Department of Education, 2500 North Lincoln Blvd., Oklahoma City, Oklahoma.


Sandy Garrett, 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

June 24, 2010

The State Board of Education met in regular session at 9:35 a.m. on Thursday, June 24, 2010, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 9:00 a.m. on Wednesday, June 23, 2010.

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 Sandy Garrett, Chairperson of the Board
Mrs. Sue Arnn, Ardmore
Ms. Gail Foresee, Shawnee
Mrs. Betsy Mabry, Enid
Ms. Gayle Miles-Scott, Oklahoma City
Mr. Herb Rozell, Tahlequah

Member of the State Board of Education not present:

Mr. Tim Gilpin, Tulsa

Others in attendance are shown as an attachment.

**CALL TO ORDER
AND
ROLL CALL**

Superintendent Garrett called the State Board of Education 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 Garrett 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.

**MAY 27, 2010, REGULAR
BOARD MEETING MINUTES APPROVED**

Board Member Arnn motioned for approval of the minutes of the May 27, 2010, regular board meeting. Board Member Rozell seconded the motion. The motion carried with the following votes: Mrs. Mabry, yes; Senator Rozell, yes; Ms. Foresee, yes; Ms. Miles-Scott, yes; and Mrs. Arnn, yes.

**STATE SUPERINTENDENT
INFORMATION TO THE BOARD**

Superintendent Garrett said Board members have reviewed the budget proposal. A special board meeting for the budget is scheduled for Tuesday, June 29, 2010. Superintendent Garrett said in her twenty-two years in state government this is the first time there has been an appropriation bill without instructions and no line items. All previous programs that were in law are no longer in law. Many of the programs were excellent programs and the Board does not want to jeopardize programs that serve school breakfast and lunch.

This was a report only and no action was required.

**Recognition of Department Star
Employee for the Month June**

Superintendent Garrett introduced Ms. Pam Honeysuckle, Financial Accounting, as the star employee for the month of June.

CONSENT DOCKET APPROVED

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2010-2011 school year, and other requests:

- (a) **Library Media Services – OAC 210:35-9-7 and OAC 210:35-5-71**
Lomega Public Schools, Kingfisher County
- (b) **Planning Period – OAC 210:35-9-41**
Lomega Public Schools, Kingfisher County
- (c) **Abbreviated School Day for Alternative Education – OAC 210:35-29-2**
Beggs Public Schools, Okmulgee County Alternative Academy,
Okmulgee County
Clinton Public Schools, Clinton Gold Academy, Custer County
Yukon Public Schools, Yukon Alternative Learning Experience,
Canadian County
- (d) Report on Department personnel changes

Board Member Mabry made a motion to approve the Consent Docket and Board Member Arnn seconded the motion. The motion carried with the following votes: Mrs. Arnn, yes; Ms. Miles-Scott, yes; Ms. Foresee, yes; Senator Rozell, yes; and Mrs. Mabry, yes.

FINANCIAL SERVICES DIVISION

Waive Class-size Penalties for the 2009-2010 School Year Approved

Superintendent Garrett presented a certificate of recognition to Mr. James White, Assistant State Superintendent, Financial Services Division, for his dedicated service to the State Department of Education and the state of Oklahoma. Mr. White is the new Superintendent of the Piedmont School District.

Mr. White presented a request to waive any class-size penalties for the current 2009-2010 school year due to schools facing considerable hardships. The waiver amount is \$225,595 for approximately 20 schools.

Board Member Miles-Scott made a motion to approve the request and Board Member Foresee seconded the motion. The motion passed with the following votes: Mrs. Mabry, yes; Senator Rozell, yes; Ms. Foresee, yes; Ms. Miles-Scott, yes; and Mrs. Arnn, yes.

LEGAL SERVICES DIVISION

Revocation of Teaching Certificate and Teacher Number of James Leroy Ellis, Jr., Approved

Ms. Kay Harley, Legal Counsel, presented a request to revoke the Oklahoma teaching certificate and teacher number 176425 issued to Mr. James Leroy Ellis, Jr. Oklahoma law does not allow a teacher convicted of a felony to retain a certificate/number if the convictions occurred within the preceding ten-year period. On February 19, 2009, Mr. Ellis received 34 felony convictions.

Board Member Miles-Scott made a motion to approve the request and Board Member Arnn seconded the motion. The motion passed with the following votes: Mrs. Arnn, yes; Ms. Miles-Scott, yes; Ms. Foresee, yes; Senator Rozell, yes; and Mrs. Mabry, yes.

**Revocation of Teaching
Certificate and Teacher Number
of James Sterling Gilbertson Approved**

Ms. Harley presented a request to revoke the Oklahoma teaching certificate and teacher number 226094 issued to Mr. James Sterling Gilbertson. Oklahoma law does not allow a teacher convicted of a felony to retain a certificate/number if the convictions occurred within the preceding ten-year period. Mr. Gilbertson received five felony convictions.

Board Member Arnn made a motion to approve the request and Board Member Miles-Scott seconded the motion. The motion carried with the following votes: Mrs. Mabry, yes; Senator Rozell, yes; Ms. Foresee, yes; Ms. Miles-Scott, yes; and Mrs. Arnn, yes.

**Revocation of Teaching
Certificate and Teacher Number
of Dale Clinton Swank Approved**

Ms. Harley presented a request to revoke the Oklahoma teaching certificate and teacher number 199037 issued to Mr. Dale Clinton Swank. Oklahoma law does not allow a teacher convicted of a felony to retain a certificate/number if the convictions occurred within the preceding ten-year period. Mr. Swank received four felony convictions.

Board Member Arnn made a motion to approve the request and Board Member Miles-Scott seconded the motion. The motion passed with the following votes: Mrs. Arnn, yes; Ms. Miles-Scott, yes; Ms. Foresee, yes; Senator Rozell, yes; and Mrs. Mabry, yes.

Adoption of Emergency Rule Approved

Ms. Harley presented a request for emergency adoption of the following rule:

Title 210: Chapter 15. Curriculum and Instruction; Subchapter 4. Common Core State Standards – pertain to Common Core State Standards for English language arts, literacy in history/social studies and science, and mathematics

Ms. Kerri White, Executive Director, High School Reform, presented the proposed common core state standards (CCSS) for adoption. The rule change is due to the National Governors Association Center for Best Practices' and the Council for Chief State School Officers' initiative to develop a set of common standards. The proposed rule, effective July 1, 2010, will improve the achievement of students in English Language Arts, literacy, and mathematics. Ms. White reviewed the CCSS development and criteria; mathematics and English common core; priority academic student skills

(PASS) and CCSS alignment; stakeholder involvement/feedback, implementation/timeline; and standards review and school district resources.

Board Member Mabry made a motion to approve the request and Board Member Arnn seconded the motion. The motion carried with the following votes: Mrs. Mabry, yes; Senator Rozell, yes; Ms. Foresee, yes; Ms. Miles-Scott, yes; and Mrs. Arnn, yes.

**Mandatory Annexation of
Bell Public School District C033,
Adair County Approved**

Ms. Harley presented a request for mandatory annexation of Bell Public School District. On May 27, 2010, the State Board voted to nonaccredit the school district. Superintendent Garrett formally notified Bell school board members of the action on June 4, 2010, and also addressed the recommendation for annexation. The required parent survey inquiries were mailed June 7, 2010.

Superintendent Garrett said the Board does not take annexation actions lightly. What has happened at Bell Public School District is tragic; therefore, annexation must happen. Today's proceedings are not a hearing; however, citizens from the Bell community who signed up would be allowed to address the Board. Superintendent Garrett reviewed the May 27, 2010, State Board meeting findings, decision, annexation options, updated information, and said the State Board recommends dividing the Bell Elementary School District between two other regions. Belfonte Dependent School District would receive the southern portion and Stilwell Independent School District the northern portion of the Bell School District. Superintendent Garrett said the State Board did consider several superintendents/school districts to receive the Bell School District which also included Ms. Mary Alice Fletcher, Superintendent, Stilwell Public Schools and Mr. Paul Pinkerton, Superintendent, Belfonte Dependent School. She commended Ms. Fletcher and Mr. Pinkerton on accepting the challenges and their dedicated hours and work.

Ms. Fletcher said Adair County has seen the decline of 47 schools/districts in past years, and now only 11 exist. The Bell community is strong and will survive the loss. Mr. Pinkerton and I have met numerous times, and talked with our respective boards/treasurer/staff to immediately design a plan and remedy to expedite salary payments for the Bell teachers which have been behind since April, and employment options.

Mr. Pinkerton said planning is still in progress to possibly house lower or early elementary grades at the Bell school site. Nothing is final at this time until the entire program and records are evaluated.

Superintendent Garrett invited Bell Board of Education members to speak first. Mr. Mike Jones, Mr. Jim Jones, and Ms. Nadine Ross voiced concerns of dividing the district, school building being sold, transportation of students, and investigation of school administrators. Others who spoke were Ms. Robin Neff, Ms. Roberta Jackson, Mr. Morris Jones, Ms. Eileen Tidwell, and Mr. Rex Earl Starr, legal counsel representing Bell Public School.

Board Member Rozell said he would like the citizens of Bell to know he disliked the annexation decision and had wished money could have been found. He apologized

for not being able to satisfy both the teacher and taxpayer programs. The situation calls for the best decision to take care of the outstanding debts (utilities, teacher pay, etc.) and voluntary annexation is the proper way to handle this situation.

Board Member Rozell made a motion to approve the request and Board Member Mabry seconded the motion. The motion passed with the following votes: Mrs. Arnn, yes; Ms. Miles-Scott, yes; Ms. Foresee, yes; Senator Rozell, yes; and Mrs. Mabry, yes.

Board Member Mabry thanked Stilwell and Belfonte and invited them to return next year with an update.

Superintendent Garrett asked Mr. Ben Poindexter, Superintendent, Bell Public Schools, to turn over the school property keys to the Stilwell and Belfonte superintendents.

PROFESSIONAL SERVICES DIVISION

Exceptions to Teacher Certification Regulations Approved

Dr. Ramona Paul, Assistant State Superintendent, Professional Services Division, presented three exception requests for Mr. James Reynolds, Claremore Public Schools; Ms. Stacy Lee, Bartlesville Public Schools; and Ms. Angela Ryland, Midwest City-Del City Public Schools, to be school psychologists.

Board Member Miles-Scott made a motion to approve the request for one year and Board Member Arnn seconded the motion. The motion carried with the following votes: Mrs. Mabry, yes; Senator Rozell, yes; Ms. Foresee, yes; Ms. Miles-Scott, yes; and Mrs. Arnn, yes.

Dr. Paul presented an exception request from Canadian Valley Technology Center, for Ms. Amy Warner, to teach chemistry.

Board Member Arnn made a motion to approve the request and Board Member Miles-Scott seconded the motion. The motion carried with the following votes: Mrs. Arnn, yes; Ms. Miles-Scott, yes; Ms. Foresee, yes; Senator Rozell, yes; and Mrs. Mabry, yes.

LEGAL SERVICES

Nonaccreditation of Watson Public School District C056, McCurtain County Approved

Ms. Harley said at the May 27, 2010, State Board meeting Watson Public School District was granted accreditation with probation based on several deficiencies cited. The district was instructed to have all deficiencies corrected, and hire a fulltime superintendent prior to the start of the new school year.

Superintendent Garrett said at this time the district has not met the criteria of probationary status as instructed by the State Board. The Watson school board hired Mr.

Charles Jones as an administrative assistant to advise and assist, and he has reviewed the financial and deficiency documentation of the district.

Mr. Jones said he was hired as an administrative consultant. On June 1, 2010, he was hired as the assistant superintendent, on a one-month contract, to work on removing the deficiencies. After determining there was a possible \$22,000 carryover for the next school year, the school board members were advised of the impossibility to begin another school year. Both the school board and community met and agreed to annex or consolidate to Smithville Public Schools.

Superintendent Garrett asked for the minutes of the final Watson school board meeting?

Mr. Jones said the minutes were faxed to the State Department of Education of which Ms. Harley distributed to the State Board members.

Superintendent Garrett asked if any Watson school board members were present and invited them to speak.

Mr. Donnie Johnson said citizens are concerned with what will happen to the school which also serves as a community building. If possible, the community has asked if in the future the building could still be used as a community building. Mr. Johnson said the school gym is located on land donated by his father. In the event the school is sold the property will revert back to him.

Mr. Delbert McBroom, Superintendent, Smithville Public Schools, said he will meet with the Watson community to discuss what is best for the district and city.

Board Member Rozell made a motion to nonaccredit Watson Public School District and Board Member Arnn seconded the motion. The motion passed with the following votes: Mrs. Mabry, yes; Senator Rozell, yes; Ms. Foresee, yes; Ms. Miles-Scott, yes; and Mrs. Arnn, yes.

**Mandatory Annexation of
Watson Public School District C056,
McCurtain County Approved**

Ms. Harley presented a request to approve the mandatory annexation of Watson Public School District C056, McCurtain County.

Board Member Foresee made a motion to approve mandatory annexation of Watson Public School to Smithville Public Schools. Board Member Miles-Scott seconded the motion. The motion passed with the following votes: Mrs. Arnn, yes; Ms. Miles-Scott, yes; Ms. Foresee, yes; Senator Rozell, yes; and Mrs. Mabry, yes.

Superintendent Garrett said Smithville Public Schools and school board will be officially notified of the State Board action effective today. All contractual obligations of Watson Public School will expire June 30, 2010.

SCHOOL IMPROVEMENT DIVISION

Office of Innovation, Support, and Alternative Education

**21st Century Community Learning
Centers Grant Awardees Approved**

Ms. Lisa Pryor, Assistant State Superintendent, Office of Innovation, Support, and Alternative Education, presented a request recommending 14 statewide public schools to be awarded learning centers grants. The grants establish or expand community learning centers with activities designed to complement regular academic programs for K-12 students.

Board Member Arnn made a motion to approve the request and Board Member Mabry seconded the motion. The motion carried with the following votes: Mrs. Mabry, yes; Senator Rozell, yes; Ms. Foresee, yes; Ms. Miles-Scott, yes; and Mrs. Arnn, yes.

Office of Standards and Curriculum

**Supplemental Education Services
Providers (NCLB) Approved**

Ms. Cindy Koss, Assistant State Superintendent, Office of Standards and Curriculum, presented a request recommending the list of supplemental education services providers for schools who have met the criteria for Oklahoma's 2010-2011 Request for Participation. Supplemental education services are tutoring and other educational interventions targeting students from low income families in Title I schools identified in school improvement status.

Superintendent Garrett said for the purpose of the Board and government accountability asked that an interview process and criteria be given to the Board after the vote.

Board Member Mabry made a motion to approve the request and Board Member Arnn seconded the motion. The motion passed with the following votes: Mrs. Arnn, yes; Ms. Miles-Scott, yes; Ms. Foresee, yes; Senator Rozell, yes; and Mrs. Mabry, yes.

Office of Innovation, Support, and Alternative Education

**Report on Gifted and Talented
Education for the 2009-2010 School Year**

Mrs. Sara Smith, Director, Gifted/Talented Education, presented the annual report on gifted and talented education for Fiscal Year 2010. Mrs. Smith reviewed legislative mandate of 1981, school district requirements, State Department of Education monitoring, funding, and student/teacher data.

This was a report only and no action was required.

FIRST-YEAR SUPERINTENDENTS

First-year superintendents attending the meeting were Ms. Leann Barnwell, Superintendent, Kansas Public Schools; Ms. Jennifer McQueen, Superintendent, Hollis Public Schools; Mr. Kirk Wilson, Superintendent, Binger-Oney Public Schools; and Mr. James White, Superintendent, Piedmont Public Schools.

PROFESSIONAL SERVICES DIVISION

Recommendation from the Teacher Competency Review Panel Approved

Dr. Ramona Paul, Assistant State Superintendent, Professional Services Division, presented the recommendations from the Teacher Competency Review Panel for 78 applicants to receive a license.

Board Member Rozell made a motion to approve the request and Board Member Miles-Scott seconded the motion. The motion carried with the following votes: Mrs. Mabry, yes; Senator Rozell, yes; Ms. Foresee, yes; Ms. Miles-Scott, yes; and Mrs. Arm, yes.

Report on Alternative Placement Certification and Troops to Teachers

Dr. Paul presented a report on alternative placement and certification of subject areas for Troops to Teachers.

This was a report only and no action was required.

Professional Standards Production Report

Dr. Paul presented the production report on teacher certification and licensure.

This was a report only and no action was required.

LEGISLATIVE UPDATE

Mr. Lealon Taylor, Chief of Staff, presented information regarding education legislation/red banner letters, vetoed bills, and State Superintendent's 2010 Leadership Conference.

INFORMATION TO THE BOARD

Superintendent Garrett said the Leadership Conference is July 22-23, 2010, in Tulsa. The new superintendent meeting will be held July 24, 2010, the day after the conference. The investigative audit request of Bell will be on the June 29, 2010, special meeting agenda. The Adair County Sheriff and the Regional Accreditation Officer for the district have been dispatched to the Bell School building until Mr. Paul Pinkerton

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the State Board of Education
June 24, 2010

arrives with the keys. Warrants have been signed for disbursements to the Belfonte and Stilwell School Districts in order to make payments to the Bell teachers.

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 2.30 p.m. The next regular meeting of the State Board of Education will be held on Tuesday, July 27, 2010, at 9:30 a.m. The meeting will convene at the State Department of Education, 2500 North Lincoln Blvd., Oklahoma City, Oklahoma.

Sandy Garrett, Chairperson of the Board

Connie Holland, Chief Executive Secretary



**Minutes of the
Meeting of the State
Board of Education**

March 24, 2011

STATE BOARD OF EDUCATION

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

March 24, 2011

The State Board of Education met in regular session at 9:30 a.m. on Thursday, March 24, 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 9:20 a.m. on Wednesday, March 23, 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
Mrs. Sue Arnn, Ardmore
Ms. Gail Foresee, Shawnee
Mr. Tim Gilpin, Tulsa
Mrs. Betsy Mabry, Enid
Ms. Gayle Miles-Scott, Oklahoma City (arrived at 10:10 a.m.)
Mr. Herb Rozell, Tahlequah

Others in attendance are shown as an attachment.

**CALL TO ORDER
AND
ROLL CALL**

Superintendent Barresi called the State Board of Education meeting to order at 9:30 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.

**FEBRUARY 24, 2011 REGULAR BOARD
MEETING MINUTES APPROVED**

Board Member Gilpin motioned for approval of the minutes of the February 24, 2011, regular Board meeting. Board Member Rozell seconded the motion.

Superintendent Barresi said she had a point of order that the text of the transcription of the minutes is accurate as was recorded; however, some of the discussions regarding the finances at the end of year budget were possibly not accurate. Therefore, she asked Ms. Jill Geiger, State Budget Director, Office of State Finance (OSF) to provide more information on the budget request negotiations, and finance situation for FY2012.

The motion carried with the following votes: Mrs. Arnn, yes; Ms. Foresee, yes; Mr. Gilpin, yes; Mrs. Mabry, yes; and Senator Rozell, yes.

Ms. Geiger presented a funding brief for the State Department of Education which included: the *American Recovery and Reinvestment Act of 2009* (ARRA), Race to the Top Competitive Grant; State Longitudinal Data Systems; Title I School Improvement Grants formula to states and competitive for districts; Title I Recovery Funds; IDEA Parts B and C; State Fiscal Stabilization Fund (SFSF) and additional ARRA funded programs. Numerous programs became available with the passage of ARRA, and some were competitive, formula based, or required Governors to submit applications with legislative authorization. The SFSF program dollars required the Governor to submit an application and legislation. Oklahoma received approximately \$578 million in SFSF dollars. The Governor and Legislature allocated 82 percent to state education agencies and 18 percent was used at the Governor's discretion. The actual action taken by the Governor and Legislature in budget negotiations for FY2010 initially was \$167 million for the SDE and later provided a supplemental authority increase of \$37 million for FY2010. For FY2011 the authority amount of SFSF-education stabilization fund-phase II was \$139 million that amount was previously reported as \$169 million at the February 2011 State Board meeting.

Board Member Gilpin asked if the SDE was appropriated \$167 million for FY2010.

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Ms. Geiger said yes. The SDE was authorized by the Legislature to expend \$167 million for the budget.

Board Member Gilpin asked was that amount for the SDE or for education in general?

Ms. Geiger said the funds were for public schools and use for administrative purposes was prohibited.

Board Member Gilpin asked when you say 'the department of education' is that an appropriate title?

Ms. Geiger said the mechanism of funding from the Legislature to school districts is to funnel funding through the State Department of Education. The funds are specifically prescribed with a purpose. The purpose for these particular funds was for the financial support of public schools. These funds would automatically go through the state aid formula.

Board Member Gilpin said the \$167 million is for schools and not for this building or the SDE?

Ms. Geiger said absolutely.

Board Member Gilpin asked is there a supplemental of \$37 million for schools not for the building or SDE?

Ms. Geiger said correct.

Board Member Gilpin asked if the FY2011 authority is \$139 million which is for the schools at this time?

Ms. Geiger said the \$139 million is for the schools this current fiscal year, FY2011.

Board Member Gilpin said the supplemental for FY2010 and FY2011 calculates to a total of \$204 million. He asked if the \$139 million for FY2011 is subtracted will common education lose \$65 million?

Ms. Geiger said FY2010 ended June 30, 2011, so it would not be appropriate to say there was a \$65 million loss. It could be said there is a loss of the one-time federal funding. That one-time amount of SFSF did increase in FY2010 to FY2011.

Board Member Gilpin asked how does this compare to the budget this Board sent to the Legislature in December 2010?

Ms. Geiger said this Board did not consider SFSF. The SFSF-Education Services Fund (ESF) authority breakdown is strictly referring to stabilization funds.

Board Member Gilpin said are there other pieces to the stabilization funds?

Ms. Geiger said there are multiple pieces. The agency receives and funnels a number of federal dollars to school districts.

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Board Member Gilpin asked are they also stabilization funds?

Ms. Geiger said the education services portion of the SFSF, is 82 percent of the overall SFSF piece. The accurate FY2011 authority was \$139 million, not the \$169 million reflected in the February 24, 2011 State Board minutes.

Board Member Gilpin asked when will the SDE receive the funds?

Ms. Geiger said school districts are authorized to draw down funds this fiscal year and the last fiscal year.

Board Member Gilpin asked do schools have the FY2011 \$139 million?

Ms. Geiger said school districts have been using those funds. The SFSF-ESF authority breakdown presentation shows how the Legislature treats the same SFSF-ESF money different. It is in a general appropriations bill and the authority has to be made by statute in Senate Bill 1561, Section 6 in the 2010 Legislative Session. The Education Jobs Funds passed August 2010 by the federal government and is not a program of the ARRA. It has specific uses as well for school districts to create and retain jobs.

Board Member Gilpin asked the short name for this is Ed Jobs?

Ms. Geiger said yes. Ed Jobs funds can be used in the current fiscal year or FY2012. The total award for Oklahoma is \$119 million but the law allows a state education agency to retain up to two percent of the funds. The SDE retained the two percent leaving \$117 million in the fund. As of March 18, 2011, school districts have only drawn down 18.3 percent and another draw down will occur Friday, March 23, 2011. The amount will be 21.5 percent of the overall allocation. Neither the OSF nor the SDE has control over the draw downs, although both are the fiscal conduits and it appears schools districts are intending to save the bulk of the allocation for the next fiscal year.

Board Member Gilpin asked if the school districts report the information to the SDE?

Ms. Geiger said yes. School districts apply to the SDE and the SDE submits to the OSF an aggregated draw down request. The OSF transfers money to the appropriate fund at the SDE which goes through the state aid formula to the school districts.

Mr. Jack Herron, Assistant State Superintendent, Finance Division, said school districts have expended approximately \$86 million of the \$116,992,426.40. The accumulative balance is \$97 million. Many schools have issued multiple claims which the SDE processes through a double check system before making payments. School districts have the option to spend or save the money.

Board Member Foresee said some schools may have saved the money, but basically most have spent their entire amount?

Mr. Herron said yes.

Board Member Gilpin asked how does the SDE know if the money has been spent?

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Mr. Herron said school districts specify what fund the money is for when issuing claims to draw down funds.

Board Member Gilpin asked if schools are planning for state cuts in this coming budget year, how does one know if schools are holding the money anticipating cuts, or if the money is spent on current expenses?

Mr. Herron said that is difficult to determine, however, once the money is spent for whatever reason, it is money that did not come from their general fund. School districts do have a plan on how their finances will be spent.

Board Member Gilpin asked is a reporting mechanism in place that indicates if federal funds are being held or spent?

Mr. Herron said no.

Board Member Gilpin asked if the Legislature cuts common education significantly, do we know if these federal funds are going to be available to help them or have the funds already been used for past budget cuts?

Mr. Herron said it is up to the local school districts how they are using the money and what their plans are for the next year.

Board Member Gilpin asked what percentage of the 21.5 is for Tulsa Public Schools?

Mr. Herron said Tulsa Public Schools had \$7 million in allocations and have budgeted \$2 million, therefore whatever they have claimed and drawn down is what has been paid.

Ms. Geiger reviewed the starting appropriation point of Governor Fallin's FY2012 budget in the amount of \$2,378,356,186 and the purpose of each appropriation. All appropriations for financial support of public schools go through the state aid formula. Public school activities appropriations fund the teacher retirement credit or flexible benefit allowance for teachers and support staff and many other programs usually delineated by the Legislature in a limits or directive spending bill, which was absent this year. Admin and support appropriations are for the building's operational budget, school consolidation, teacher's retirement, lottery sources, and instructional materials.

Board Member Gilpin asked Ms. Geiger if the building's operational budget was actually for the department employees throughout the state?

Ms. Geiger said yes for the operation of the SDE. The Governor's Service Fund of the SFSF allocated an additional \$2.8 million, which is within the total SDE allocation to be used for IT services/student information system. Governor Fallin shielded the SDE budget and only allowed a 2.9 percent cut.

Board Member Gilpin said comparing apples to apples, what the Legislature appropriated to the SDE in the current fiscal year and what the Governor is proposing will be for the entire education budget?

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Ms. Geiger said it is for the SDE which includes the state aid formula to school districts. One-time federal dollars will not be replaced, therefore Governor Fallin is proposing to replace the one-time federal dollars with state dollars and hold the SDE and school districts harmless for that funding cliff.

Board Member Gilpin asked if the SDE received dollars for Ed Jobs, federal stabilization funds, and the Governor's proposed budget amount to \$139 million.

Ms. Geiger said this budget does not include Ed Jobs. The \$139 million is built into the stabilization dollars base and the Governor's proposal holds the agency harmless and actually reduces \$71 million from the overall funding amount that was decided upon in budget negotiations. The SFSF were a part of that so the Governor is effectively replacing those one-time federal dollars with state dollars.

Board Member Gilpin said he is trying to understand. There is \$71 million less in the Governor's proposal, FY2011 ends June 2010, the federal government gave \$119 million in Ed Jobs money (August 2010), and the federal government will not issue more funds this summer in FY2011. We do not know when or if the districts have spent the money except what has been drawn down. In theory the remaining funds could be drawn down before the summer of 2011?

Ms. Geiger said yes. It would result in a hefty general fund balance for the districts to carryover.

Board Member Gilpin said the Governor took into account the \$139 million in stimulus funds.

Ms. Geiger said the Governor and Legislature authorized the amount the agency was able to expend for each of the fiscal years those funds were available. There will not be another \$119 million in the coming fiscal year. Districts might have a healthy balance from which they can draw down and expend.

Board Member Gilpin said he understood the district draw down and if that was the confusion from the last meeting?

Superintendent Barresi said there was confusion on the part of some superintendents that generated phone calls. She appreciated the Board's indulgence on this issue. It is a good idea for everyone to be on the same page.

Board Member Gilpin said understandably the \$119 million was one-time funding and school districts are aware that the money they had available last year will not be available next year.

Ms. Geiger said that is true, but on the other side of the one-time federal coin, if she were at a school district looking at the Governor's proposed budget she would think the Governor is holding the school districts harmless for the larger of those two amounts of one-time funding in the SFSF.

Board Member Foresee said if all the school districts had spent \$119 million they would be in an awful situation, but luckily, at this time, they all have not spent all the money.

**MARCH 17, 2011 SPECIAL BOARD
MEETING MINUTES APPROVED**

Board Member Mabry motioned for approval of the minutes of the March 17, 2011, special Board meeting. Board Member Rozell seconded the motion. The motion carried with the following votes: Senator Rozell, yes; Mrs. Mabry, yes; Mr. Gilpin, yes; Ms. Foresee, yes; and Mrs. Arnn, yes.

STATE SUPERINTENDENT

First-Year Superintendents

Superintendent Barresi introduced the first-year superintendents attending the meeting: Mr. Jeff Daugherty, Superintendent, Merritt Public Schools; Ms. Rita Ford, Superintendent, Eufaula Public Schools; Ms. Sandy Harper, Superintendent, Grove Public Schools; Ms. Darsha Huckabaa, Superintendent, Pauls Valley Public Schools; Ms. Karen LaRosa, Superintendent, Monroe Public School; Mr. Micky Lively, Superintendent, Mangum Public Schools; and Mr. Josh Sumrall, Superintendent, Coyle Public Schools.

**Recognition of Jennifer Evans-Lowery, Fifth Grade Teacher,
Highland Park Elementary School, Midwest City-Del City Public Schools,
as Recipient of the 2010 Milken Family Foundation National Educator Award**

Superintendent Barresi recognized Ms. Jennifer Evans-Lowery, the 2010 Oklahoma Milken Family Foundation National Educator Award winner.

Dr. Jennifer Watson, Team Leader, Office of Standards and Curriculum, said the Milken Educator Award is hailed as the "Oscars of Education". Mr. Lowell Milken of the Milken Family Foundation created the award to recognize exemplary teachers and honor them with \$25,000. In 1987 the first award was presented to twelve California teachers and since that time more than 2,500 teachers, principals and specialists have been honored. Oklahoma became a member of the Milken Program in 2000, and 24 Oklahoma teachers have received the award. Dr. Watson said Ms. Evans-Lowery is the Oklahoma finalist for the Presidential Awards for Excellence in Mathematics and Science Education.

Ms. Evans-Lowery thanked the State Board of Education and said she was pleased to represent Oklahoma with the Milken Family Foundation Award and the Presidential Awards for Excellence in Mathematics and Science Education. Ms. Evans-Lowery's family members were present. Also present were Ms. Jackie Ardrey, Milken Family Foundation, Dr. Donna Cloud, Principal, Highland Park Elementary School, Midwest City-Del City Public Schools, Mr. Bill Scoggins, Superintendent, Midwest City-Del City Public Schools.

Report on Department Activities

Superintendent Barresi informed Board members the 2009-2010 audit exit report was received yesterday, and the audit recommendations are currently being addressed.

Board Member Miles-Scott asked if Board Members will receive a copy of the exit report?

Superintendent Barresi said yes. The Department reorganization is moving forward. In the Fiscal Services Division new purchasing procedures are being implemented as well as refinements for more efficient and effective claims processing resulting in timely payments. At the April 28, 2011, State Board meeting a more detailed report on the Department reorganization, legislation work, and school district updates will be provided.

CONSENT DOCKET APPROVED

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2010-2011 and 2011-2012 school years, and other requests:

- (a) **Allow Two School Days in a 24-Hour Period – 70 O. S. § 1-111**
Perry Public Schools, Noble County
Pickett Center Public School, Pontotoc County
Piedmont Public Schools, Canadian County
Quinton Public Schools, Pittsburg County
Soper Public Schools, Choctaw County
Allen Public Schools, Pontotoc County
Calera Public Schools, Bryan County
Healdton Public Schools, Carter County
Marietta Public Schools, LeFlore County
Porter Consolidated Public Schools, Wagoner County
Porum Public Schools, Muskogee County
- (b) **Noncertified Substitute Teachers - 70 O. S. § 6-105**
Allen Public Schools, High School, Pontotoc County
- (c) **Library Media Specialist Services – OAC 210:35-5-71 & 210:35-9-71**
Sweetwater Public Schools, Roger Mills County
- (d) Request approval of Great Expectations Summer Institute scholarships for FY2012
- (e) Request approval on waiver of FY2010 General Fund Balance penalty for Wilburton Public Schools, Latimer County, Kiowa Public Schools, Pittsburg County and Leedey Public Schools, Cheyenne Public Schools, Sweetwater Public Schools, and Hammon Public Schools, Roger Mills County – 70 O. S. § 18-200.1
- (f) Report on Department personnel changes

Board Member Mabry said on item 5(a), Allow Two School Days in a 24-Hour Period, after reading the 'duration of waiver' she realized there are requests for this statutory waiver every month. It is a great idea and the requests are not usually denied because it is for parent/teacher conferences which benefit the parents. Would it be possible to change the law so that it could be a local district decision and not require districts to apply for a statutory waiver through the State Board?

Superintendent Barresi said she understood Board Member Mabry's concern and would visit with the Legislature leadership and report back to the Board. She said she appreciates the efforts of school districts to be available at night in order for parents to attend a parent/teacher conference.

Board Member Mabry said the library media specialists waivers appear many times and is also a concern. These requests should be closely reviewed because people do not realize the resource a library media specialist can be to an entire school. It saddens her when a superintendent writes that this type arrangement will prevent them from having to hire a half-time librarian. How do you change that mindset? Education dollars are precious but most precious still are the resources that are being provided for public school children.

Board Member Gilpin said denying the request would change the mindset.

Board Member Foresee motioned to approve Consent Docket items 5(a) through (f) with the exception of (c). Board Member Arnn seconded the motion. The motion was carried with the following votes: Mrs. Arnn, yes; Ms. Foresee, yes; Mr. Gilpin, yes; Ms. Miles-Scott, yes; Mrs. Mabry, yes; and Senator Rozell, yes.

Board Member Foresee said she understood the concern but also understood the reason for the waiver request for library media specialist.

Ms Perri Applegate, Executive Director, Instructional Support, said she talked with the Superintendent at Sweetwater Public Schools. They have had difficulty finding a person to work half-time only. However, they are utilizing the person they have to cover multiple places and also teach.

Superintendent Barresi said she will ask staff to investigate and discuss the request with the superintendent to provide more detailed information.

Board Member Rozell motioned to approve Consent Docket item 5(c) and Board Member Mabry seconded the motion. The motion carried with the following votes: Senator Rozell, yes; Mrs. Mabry, yes; Ms. Miles-Scott, yes; Mr. Gilpin, yes; Ms. Foresee, yes; and Mrs. Arnn, yes.

LEGAL SERVICES DIVISION

Adoption of Permanent Rules in Title 210 Approved

Ms. Belinda Tricinella, Legal Counsel Assistant, presented a request for permanent adoption of the following rules:

Chapter 15. Curriculum and Instruction; Subchapter 13. Special Education

Superintendent Barresi said she inserted additional language to the rule because some of the references and timelines were not clear enough which could lead to misinterpretation.

Board Member Rozell asked if this was the program some schools did not want to participate and was there a ruling?

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Superintendent Barresi said there was discussion with the Attorney General's Office and to date, all of the school district boards have rescinded their refusal to comply and are currently in compliance. There is also some cleanup legislation that will clarify the misunderstanding districts were having. The legislation is currently in the Senate.

Board Member Rozell asked how many requests for scholarships were presented?

Ms. Misty Kimbrough, Assistant State Superintendent, Special Education Services, said to date, 55 statewide requests have been approved to participate in the program.

Board Member Foresee said the law is made by the Legislature and the Board is implementing the rules?

Superintendent Barresi said this will make the emergency rule a permanent rule.

Board Member Rozell said he did not have an objection to making the rule permanent but wondered if it was legal to pass permanent adoption. The Legislature passed the law last year, and an emergency rule was approved by the Board, but the law is being changed because the schools rejected. Was there a court action or agreement made to make them approve the scholarships?

Superintendent Barresi said if the parent petitioned the districts because their child is on an IEP, then from that point on this process is outlined in the rule. The schools decided to comply with the law and take up their issue with the Attorney General.

Board Member Gilpin said school districts that objected and thought the law to be unconstitutional decided to enforce the law. There may a separate lawsuit challenging the constitutionality.

Superintendent Barresi said it is still unclear whether or not the lawsuit has been filed.

Ms. Tricinella said since a bill is already in place and being implemented these rules would be to comply with the law as it is now.

Board Member Gilpin asked if there was a constitutional challenge in court?

Ms. Tricinella said she knew there was talk of one but was not certain how far it has gone.

Board Member Rozell asked are there different scholarship amounts because the rule states the scholarship amounts will be calculated?

Superintendent Barresi said 95 percent of the state funding is transferred which is based on the weight system in the formula amount.

Ms. Kimbrough said the weighted formula that goes through the state aid formula is based upon the disability category. Each disability category is assigned a different weight and each grade level also has a weight. The reason scholarship amounts vary from child to child is because the disability and grade level weights are multiplied with a base factor which has been \$3,112.20 this year.

Board Member Foresee said to clarify, for a student in public school with an IEP who receives a scholarship, the scholarship money goes to the private school as opposed to the public school?

Ms. Kimbrough said the law currently requires the SDE to make the calculation based on that weighted formula system, send the calculation back to the public school for the student, and the public school issues a check to the private school for the student in the parent's name. The parent(s) is responsible for endorsing the check at the private school.

Board Member Foresee asked will that occur every year or until the student returns to public school?

Ms. Kimbrough said per the current law scholarships are in effect until either the student graduates from private school or returns to public school. The law requires the calculation annually because the base factor changes.

Board Member Rozell asked are all private schools accredited by the SDE?

Ms. Kimbrough said no. In order to qualify for the scholarship program a school must be accredited. The parent chooses the private school and is responsible for transporting the student.

Board Member Mabry motioned to approve permanent adoption and Board Member Rozell seconded the motion. The motion carried with the following votes: Mrs. Arnn, yes; Ms. Foresee, yes; Mr. Gilpin, yes; Ms. Miles-Scott, yes; Mrs. Mabry, yes; and Senator Rozell, yes.

Chapter 20. Staff; Subchapter 15. Residency Program

Board Member Mabry said she was concerned the rule would cause the loss of first-year teachers.

Superintendent Barresi said she shared her concerns and that information is being provided to the Legislature regarding this effort.

Board Member Miles-Scott asked if the law is passed the teachers do not have stabilities and can be fired?

Superintendent Barresi said a school district has the option to not pursue the residency teacher program. Teacher firings are a different effort.

Board Member Miles-Scott said it may be a different effort but it all works together. The residency program helps the teacher in the first two years. It gives them the opportunity to have a hearing and another chance to do a better job.

Board Member Arnn said in every case that has come before the Board concerning dismissing a first-year teacher one reason that has kept the teacher from being dismissed was because they did not have a resident advisor. In some instances it is a good thing, particularly for a first-year teacher.

Superintendent Barresi asked Ms. Tricinella what is being considered is the permanent adoption of a rule already in emergency status?

Ms. Tricinella said yes.

Board Member Foresee said the rule is for the fiscal year 2011-2012.

Superintendent Barresi asked what would be the consequence of failure to adopt this as a permanent rule?

Ms. Connie Holland, Chief Executive Secretary, State Board, said the emergency rule will no longer be effective as of July 14, 2011. The statute remains the same.

Board Member Arnn motioned not to approve permanent adoption and Board Member Gilpin seconded. The motion carried with the following votes: Senator Rozell, yes; Mrs. Mabry, yes; Ms. Miles-Scott, yes; Mr. Gilpin, yes; Ms. Foresee, yes; Mrs. Arnn, yes.

Chapter 15. Curriculum and Instruction; Subchapter 4. Common Core State Standards

Board Member Mabry asked these are standards developed by the National Governors Association?

Superintendent Barresi said yes.

Board Member Rozell asked how are we are trying to help schools implement the program?

Superintendent Barresi said the Office of Curriculum and Instruction Office of Standards and Curriculum has diligently worked to transition from the *PASS* objectives to the common core. A national review of Oklahoma's current *PASS* standards has shown the standards are comparable to the common core. The approach in teaching with guidance will be encouraged to be different, allow deeper penetration into the standards, and emphasize the development of critical thinking skills as well as content knowledge. The standards are national and international benchmarks and are portable.

Board Member Rozell asked are universities training students on the common core standards?

Superintendent Barresi said there have been discussions between the SDE, universities, and the Commission on Teacher Preparation.

Dr. Cindy Koss, Assistant State Superintendent, Office of Standards and Curriculum, said the implementation process has begun. Schools need information about the changes. The standards will be assessed in 2014 which allows time to work with teachers, administrators, and higher education. A group meets with other stakeholder groups to establish communication with the business community, higher education, administrators, teachers, parents, and students. The draft implementation process will be made available to Board members at the April 28, 2011 Board meeting. Regional curriculum conferences and summits for administrators, teachers, and focus groups will be scheduled to provide information about classroom changes and the assessments

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available in 2014. Materials regarding the alignment of the common core standards and *PASS* are available on the SDE Web site.

Board Member Mabry motioned to approve permanent adoption and Board Member Arnn seconded the motion. The motion carried with the following votes: Mrs. Arnn, yes; Ms. Foresee, yes; Mr. Gilpin, yes; Ms. Miles-Scott, yes; Mrs. Mabry, yes; and Senator Rozell, yes.

Chapter 15. Curriculum and Instruction; Subchapter 3. Priority Academic Student Skills; Part 23. Instructional Technology

Board Member Foresee asked will all schools be required to have computers in order for students to perform everything that is taught?

Ms. Applegate said yes. The current *PASS* standards require computers which were hardware and software focused. The new standards also focus on digital literacy, and the standards are the National Educational Technology Standards for Students from the International Society of Educational Technology.

Board Member Mabry motioned to approve permanent adoption.

Board Member Foresee seconded the motion. The motion carried with the following votes: Senator Rozell, yes; Mrs. Mabry, yes; Ms. Miles-Scott, yes; Mr. Gilpin, yes; Ms. Foresee, yes; and Mrs. Arnn, yes.

Chapter 15. Curriculum and Instruction; Subchapter 3. Priority Academic Student Skills; Part 3. Pre-Kindergarten and Kindergarten and Part 9. Science

Ms. Jana Rowland, Director, Science, said committees for the science standards review were comprised of teachers in grades Pre-K through 12 throughout the state from various school sizes, science related state agencies and business leaders, university science faculty, and science coordinators.

Board Member Mabry said she was pleased at how good the engineering portion looked, the decision made regarding Pluto, and the update of the scientific tools. A wonderful job was done in making a definition for renewable and nonrenewable resources. The Pluto issue occurred several years ago and if students are to move forward perhaps the science *PASS* may need to be revised on a more continual basis instead of every six years.

Ms. Rowland said the reason for the six-year cycle in accordance with the textbook adoption and resource adoption is to allow time for teachers to work with the major revisions to change the focus of instruction and to understand how to implement it well. The six-year cycle is for a full and complete review. The law allows updating as necessary. The reason for the wait on the Pluto issue was because of the controversy within the scientific community as to where it would land. Should there be a major change in a concept change(s) are allowed and would require Board approval.

Board Members congratulated Ms. Rowland on her new position at Western Technology Center and thanked her for her service at the SDE and to education.

Board Member Mabry motioned to approve permanent adoption and Board Member Gilpin seconded the motion. The motion carried with the following votes: Mrs. Arnn, yes; Ms. Foresee, yes; Mr. Gilpin, yes; Ms. Miles-Scott, yes; Mrs. Mabry, yes; and Senator Rozell, yes.

Ms. Tricinella said no action is required for Chapter 35. Standards for Accreditation; Subchapter 21. Alternative Instructional Delivery Systems. Notice for adoption of the rule had been filed and therefore was required to be on the agenda.

**Revocation of Teaching Certificate and
Teacher Number of John Charles Gisler Approved**

Ms. Tricinella presented a request to revoke the teaching certificate and teacher number 211351 of John Charles Gisler. The certificate and number will expire June 30, 2012. Oklahoma law does not allow a teacher convicted of a felony to retain a certificate/number if the conviction occurred within the preceding ten-year period. Mr. Gisler received five felony convictions.

Board Member Gilpin motioned to approve the request and Board Member Arnn seconded the motion. The motion carried with the following votes: Senator Rozell, yes; Mrs. Mabry, yes; Ms. Miles-Scott, yes; Mr. Gilpin, yes; Ms. Foresee, yes; and Mrs. Arnn, yes.

**Revocation of Teaching Certificate and
Teacher Number of Billy Ray Smith Approved**

Ms. Tricinella presented a request to revoke the teaching certificate and teacher number 126268 of Billy Ray Smith. The certificate and number will expire June 30, 2014. Oklahoma law does not allow a teacher convicted of a felony to retain a certificate/number if the conviction occurred within the preceding ten-year period. Mr. Smith received three felony convictions.

Board Member Gilpin motioned to approve request and Board Member Rozell seconded the motion. The motion carried with the following votes: Mrs. Arnn, yes; Ms. Foresee, yes; Mr. Gilpin, yes; Ms. Miles-Scott, yes; Mrs. Mabry, yes; and Senator Rozell, yes.

**Update on Western Heights Independent School District
No I-41, of Oklahoma County v. Department of Education,
Oklahoma State Board of Education and Sandy Garrett,
Oklahoma State Superintendent of Public Instruction
for the State of Oklahoma, Case No. 106,969**

Ms. Tricinella presented an update on the Western Heights Independent School District's application appeal to the Supreme Court of Oklahoma for attorney fees and costs in the law suit regarding an Academic Yearly Performance (AYP) Appeals Committee determination. On December 17, 2010, the Court of Appeals issued an Order affirming the District Court decision to deny Western Heights Independent School District. The SDE filed an objection to the petition and on February 28, 2011, the Supreme Court unanimously denied Western Heights Independent School District's petition finding in favor of the State Board and State Department of Education.

**Severance Pay for Larry Nettles,
Former Employee of Bell Public School,
Adair County Approved**

Ms. Tricinella presented a request to provide a severance allowance to Mr. Larry Nettles, former employee of the Bell School District that was mandatorily annexed pursuant to Title 70 O.S. § 7-203 (B) (3). Mr. Larry Nettles was contracted personnel with the school district. Ms. Tricinella reviewed the State Board of Education's decision to non-accredit Bell Public School District on May 27, 2010, the June 24, 2010, mandatory annexation, Mr. Nettles' employment contract/appeal, and the SDE review/recommendation. Mr. Nettles and Mr. Steven Novick, Attorney for Mr. Nettles were present.

Board Member Rozell asked what money will be used for the severance pay?

Ms. Tricinella said by Oklahoma law the SDE provided payments to all employees of Bell Public School because they were not provided severance by the receiving school districts.

Board Member Mabry asked if the Board's requested audit of Bell Public School had been performed?

Board Member Miles-Scott said the request was made during the elections. At this time we do not know if the new State Auditor and Inspector received the request.

Mr. Herron said the Board did request the audit but nothing as yet has happened. The changes in administration/audit we do not know the status at this time.

Board Member Miles-Scott asked if the Board should make another request?

Superintendent Barresi said she was not aware of the audit request, but will correspond with Auditor Jones to follow up on the request.

Board Member Gilpin motioned to approve and Board Member Miles-Scott seconded the motion. The motion carried with the following votes: Senator Rozell, yes; Mrs. Mabry, yes; Ms. Miles-Scott, yes; Mr. Gilpin, yes; Ms. Foresee, yes; and Mrs. Arnn, yes.

Board Member Gilpin asked if there was an update on the Epic School District litigation?

Ms. Tricinella said the Supreme Court did deny the settlement and we are currently awaiting the filing response to the SDE appeal. There is no decision at this time.

ACCREDITATION/STANDARDS DIVISION

Update on White Oak Public School

Dr. Sharon Lease, Assistant State Superintendent, Accreditation/Standards Division presented an update on White Oak Public School to Board members. She said

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the current enrollment is 893 students. On February 15, 2011, the enrollment was 939 students and 46 students withdrew.

Board Member Mabry asked how often are the pie chart graphs updated in the monthly report? Is a computer test used for this information?

Mr. David Money, Superintendent, White Oak Public School, said the graphs are updated monthly. Scan Trons are used for the test.

Board Member Mabry asked are the math percentages out of the total number of students in second grade, or the total number that took the test?

Mr. Money said all second graders were tested.

Board Member Mabry asked what type of math are eighth graders taking?

Mr. Money said the state mandated core curriculum-Saxon.

Board Member Foresee asked none are taking Algebra I?

Mr. Money said students are being introduced in the pre-algebra but not actually taking Algebra I.

Board Member Mabry asked if Mr. Money reviews the teachers at the White Oak site who reviews the online teachers?

Mr. Money said he reviews all the teachers.

Board Member Mabry asked how did he review?

Mr. Money said there has been a lot of challenges this year, and will be working on reviewing next week.

Board Member Mabry said in grades one and two, each teacher was responsible for 57 students which is a lot of students, and more than public schools. In grades three through five there were 148 students per teacher and 806 students per teacher in grades six through eight.

Mr. Money said it is the difference in the setting for the virtual students because they have one-on-one time with each teacher, as well as, classroom time with each teacher. This is called an illuminate session with 30 or more students online at the same time with the teacher. There is direct interaction with the students for positive or negative responses whether the student is/is not understanding and if the student needs remediation they can go back and get it then.

Board Member Foresee asked will testing be done at a central location and who monitors the test?

Mr. Money said testing is done at alternate locations across the state.

Ms. Jennifer Stegman, Assistant State Superintendent, Office of Accountability and Assessments, said school districts are required to submit a plan for the administration

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of the test that also includes location and test monitors/administrators. Oklahoma law also requires an Oklahoma certified teacher be employed by the district. White Oak is currently hiring teachers on a substitute basis to help with the administration of the tests.

Board Member Foresee asked there will only be White Oak students in the facility and not different students testing at separate facilities?

Mr. Money said alternate test locations are available depending on the student's geographic location. These are White Oak students that are enrolled in Oklahoma Virtual Academy.

Ms. Stegman said other districts with virtual students will coop and there may be more than one school that is testing.

Board Member Mabry said how will the nine third grade students that are below grade level in reading receive remediation? This is a benchmark in third grade reading.

Mr. Money said through a variety of methods provided by the state such as the summer program or through the virtual school.

Board Member Mabry asked Mr. Money to provide how much actual time the 893 students are spending on the computer? Is their time clocked?

Mr. Money said yes the actual time is clocked and attendance is determined.

Board Member Mabry asked Mr. Money to provide a report on the time students are working on the computer.

Board Member Mabry said 20 students previously at a public school had withdrawn.

Mr. Money said the virtual academy curriculum is much more rigorous than a public school.

Board Member Gilpin asked what additional problems with the virtual school has Mr. Money and the district faced?

Mr. Money said the free lunch program was an initial hurdle as to whether or not to count virtual students in the free-and-reduced lunch percentages. The other hurdles are the E-rate application, Impact Aid, Indian Education requirements, and varied open record requests.

Board Member Gilpin said once all the information Mr. Money provides is analyzed that information will be a great basis for determining how virtual education does or does not work.

Mr. Money said virtual education is not going away and has a definite place within the public school system in the state. However, it does fit a small segment of the entire student population in providing an alternative.

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Board Member Rozell said the number of below average students is running anywhere from 12 to 36 percent which is a high number of students, especially in the eighth grade. What percentage of all students are below average?

Mr. Money said he did not have that data but would provide the information at the next meeting.

This was a report only and no action was taken.

~~Accreditation or Non-accreditation of~~
**Boynton-Moton Public School District I004,
Muskogee County for the 2011-2012
School Year Approved**

Superintendent Barresi said the SDE witnessed a serious pattern with the Boynton-Moton Public School District. There were several situations related to not only accreditation but also finance, child nutrition, and student assessment. She instructed an SDE team to perform an investigative audit recommending what was in the best interest of the students, and whether they had been or will be adequately served.

Dr. Lease presented an accreditation recommendation request for Boynton-Moton Public Schools. She reviewed the accreditation status for school sites and classification categories pursuant 70 O.S. § 3-104.4. A review and evaluation was conducted on March 7, 2011, by SDE team members Mr. Larry Fry, Regional Accreditation Officer; Ms. Christa Knight, Mr. Mark Everhart and Ms. Pam Kimery, Special Education Services; and Ms. Sarah Yauk, Child Nutrition.

Mr. Fry said there were several noncompliance areas which included mandated reports not submitted; no available comprehensive local education plan, no teaching certificates/college transcripts or loyalty oaths on file, no documentation that standards of performance and conduct for teachers distribution, incomplete teacher/administrator employment contracts, no health services program on file, no district plan/procedure regarding medicines, accidents, emergencies and disasters, and no library expenditures for 2008-2009 and 2009-2010. He said there is discontentment within the Boynton-Moton community, and other concerns are that the financial capabilities to meet the needs of the students in future years, and a developed pattern of noncompliance in other areas.

Board Member Miles-Scott asked will W-2's be reissued because employees received travel reimbursement from home to work and employees were being paid more than their contracted salaries?

Mr. Herron said yes. The State Auditor and Inspector issued an investigative audit to the Muskogee County District Attorney and details of the audit should not be commented upon at this time.

Superintendent Barresi said she visited with the State Auditor and he indicated the investigation was ongoing.

Ms. Joanie Hildebrand, Executive Director, Child Nutrition Programs, said there were several areas of noncompliance. The number of meals by type was based on attendance rather than an accurate point of service count. This always results in the district claiming more meals than actually served. There were no production records for

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many days that school was in session. The months of August and September had no food production records and other months had only 50 percent of the days recorded. Without the food production records it cannot be determined if the school met the United States Department of Agriculture (USDA) minimum meal pattern requirement regulations. The district was assessed an over-claim of \$17,920.44, which will be reclaimed starting with the district's April claim for reimbursement, and will continue at 50 percent until all money is repaid. A follow up visit is scheduled in May 2011, to insure the district is in compliance. If the district is not in compliance further fiscal action will be taken.

Ms. Jennifer Stegman, Assistant State Superintendent, Office of Accountability and Assessments, reviewed the 2010 academic achievement and district report card for Boynton-Moton Public School District.

Board Member Foresee asked if the district was a K-12 school?

Dr. Lease said it is a PK-12 school; however there are no students in the high school at the present time. The local school board did not take official action to close the high school.

Superintendent Barresi asked Ms. Stegman, based on the review and observation, would she determine the students are academically at risk?

Ms. Stegman said yes.

Board Member Foresee asked how many students graduated in 2009?

Ms. Stegman said 13 students graduated.

Ms. Misty Kimbrough, Assistant State Superintendent, Special Education Services, said a letter has been issued of the findings of the investigation. However, Boynton-Moton is part of the Muskogee County Coop and Boynton-Moton special education services are provided via the coop. Their special education money is sent to the coop. Minimal problems in the area of special education services were found. The district has a balance of \$19,000 of FY2010 federal ARRA stimulus funds that have not been spent. The funds must be spent by the September 30, 2011 deadline.

Dr. Herron said he reviewed the State Auditor's investigative report and the last two independent audits of the school district and all showed a pattern of fiscal problems. He talked with Superintendent Shelbie Williams regarding options for annexation and consolidation and a feasibility study to annex to Haskell Public Schools and/or Midway Public Schools. The SDE prepared an average daily membership (ADM) study for the last several years that indicates student enrollment has steadily declined.

Board Member Mabry asked what will be done with the house owned by the district?

Dr. Herron said that information could not be discussed at this time.

Dr. Shelbie Williams, Superintendent, Boynton-Moton Public Schools, said she became Superintendent September 8, 2009. The district had serious financial problems at the time and was approximately \$250,000 down. The district survived the school year and ended the year in the black. Dr. Williams said she advised school board members

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there were serious financial problems at the district and there was a possibility funds would not be available for the 2011-2012 school year. The district does not have a high school and could not afford to have high school for the 2010-2011 school year. Boynton is a small community and 99 percent of students are eligible for free and-reduced lunch. If the school is closed people will lose their jobs.

Dr. Williams said she was having surgery the day six SDE staff members visited the Boynton-Moton Public Schools and went through all the paperwork in her office. I disagree with people coming in and going through paperwork in my office without me being there. Contracts are properly signed and on file. The district is under investigation by the Muskogee County District Attorney's office for past questionable activities. Those types of activities have not occurred while I have been Superintendent, Dr. Williams said. The cafeteria staff has done a tremendous job of feeding the children. The issue is money and the district does not have the money to function. There are \$34,000 in legal fees the district does not have money to pay. There is not enough money to hold an election to close the school. A \$17,000 cut is devastating to a small district because there are bills that must still be paid.

Mr. Gilpin asked about federal funds.

Dr. Williams said the district has utilized federal dollars for pre-school class. The ARRA funds for special education have not been spent because those funds were needed this year to pay for speech and language pathologist services. The small class sizes allow students much one-on-one time with the teacher.

Senator Rozell asked if there is enough money to finish this school year.

Dr. Williams said no.

Senator Rozell said the community should be made aware there is not enough money to finish the school year, because if the school district does not pay the bills, then it falls to the taxpayers to pay.

Dr. Williams said the community has been made aware of the situation. The taxpayers are in favor of keeping the school.

Senator Rozell said he understands, but do the people want their taxes to increase in order to keep the school.

Dr. Williams said that would be determined by a vote of the people.

Board Member Gilpin said if the school is so important to the community, how does the community feel about students not achieving?

Dr. Williams said students not achieving has not been a problem this year.

Mr. Gilpin said data indicates three years of extremely low student achievement.

Dr. Williams said yes, but the numbers are extremely low. There were only three third grade students tested.

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Mr. Gilpin said of 27 students tested in Grades 3 through high school, only five students scored proficient. It seems that the community would not consider those good numbers and would want to dramatically change what is happening in the district.

Ms. Miles-Scott asked was the testing information made available to parents.

Dr. Williams said the information provided to the district by the SDE is sent home to the parents. The parents seemed happier about how successful each child is every day.

Ms. Angela Jackson, Boynton-Moton School Board Member said she served three years prior, was off for six months, and then reinstated in February by election. She is a graduate of Boynton and her four children attended Boynton. As a board member she had no idea test scores were so low.

Mr. Gilpin asked in 2010 no one told Ms. Jackson that sixth grade math achievement fell by 66 percent?

Ms. Jackson said she has four nieces who attend Boynton and she had no idea test scores were so low. The community is not aware of the low test scores. Everything at the district is out of hand.

Mr. Bernard Walker, Boynton-Moton School Board Member said he has served on the school board for 43 years and was not aware of the test scores. There is a problem and it is an in-house problem. It was recommended by SDE staff in 2009 to close the high school. He does not want the school to close, but that seems to be the best alternative.

Mr. Gilpin said the school is all the community has, but it appears the school is not serving the community well. Out of 27 students tested only five were proficient. Why would you want the school to keep operating? In 2010, sixth grade math achievement scores fell by 66 percent. These are facts.

Mr. Walker said the board should have known about the test scores up front.

Mr. Gilpin said no, the board should have looked into the matter and then discussed and resolved the situation for the sake of the students. It was the board's responsibility and job to do so.

Mr. Walker and Ms. Jackson said they had not seen any of the information presented to this Board.

Mr. Walker said he was in the meeting when the board voted on the salary increase for Dr. Williams, even though he voted against the increase.

Board Member Foresee asked why Dr. Williams' salary as a superintendent for 47 students was \$90,400.

Dr. Williams said her salary increased from \$36,000 because the district was in serious need requiring tremendous work. The school board paid a superintendent salary for a person with a doctorate degree.

Superintendent Barresi asked was the \$37,000 salary asked for upfront in Dr. Williams' contract prior to the beginning of this year.

Dr. Williams said it was \$18-\$20,000, and yes she requested the salary up front because of all the time and money she had donated.

Superintendent Barresi asked did Dr. Williams realize that was illegal.

Dr. Williams said she did not intend to do anything that was not perfectly correct.

Superintendent Barresi said to confirm the facts Dr. Williams', salary increased from \$36,000 to \$90,000 in one year.

Dr. Williams said yes and is comparable to other superintendent salaries and level of education.

Board Member Rozell said there is a limit on superintendent salaries. Administrative costs cannot exceed ten percent of the budget. At this time, Dr. Williams' salary is 30 percent over the budget which is illegal.

Dr. Williams asked what does the State Board want done?

Superintendent Barresi said with the \$90,000 contract Dr. Williams has stated she informed the local board there was not enough money to hire teachers for the high school.

Dr. Williams said she was hired before knowing there was not enough funds to hire other teachers.

Board Member Gilpin motioned to nonaccredit Boynton-Moton Public Schools as of June 30, 2011. Board Member Arnn seconded the motion. The motion carried with the following votes: Mrs. Arnn, yes; Ms. Foresee, yes; Mr. Gilpin, yes; Ms. Miles-Scott, yes; Mrs. Mabry, yes; and Senator Rozell, yes.

LEGAL SERVICES DIVISION

Interview Applicants for Position of General Counsel

Convene Into Executive Session Approved

Board Member Gilpin motioned to convene into Executive Session at 12:40 p.m. Board Member Rozell seconded the motion. The motion carried with the following votes: Senator Rozell, yes; Mrs. Mabry, yes; Ms. Miles-Scott, yes; Mr. Gilpin, yes; Ms. Foresee, yes; and Mrs. Arnn, yes.

Return to Open Session Approved

Board Member Gilpin motioned to return to Open Session at 1:45 p. m. and Board Member Miles-Scott seconded the motion. The motion carried with the following votes: Mrs. Arnn, yes; Mr. Gilpin, yes; Ms. Foresee, yes; Ms. Miles Scott, yes; Mrs. Mabry; yes; and Senator Rozell, yes.

Board Member Gilpin motioned to offer the position of General Counsel to Ms. Lisa Endres at the salary requirements indicated in the job qualifications. Board Member Foresee seconded the motion. The motion carried with the following votes: Senator Rozell, yes; Mrs. Mabry, yes; Ms. Miles-Scott, yes; Mr. Gilpin, yes; Ms. Foresee, yes; and Mrs. Arn, yes.

PROFESSIONAL SERVICE DIVISION

Oklahoma as Parents as Teachers (OPAT) Annual Program Evaluation Approved

Ms. Erin Nation, Coordinator, Early Childhood/Family Education, presented a request to approve the Oklahoma Parents as Teachers (OPAT) Annual Program evaluation. The 1992 voluntary home visitation program serves families with children birth to age three. She reviewed the data collected, curriculum research, and legislation.

Dr. Kathy McKean and Dr. Kelley Langley from the Oklahoma Technical Assistance Center reviewed the evaluation results of the 2009-2010 school year, updates, goals, funded programs/communities, enrollment/participants, testing, services offered, and parent outcomes.

Board Member Miles-Scott motioned to approve the request and Board Member Gilpin seconded the motion. The motion carried with the following votes: Mrs. Arn, yes; Ms. Foresee, yes; Mr. Gilpin, yes; Ms. Miles-Scott, yes; Mrs. Mabry, yes; and Senator Rozell, yes.

FINANCIAL SERVICES DIVISION

Additional Payments to the Teachers' Retirement System for the Teachers' Retirement Credit Approved

Mr. Jack Herron, Assistant State Superintendent, Financial Services Division presented a request for payment of the balance of \$17,088,597 to the Teachers' Retirement Credit, as required by the Attorney General Opinion (2010 AG 14). On December 16, 2010, the Board approved \$18,222,778 of the \$35,311,375 credit amount is to be paid to the teacher retirement credit. The funding will be taken from the agency activities budget source.

Superintendent Barresi said in December the Board requested a supplemental appropriation for the teacher retirement credit. The Legislature has made it clear the appropriation will not be awarded.

Dr. Herron said the \$35 million teacher retirement credit appropriation was known and debated for several years. In July when the Board approved the fiscal year budget, \$18.2 million was not obligated until August. It was decided at the August Board meeting to appropriate the \$18.2 million to the Flexible Benefit Allowance (FBA). Teacher Retirement requested an Attorney General Opinion which required and recommended the full amount of \$35 million be paid.

Dr. Herron responded yes to Board Member Foresee and Miles-Scott's question was the \$17 million always available and could have been paid.

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Board Member Miles-Scott said the supplemental was requested to pay the \$18.2 million because there was not enough money and no line item appropriation. She said what the Board decided to pay in July was based on the discussions and recommendation to the Board.

Board Member Foresee concurred the first payment was for the flexible benefits allowance because that was best and it was the TRS recommendation to pay the \$18.2 million. The school district is responsible to pay the flexible benefits allowance insurance and not the teacher retirement credit.

Ms. Marta Coombes, Executive Director, Fiscal Services, said monthly payments of \$2 million will be made to the TRS through the end of the year. A one-time catch up payment will also be made.

Board Member Miles-Scott asked will the Board be faced with the same decisions next year?

Superintendent Barresi said there will be a budget limits bill this year.

Board Member Foresee said the entire \$35 million would have been approved for the teacher retirement credit had the Board known in November when the budget was being prepared the amount would eventually have to be paid.

Board Member Gilpin said what happened was not getting the line item budget and receiving less money. The Board's decision based on the cash on hand was whether to pay health benefits, which were an immediate need, or pay retirement.

Board Member Miles-Scott said the SDE issued a specific line item budget and it was the Legislature's responsibility to line item the appropriations. As a former state auditor she questions whether it was legal for the Legislature to issue the budget without line item appropriations and require the SDE to appropriate the funds. It was for this very reason the Board asked for input/recommendations from the entities needing funding.

Board Member Gilpin said school districts need to understand the \$35 million thought to be obligated by law to help pay for health insurance will be paid according to the Attorney General to teacher retirement. They will be responsible for the health insurance funding they should have received by law.

Dr. Herron said he has no knowledge as to whether the Legislature will or will not line item the budget this next year. This was the first year in history that the Legislature did not line item a budget.

Superintendent Barresi said she has been advised there will be a budget limits bill and has asked for one.

Board Member Mabry said not many teachers were aware of the teacher retirement benefit prior to last fall.

Superintendent Barresi said in the budget limits bill approximately 30 percent of the funds allocated to the SDE are delineated. Approximately 69 percent is flow through money to the districts underneath the formula. There is only one percent that is

money to the districts underneath the formula. There is only one percent that is discretionary not delineated by the Legislature and the programs laid out by the Legislature.

Board Member Mabry motioned to approve the request and Board Member Miles-Scott seconded the motion. The motion carried with the following votes: Senator Rozell, yes; Mrs. Mabry, yes; Ms. Miles-Scott, yes; Mr. Gilpin, yes; Ms. Foresee, yes; and Mrs. Arnn, yes.

FINANCIAL UPDATE

Dr. Herron said at the end of fiscal year 2009-2010 House Bill 1566 took \$16 million from the SDE. After several meetings with auditors it appears the SDE is down \$16 million and a request has been made on how the funds can be returned. At this time we are waiting on a response.

Board Member Gilpin asked would the funds go into a special account for specific items?

Dr. Herron said he did not know. It has to be determined whether it will be returned or if the SDE must take action to get it returned.

Superintendent Barresi asked was the issue coding instructions for districts?

Dr. Herron said no. The OSF and State Auditor's office agreed the SDE was down \$16 million.

Superintendent Barresi said that was not her understanding. She suggested representative(s) from the OSF make a report at the April 28, 2011 Board meeting to clarify.

Board Member Miles-Scott said in addition to this, last year on the last day of the legislative session, the SDE appropriations bill was cut by \$16 million. An appropriation cannot be reduced from a previous fiscal year in a current fiscal year, because the money is appropriated for a particular year, that particular time, at that moment. The \$16 million was there, and then was taken away. The money was to be returned and now it is not known if it will be returned.

Board Member Gilpin asked what did 'taken away from the SDE' mean?

Board Member Miles-Scott said it was taken away from the line item allocations.

Board Member Gilpin asked was it taken from one account and put into another?

Dr. Herron said that has not been determined in visits with the State Auditor and Inspector's office and OSF representatives.

Board Member Miles-Scott asked if the SDE still had access to the system in order to view the status/availability of funds?

Dr. Herron said the SDE no longer has total access.

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Board Member Gilpin asked was this pertaining to the Governor's fund or stimulus fund, or is this something different and why?

Dr. Herron said the SDE could not tell and does not know why the money was taken from SDE appropriations.

Board Member Miles-Scott said it is something different. She remembered seeing news regarding payroll payment at the Water Resources Board.

Dr. Herron said no one was privy to the Legislature's reason. It may have been somewhat related to the Governor's Executive Order. Staff in the Financial Services Division believes there is money that belongs to the SDE and would like it returned.

Board Member Gilpin asked what was the controversy?

Board Member Miles-Scott said staff at the OSF are saying it is not true the \$16 million was taken and others say it is true.

Board Member Gilpin asked assuming the \$16 million was taken, why would they?

Board Member Miles-Scott said maybe to cover someone's mistake. Something is not right and it is only fair the Board get to the bottom of this because \$16 million could have been used for education.

Board Member Gilpin asked if a Board committee of Superintendent Barresi and Board Member Miles-Scott could meet with the other agency representatives about this issue.

Superintendent Barresi said being it is the Board's pleasure she and Board Member Miles-Scott will meet with the agencies and report back to the Board the findings.

This was a report only and no action was required.

REPORTS

Superintendent Barresi said reports on alternative placement/Troops to Teachers and the Professional Standards production report were available for the Board's review.

ADJOURNMENT

There being no further business to come before the Board, Board Member Gilpin made a motion to adjourn at 2:30 p.m. Board Member Foresee seconded the motion.

Board Member Miles-Scott said Board Member Gilpin has been a valued member of the State Board of Education and he would be missed.

Board Members thanked him for his instruction and service.

The motion passed with the following votes: Senator Rozell, yes; Mrs. Mabry, yes; Ms. Miles-Scott, yes; Mr. Gilpin, yes; Ms. Foresee, yes; and Mrs. Arnn, yes.

**CALL TO ORDER
AND
ROLL CALL**

Superintendent Barresi called the State Board of Education special meeting to order at 1:45 p.m. and welcomed everyone to the meeting. Ms. Holland called the roll and ascertained there was a quorum.

OPENING COMMENTS BY STATE SUPERINTENDENT

Superintendent Barresi said the purpose of the special meeting was to interview four candidates for the position of General Counsel.

LEGAL SERVICES DIVISION

Applicants for Position of General Counsel

Convene into Executive Session

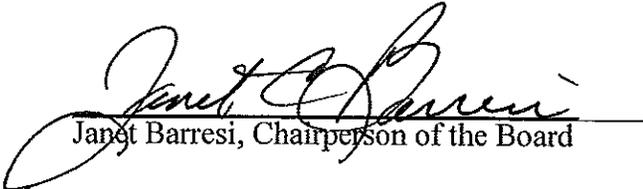
Board Member Gilpin made a motion to convene into Executive Session at 1:50 p.m. and Board Member Rozell seconded the motion. The motion passed with the following votes: Superintendent Barresi, yes; Mr. Gilpin, yes; Mrs. Mabry, yes; and Senator Rozell, yes.

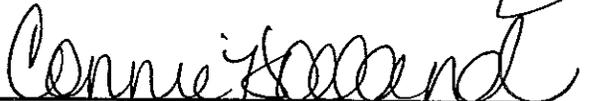
Return to Open Session

The Board committee returned to Open Session at 4:00 p.m. and Board Member Gilpin made a motion to interview Ms. Sandra Cinnamon and Ms. Lisa Endres at the regular meeting of the State Board on Thursday, March 24, 2011, at 9:30 a.m. Board Member Mabry seconded the motion. The motion carried with the following votes: Superintendent Barresi, yes; Mr. Gilpin, yes; Mrs. Mabry, yes; and Senator Rozell, yes.

ADJOURNMENT

There being no further business the meeting adjourned at 4:05 p.m. The next regular meeting of the State Board of Education will be held on Thursday, March 24, 2011, 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

Janet Barresi
State Superintendent of Public Instruction
State Department of Education

Oklahoma First-Year Superintendents
Thursday, March 24, 2011
State Superintendent's Meeting

Martin Adams
Buffalo Public Schools

Randy Allison
Varnum Public Schools

Don Atkinson
Spiro Public Schools

Leann Barnwell
Kansas Public Schools

Tom Betchan
Billings Public Schools

Dale Bledsoe
Cement Public Schools

Paul Blessington
Luther Public Schools

Charlene Carter
Moseley Public School

Jeff Daugherty
Merritt Public Schools

Terry Due
Collinsville Public Schools

Jay Edelen
Pioneer Public School

Randall Erwin
Clayton Public Schools

Perry Evans
Mountain View-Gotebo Public Schools

Rita Ford
Eufaula Public Schools

Jeff Daugherty

Rita Ford

Janet Barresi
State Superintendent of Public Instruction
State Department of Education

Oklahoma First-Year Superintendents
Thursday, March 24, 2011
State Superintendent's Meeting

Gaylene Freeman
Olustee Public Schools

Bruce Gillham
Shady Point Public School

Greg Gregory
Gage Public Schools

Kenny Guthrie
Leach Public School

Sandy Harper
Grove Public Schools



Jimmy Harwood
Pittsburg Public Schools

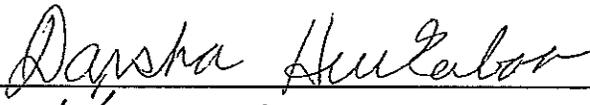
Lewetta Hefley
Felt Public Schools

Leon Hiett
Depew Public Schools

Bryan Hix
Lowrey Public School

Lyndon Howze
Albion Public School

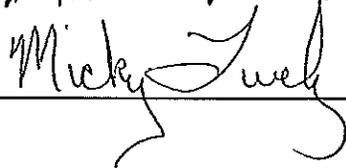
Darsha Huckabaa
Pauls Valley Public Schools



Karen LaRosa
Monroe Public School



Micky Lively
Mangum Public Schools



Jason Lockhart
Talihina Public Schools

Janet Barresi
State Superintendent of Public Instruction
State Department of Education

Oklahoma First-Year Superintendents
Thursday, March 24, 2011
State Superintendent's Meeting

Josh Sumrall
Coyle Public Schools



Billy Taylor
Kenwood Public School

John Truesdell
Midway Public Schools

Steve Waldvogel
Mannford Public Schools

James White
Piedmont Public Schools

Buddy Wood
Elk City Public Schools

Cory Wood
LeFlore Public Schools

Mark Wynn
Butner Public Schools

Mike Zurline
Rush Springs Public Schools

**Oklahoma Administrative Code
Oklahoma State Board of Education
Instruction
Common Core State Standards**

210:15-4-1. Purpose

The rules of the Subchapter have been adopted for the purpose of adopting and implementing the Common Core State Standards as developed by the National Governors Association Center for Best Practices and the Council of Chief State School Officers as part of a multi-state initiative to increase the rigor and comparability of state standards to meet the desired levels of competencies for students in public schools according to 70 O.S. § 11-103.6 and to review and revise core curriculum requirements according to provisions of 70 O.S. § 11-103.6(a).

210:15-4-2. Definitions

The following words and terms, when used in this Subchapter, shall have the following meaning:

"Common Core State Standards" means the standards and expectations developed and/or revised by the National Governors Association Center for Best Practices and the Council of Chief State School Officers.

"English Language Arts" means the set of Common Core State Standards developed and/or revised for grades K-12 including reading (foundational skills, reading literature, and reading informational text), writing, speaking and listening, and language.

"Literacy in History/Social Studies and Science" means the set of Common Core State Standards developed and/or revised for grades 6-12 including reading standards for history/social studies, reading standards for science, and writing standards for history/social studies and science.

"Mathematics" means the set of Common Core State Standards developed and/or revised for grades K-12 including number (counting and cardinality, operations and the problems they solve, base ten, and fractions), measurement and data, geometry, ratios and proportional relationships, the number system, expressions and equations, functions, statistics and probability, High School - number and quantity, High School - algebra, High School - functions, High School - modeling, High School - probability and statistics, and High School - geometry.

210:15-4-3. Adoption and implementation

(a) The Common Core State Standards in English Language Arts, Literacy in History/Social Studies and Science, and Mathematics shall be adopted and implemented as follows:

(1) Effective immediately, the Common Core State Standards in English Language Arts, Literacy in History/Social Studies and Science, and Mathematics are adopted by the State of Oklahoma;

(2) Beginning with the 2010-2011 school year, the school districts of the state shall develop and begin implementing a plan for transitioning from the Priority Academic Student Skills to full implementation of the Common Core State Standards in English Language Arts, Literacy in History/Social Studies and Science, and Mathematics as described in (b) of this rule by the 2014-2015 school year or the school year in which common assessments aligned to the Common Core State Standards will be available, whichever is later;

- (3) Beginning with FY 2011, the Oklahoma State Department of Education shall pursue participation in consortia of states, as appropriate, to develop common assessments aligned to the Common Core State Standards; and
 - (4) The Priority Academic Student Skills shall remain as the assessed standards until such time that full implementation of the Common Core State Standards are required and common assessments aligned to those standards are available.
- (b) By the 2014-2015 school year or the school year in which common assessments aligned to the Common Core State Standards will be available, whichever is later, the Common Core State Standards in English Language Arts, Literacy in History/Social Studies and Science, and Mathematics shall be fully implemented by replacing or being added to the Priority Academic Student Skills as follows:
- (1) English Language Arts for grades K-12 shall replace the Priority Academic Student Skills in Language Arts for grades K-12 with the provision that the State Board of Education reserves the right to add up to 15 percent additional standards to the Common Core State Standards as appropriate;
 - (2) Literacy in History/Social Studies and Science for grades 6-12 shall be added to the Priority Academic Student Skills in:
 - (A) World studies for grade 6, world geography for grade 7, and United States History 1760-1877 for grade 8;
 - (B) Economics for high school, Oklahoma history for high school, United States government for high school, United States History 1850 to the Present for high school, world geography for high school, and World History for high school;
 - (C) Inquiry, physical, life, and earth/space science for grades 6-8; and
 - (D) Biology I, Chemistry, and Physics; and
 - (3) Mathematics for grades K-12 shall replace the content and process standards of the Priority Academic Student Skills in:
 - (A) Mathematics for grades K-8 with the provision that the State Board of Education reserves the right to add up to 15 percent additional standards to the Common Core State Standards as appropriate; and
 - (B) Algebra I, Algebra II, and Geometry with the provision that the State Board of Education reserves the right to add up to 15 percent additional standards to the Common Core State Standards as appropriate, provided that a committee of Oklahoma stakeholders assembled by the State Department of Education has separated the Common Core State Standards for high school mathematics into appropriate courses.
- (c) At any point in time that the National Governors Association Center for Best Practices and the Council of Chief State School Officers or any other consortia of which Oklahoma is a member and that represents the best interests of a majority of states reviews or revises the Common Core State Standards in English Language Arts, Literacy in History/Social Studies and Science, or Mathematics, these revisions shall be adopted, effective immediately upon approval of the State Board of Education, and implemented through a transition process similar to that described in (a)(2) with full implementation by the school year in which common assessments aligned to those revisions are available.
- (d) At any point in time that the National Governors Association Center for Best Practices and the Council of Chief State School Officers or any other consortia of which Oklahoma is a member and that represents the best interests of a majority of states develops Common Core

State Standards in any additional content areas, these standards shall be reviewed and adopted by the State Board of Education as appropriate, and implemented through a transition process similar to that described in (a)(2) with full implementation by the school year in which common assessments aligned to those standards are available.

[**Source:** Added at 27 Ok Reg 2645, eff 6-21-10 (emergency); Added at 28 Ok Reg 1954, eff 7-11-11]



Brad Henry
Governor

**NOTIFICATION FROM GOVERNOR BRAD HENRY
REGARDING SUBMITTED AGENCY RULES**

On June 24, 2010, the Oklahoma State Department of Education pursuant to its legal authority to adopt rules found at 70 O.S. §§ 3-104 and 11-103.6 adopted rules through emergency rulemaking.

On June 25, 2010 the emergency rules and all necessary documentation required by Section 253 of Title 75 of the Oklahoma Statutes were submitted to the Office of the Governor for approval or disapproval.

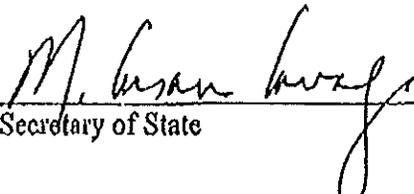
On July 6th, 2010, I hereby approve the following rules submitted:

- 210:15-4
- 210:15-4-1
- 210:15-4-2
- 210:15-4-3



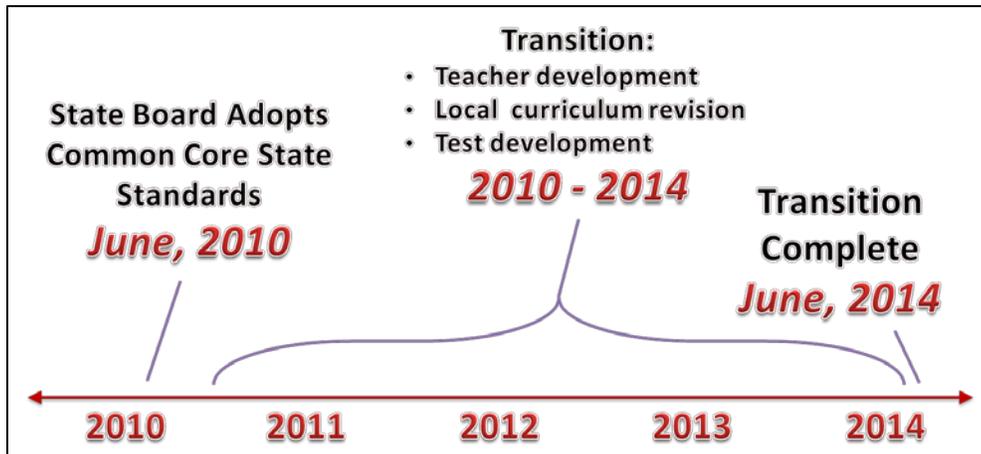
Governor Brad Henry

Attest:



Secretary of State

Common Core State Standards Implementation Timeline for Oklahoma Public Schools



*June 24, 2010 – State Board of Education Adopted Common Core State Standards and Implementation Timeline
July 6, 2010 – Governor Brad Henry Approved Adoption*

2010-2011 School Year

- ◆ Districts develop and begin implementing a District Transition Plan, updating as needed
- ◆ Oklahoma State Department of Education begins development of resources and professional development opportunities for teachers and administrators
- ◆ State assessments reflect the *Priority Academic Student Skills (PASS)*

2011-2012 School Year

- ◆ Oklahoma State Department of Education continues to assist districts in implementation of District Transition Plans through resource development and professional development opportunities for teachers and administrators
- ◆ State assessments reflect the *Priority Academic Student Skills (PASS)*

2012-2013 School Year

- ◆ Oklahoma State Department of Education continues to assist districts in implementation of District Transition Plans through resource development and professional development opportunities for teachers and administrators
- ◆ State assessments reflect the *Priority Academic Student Skills (PASS)*

2013-2014 School Year

- ◆ All Common Core State Standards taught to all students
- ◆ Oklahoma State Department of Education continues to assist districts in implementation of District Transition Plans through resource development and professional development opportunities for teachers and administrators
- ◆ State assessments reflect the *Priority Academic Student Skills (PASS)*

2014-2015 School Year

- ◆ Full implementation of Common Core State Standards and Assessments
- ◆ Oklahoma State Department of Education continues to assist districts in implementation of Common Core State Standards through resource development and professional development opportunities for teachers and administrators
- ◆ State assessments reflect the Common Core State Standards via Common Assessments developed in conjunction with other states

Attachment 6: State's Race to the Top Assessment Memorandum of Understanding (MOU)

The following MOU is Oklahoma's agreement to serve as a Governing State in the Partnership for Assessment of Readiness for College and Careers (PARCC).

GRANT AGREEMENT

Florida Department of Education

AND

Oklahoma Department of Education

I. Purpose

THIS GRANT AGREEMENT is entered into by and between the State of Florida, Department of Education, with headquarters in Tallahassee, Florida (hereinafter referred to as the "Department"), and the State Education Agency for the State of Oklahoma, (hereinafter referred to as the "Governing State"), for the purpose of providing funding for staff support for the coordination and implementation of the activities related to the Partnership for Assessment of Readiness for College and Careers (PARCC).

II. Authority

The Governing State represents that it is fully qualified and eligible to receive these funds to provide the services identified herein. The Department is authorized to disburse the funds under this Grant Agreement per Federal Grant Award S395B100001, CFDA Number 84.395B. Further, the Consortium of States involved with the Partnership for Assessment of Readiness for College Careers (PARCC) have each signed a Memorandum of Understanding, which includes the provision of staff support for PARCC activities. The specific terms and conditions of this Grant Agreement are as follows:

III. Effective Date and Budget Period

The project effective date will be the date that the components indicated below are received in substantially approvable form by the Department. The DOE 200 Project Award Notification (DOE 200) will state the effective (start) date for the project period. The end date for this project is September 30, 2014, unless the project is terminated earlier consistent with provisions of this Agreement. Copies of the Governing State's current budget for this project, and the original signed General and Program Specific Assurances must also be submitted. In addition to these items, the following items must be completed and submitted with this Grant Agreement:

1. DOE 100A Project Application Form (signed by the agency head for the Governing State)
2. DOE 101S Budget Narrative Form
3. Project Agreement in its entirety

Submit the Project Agreement and all of the documents indicated in this section to:

Chadwick Myrick, Grant Manager
Office of Grants Management
Florida Department of Education
325 West Gaines Street, Room 344B
Tallahassee, Florida 32399-0400

IV. Scope of Work

The Governing State will dedicate the funds outlined in this Grant Agreement to the support, coordination, and implementation of activities related to the PARCC.

A. Responsibilities of the Governing State:

1. Coordinate the state's overall participation in all aspects of the PARCC Grant, including:
 - a. Ongoing communication within the Governing State, with local school systems, teachers and school leaders, and higher education leaders;
 - b. Communication to keep the State Board of Education Governor's Office and appropriate legislative leaders and committees informed of the consortium's activities and progress on a regular basis;
 - c. Facilitate participation by local schools and education agencies in pilot tests and field test of system components; and
 - d. Identification of barriers to implementation.
2. Participate in the management of the assessment development process on behalf of the PARCC;
3. Represent the chief state school officer as requested, during Governing Board meetings and calls;
4. Participate on Design Committees that will:
 - a. Develop the overall assessment design for the Consortium;
 - b. Develop content and test specifications;
 - c. Develop and review Requests for Proposals (RFPs) and other procurement documents;
 - d. Manage contract(s) for assessment system development;
 - e. Recommend common achievement levels;
5. Recommend common assessment policies;
6. Collaborate with the Department and Achieve, the Project Management Partner to the PARCC, on the coordination and implementation of project activities; and
7. Provide position description(s) or list(s) of responsibilities for any and all positions funded, in part or in whole, by this Grant Agreement. The position description(s) or list(s) of responsibilities will become an attachment to this Grant Agreement.
8. Provide quarterly reports as required under the Federal American Recovery and Reinvestment Act and consistent with procedures established by the Department.

B. Responsibilities of the Department

1. Cooperate in a timely manner with the designated PARCC State Coordinator in all matters requiring consultation between the two parties.
2. Allocate funds necessary for the establishment of the PARCC Governing State staff support as described in this Agreement.
3. Promptly report any issues or concerns regarding performance.
4. Review the annual budget submitted by the Governing State and promptly (within fifteen working days of receipt) notify the Governing State of any concerns regarding the budget.

C. Modification of Agreement; Repayments, Termination

1. Either party may request modification of the provisions of this Grant Agreement. Changes that are mutually agreed upon shall be valid only when reduced to writing, duly signed by each of the parties hereto, and attached to the original Grant Agreement.
2. Either party may terminate this agreement by providing written notice of termination to the other party sixty days prior to the actual date of termination unless the parties mutually agree to terminate the Grant Agreement, in which case the agreement shall terminate on a date agreed upon by the parties. All work in progress will be continued until the actual date of termination.

D. Record Keeping

The Governing State shall retain sufficient records demonstrating its compliance with the terms of this Grant Agreement for a period of five years from the date any audit report is issued, and shall allow the Department or its designee, the Florida Department of Financial Services, or the Florida Auditor General access to such records upon request.

E. Payment Terms and Conditions

1. The Department agrees to reimburse the Governing State a maximum of \$90,000.00 per year, plus a reasonable amount for benefits (generally not more than 30% of the total salary).
2. The Governing State agrees to:
 - a. Maintain payroll or other appropriate records for the PARCC staff support
 - b. Submit an invoice to the Department, on a monthly basis, representing the costs associated with the PARCC staff support as outlined in E.1. above, for the preceding period.
 - c. Submit, along with the invoice, a narrative description of the staff support of activities as they relate to this project and the applicable accounting records for the staff support. The accounting record must clearly display and include as applicable:
 1. The name and position title(s) of employee(s) responsible for the support and coordination the implementation of activities related to the PARCC.

2. The project/grant number associated with this project.
3. The percentage of FTE charged to this project.
4. The total, for the employee(s) responsible for the support and coordination the implementation of activities related to the PARCC, for the time period represented on the invoice.
5. The signature of the Agency Head and Finance Director for the Governing State entity.

F. Default and Remedies

1. If the necessary funds are not available to fund this Grant Agreement as a result of action by Congress, the State Legislature, the Florida Department of Financial Services or the Office of Management and Budgeting, all obligations on the part of the Department to make any further payment of funds hereunder shall, if the Department so elects, be terminated.
2. Invoices submitted, for services provided under this agreement, shall only be honored when submitted with the required supporting documentation as outlined in the Payment Terms and Conditions (section E.2.c.1 –5.) of this agreement.
3. Any and all invoices received, which do not include the required supporting documentation, will not be considered complete and will not be approved or processed for payment until such time as the Governing State submits the required supporting documentation as outlined in the Payment Terms and Conditions (section E.2.c.1-5.) of this agreement.

G. Notice of Contact

1. All notices provided under or pursuant to this Grant Agreement shall be in writing.
2. The name and address of the Department manager for this Agreement is:

Delanah Gebhart
Florida Department of Education
325 West Gaines Street, Suite 832
Tallahassee, FL 32399-0400
(850) 245-0437, Office
Delanah.Gebhart@fldoe.org

3. The name and address of the representative of the Governing State responsible for administration of this Agreement is:

Maridyth McBee
Assistant State Superintendent, Accountability and Assessments
2500 N. Lincoln Blvd.
Oklahoma City, OK 73105
(405) 521-3341

4. In the event that a different representative or address is designated by either party after execution of this Grant Agreement, notice of the name, title and contact information for the representative will be provided as specified G.I. above.

H. Audit Requirements

1. The Governing State agrees to maintain financial procedures and support documents, in accordance with generally accepted accounting principles, to account for the receipt and expenditure of funds under this Grant Agreement.
2. These records shall be available at all reasonable times for inspection, review, or audit by state personnel and other personnel duly authorized by the Department. "Reasonable" shall be construed according to circumstances, but ordinarily shall mean normal business hours of 8:00 a.m. to 5:00 p.m., local time, Monday through Friday.
3. The Governing State shall also provide the Department with records, reports or financial statements upon request for the purposes of auditing and monitoring the funds awarded under this Grant Agreement.
4. The Governing State will comply with the requirements of the Federal Single Audit Act.

I. Project Application and Amendment Procedures for Federal and State Program

This Grant Agreement is subject to the provisions of the Project Application and Amendment Procedures for Federal and State Programs (Green Book) found at , <http://www.fldoe.org/comptroller/gbook.asp>, and the General Terms, Assurances and Conditions for Participation in Federal and State Programs contained in the Green Book. A signed copy is attached hereto, maintained on file with the Department, and is incorporated by reference into this Agreement.

J. Other Terms and Conditions

1. This Grant Agreement shall be interpreted and construed in accordance with the Laws of the State of Florida.
2. The Recipient agrees to comply with the Americans With Disabilities Act (Public Law 101-336, 42 U.S.C. Section 12101 et seq.), if applicable, which prohibits discrimination by public and private entities on the basis of disability in the areas of employment, public accommodations, transportation, State and local government services, and in telecommunications.
3. In the event any provision contained in the Grant Agreement is held to be unenforceable by a court of competent jurisdiction, the validity, legality, or enforceability of the

remainder of the Grant Agreement shall not be affected or impaired thereby, and shall be administered by the parties as if the invalid provision had never been included herein.

4. Only those expenses specifically authorized in this Agreement, any approved amendments, and the accompanying budget will be reimbursable under this Agreement.
5. Pursuant to s. 216.347, F.S., no funds awarded under this Agreement may be used for the purpose of lobbying the Legislature, the judicial branch, or another State Agency.
6. The Governing State shall grant access to all records pertaining to the Agreement to the Department's Inspector General, General Counsel and other Department representatives, the Florida State Auditor General, the Florida Office of Program Policy and Government Accountability, and the Florida Chief Financial Officer.
7. The Governing State shall coordinate with and assist the Department's Grant Manager in the performance of the latter's responsibilities, which include without limitation:
 - a. Monitoring the activities of the employees responsible for the support and coordination the implementation of activities related to the PARCC.
 - b. Receiving and reviewing the reports of the employees responsible for the support and coordination the implementation of activities related to the PARCC to determine whether the objectives of the Agreement are being met.
 - c. Receiving and reviewing the invoices for payment of funds to assure that the requirements of the Agreement have been met and that payment is appropriate.
 - d. Evaluating the process used by the employees responsible for the support and coordination of the implementation of activities related to the PARCC to monitor the activities of any subcontractor or assignee; and
 - e. Accessing, directly, the subcontractors and assignees, as the Grant Manager deems necessary.

IN WITNESS HEREOF, the parties have caused this Grant Agreement to be executed by and between them:

STATE OF FLORIDA

DEPARTMENT OF EDUCATION

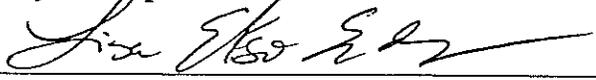
By: _____

Printed Name: Gerard Robinson

Title: Commissioner of Education

Date: _____

Approval by the Department's Office of General Counsel as to form and legality:

By: 

Printed Name: LISA ERICKSON ENDRES

Title: General Counsel for OSDE

Date: 10-31-11

GOVERNING STATE: OKLAHOMA

By: 

Printed Name: Janet C. Barresi

Title: Oklahoma State Superintendent of Public Instruction

Date: 10-31-11