

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

May 22, 2014

The State Board of Education met in regular session at 9:34 a.m. on Thursday, May 22, 2014, 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, May 21, 2014.

The following were present:

Ms. Kalee Isenhour, Secretary to the State Board of Education
Ms. Terrie Cheadle, Administrative Assistant

Members of the State Board of Education present:

State Superintendent Janet Barresi, Chairperson of the Board
Ms. Amy Ford, Durant
Ms. Cathryn Franks, Roosevelt
Mr. Daniel Keating, Tulsa
Mr. William "Bill" Shdeed, Oklahoma City

Members of the State Board of Education not present

MG (R) Lee Baxter, Lawton
Mr. William "Bill" Price, Oklahoma City

Others in attendance are shown as an attachment.

**CALL TO ORDER
AND
ROLL CALL**

Superintendent Barresi called the State Board of Education regular meeting to order at 9:34 a.m. and welcomed everyone to the meeting. Ms. Isenhour called the roll and ascertained there was a quorum.

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

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

**APRIL 24, 2014 STATE BOARD OF EDUCATION
REGULAR MEETING MINUTES APPROVED**

Board Member Ford made a motion to approve the minutes of the April 24, 2014, regular State Board of Education meeting. Board Member Franks seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; Ms. Franks, yes; Mr. Keating, yes; and Ms. Ford, yes.

STATE SUPERINTENDENT

Information from the State Superintendent

Superintendent Barresi said the Legislature has overridden Governor Fallin's veto of a measure that changes and significantly weakens the Reading Sufficiency Act. Oklahoma children must be able to read and the Legislature's action is an outrageous step backwards that returns us to social promotion; and a failed system that has served the education establishment and little else. I applaud and admire Governor Fallin for her steadfast support of our children. Her veto was the right thing to do and the Legislature's override was the wrong thing to do. Looking ahead it is important to do everything in our power to make sure Oklahoma children can read. Expecting a fourth grader to be able to read Dr. Seuss is not setting too high of a bar.

Governor Fallin and Legislature unveiled a budget deal that provides an additional \$80 million for K-12 public education. The original Oklahoma State Department of Education (OSDE) budget request is short even with the additional funding but never the less it is very welcomed in what has been a challenging fiscal year. The \$80 million includes \$40 million for the Flexible Benefit Allowance (FBA) to insure teachers/educators and \$40 million for the School Funding Formula funds that are distributed to the classroom(s). In addition to the new \$80 million funding, \$25 million is allocated for ad valorem for current school year obligations. The upcoming fiscal year line items include \$6.5 million for school districts to spend for reading and \$2 million for third grade reading readiness. The OSDE had to effectively deplete our coffers so that school districts could pay for the current teacher's health insurance premiums as mandated by law. A supplemental appropriation was requested, but funding was not granted and consequently the State Board of Education (SBE) will be requested to approve a plan to use the remaining school activities funds to fulfill the FBA. It will

include all remaining unencumbered funds as well as a marginal reduction in funds to alternative education, professional development, and Oklahoma Parents as Teachers. School districts have the flexibility to move funds to these programs. These actions are not ideal but the OSDE was left with no options when Legislators indicated there would be no supplemental funding.

The OSDE launched a new transparency website that houses all school district financial information reported through the Oklahoma Cost Accounting System (OCAS). The public can easily obtain information on per pupil, school and state expenditures, and revenues. The OSDE financial departments are to be “thanked” for the long hours updating information, making it more user-friendly, and attaining our goal to ensure the utmost transparency in the spending of tax payer dollars is followed.

Recognition of the 2014 Edward C. Joullian III Scholarship Award

Superintendent Barresi recognized Kassidy Gary on receiving the Oklahoma State Fair prestigious Edward C. Joullian III Scholarship. Mr. Joullian served as Chairman of the Oklahoma State Fair Board and founder of the partnership between fair board and the Teacher of the Year Program (TOY). The State Fair Board established the scholarship to encourage Oklahoma students to continue education, recognize the school district of the TOY, and celebrate Mr. Joullian’s contributions to the lives of young people in Oklahoma. A \$5,000 scholarship is awarded to a high school senior in the school district of the current TOY. Peter Markes is the 2013 TOY and teaches string orchestra and advanced placement music theory at Edmond North High School.

Employee Service Recognitions

Superintendent Barresi presented Jeanette Atha, Regional Coordinator, Sooner Start, with a 30 year certificate and service pin; and Linda Holland, Administrative Assistant II, Accreditation, with a 25 year certificate and service pin from Governor Mary Fallin and the State Department of Education. Superintendent Barresi thanked Ms. Atha and Ms. Holland for their faithful and dedicated service to the citizens of Oklahoma.

State Board of Education Members

Board Member Shdeed said I am disappointed in yesterday’s vote of the Legislature. It is a true setback for the students of the state of Oklahoma. I am proud of the Governor for her veto but disappointed in those that were quick to override. Dr. Keith Ballard, Superintendent, Tulsa Public Schools, pledges now, according to today’s newspaper, he is going to do everything he can to ensure children can read. Where has he been all this time? Is this not a part of his fundamental job? It seems his job has been more of a social job than an education job with the worse school system in the state. This is not a very good day for the children of the Oklahoma and I am disappointed.

Board Member Ford said she had numerous conversations with constituents regarding this and we seemed to have lost the conversation. The same group last year who voiced concerns as to whether senior high students would not graduate because of the EOIs were the ones, in fact, who when push came the shove did their job and the students did graduate. The conversation in large groups of people and large organizations in the state that are very powerful say the kids did not fail we failed them. Failed to get them reading and it is not individuals but it is our failure. The reading sufficiency law was our attempt to step up and fix that failure. The Governor’s vetoing the changes will

reopen the failure and it was a brave move. One can tell it is an election year and it was a sad day. Next year fourth grade teachers will inherit children who cannot read at first grade level. What are we going to do with the rest of the fourth graders in the classes? We fail them because now the teacher will have to concentrate on children that have been socially promoted through the system. Everyone needs to realize this is our failure.

Superintendent Barresi said no one really thought about the full ramification of the reading sufficiency law. Now children who score limited knowledge and unsatisfactory and are promoted will cause fourth, fifth and sixth grade teachers to focus on teaching first grade reading instruction. I am concerned for these children, the extra burden on the teachers, and the children who are ready to move forward and learn but want receive their devoted amount of the teacher's time. The future lives of students being socially promoted have been compromised.

Board Member Keating said his brother, former Oklahoma Governor Frank Keating, expressed in an email his disappointment that the Governor's veto was overridden. He felt the children were being short changed. It is not just a few people in Oklahoma who feel the same but also people operating outside the state. Many of our students will have jobs outside of Oklahoma and then they will be disappointed that we did not provide the rigor parents and employers expected.

Board Member Franks said she totally agreed with and was in support of her colleagues and fellow Board Members. The word accountability is the concept that most comes to mind. When do our students learn accountability? When do our parents, teachers, and administrators learn accountability? If you turn on the local news we will see lack of accountability in other areas, not just local news but even more in the national news. The lack of accountability is a concept we are losing in our culture.

First-Year Superintendents

First-year superintendent(s) attending the meeting were Sheldon Buxton, Luther Public Schools; Rob Friesen, Okarche Public School; Kirt Hartzler, Union Public Schools; and Gary McElroy, Twin Hills Public Schools.

CONSENT DOCKET APPROVED

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2013-2014 school year and other requests:

- (a) **Abbreviated School Day – OAC 210:35-29-2 and 210:35-3-46**
Yukon Public Schools, Canadian County
- (b) **Allow Two School Days in a 24-Hour Period – 70 O. S. § 1-111**
Salina Public School, Mayes County
Calera Public Schools, Bryan County
Healdton Public Schools, Carter County
- (c) **Library Media Services – OAC 210:35-5-71 and OAC 210:35-9-71**
Caney Valley Public Schools, Washington County

- (d) **Library Media Specialist – 70 O.S. § 3-126**
Nowata Public Schools, Nowata County
Glenn C. Moore Elementary
Nowata Middle and High School
- (e) **Planning Period – OAC 210:35-7-41 and OAC 210-35-9-41**
Broken Bow Public School, McCurtain County
Rector Johnson Middle School
Crooked Oak Public Schools, Oklahoma County
Crooked Oak High School
- (f) **General Fund for Capital Expenditures – 70 O.S. § 1-117 and OAC 210:25-5-4**
Haworth Public Schools, McCurtain County
- (g) Request approval on recommendations from the Teacher Competency Review Panel for applicants to receive a license - 70 O. S. § 6-202
- (h) Request approval on exceptions to State Board of Education teacher certification regulations to permit issuance of emergency (provisional) certificates – 70 O. S. § 6-187

Board Member Ford made a motion to approve the Consent Docket. Board Member Franks questioned the increase of applicants on item (g).

Dr. Kerri White explained due to timing of the year more people become interested in being certified in order to teach the following school year. The numbers or traffic typically increases in April, May, June, July, and August.

Member Shdeed seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Keating, yes; Ms. Franks, yes; and Mr. Shdeed, yes.

FINANCIAL SERVICES

Use remainder of Activities Fund for Teacher's Health Insurance Premiums, Flexible Benefit Allowance (FBA) Approved

Diana O'Neal, Deputy Administrator, OMES-Employees Group Insurance Board (EGIB), introduced Paul King, OMES Privacy Officer/Employee Group Insurance Division (EGID) Compliance Officer, and also serves as the Health Choice authority on the Affordable Care Act. Ms. O'Neal presented information regarding the EGID, group participants, group plan options, benefit allowances/rates; plan year 2014 subsidy premium increase, claims projections; 2015 plan year preliminary premium; available reserves to subsidize rates, 5 % administrative cost, total plan cost statistics; plan sustainability, evaluations, and wellness program.

In response to Board Member Keating's question if the activities money will be lost, Joel Robinson, Chief of Staff, said if in fact the Senate acts and the Governor signs our budget proposal we will receive \$40 million additional funds to use towards the FBA for Fiscal Year 2015 next school year. Without knowing today what the premiums will

be and no knowledge of how employees move in and out of the system, we cannot say for sure today that the \$40 million will be sufficient. Failure by the Legislature to fully fund the FBA has resulted and will result in future years of having to use money previously identified for other purposes to fund the short fall. The statute that requires the provision became effective in 2012 and in 2013 the Legislature provided a supplemental to pick up the cost. This is the first year the provision of the statute has come into play. The FBA for FY 2014 will be fully funded by using the \$6.5 million of the activities fund.

Renee McWaters, Executive Director, State Aid said at this time it is unclear if the added cost is due to insuring new or existing employees because student bodies continue to steadily increase, and school districts must continue to provide instructional/support staff for that purpose. There was an increase of approximately 1,300 employees.

Mr. Robison said the law will be challenging because premium increases will not be released until August. We will not know the movement within the plans until after the open enrollment period ends February 1st. At that time, a definitive idea of the potential shortfall will be revealed. He presented the request to reallocate the \$6,541,020.00 remaining in the activities fund to the FY2014 Flexible Benefit Allowance Supplemental shortfall for teacher's health insurance premiums due to the Legislature not providing the necessary supplemental appropriation to fully fund the FBA.

Board Member Ford made a motion to approve the request to reallocate \$6,541,020.00 as required by statute to fund FBA. Board Member Keating seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; Ms. Franks, yes; Mr. Keating, yes; and Ms. Ford, yes.

2014 Administration of the State Board of Education's Competitive Grant Pool Program

Joel Robinson, Chief of Staff, said historically the Legislature in the past funded particular allocations for specific programs, for instance Great Expectations and A+ Schools. At Superintendent Barresi's request last year the Legislature developed a competitive grants pool with \$1.3 million allocated funds. The OSDE was responsible for soliciting competitive grants through the Request For Proposal (RFP) process for groups interested in competing for funds in order to meet academic shortfalls. This year the funds were increased to \$5.4 million contingent upon Senate passage and Governor Fallin signing the bill. Last year the OSDE established the bid application submittal/process/deadlines, a scoring timeline, and presented recommendations to the SBE for distribution of these funds. It is recommended to follow the established bid process timeline in order to present at the June 26, 2014, SBE meeting.

LEGAL SERVICES

Engaging in deliberation or rendering final or intermediate decision in an individual proceeding pursuant to Article II of the *Administrative Procedures Act*. Proceedings is consideration of revocation and/or suspension of teaching certification of Rosalind C. Parker pursuant to OAC 210:1-5-6, OAC 210:20-9-98, and 70 O.S. § 3-104 – 25 O.S. Section 307(B)(8)

Executive Session

Board Member Ford motion to move into Executive Session at 10:24 a.m. Board Member Shdeed seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Keating, yes; Ms. Franks, yes; and Mr. Shdeed, yes.

Reconvene from Executive Session

Board Member Shdeed made a motion to return to open session at 10:52 a.m. Board Member Ford seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; Ms. Franks, yes; Mr. Keating, yes; and Ms. Ford, yes.

Superintendent Barresi said no action was taken during Executive Session.

Yolanda Downing, Assistant General Counsel, presented revocation and/or suspension request of the teaching certification and certificate number for Rosalind C. Parker.

Board Member Ford made a motion for dismissal of the application for revocation. Board Member Keating seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Keating, yes; Ms. Franks, yes; and Mr. Shdeed, yes.

Revocation and/or suspension of Teaching Certification and Certificate Number of Andra Leigh Williams

Yolanda Downing, Assistant General Counsel, presented revocation and/or suspension request of the teaching certification and certificate number for Andra Leigh Williams.

Board Member Ford made a motion to delay the hearing to the June 26, 2014, SBE meeting. Board Member Shdeed seconded the motion.

Board Member Shdeed ask if there was a recommendation of dismissal and if Ms. Williams lost her job.

Ms. Downing said she did not have information regarding Ms. Williams' current employment. Ms. Williams received a misdemeanor charge and not a felony charge which would have required the school district to terminate her employment. The recommendation is for dismissal based on the deferred misdemeanor sentence per the the Assistant District Attorney (ADA) handling the case.

Board Member Ford withdrew the second motion. Board Member Ford withdrew the motion to delay hearing until the June 26, 2014 SBE meeting.

Board Member Ford refiled the motion to delay for full hearing at the June 26, 2014, SBE meeting. Board Member Keating seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Keating, yes; Ms. Franks, yes; and Mr. Shdeed, yes.

CHIEF OF STAFF

Legislative Update

Mr. Robison updated and reviewed current bills House Bill 1558, House Bill 2642, House Bill 2625, House Bill 2642, House Bill 3170, House Bill 3399; Senate Bill 1654, and Senate Bill 1828. An information report will be provided regarding the use of EGIB reserve funding of the \$6.5million supplemental shortfall.

ADJOURNMENT

Board Member Ford made a motion to adjourn. Board Member Shdeed seconded the motion. There being no further business Board Members unanimously agreed to adjourn the meeting at 11:16 a.m.

The next regular meeting of the State Board of Education will be held on Tuesday, June 26, 2014, at 9:30 a.m. The meeting will convene at the Oklahoma State Capitol, 2300 North Lincoln Blvd. Senate Room 535, Oklahoma City, Oklahoma.

Janet Barresi, Chairperson of the Board

Kalee Isenhour, Secretary to the State Board