

November 14, 2011

Patricia McKee, Acting Director
Student Achievement and School Accountability Programs
U.S. Department of Education
400 Maryland Avenue, SW, Room 3W320
Washington, DC 20202-6132

Dear Ms. McKee,

Based on the guidance in the *ESEA Flexibility* and *ESEA Flexibility Frequently Asked Questions*, the Oklahoma SEA understands that the requests outlined below are not currently allowable. If, however, the USDE chooses to grant additional flexibility, the Oklahoma SEA would like to grant an array of options to LEAs. The SEA would like to offer a waiver package to LEAs, similar to the *ESEA Flexibility* waiver package offered by USDE to the SEAs.

Such a waiver package would include the following options to foster LEA reforms:

- Alternative reading/language arts assessments for ELL students, necessary exemptions for ELL students, native language assessments for ELL students;
- Flexibility in the 1% and 2% caps for alternate and modified assessments for students with disabilities;
- Alternate achievement and graduation rate AMOs for schools that target at-risk students;
- Inclusion of post-four year graduation dates as specified in Individual Educational Programs (IEPs) for AMOs for students with disabilities;
- Flexibility in approvable uses of federal funds, particularly in Reward Schools;
- Flexibility in rank-order on the LEA Title I Application in order to support Priority and Focus Schools;
- Expansion to Title I Schoolwide programs for any school that does not meet the 40% poverty threshold; and
- Combination of subgroups (such as all minority students or all special populations) for schools that have fewer than 25 students (the state's N-Size) in any one subgroup.

In order for the SEA to grant such flexibility to LEAs, the LEA must produce evidence that the proposed reforms are necessary to result in greater improvement in student achievement than otherwise possible.

Sincerely,



Janet C. Barresi
State Superintendent
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Attachment 1: Notice to LEAs

The attached message was sent via electronic message to the following groups:

- All LEA and charter school superintendents,
- Members of the REAC³H Network leadership districts,
- Title I Committee of Practitioners,
- District Test Coordinators,
- School Support Team Members, and
- Other teacher and leader electronic mailing lists.

Attachment 1A: Screenshot of Web posting

Attachment 1B: Message to LEAs

ATTACHMENT 1A: SCREENSHOT OF WEB POSTING

<http://www.sde.state.ok.us>



OKLAHOMA STATE DEPARTMENT OF EDUCATION

Janet Barresi, State Superintendent of Public Instruction

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The Oklahoma State Department of Education will be closed on Friday, November 11, 2011 in observance of Veterans Day.

Quick Links	Recent Photos					
Curriculum <ul style="list-style-type: none"> • PASS: Implemented State Curriculum • Common Core State Standards • REACTM (Regional Educators Advancing College, Career, and Citizen-Readiness Higher) Network Facts <ul style="list-style-type: none"> • Investing in Oklahoma (pdf) • Data and Research Information Funding <ul style="list-style-type: none"> • 2008-09 Annual Report • 2012 State Aid Allocations • ARRA Stimulus Funding • District Consolidated Application • District Financial Reports, Expenditures/Revenues (OCAS) • FY12 Approved School Activities Budget (pdf) • FY12 Cash Management Application - District & County • FY11 Total FBA Funding Adjustment Report • Mid-term State Funding Adjustment Notices (January 10) • School District Transparency Act • Schools & Flexible Budgeting Change Notice <ul style="list-style-type: none"> • ESEA Flexibility Waiver Request Graduation <ul style="list-style-type: none"> • ACE • 21st Century School Requirements Opportunities <ul style="list-style-type: none"> • Jobs Available in Education • Grants & Opportunities for Educators and Students Recognitions <ul style="list-style-type: none"> • 21st Century Community Learning Centers Grant Recipients (Round 10) • Teacher of the Year - Kristin Shelby • Teacher of the Year Finalists • Milken Educator - Sarah Vann Resources <ul style="list-style-type: none"> • Dropout Prevention • Earthquake Safety - OK Dept. of Emergency Management • Immunization Schedule • New School Board Member Workshop • Instructional Technology Ning - Calendar of FREE Professional Development • Teacher Certification Testing - Accountability & Assessment <ul style="list-style-type: none"> • Oklahoma Student Testing Dates 	<div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">      </div>			Get to know State Superintendent Janet Barresi! Biography, duties, boards and commissions, and more. View Speech Request View Newspaper Message: From the Superintendent's Desk View Follow the State Superintendent! <div style="display: flex; justify-content: space-around; text-align: center;"> <div>  Facebook </div> <div>  Twitter </div> <div>  Flickr </div> </div> <div style="display: flex; justify-content: space-around; text-align: center;"> <div>  Vimeo </div> <div>  YouTube </div> <div>  Radio </div> </div>		
Video Message from the State Superintendent						
 <div style="display: flex; justify-content: space-around; align-items: center;">  Next </div> <p>Regular video message for 11-7-2011</p>						
<div style="display: flex;">  <div> Oklahoma School Laws and Legislation Title 70 Legislation - 2011 Legislative Session (updated 6/14/2011) Oklahoma Administrative Rules Law Book for Oklahoma Schools (download or search) Current Legislation (House and Senate Bills) Red Banner Letters Teacher and Leader Effectiveness Commission </div> </div>						
In the News						
<p>November 7: State Supt. Janet Barresi to Welcome Attendees At Safe and Healthy Schools Conference (pdf)</p> <p>November 1: State Supt. Janet Barresi Says NAEP Scores Show Need for Reform (pdf)</p> <p>November 1: State Supt. Janet Barresi releases School API Scores (pdf)</p> <p>October 31: Owasso Eighth-Grade Science Teacher Wins \$25,000 Milken Award (pdf)</p> <p>October 27: Governor and State Superintendent Congratulate State AP Scholars (pdf)</p> <p>October 27: State Supt. Janet Barresi Releases Districts And Schools on Needs Improvement List (pdf)</p> <p>October 26: Oklahoma Child, Adult Care Institutions Announce Participation in Federally Funded Feeding Program (pdf)</p> <p>October 13: State Supt. Janet Barresi Welcomes New Director of American Indian Education (pdf)</p> <p>October 12: Education Department Lauds Norman Public Schools' French Immersion Program (pdf)</p> <p>October 11: State Supt. Janet Barresi Welcomes New Deputy Superintendent (pdf)</p> <p>October 10: State Supt. Janet Barresi to Speak at National Education Reform Summit (pdf)</p>						

<http://www.sde.state.ok.us/Programs/ESEA/Default.html>

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ESEA Flexibility Request

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OKLAHOMA STATE DEPARTMENT OF EDUCATION
Janet Barresi, State Superintendent of Public Instruction

ESEA Flexibility Request

Oklaoma's ESEA (Education and Secondary Education Act) Flexibility Request: Community Engagement Forum

On Friday, October 28, 2011, Oklahoma School Districts sent teams of up to three people to engage in discussion about the development of the State's ESEA Flexibility Request, focusing on (1) college- and career-ready expectations for all students; (2) a differentiated recognition, accountability, and support system; and (3) supporting effective instruction and leadership.

Team members included:
one teacher or teachers' representative
one or two students
parents
or representatives from community-based organizations, civil rights organizations, organizations representing students with disabilities and English Learners, business organizations, Indian tribes, or similar community members.

NOTE: All documents on this page are listed in pdf format.

The comments recorded and survey results collected at the forum are linked on this page.

Oklaoma's ESEA Flexibility Request

[FIRST DRAFT](#)
[For Public Comment](#)
As of November 7, 2011

ESEA Flexibility Community Engagement Forum
Friday, October 28, 2011

[Comments from Audience](#) [Survey Results - Reported as Written](#)

For more information, please contact [Dr. Chris Caram](#), Deputy Superintendent, Oklahoma State Department of Education, at (405) 521-8767.



Kerri White <kerri.white@sde.ok.gov>

ESEA Flexibility Request DRAFT for Public Comment

Kerri White <kerri.white@sde.ok.gov>

Tue, Nov 8, 2011 at 8:05 AM

To: REACH <reach@listserv.sde.state.ok.us>

Cc: Chris Caram <Chris_Caram@sde.state.ok.us>

Bcc: Ramona Coats <Ramona_Coats@sde.state.ok.us>, Maridyth McBee <Maridyth_McBee@sde.state.ok.us>, Mary Colvin <mary_colvin@sde.state.ok.us>, Jennifer Watson <Jennifer_Watson@sde.state.ok.us>, Jennifer Pettit <jennifer_pettit@sde.state.ok.us>, John Kraman <john.kraman@sde.ok.gov>, Damon Gardenhire <damon.gardenhire@sde.ok.gov>, Alicia Currin-Moore <Alicia_Currin-Moore@sde.state.ok.us>, Janet Barresi <jcb@sde.ok.gov>

Oklahoma District Leadership, Teachers, and Members of the Public,

The Oklahoma State Department of Education (OSDE) is requesting public comment on the state's *ESEA Flexibility Request*, which is a package of waivers from the United States Department of Education (USDE) contingent on Oklahoma's implementation of statewide reforms. These waivers include a complete restructuring of the current accountability system that results in the state's School Improvement list, some federal funding flexibilities, and changes to the highly qualified system. The waivers require that the state build upon statewide reforms already underway (such as the Teacher and Leader Effectiveness Evaluation System, ACE Graduation Requirements, Common Core State Standards Implementation, and state literacy initiatives) and to implement additional reforms (such as providing additional support for transitioning to the Common Core State Standards and PARCC assessments as well as the new A-F School Grading System).

The USDE announced this waiver opportunity on Friday, September 23, 2011. Many district leaders, teachers, and community members across the state have been influential in the development of this request. At this time, we would like to receive public comment on the first draft of the state's *ESEA Flexibility Request*. This first draft is posted on the OSDE Web site and is attached to this email for your convenience. Since the *ESEA Flexibility Request* is due to the USDE on Monday, November 14, 2011, all public comments that can be considered before the request is submitted must be received by the OSDE as soon as possible and not later than 8:00 a.m. Monday, November 14, 2011.

To submit public comment, please send an email with written comments to Dr. Chris Caram, Deputy Superintendent for Academic Affairs, OSDE at Chris_Caram@sde.state.ok.us.

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Kerri White, Assistant State Superintendent of Student Support
Oklahoma State Department of Education
2500 North Lincoln Boulevard
Oklahoma City, OK 73105
(405) 521-4514
Fax: (405) 521-4855



DRAFT ESEA for Public Comment 11-7-11.pdf3560K

Attachment 2: Comments on Request Received from LEAs

The following documents include messages, comments, and survey responses received from LEAs regarding the state's *ESEA Flexibility Request*.

Attachment 2A: Summary of Survey Results

Attachment 2B: Summary of Public Input from Community Engagement Forum

Attachment 2C: Public Comment (from LEAs and the Public)

ATTACHMENT 2A: SUMMARY OF SURVEY RESULTS

**ESEA FLEXIBILITY
THIRTY-ONE SURVEY RESULTS – REPORTED AS WRITTEN**

COMMUNITY ENGAGEMENT FORUM

October 28, 2011

Please circle the title that most closely describes your role in the community:

Teacher - 8	Teachers' Representative - 8	Parent - 5	Student - 1
Community Leader - 2	Business Owner/Employer - 4	Other - 7	

Discussion Topic #1: College, Career, and Citizen Readiness

Regarding the transition from the Priority Academic Student Skills (PASS) to the new Common Core State Standards (CCSS), which are the college and career readiness standards adopted by Oklahoma:

- 1. How familiar are you with the new Common Core State Standards?**
 - a. Very familiar - 7
 - b. Generally familiar - 17
 - c. Generally unfamiliar - 6
 - d. Very unfamiliar - 1
- 2. How will transitioning from PASS to the new Common Core State Standards impact the preparation of Oklahoma's high school graduates for post-secondary education, work force training, or immediate employment?**
 - a. Improve the preparation of high school graduates - 20
 - b. No impact on the preparation of high school graduates - 3
 - c. Weaken the preparation of high school graduates - 2

Please give a brief explanation:

- *Teach or application & understanding*
- *Use growth models*
- *It is far more standardized and promotes didactic instruction which does not expand or increase the depth of instruction, hindering the potential of students.*
- *It will develop critical thinking skills, allowing the child to become & work independent(ly).*
- *It will improve the prep of HS graduates if they have mastered the baseline of PASS, for example simply reading words.*
- *I believe the transition will impact the assessments more than the graduates.*
- *Students are very transit these days. So, when a student moves in he/she will be where they belong. This will stop the GAPS in education.*
- *Comparing students across a national level to their past progress seems to put all students on a level playing field and the likelihood of success more attainable. Test methods will encourage better critical thinking skills.*
- *Change causes a bit of chaos.*
- *Reduce actual career training (career tech, for example). We aren't preparing enough skilled workers now and this could mean we prepare even fewer.*
- *We need to move away from black and white multiple choice answers and develop tests that analyze thinking processes where students can explain their answers.*
- *Anything we can do to improve our students' readiness for the world of work will improve students and our communities at large.*
- *Gives more critical thinking skills. I worry that we will lose arts and foreign language.*
- *Yet to be determined/as long as a one size fits all is mandated, some students will be doomed to fail.*
- *CCSS is more application then rote memory.*

ATTACHMENT 2A: SUMMARY OF SURVEY RESULTS

- *Students will apply what they have learned to other situations/ tests.*
- *Academics must be incorporated into all courses not just stand-alone.*
- *We won't know until we implement.*

3. As we revise our English Learner Proficiency (ELP) standards to correspond to the new Common Core State Standards, which 2 or 3 of the following strategies do you think would best assist English Learners to access challenging curriculum?

- ☐ Home visits to reinforce home-to-school connection - 4
- ☐ Literacy and language-specific technology - 22
- ☐ Literacy services/programs for parents of English Learners - 17
- ☐ Project-based learning strategies - 9
- ☐ School-based data reviews specific to English Learners' achievement results and progress toward higher standards - 12
- ☐ Other suggestions:

- *Bi-lingual Instruction*
- *We need to report progress based on a growth model*
- *The current reporting system is not achievable, therefore it is not smart.*
- *Programs for parents with children 0-5, not yet in school develops child language and improves parenting.*
- *Fostering bilingual school culture (i.e., language classes for teachers & staff).*
- *Teaching teachers how to work with ELLs when they don't speak the children's language(s) and have few resources. Think rural schools.*
- *Newcomers Programs – Stillwater*
- *Regular school events for English Learners' families only. Show that the school does care. Maybe once a year.*
- *Extended time periods even night school.*
- *Emersion strategies rather than continuing to handicap the ELL students by enabling their language limitations.*
- *To teach them English you need to use the TPRS method. Blainraytptrs.com - Faster – more efficient to learn English. Submersion takes only about three months.*
- *PD for classroom teachers.*
- *Training for educators in best practices for ELL students.*
- *Professional Development for teachers and best practices for teaching ELP.*

4. Which 2 or 3 of the following strategies do you think would best assist students with disabilities and low-achieving students to access challenging curriculum?

- ☐ One-on-one or small group tutoring - 21
 - ☐ Technology-based instructional practices - 15
 - ☐ Literacy strategies - 11
 - ☐ Project-based learning strategies - 8
 - ☐ Classes for parents including at-home strategies to support classroom activities - 9
 - ☐ School-based data reviews specific to achievement results and progress toward higher standards for students with disabilities and low-achieving students - 10
 - ☐ Other suggestions:
- *Growth measures*
 - *For extremely low students, instead of focusing on academics, the focus needs to be work skills/ life skills.*
 - *Special education. Too few schools still do that.*
 - *All students with disabilities should be allowed to have a standardized portfolio that supports growth and reaches the goals as written on IEP.*

ATTACHMENT 2A: SUMMARY OF SURVEY RESULTS

- *Early childhood education is a key to helping students.*
- *Abolishing pre-determined percentages of students tested with modified exams to avoid confusion these limits cause on IEP teams responsible for writing plans appropriate for student needs.*
- *PD for classroom teachers.*
- *Technology-based instructional practices depends on the quality of the program and its implementation.*
- *Teacher training*
- *More Special Ed teachers in the schools*
- *Fewer students per educator*
- *Professional Development for classroom teachers in modifications to help these students.*

5. In your community, how would you like to see the teachers and administrators in the school collaborate with businesses and community leaders on the needs of high school graduates?
Please share 2 or 3 suggestions.

- *Major community employers communicate skills needed*
- *I would like for community support to start at birth, not just high school*
- *Discussion opportunities*
- *Requirements for businesses / community leaders to be in schools and requirements for teachers/ administrators to be involved with them.*
- *Mentoring programs or leadership programs*
- *Community Advisory Boards*
- *Incentives for school personnel to be involved in community organizations*
- *Serve on community groups – chamber business and education committee*
- *Mentors from community for students - Internship/ apprentice positions for students*
- *Job fair explaining employment needs – college, graduation, attendance*
- *Schools need feedback on what students do after graduating. (or after leaving without being allowed to graduate even though they made good grades)*
- *Business leaders get involved with Success by Six and become mentors in the schools. Teachers and administrators need to get involved in community groups.*
- *Clear and loud expectations set by business*
- *Work on public policy on state level to raise standards*
- *Career Fairs where businesses talk to students about their expectations.*
- *Field Trips to Colleges and Vo-Tech facilities.*
- *Keep communication lines open*
- *Adopt after school programs to help out with homework, course on ACT.*
- *Job shadowing opportunities*
- *Partnerships with the Chamber of Commerce*
- *Career Tech collaboration*
- *First, administration and teachers need to learn to collaborate professionally together, build trust and a common message, treating each stakeholder with respect as professionals.*
- *At a school I used to be at, they worked with a bank in town and students interested in banking experienced working there several times within the school year.*
- *Get parents involved*
- *Shadowing jobs/ businesses for kids to have real-life experience. Presentations/ collaborations with community to focus on children at a younger age.*
- *Work more closely together.*

ATTACHMENT 2A: SUMMARY OF SURVEY RESULTS

- *Shadow training in fields of interest, (shadow in younger ages), guest speakers, businesses need to volunteer in school day activities.*
- *What are the necessary outcomes – business must tell us.*
- *Community forums – use of social networking possibly.*
- *Focus groups with educators and community leaders.*
- *Business leaders need to spend time in schools.*
- *Partner with schools to give students an opportunity to “try out” different careers and/or have a mentor from the area of their interest. Specifically struggling students to give them more motivation to succeed in school.*

Discussion Topic #2: Areas of School Accountability

Regarding the State-Developed Differentiated Recognition, Accountability, and Support System:

6. As we design a new accountability system, which 2 or 3 of the following elements would best indicate that a student has mastered the new Common Core State Standards?

- ☐ Passing state tests in language arts and mathematics - 13
- ☐ Graduating from high school - 14
- ☐ Scoring high on college entrance exams like the ACT and SAT - 11
- ☐ Earning college credit while in high school through AP exams or concurrent enrollment - 4
- ☐ Completing a career preparation program - 17
- ☐ Being accepted into a college, university, or career-training program without remediation - 9
- ☐ Qualifying to enlist in the United States Armed Forces - 1
- ☐ Other suggestions:

- *Please design individual growth comparisons*
- *Growth, continuous growth on state tests, not just passing*
- *A progress model based on individual students*
- *Portfolios*
- *Showing marked growth in academic areas*
- *Examine growth of students from year to year AND most importantly, regular assessments throughout the year collectively.*
- *All students = graduating from high school; Upper level students = scoring high on ACT & SAT; Low level students = Completing a career prep program*
- *All of these, of course. I marked the 3 that are usually left behind. I would add that kids would do better if we quit accepting “D” work. Employers don’t.*
- *Students being able to take a problem/question, research it, form some intellectual thought on their own, and then formulate a response. On a consistent basis – not just a one-shot/arbitrary topic.*
- *Emphasis on student growth for low achievers, exit exams for high achievers, and return to parent/student choice about pursuing college-bound or non-college-bound course work – requires ending summative measures on schools whose parents select non-college outcomes.*
- *Successfully completing a college/career-prep program.*
- *In order to realistically see indicators of mastery of subject area, you need to show where students begin.*

7. How familiar are you with the state’s newly adopted A-F School Grading System?

- a. Very familiar - 4
- b. Generally familiar - 18
- c. Generally unfamiliar - 6
- d. Very unfamiliar - 3

ATTACHMENT 2A: SUMMARY OF SURVEY RESULTS

8. What are the 2 or 3 most important criteria to which every school should be held accountable in measuring progress?

- ☐ Student achievement scores on state tests in:
 - ☐ Reading - 10 ☐ Math - 10 ☐ Science - 4 ☐ Social Studies - 3 ☐ Writing - 9
- ☐ Student growth (progress) on state tests - 22
- ☐ Student achievement on other assessments like the ACT, SAT, and AP exams - 7
- ☐ Attendance - 11
- ☐ Graduation rate/dropout rate - 15
- ☐ Advanced courses completed by students - 4
- ☐ Student behavior - 5
- ☐ Teacher effectiveness - 13
- ☐ Other suggestions:
 - *More immediate feedback from a variety of forms of assessment*
 - *Knowledge needed in true assessment*
 - *Students' home environment*
 - *Student growth (progress) in portfolio and on assessments*
 - *There is only so much the school district can do. At some point the school district should not be penalized because of parenting.*
 - *The state should look at how graduation rate/dropout rate is figured for each school. If a student drops out but returns and graduates then that student should not be labeled dropout.*
 - *Parent survey*
 - *High stakes testing should not be used to measure teacher effectiveness.*
 - *Student success/failure on end of process assessments.*
 - *Periodic testing throughout the year to show progress.*
 - *Classroom performance*
 - *I don't think this A through F will be a true indicator of the effectiveness of a school.*

9. What do you believe are the indicators that a school is doing well or showing improvement?

Please share 2 or 3 suggestions.

- *Growth models*
- *School culture inventories*
- *Community opinion*
- *Students are taking courses aimed at preparing them for college and career*
- *Students have been on a path for graduation*
- *Parents are involved in educational plan of their students*
- *School climate community support visible @ the school*
- *Growth on a teacher, student, and parent level*
- *Progress over time for students and teachers.*
- *Students are showing growth in core subjects.*
- *Should be scored independently school year to school year. Not each school scored accordingly how others are doing.*
- *Consistent and regular attendance*
- *Students are taking advantage of AP classes, earning college-credits, or are attending Vo-Tech while enrolled in public schools.*
- *Student attitude and behavior towards education.*

ATTACHMENT 2A: SUMMARY OF SURVEY RESULTS

- *The ways in which formulae are applied to data are critical and should not be taken lightly. A review of non-NCLB AYP-focused growth models would be helpful. VAMs are so dependent on the variables entered into the equations that they should be carefully reviewed before use.*
- *Numbers of students in remediation*
- *Improvement year to year (Growth models)*
- *SES vs. Achievement (take into account demographics)*
- *Success in College/work - # needing remediation, employment status, enrollment in higher ed.*
- *The amount of growth they show*
- *Take attendance out of AYP figures.*
- *Chart progress of students*
- *Reconfigure dropout rate*
- *Critical thinking/problem solving skills*
- *Well-rounded curriculum that includes fine arts, health and foreign language*
- *Integration of technology to create 21st century learners.*
- *Evidence that students have been afforded opportunities to master college-readiness curriculum (students accepted into colleges).*
- *Student growth in core area knowledge*
- *Evidence that school has provided opportunities who opt for non-college-bound curriculum.*
- *Not all kids are good test takers. Progress can be shown through various methods. If tests are given throughout the year and not just at the end to show progress then a school is showing improvement. Goals should be set as to how far they should have progressed at a particular point. If each target has been met, then at the end of the year the child should be ready for the next grade.*
- *Assessments that show growth (pre and post-tests) and inform instruction.*
- *Student growth climate.*
- *Student growth*
- *ACT scores*
- *School environment*
- *Student growth*
- *School climate*
- *Utilization of value-added score – don't assess on a single score. Growth metrics.*
- *Growth on student assessments*
- *Combination of many things – portions of items on #8. Pre- Post-test information, growth school climate/culture indicators.*
- *Growth of student achievement.*

Discussion Topic #3: Recognitions for Excellent Schools

Regarding the State-Developed Differentiated Recognition, Accountability, and Support System:

10. Which 2 or 3 of the following strategies would be ways you would like to see Reward Schools recognized for their progress and achievement?

- ☐ Financial rewards to the school - 18
- ☐ Financial rewards to the teachers - 15
- ☐ Public recognition at statewide events or by state officials - 15
- ☐ Public recognition at local events or by local officials, businesses, and organizations - 18
- ☐ Grant opportunities to collaborate with and mentor lower-performing schools - 12
- ☐ Other suggestions:

ATTACHMENT 2A: SUMMARY OF SURVEY RESULTS

- *Media Acknowledgement*
- *Grants in the form of financial aid for teachers and their children.*
- *Reward students*
- *The last one listed is a good idea.*
- *Maybe computers, books, guest speakers, etc.*
- *Financial rewards to the principals and counselors*
- *Parent surveys should be a part of the reward system. At least 75% should complete.*
- *Professional development = paying for subs*
- *Any reward should foster collaboration not competition*
- *Stipends for summer professional development.*
- *Increase flexibility to redesign school day, class schedule.*
- *Financial donation to the community.*
- *Some type of award for students to celebrate their hard work.*
- *Financial rewards to schools – currently unfair and divisive unless demographics are equalized in the new system.*
- *Ask the teachers what they would like.*

11. What are some powerful incentives that can have the greatest impact on a school's performance? Please share 2 or 3 suggestions.

- *Public recognition by professional pay for educators*
- *Have a system that takes into account number of students tested advanced – instead of lumping advanced with proficient students.*
- *Reward schools that encourage AP courses for students to take.*
- *Reward to children & Parents will attract more parent support*
- *Grants for college for teachers' kids*
- *Giving rewards that can be used in the classroom.*
- *Financial rewards on all levels – Teachers & parents; If your child does improve and is able to go on to college, don't make it a struggle to pay for it.*
- *Donated technologies & materials (maybe a good avenue for business partnerships)*
- *Students need immediate feedback and they need a vision and to know teachers' vision for them. Having the support of the community for rewards and recognition would be helpful.*
- *Students receiving rewards. They need an incentive to do better.*
- *Additional funding for districts.*
- *Student success is a powerful incentive.*
- *Include students in the public recognition or awards – shirts, parades, celebrities.*
- *Performance pay (school by school)*
- *Stipend for growth*
- *Public acknowledgement that valuable and meaningful work is being done in classrooms across Oklahoma each day that may not lead to predetermined outcomes.*
- *Get the businesses involved in the school. Kinda like DECA used to be. Have them volunteer at the school and offer education in their area of expertise and give the student an opportunity to work there.*
- *Small awards/recognition/pats on the back along the way (based on regular assessments with immediate feedback) to encourage them to continue hard work.*
- *Rewards for students, recognition in community.*
- *Higher pay for educators. They spend a lot of time at school to prepare lessons and spend money on students out of pocket.*

ATTACHMENT 2A: SUMMARY OF SURVEY RESULTS

- *Local recognitions*
- *Rewards for students; more pay for teachers (teachers spend a lot of time out of class and money for their students), local recognition at local events.*
- *Targeted Stipends – but based on what? Value-added.*
- *Encourage teacher collaboration and participation. Use your experts in the schools. Empower teachers.*

Discussion Topic #4: Supports and Interventions for Unsuccessful Schools

Regarding the State-Developed Differentiated Recognition, Accountability, and Support System:

12. Which 2 or 3 of the following interventions do you believe would have the greatest impact on a school that is not performing well?

- ☐ Replacing the administrator(s) - 1
- ☐ Providing the administrator(s) with more autonomy and decision-making authority - 5
- ☐ Replacing some of the least effective teachers - 13
- ☐ Mandated professional development for teachers and administrators in content areas and instructional strategies that match the needs of the students in the building - 14
- ☐ Redesigning the school day, week, or year to include additional time for learning - 5
- ☐ Redesigning the school day, week, or year to include time for teacher collaboration - 13
- ☐ Using data to inform instruction and continuous improvement - 16
- ☐ Establishing a school environment that is safe and conducive to students' social, emotional, and health needs - 11
- ☐ Providing ongoing opportunities for family and community engagement - 18
- ☐ Other suggestions:

- *Specifically for poverty!*
- *We can't teach if the basic needs aren't met!*
- *Streamlining paperwork & requirements*
- *Redesigning/ redefining "seat time" to expand opportunities for virtual learning, evening hours, school-work programs*
- *Mandated professional development for teachers and administrators in content areas and instructional strategies that match the needs of the students in the building – this needs to be funded by the state.*
- *Look at school individually. See why. Large amount of IEP students, ELL students, etc.*
- *Figure out what's wrong and fix it. If the children are hungry, homeless, poorly parented, etc.....blaming the school isn't helpful.*
- *Minimize curriculum alignment. Make the teacher teach. Have a base alignment and then let the teacher expand.*
- *Need state testing results before the school year is over. Waiting over the summer is crazy. As a parent, we need that information in a timely manner. I think that teachers would benefit from this as well.*
- *Quit focusing on punitive interventions. Use teachers as the degreed professionals they are. There are great ideas in our schools/ classes that get ignored because it comes from a teacher.*
- *Avoiding strategies that add meetings or paperwork to existing teacher workday/workload.*
- *At that point or before, get parents involved. They need to have a stake in the process.*
- *Give the administration training in leadership and guidance. Teachers are only as good and motivated as their leadership.*
- *Not all teachers need the same professional development.*
- *Allow teachers with administrators to develop what they think is needed and provide them with the resources to do them.*

ATTACHMENT 2A: SUMMARY OF SURVEY RESULTS

13. What are the supports that a school might need in order to have the greatest improvement in student learning in a short period of time?

Please share 2 or 3 suggestions.

- *Reconstitution of poorly performing schools*
- *Please take into consideration schools trying and making strides already*
- *Provide funds to involve parents in the system*
- *Pay child care for parents who want to help*
- *Finances to purchase materials or technology to assist in learning & testing strategies & teacher salaries*
- *School autonomy to address needs*
- *IEP testing reform*
- *Elimination of required classroom seat time*
- *Lower class size or/ adequate amount of teachers aides/ tutors*
- *Necessary technology*
- *Collaboration time amount teachers, parents, & other schools*
- *More bodies*
- *Building capacity and/ or redefining district central offices*
- *Streamline, reduce, eliminate paperwork, reports, etc. due to OSDE to allow principals to do what is important in the schools (i.e., develop web-based comprehensive system for all state/ federal plans and forms.)*
- *After school programs/ tutors*
- *Mentor programs for reading and math*
- *Educate community on the needs of students and schools*
- *Technology – Training – Funding After School Programs*
- *Independent review of performance (inputs, processes, outcomes).*
- *Put more resources in schools that have higher proportions of children in poverty. They need more teachers who have more time for individual kids.*
- *Technology*
- *Out of school time instructional and leadership programs taught by teachers (extra pay for this)*
- *Schools are not used to sit idle too many hours of the day.*
- *Intense training and support of teachers.*
- *More time on task*
- *I would evaluate the morale and behaviors of the students and staff of low achieving schools.*
- *ELL testing and IEP student testing should be reformed.*
- *After school programs*
- *We must remember that education is a privilege not a right.*
- *Empower each school district to make the decisions that are best for that district.*
- *Encourage school district to promote parent involvement.*
- *Year-round education*
- *After school program*
- *School events such as talent shows, choir programs, etc. to get parents more involved*
- *Software – utilize sites like IXL*
- *Funding small class size and bring more paraprofessionals to relieve the burden of the teacher and free them to more instruction practices.*
- *Social and health/ nutrition services incorporated into the school setting without charge to parents.*
- *Elimination of seat time requirements for class credit.*
- *Less earmark spending, relying on schools to identify where and how funds need to be spent.*
- *Parental involvement*

ATTACHMENT 2A: SUMMARY OF SURVEY RESULTS

- *Professional development that addresses low performing areas.*
- *Mentor teacher programs that include teachers that have demonstrated success, not just those who want to get financial incentives or the extra job duty.*
- *Low student-teacher ratio.*
- *Financial means*
- *After school programs that provide mentorship.*
- *Increase school days*
- *Financial*
- *Class size – smaller*
- *Reform tests for IEP students*
- *Professional development*
- *Collaboration time*
- *Community and parental involvement in the school.*
- *Greater resources available for additional services.*
- *Change testing for IEP and ELL students.*
- *Smaller class sizes, more classroom paraprofessionals, after school tutoring programs.*

Other Topics of Discussion as Suggested by Forum Participants

14. Please share other thoughts you may have regarding Oklahoma’s ESEA Flexibility request.

- *As you put together a system to show accountability, please be sure to submit new plans to show ELL students progress, something that is achievable*
- *Revamping the idea of traditional education*
- *Please, please, please take in account the things schools and community leaders cannot control-poverty and parenting accountability*
- *Progress model*
- *Field trips, real life opportunities*
- *Eliminate SES requirements*
- *Get rid of the WISE tool. Anything that requires 45 pages of instructions needs to be rethought.*
- *Proper assessment of students with disabilities and language learners.*
- *I think it allows schools to be much more successful.*
- *Elimination of the API and AYP reports until a simple and transparent system can be designed and implemented.*
- *Administration needs training, more collaboration needs to take place between colleagues and administrators.*
- *Only 30 at this meeting, will there be other meetings?*
- *Competency-based vs. seat-time.*
- *Look at growth.*

15. Please share other thoughts you may have regarding the school-community partnerships in your district.

- *Do not penalize students/schools with a “4-year” graduation rate.*
- *Do away with seat time*
- *Assist low performing schools with after school programs.*
- *Give districts more flexibility to implement programs that work.*
- *Give districts more flexibility to spend federal dollars so we can better serve students*

ATTACHMENT 2A: SUMMARY OF SURVEY RESULTS

- *Establish funds to support parent/ community partnerships*
- *SDE partner w/ community agencies to implement & maintain successful partnerships*
- *SDE partner w/ DHS to improve child care settings*
- *I am sure there are several, but we have the Early Birds program for 0-5 years. The parents come & learn at each level what they can do to help their child succeed at school*
- *We need to educate the community on how the accountability works with the schools/ teachers and make them aware of the needs they can meet and the needs they can have met.*
- *Poverty is a big issue. Students come to school hungry, sleepy, upset, etc. daily. After school program. More funding for paraprofessionals. Need to get back to individuality for IEP students. Modified Assessments & Portfolio students there should not be a slotted amount of % students allowed. We are supposed to provide each student with the assessment to their ability.*
- *Find schools that get good involvement from parents and that aren't in wealthy suburbs. Find out what they are doing and replicate/ adapt it.*
- *Make the system seem fair and people will quit gaming it.*
- *NCLB was clearly devised to ensure that schools would fail – how could schools buy in? The next system needs to be doable and focused on improvement, not blame. It needs to be separated from a privatization agenda.*
- *Find some way to bring life back into the classroom. Test prep is scary and dull – and it's not education.*
- *Do something to bring back the study of history, geography, and other social sciences. Bring back incentives for science education, too. What we have now is fear-based curriculum. That can be fixed with this application.*
- *Community Education Forums – small scale @ each school.*
- *Active Business & Education Chamber committees*
- *Out of school time partnerships/ initiatives*
- *More middle school OST programs*
- *Success by Six activities – community readers in summer reading programs*
- *School/ community partnerships are essential to a healthy community. Schools teach students to be productive community members/workers. So, the collaboration piece is cyclical and essential. But, the community must be aware that just because they went to school, they are not experts like teachers and administrators.*
- *Recognition that many Oklahoma schools exist outside of urban environments with little or no business or industry available for partnerships.*
- *Parents have to get involved and the community has to come together to help support the goal.*
- *Community groups should encourage employees and business people to be involved in their students' school life to ensure success. (time off to attend parent/ teacher conferences, incentives to attend school meetings/ events)*
- *The full burden cannot be put on schools/ teachers.*
- *There is always a need to increase community involvement.*
- *PD funds need to be reinstated. Those funds are critical for mentoring programs, collaboration, and other much-needed PD.*
- *There must be flexibility in the testing requirements for ELL and Special Ed students. The 2% and 1% caps on modified assessments are not adequate when we have a 16.5% Special Ed population.*
- *The third grade reading law should be repealed. Research does not support retention. It increases the likelihood of dropping out in high school.*
- *Thank you for the opportunity for input. When will there be an opportunity for input by school administrators.*
- *Very difficult. We have made attempts and will continue to – but it is very hard to get people who will make a true commitment over a period of time to do school – community involvement. Meetings between*

ATTACHMENT 2A: SUMMARY OF SURVEY RESULTS

communities and schools. Feed people and ask for input. Community schools are showing great results – need people dedicated to help those partnerships. Study those that are working – Eugene Field Elementary in Tulsa.

- *As a teacher of 30 years for every grade from kindergarten through 5th grade, as well as a parent of four children and grandparent of six children, I am appalled at the required retention of 3rd graders who are not reading at 3rd grade level. Learning is very developmental process. Every child may not be reading at 3rd grade level at the end of 3rd grade and still be a successful student. Reading instruction continues through 5th grade and in some districts even longer. There is no reason to punish children who are slower developmentally in their learning achievement. There is absolutely no research to substantiate the retention of a 3rd grade student making them a more successful reader. There is research support not retaining students. Socially, this is mortifying for students at 3rd grade and self-esteem is an important element in learning, as well. Please reconsider this mandate!!*

ESEA Flexibility Community Engagement Forum October 28, 2011

Discussion Topic #1: College, Career, and Citizen Readiness

- 1) Encourage districts to be involved in outside agencies that connects community and sch for students
- 2) Collaborate at young age (be pro active)
- 3) Work in the school, build a relationship between school and business
- 4) Mentors for struggling students
- 5) Students observe potential careers
- 6) Research the outcomes we want to see...What does higher Ed expect?
- 7) 8th and 9th grade students should be able to take career tech classes
- 8) Reward community service or make it part of the H>S> diploma requirements
it makes better citizens

Discussion Topic #2: Areas of School Accountability

- 1) More time to achieve goals
- 2) Growth models with immediate feed back
- 3) More time for colloboration/PD \$\$\$\$
- 4) Give credit to schools that may not appear to achieve, but have growth
- 5) Incorporate parents into accountability system
- 6) US is the only country that educates all students for 13 yrs. Why do we compare test scores
- 7) Need parental accountability...not just attendance but homework and support
- 8) If students have shown growth overall, the school should be graded positively
- 9) Each school keep record and report % of parent attending
- 10) Align accountability w/all the areas of common core
- 11) Use only the ACT for school accountability

Discussion Topic #3: Recognitions for Excellent Schools

- 1) Grants for children of teachers
- 2) Stipends based on test scores/merit pay
- 3) Research on what rewards work best
- 4) Equalize demogaphics
- 5) Provide additional PD
- 6) Foster Colloboration not competition
- 7) Rewards must relate to the district
- 8) Recognize students who score "advanced" maybe stipend or scholarship
- 9) Appreciate teachers and admin through colloboration with business (community sponsored lunch)

Discussion Topic #4: Supports and Interventions for Unsuccessful Schools

- 1) Reform on how IEP students are tested. Standardized portfolio
- 2) Accountability on ELL students not being assessed appropriately
- 3) Decision making back in the hands of teachers
- 4) Eliminate "seat time requirement" for credit
- 5) Principals need to be back in the classroom
- 6) Re think graduation rate. Some students can complete in 3 some 5
- 7) Use tech to eliminate paperwork
- 8) Bring teachers and Admin together to see what works best/who provides resources
- 9) ELL/EIP districts should not be penalize ...create different standards
- 10) More one on one assistance with ELL students
- 11) Address poverty -safe, healthy environment for students and family
- 12) Increase after school programs
- 13) Stop looking at "ensuring success" and look at providing opportunity
- 14) More assistance in classroom for teachers
- 15) Remove poor performing teachers/Admin
- 16) Additional assistance for challenges/low performing
- 17) Education Dept should be standing up for public education and need for individual students. Need more emphasis on current success than failures.



Kerri White <kerri.white@sde.ok.gov>

Fwd: Question

Chris Caram <chris_caram@sde.state.ok.us>

Tue, Nov 8, 2011 at 2:35 PM

To: kerri.white@sde.ok.gov, Kerri White <Kerri_White@sde.state.ok.us>

Chris A. Caram, Ph.D.
 Deputy State Superintendent of Academic Affairs
 Oklahoma State Department of Education
 2500 N. Lincoln Blvd.
 Oklahoma City, OK 73105
[\(405\) 521-3332](tel:(405)521-3332)

----- Original Message -----

I appreciate knowing this much about the issue. We really need to do something to get a clear picture about how we are doing educationally.

It takes someone special to teach students with that come from severe poverty and that also have special needs. Those people need some help to get a clear picture of how they are doing. The methodologies that we are using clouds the issue.

Thanks for your information,

Dan Parrish

>>> "Chris Caram" <chris_caram@sde.state.ok.us> 11/8/2011 1:25 PM >>>

Mr. Parrish,

Much to our dismay, the USDE has not allowed us to make any changes to the 2% or 1% caps to our AMOs in our Flexibility Request. However, we are having discussions currently about the A-F School Grading System in regard to this issue. I will express your concerns to the committee who share your sentiments. We hope to be allowed to adjust.

Thanks for your comments and input!

Chris

"Dan Parrish" <DParrish@weleetka.k12.ok.us> writes:

>Dr. Caram,

>

>I am in the process of reading the Flexibility Request. But I have a
 >question that really presses our district as well as others. It has to
 >do with Special Education and testing.

>

>Is this Flexibility Request going to take into consideration the 2% limit
>on Alternative Testing for school districts and the 1% portfolio limit?
>We currently have almost 25% of our student body with an IEP. Some can
>do well on a regular test some can't. Any thought that could be given to
>this limitation could really help schools to give a truer picture on how
>they are performing.
>
>Thank you for your time,
>
>Dan Parrish
>Superintendent
>Weleetka Public Schools

[Quoted text hidden]

ESEA Flexibility Request (Waivers)

October 28, 2011

OEA has 3 primary goal areas----

1. The expectation of improvement in test scores is going to hit a steep increase instead of continuing at an incremental pace. This sudden incline sets schools up for failure. We need time.
 - OK is on the right track. We are working on TLE, Common Core, Student Assessment and other programs-- but we need time to do these right.
2. OEA would like to see growth model, intermittent assessments that provide immediate feedback.
 - The focus should be on student growth and not on using assessments as punitive measures for students and/or teachers.
3. We need resources that provide time for training and collaboration for teachers and administrators.
 - Teachers and administrators need resources for training and then the time to practice what they have learned. They cannot be expected to just hear about a program and then immediately implement it successfully.
 - Teachers and administrators want to do a good job and the goal should be to help them do just that. They should be empowered and enabled to do what they went into the teaching profession for—to teach children.



Kerri White <kerri.white@sde.ok.gov>

Protect Reforms!!

Polonchek, Amy <PolonAm@tulsaschools.org>

Mon, Nov 7, 2011 at 10:54 AM

To: Kerri White <kerri.white@sde.ok.gov>

Kerri – I know you all are in the throes of finalizing the waiver request, and I apologize for not sending you this note earlier. We have been thinking and reading a lot about this. The state really needs to look at this is an opportunity to protect the reforms (like SB 2033) with this waiver. I keep thinking about the ESEA blueprint that the administration put out a couple of years ago. I am not an expert on how to include this, but common core implementation and high quality teacher evaluation systems with consequences AND feedback and support, common core, etc. need to be part of the waiver picture.

I made a few notes, highlighted in yellow, on your document.

Thank you for allowing us to be part of the discussion.

Amy



Amy comments-18octmtg.docx

28K

ESEA FLEXIBILITY REWARDS AND CONSEQUENCES - WORK GROUP MEETING

October 18, 2011
9:30 am – 3:30 pm

Purpose

To ensure that districts are given ample opportunity to provide collaborative input regarding *ESEA's Flexibility* around identification of schools as Reward, Priority, and Focus schools and in providing support to all schools not making AMOs.

Goals of ESEA Flexibility Rewards and Consequences Group

- **Goal One: Discuss the identification, recognition, and rewards of Reward Schools.**
- **Goal Two: Discuss the identification, turnaround principle interventions, timeline, and exit criteria for Priority Schools.**
- **Goal Three: Discuss the identification, interventions, timeline, and exit criteria for Focus Schools.**
- **Goal Four: Discuss incentives and supports for all Title I schools not making AMOs and closing achievement gaps.**

Suggestions

Overarching Principles

- We think that schools not identified as poor performing should receive increased autonomy with increased improvement.
- We think that schools that are identified as needing significant improvement (Priority Schools, Focus Schools, and Other Criteria Schools) should be required to implement interventions that are targeted to the needs of the students and teachers in each particular school (including English Learners and students with disabilities), and that Title I, Part A funds should be reserved for those targeted interventions instead of to meet current requirements that are consistent across all schools regardless of appropriateness.
- We think that schools should receive support from the OSDE that is targeted to the needs of the students and teachers in each particular school. **The support must complement LEA intervention. If it is not aligned it just becomes another compliance activity.**
- We think that parents and families should have choices about where to send their children to school, particularly if the school the student is assigned to by the LEA is a Priority School, Focus School, or Other Criteria School. **This is an**

opportunity that only exists for parents in a school district of multiple sites. A move can also prevent students from accessing the interventions outlined in the second bullet point, because the receiving school may not always have those options. The change in environment is only a piece of the puzzle. Parent choice should always remain an option, but not pushed as a preferred option.

Goal One – Reward Schools

IDENTIFICATION (DEFINITION)

- *This identification will happen prior to submission of the ESEA Flexibility Request (announced upon approval of flexibility) and annually beginning in 2012.*
- We are cautious about including other subjects such as science and social studies, but we think they would be good for use in identifying reward schools. If they are used, we think that reading and math should account for 60% of the total and science and social studies should account for 40% of the total.
- We think that schools should get more credit for advanced students than proficient, more for proficient than limited knowledge, and more for limited knowledge than unsatisfactory. We also think schools should get more credit for the initial move from limited knowledge to proficient than for any other move of students.
- If we must use the same definition for “a number of years” throughout, we think that we should use three years. If we do not have to use the same definition, we think that we should consider using 2 years for reward schools, 3 years for focus schools, and 4 years for priority schools.
- We think there should be a total of about 15-20% of schools identified as reward schools. Since at least 10% of schools have to be identified for high-progress, we think that about 5-10% should be identified for high-performing.
- We think that high schools should have to have a graduation rate of at least 82% in order to be reward schools since that is the state’s new target for graduation rate.

RECOGNITIONS and REWARDS

- We would like to give as many non-financial rewards as possible since financial rewards may not always be available. These include, but are not limited to:
 - Increased autonomy with increased improvement.
 - Public notification of designation
 - Opportunities to serve as advisors to the OSDE
- If funding is available for rewards, we think that more reward should be granted for progress than for absolute performance.
- We would like to see grant opportunities for reward schools that are willing to partner with Priority Schools, Focus Schools, and Other Criteria Schools to assist both schools in continuous improvement.
- We would like the OSDE to encourage businesses and philanthropic organizations to recognize Reward Schools financially.

Goal Two – Priority Schools

IDENTIFICATION (DEFINITION)

- *This identification will happen **only once**, prior to submission of the ESEA Flexibility Request (announced upon approval of flexibility).*
- We think that only reading and math should be included for this high-stakes level of accountability.
- We think that schools should get more credit for advanced students than proficient, more for proficient than limited knowledge, and more for limited knowledge than unsatisfactory.
- We think that either three or four years of data should be considered when determining lack of progress.
- While absolute improvement is important, there may be scenarios where a school made large gains three or four years ago and has been stagnant since then. We do think there needs to be a way to determine if a school has made some level of continuous progress. In order to determine how much progress is enough progress, we think we should compare schools in the lowest performance level with each other and with state averages of improvement to determine what “expected” improvement needs to be.
- We think that schools that have three or four consecutive years of graduation rates under 60% should be identified as Priority Schools.
- We think that the majority of Priority Schools should be schools with low performance rather than just low graduation rates; however, we expect that there will be few enough schools with graduation rates below 60% for three or four consecutive years for this not to be an issue.

TURNAROUND PRINCIPLES and INTERVENTIONS

- We think LEAs with Priority Schools should be required annually to set aside 20% of the Title I, Part A allocation in order to implement the Turnaround Principles or one of the four Turnaround Models, and to offer school choice options to students. Districts without capacity to implement these principles could choose to “surrender” the school to the State for the state to implement the Turnaround Principles.
- In addition to the Turnaround Principles, we think that all Priority Schools should be required to use the WISE Online Planning Tool to create plans of improvement that are specific to their students’ needs.
- We also think that all Priority Schools should be required to participate in and conduct their own Data Reviews on a regular basis, as well as to attend state-provided professional development designed for Priority Schools or high-quality district professional development that meets guidelines established by the state. There must be focus and alignment and high quality implementation to make a difference. A high quality district plan with aligned PD should be able to propose exemption from state-provided PD. TPS is learning a lot from a Doug Reeve’s implementation audit. The answer is often much better practice and implementation, not a catalogue of PD and more or different programs.

TIMELINE

- We think that all LEAs with Priority Schools should be required to demonstrate capacity issues if they are choosing to postpone implementation of Turnaround Principle Interventions in any Priority School. Of course, we understand that requirement that each LEA with one or more identified Priority Schools must implement Turnaround Principle Interventions in at least one Priority School in the 2012-2013 school year.

EXIT CRITERIA

- In order to exit Priority School status, we think that schools must demonstrate one or more of the following:
 - Make AMOs in all students and all subgroups.
 - Reach the state average in achievement based on the formula used to determine Priority Schools at the time of Flexibility approval.
 - Match the state average in improvement. (In other words, if the school would not have been identified originally, it should be able to exit.)
 - Earn an A or B on the state's A-F School Grading System.

Goal Three – Focus Schools

IDENTIFICATION (DEFINITION)

- *This identification will happen **only once**, prior to submission of the ESEA Flexibility Request (announced upon approval of flexibility).*
- We think that only reading and math should be included for this high-stakes level of accountability.
- We think that schools should get more credit for advanced students than proficient, more for proficient than limited knowledge, and more for limited knowledge than unsatisfactory.
- We think that three years of data should be considered when determining lack of progress.
- While we're not exactly sure the best way to calculate within-school gaps, we think that this process should be similar to the process used for the all students group but identifying those with large differences in high performing subgroups and low performing subgroups.
- the lowest performing subgroups in the state based on the most recent data and identify those schools that have large populations of those subgroups and also low performance among those subgroups.
- Perhaps about half or just less than half of the schools should be identified based on large populations of low performing subgroups and about half or just more than half of the schools should be identified based on within-school gaps.
- The same process should be used for graduation rate calculations.

INTERVENTIONS

- We think LEAs with Focus Schools should be required annually to set aside a percentage of the Title I, Part A allocation in order to implement appropriate and rigorous interventions and to provide school choice options to students. We

believe this percentage should be determined based on a sliding scale and should take into consideration the number of schools in the LEA that are also identified as Priority Schools or Other Criteria Schools.

- We think that Focus Schools should be required to use their set-aside to implement interventions and options from a State Intervention List (see “Other Criteria Schools” section) and that selection of these interventions should be done in consultation with OSDE staff or OSDE representatives based on the school’s plan of improvement.
- We think that Focus Schools should be advised by the OSDE regarding which state-provided professional development opportunities and what types of district-provided professional development would most likely meet their needs based on the school’s plan of improvement.
- We think that all Focus Schools should be required to use the WISE Online Planning Tool to create plans of improvement that are specific to their students’ needs.
- We think that all Focus Schools should be required to conduct regular analysis of student data and student work using the Data Retreat Model as a basis.

TIMELINE

- We think that all LEAs with Focus Schools should be required to demonstrate capacity to implement appropriate interventions and provide assurances that interventions likely to provide significant student achievement will be implemented in the 2012-2013 school year with additional interventions implemented in subsequent years as needed.

EXIT CRITERIA

- In order to exit Focus School status, we think that schools must demonstrate one or more of the following:
 - Make AMOs in all students and all subgroups.
 - Reach the state average in achievement or in closing gaps based on the formula used to determine Focus Schools at the time of Flexibility approval.
 - Match the state average in achievement gaps. (In other words, if the school would not have been identified originally, it should be able to exit.)
 - Earn an A or B on the state’s A-F Grading System.

Goal Four – Other Criteria Schools (Including Schools That Do Not Make AMOs)

IDENTIFICATION (DEFINITION)

- *This identification will happen annually beginning in 2012, following completion of the 2011-2012 school year.*
- Schools that do not make AMOs in one or more areas will be identified.
- In addition to schools that do not make AMOs, we think that schools that meet one or more of the following criteria should also have to meet these requirements:

- Schools that are earning grades of D or F on the state’s A-F School Grading System,
- Schools that are earning grades of C- on the state’s A-F School Grading System that are not showing improvement,
- Schools that have a majority of teachers with ratings of ineffective or needs improvement,
- Schools that have one or more principals or assistant principals with consistent ratings of ineffective or needs improvement, and
- Schools that have discrepancies in their various metrics (e.g., schools with low performance and little improvement but high teacher evaluation ratings; schools with high teacher qualitative ratings and low teacher quantitative ratings).

INTERVENTIONS

- We think that Other Criteria Schools should be required to implement targeted interventions that will meet their students’ needs and should be provided the supports to implement those interventions with fidelity.
- We think LEAs with Other Criteria Schools should be required annually to set aside a percentage of the Title I, Part A allocation in order to implement appropriate interventions and to provide school choice options to students. We believe this percentage should be determined based on a sliding scale and should take into consideration the number of schools in the LEA that are also identified as Priority Schools, Focus Schools, and Reward Schools. We also think this percentage should be determined based on how many years and in how many areas the school did not make AMOs or did not meet other criteria. Examples:
 - District A: LEA with 5 schools, where 1 did not make AMO in one subgroup in one benchmark for one year. This LEA may only be required to set aside 2% of the District Title I, Part A allocation for targeted interventions and school choice in this school site.
 - District B: LEA with 5 schools, where 1 did not make AMO in four subgroups in one benchmark, three subgroups in one benchmark, and five subgroups in one benchmark. This LEA may be required to set aside 5% of the District Title I, Part A allocation for targeted interventions in the first year and 7% in the second year if there is no improvement.
 - District C: LEA with 25 schools, where 1 is a Priority School, 2 are Focus Schools, 8 did not make AMOs in multiple categories, but 1 is a Reward School. This LEA may be required to set aside 20% of the District Title I, Part A allocation for the Priority School, 5% for school choice options for all schools identified, and 10% for targeted and rigorous interventions in the Focus Schools and schools that did not make AMOs. However, the Reward School may get more autonomy in how to spend their site funds and if they choose to partner with lower performing schools in the district, the district may be able to use some of the set-aside funds at the Reward School as well as the lower performing schools.

- We think that the determination of the exact Title I, Part A set-aside percentage should be determined collaboratively between the LEA and OSDE staff or OSDE representatives.
- We think that Other Criteria Schools should be required to use their set-aside to implement interventions and options from a State Intervention List (see below) and that selection of these interventions should be done in consultation with OSDE staff or OSDE representatives based on the school's plan of improvement.
- We think that Other Criteria Schools should be advised by the OSDE regarding which state-provided professional development opportunities and what types of district-provided professional development would most likely meet their needs based on the school's plan of improvement.
- We think that Other Criteria Schools should be required to use the WISE Online Planning Tool to create plans of improvement that are specific to their students', teachers', or administrators' needs and that these plans should be approved by the LEA.
- We think that Other Criteria Schools should include in their plan strategies for analyzing on a regular basis data that is directly related to the reason that the school was identified in this category.

STATE INTERVENTION LIST

- We believe that Focus Schools and Other Criteria Schools should use their Title I, Part A set-asides discussed previously to provide targeted interventions based on their students', teachers', and administrators' needs from the following list (with the provision that other options may need to be included in this menu):
 - Public School Choice
 - Supplemental Educational Services
 - Instructional Leadership Training for Administrators
 - Mandatory Professional Development for Teachers and Leaders
 - Job-Embedded Professional Development Informed by Teacher Evaluation and Support Systems
 - English Learner Instructional Strategies and Resources
 - Students with Disabilities Instructional Strategies and Resources
 - Teacher Collaboration Time
 - Extended School Day, Week, or Year
 - Instructional Coaches
 - Leadership Coaches
 - Regular Data Retreats and Student Work Analysis Retreats
 - Teacher Leaders, Master Teachers, Teacher Experts
 - High Quality Instructional Materials
 - Curriculum Development
 - Professional Libraries and Book Studies
 - Parent and Community Engagement Initiatives
 - Parent Classes
 - Partnerships with Institutions of Higher Education and Career and Technical Education
 - School Culture Enrichment

- Community School Strategies (for example, on-site nurse practitioners)

DRAFT

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9/8/2011

Assistant State Superintendent of Public Education

Kerri White

2500 N. Lincoln Boulevard

Oklahoma City, Oklahoma 73105

CC: Oklahoma State Superintendent Dr. Janet Barresi

CC: Honorable Governor Mary Fallin

Dear Superintendent White:

The Board of Directors of Restore Oklahoma Public Education and I are writing to request that no effort be made by Oklahoma to obtain an NCLB waiver.

After much study – the report of which is attached to this communication – we have elucidated a number of concerns:

- Numerous sources indicate the NCLB waiver being offered by the Federal Department of Education will force state officials to agree to criteria not yet stipulated - consensus belief is that states will have to embrace an all-or-nothing package of reforms (to include the Common Core State Standards – the implementation of which we seek to repeal) from the Department in exchange for NCLB relief.
- David Boaz of the CATO Institute says waivers such as those for NCLB give bureaucracies more power and legislative-like authority – **a clear violation of the rule of law and the nation's system of government.**
- Grover Whitehurst of the Brookings Institute writes that NCLB waivers increase presidential control over education, damages separation of powers and further reduces parents control over **their children's education.**
- Much concern has come to bear on the legality of Secretary **Duncan's ability to move around Congress and issue waivers** for NCLB – the Center on Education Policy indicates that this issue will **"likely be subject to debate and possibly even legal action as the process evolves"**.
- A Phi Delta Kappa/Gallup Poll taken last year found that of 1008 people surveyed, the vast majority believe state government is the responsible party for public education in the US and that less than one in four Americans believe NCLB has helped their local schools.

- A ROPE poll taken in August of this year found that 81% of respondents believe Oklahoma public schools that take federal money are made to follow federal regulations and 95% of respondents believe that when local Oklahoma schools are made to follow federal regulations, educational opportunities for students decline.
- **Lindsey Burke of the Heritage Foundation writes that, “Washington’s ever-expanding role in education has been paralleled by a huge increase in non-teaching staff on school payrolls” and that just this year, one Virginia school district reported “the cost of setting aside a single day to train the roughly 14,000 teachers in the division on the [NCLB’s] complex requirements is equivalent to the cost of hiring 72 additional teachers.”**
- A new study by the American Enterprise Institute for Public Policy Research concluded that the current federal education compliance structure is a significant barrier to fulfilling federal policy goals as these often lead to expensive and time-consuming compliance processes that are not related to improving student achievement or school success.
- **Russell S. Sobel and George R. Crowley of George Mason University’s Mercatus Center write in “Do Governmental Grants Create Tax Ratchets”, “Our results clearly demonstrate that grant funding to state and local governments results in higher own source revenue and taxes in the future to support the programs initiated with the federal grant monies...Using our estimates, this increase of 200 billion in federal (ARRA) grants will eventually result in roughly \$80 billion in future state and local tax and own source revenue increases.”**

In conclusion, the Center on Education Policy explains that states can amend their ESEA accountability plans – **reset the annual measurable objectives (AMO’s)** – without submitting a waiver or having to meet any additional requirements that might be associated with ESEA accountability waivers. Since the **requirement that AMO’s reach a level of 100% proficiency for all student groups by the end of the 2013-2014 school year** seems to be the issue prompting most states to desire waivers, this approach appears more than doable. With nearly two years to spare for ESEA compliance – and with both Chairmen of the House and Senate Education committees in Washington calling the waiver route **“premature” in relation to the obvious need for ESEA reauthorization** by Congress – Oklahoma certainly has the time to at least research this option before wading head long into an NCLB waiver application.

In ROPE’s opinion, there is absolutely no crisis here requiring an obvious rush to judgment on such an evidently controversial issue as an NCLB waiver and we respectfully ask you to decline application for the foreseeable future.

Respectfully,

Jenni White
 President
 Restore Oklahoma Public Education (ROPE)
 jenni@RestoreOkPublicEducation.com

NCLB

Barresi: State would seek No Child Left Behind waiver | Tulsa World

http://www.tulsaworld.com/news/article.aspx?subjectid=335&articleid=20110810_16_A1_WASHIN754550

"The governor will work with State Superintendent Janet Barresi, Secretary of Education Phyllis Hudecki and the education community to determine which waivers, if any, the state will apply," Cooper said.

Duncan said specifics of the waiver package will be unveiled in September, but in his comments to reporters he made it clear he will encourage all states to seek waivers to the No Child Left Behind requirements.

Duncan previously has said its one-size-fits-all approach has created a "slow-motion train wreck for children, parents and teachers."

What is Common Core then, if NCLB is a one-size-fits-all approach?

Duncan is already aware of the state's past push for reforms, she said, adding Oklahoma will receive a fair hearing in any waiver request it submits.

Frequently Asked Questions Regarding the Secretary of Education's Authority to Waive ESEA Requirements

[Click to view original PDF](#)

While there are multiple special flexibility authorities applicable to some or all ESEA programs, the one most relevant to current considerations is the Secretarial case-by-case waiver authority in ESEA Section 9401.

This authority was first adopted in 1994, before the NCLB era of major outcome accountability requirements, and this provision received relatively little attention during NCLB debates in 2001.

Waivers may not exceed four years

It is probable that ED will publish one or more non-regulatory policy guidance documents indicating the types of ESEA requirements that the Secretary will consider waiving, the requirements that states will have to meet in order to qualify for a waiver, the procedures through which waiver requests will be considered, and a prospective schedule for this activity.

Data are currently available on waivers granted between the enactment of the NCLB and the end of calendar year 2009. Over this time period, a total of 634 waivers were granted under Section 9401.

176 waivers (28%) dealt with ESEA Title I outcome accountability requirements.

If NCLB and the new 'reforms' are working so well - why all the waivers?

Over time, the number of Section 9401 waivers granted has increased from an average of 35 per year from 2002-2008, to 351 for 2009, a tenfold increase. However, over one-half (56%) of the waivers granted in 2009 dealt specifically with one-time issues related to funding provided under the ARRA.

1. States must describe which Federal statutory or regulatory requirements are to be waived and how the waiving of those requirements will (i) increase the quality of instruction for students; and (ii) improve the academic achievement of students;
2. Describe specific, measurable educational goals, in accordance with section 1111(b) [the ESEA Title I requirements for standards, assessments, and AYP determinations], for the State educational agency and for each local educational agency, Indian tribe, or school that would be affected by the waiver and the methods to be used to measure annually such progress for meeting such goals and outcomes; and
3. Explain how the waiver will assist the State educational agency and each affected local educational agency, Indian tribe, or school in reaching those goals.

States voluntarily request the waivers, and states not wanting to meet requirements associated with new waivers need not apply for them.

The waiver authority relates much more directly to waiving statutory requirements than to creating new requirements.

It is, admittedly, very difficult to define a boundary between creating new requirements vs. re-interpreting statutory language in new policy guidance or implementing the requirement that waiver requests include specific, measurable educational goals ... and the methods to be used to measure annually such progress for meeting such goals and outcomes for pupils eligible to be served by the relevant programs.

It would be much more difficult to determine that the Secretary has exceeded his authority if new requirements are couched as voluntary, as part of a package deal to obtain new forms of flexibility.

This issue will likely be subject to debate and possibly even legal action as this process evolves, especially if some state officials feel that the Secretary is asking too much of states in return for increased flexibility or that the requested reforms are insufficiently related to the ESEA statute.

Are there mechanisms other than waivers through which the Secretary might increase flexibility for meeting ESEA requirements?

If this is correct, why apply for a waiver? According to this document, a waiver would come with strings. Creating a state amendment to the ESEA would not.

The primary alternative is likely to be state amendments to their ESEA accountability plans.

States could be allowed to reset the annual measurable objectives (AMOs) required minimum percentages of pupils in each relevant group who must perform at a proficient or higher level in reading and mathematics in order for a school or school district to make AYP

Such changes, if approved by ED, do not require the submission of waiver requests by states, and do not require states to meet any additional requirements that might be associated with ESEA accountability waivers.

Waiver requests have thus far focused primarily on the general requirement that AMOs reach a level of 100% proficiency for all student

groups by the end of the 2013-14 school year.

Efforts to develop and consider ESEA reauthorization in Congress have taken place this year, and are likely to continue.

Expanded use of waivers by the Secretary will likely reduce incentives to move reauthorization legislation, since the waivers will likely address many of the most significant concerns about the ESEA, or that the expanded use of waivers will increase the motivation of Congress to revise the ESEA through reauthorization legislation, in order to influence policy changes particularly regarding education reforms that may be required in return for the waivers -- to a maximum degree.

Research & Commentary: No Child Left Behind Waivers | The Heartland Institute

<http://heartland.org/policy-documents/research-commentary-no-child-left-behind-waivers>

NCLB allows the secretary of education to waive some of the law's requirements, but Duncan added his own extra-legal twist: States seeking a waiver must first adopt unspecified policy changes the Obama administration approves. In August, Duncan followed through on his promise by offering Montana the first waiver, telling other states he'd soon outline conditions for receiving them.

Reform-minded educators and policy analysts contend Duncan's actions exemplify the administration's preference for top-down, centralized education policy instead of allowing states to develop their own creative solutions for poor education performance. They also express concern over the administration's preference for bypassing Congress and the nation's lawmaking procedure through the use of waivers and other administrative agency orders, noting this creates confusion among states and gives further leverage to special interests while taking power away from individuals and families.

Standardized test critic Monty Neill says granting states waivers on No Child Left Behind will likely increase the importance of standardized tests, an outcome he decries in this *Washington Post* column.

The *Boston Globe* editorializes that waiving No Child Left Behind requirements "could be a motivation killer" for educators, since the law's public testing measures push teachers and schools to educate kids.

This *Washington Times* article provides background on Arne Duncan's waivers plan, explaining the divide between houses of Congress preventing that body from passing a reauthorization of the law. Congress has been focusing on health care, economic stimulus, financial services regulation, and recently the debt limit, eroding its time or inclination to revamp the nation's largest education law.

The Obama administration has increasingly used waivers, including those on No Child Left Behind, to give bureaucracies more power and legislative-like authority, writes David Boaz of the Cato Institute. This makes agencies into legislator, prosecutor, judge, jury, and executioner, a clear violation of the rule of law and the nation's system of government.

Rotherham disputes Duncan's claims about how many schools will qualify as failing under NCLB, notes the great number of loopholes already available to schools and states under the law, and discusses how schools, districts, and states have great incentives to avoid accountability measures like those embedded in the federal law.

The Obama administration's use of waivers amounts to an administrative-branch rewrite of federal law

Waivers increase presidential control over education and other domestic policy, damages the separation of powers, and further reduces parents' control over their children's education, Whitehurst writes.

Neal McCluskey of the Cato Institute's Center for Educational Freedom explains how attaching requirements to No Child Left Behind waivers will lead to a national curriculum. He notes the administration's favored Common Core standards are the only ones that fit the requirements for states receiving waivers, and he reveals that the Department of Education is funding development of standardized tests to go with the Common Core.

New Details Emerge on Duncan's NCLB Waiver Plan - Politics K-12 - Education Week

http://blogs.edweek.org/edweek/campaign-k-12/2011/07/so_about_a_month_ago.html

- There would be three kinds waivers under No Child Left Behind, and states would have to sign up for all of them—it wouldn't be an either/or thing. This is something Duncan made clear in the initial waiver announcement.
- To waive the 2014 deadline for all students to be proficient in math and language arts, states would have to adopt college- and career-readiness standards and assessments. It's not clear yet what that would mean. But, presumably, Common Core would be involved. Student growth could be used to measure achievement.
- To essentially freeze in place the law's system of sanctions, states would have to propose their own differentiated accountability systems that would incorporate growth and establish new performance targets. States also would have to establish differentiated school improvement systems that more accurately meet the needs of schools with different challenges. The accountability systems would not have to include choice or free tutoring. Districts also no longer would have to set aside Title I money for such programs.
- To waive the law's highly qualified teacher requirement and get funding flexibility, states would have to adopt evaluation systems for teachers and principals that are based on growth and make sure districts actually do what they say they're going to do.

States Unsure About NCLB Waivers

<http://www.aateachers.org/index.php/blog/467-states-unsure-about-nclb-waivers->

"This is not an a la carte menu," stated Duncan.

"The state department would aim to create a framework. We don't want a blanket waiver. On the other hand, we don't want individualized processes from every state."

Clearly the Obama administration is using the delay in NCLB reauthorization to play into their quest for state-based reform.

States are understandably hesitant to take on federally mandated reforms, especially in cases which would contradict their current plans for a public education overhaul.

While Secretary Duncan agreed that he'd rather see lawmakers act swiftly on reauthorization, he is no stranger to granting waivers, exchanging them 315 times his first year in office to various states.

Obama Administration Continues to Make Policy Through Waivers

http://blog.heritage.org/2011/08/12/obama-administration-continues-to-make-policy-through-waivers/?utm_source=Newsletter&utm_medium=Email&utm_campaign=Morning%2BBell

The president has decided to take a tack on the largest federal education law...bypassing Congress and legislating through administrative

agencies by offering states waivers in exchange for education policies he favors.

It is one thing for an administration to grant waivers to states. ... It is quite another thing to grant state waivers conditional on compliance with a particular reform agenda that is dramatically different from existing law. The NCLB waiver authority does not grant the secretary of education the right to impose any conditions he considers appropriate on states seeking waivers.

Rather, it seems, the arrogance lies in assuming that the White House can skirt the legislative process and lure states into accepting the President's proposals.

Beyond this, President Obama and Secretary Duncan are undercutting states' authority by requiring states to adopt national education standards in order to receive a waiver. Setting forth national standards is nothing less than a federal one-size-fits-all plan to dictate what children are taught in the classroom.

States will have to hire armies of administrators at enormous cost to make proposals they hope will please the president, then continue funding this bureaucracy to prove they are fulfilling their programmatic promises.

Texas "Very Unlikely" To Seek NCLB Waiver This Year | KUT News

<http://www.kutnews.org/post/texas-%E2%80%9Cvery-unlikely%E2%80%9D-seek-nclb-waiver-year>

"Texas is not going to do the common core curriculum standards. If that's a requirement to get this waiver, then we can't do it."

Texas has been reluctant to sign on to the feds' common core standards, despite participation by a majority of other states, because it sees the standards as federal intrusion into state jurisdiction. The Texas Education Agency has also said that its standards are superior.

No Child Left Behind by Executive Overreach - Lindsey Burke - National Review Online

<http://www.nationalreview.com/articles/275015/no-child-left-behind-executive-overreach-lindsey-burke>

State officials accepting the waivers must agree to conditions that the administration won't even stipulate until next month.

Unfortunately, states will most likely find that the temporary relief is swamped by the new federal regulations they will face. Folks who suggest that the best way to rectify a failed stimulus is to enact an even greater stimulus are most likely also to believe that the best way to correct federal overreach in education is to reach even farther.

Education Week: States Cautious on Duncan's NCLB-Flexibility Offer

<http://www.edweek.org/ew/articles/2011/06/20/36esee.h30.html?tkn=TVXFPm6CsCXyYXHm6ISRo9E3Vsl8%2B%2By78Qa&cmp=clp-edweek>

The idea of waivers is already facing hurdles on Capitol Hill—drawing criticism even from the administration allies.

While the department points to waiver powers that Congress included in the Elementary and Secondary Education Act, some naysayers are wondering whether Mr. Duncan has the legal authority to offer states broad leeway on the law's accountability requirements.

Details on the waiver proposal remained sketchy last week, but it's clear that states will have to embrace an all-or-nothing package of reforms from the department in exchange for relief under the ESEA, the current version of which is the NCLB law.

"This is not an à la carte menu," Secretary Duncan said during a June 13 call with reporters.

With the law's 2014 deadline for states to get all students to proficiency on state math and reading standards fast approaching, states generally are eager for details on the administration's waiver package. But state officials also caution that they don't want to take on new federally driven commitments that could get in the way of their own plans for education overhaul.

This is an important question because it is written in the RTT grants that applications containing legislative action on a state's behalf are looked at more favorably.

Kansas Commissioner of Education Diane DeBacker said she's confident her state will be able to meet Mr. Duncan's conditions for waivers, which could include a robust longitudinal data system and adopting the common-core standards.

But she pointed out that if any of those conditions require Kansas to change its laws, that would be more difficult since her state's legislature won't be back in session until next year.

In May, Kansas was denied a waiver from the department to hold its student-achievement targets at 2009-10 levels as it transitions to the common core. Districts are feeling increasing pressure not only because the 100 percent proficiency deadline is approaching, but because state education funding continues to be cut.

Robert Scott, the commissioner of education in Texas, said he's "intrigued by the idea of flexibility" but wary of the "strings attached."

He's also worried that the department might waive pieces of the law that are working well for some schools in the Lone Star State, such as the requirement that underperforming schools offer free tutoring. And, as a former Capitol Hill staffer, he's not sure that the department is on firm legal standing in suggesting waivers.

"I think states should be able to, and be required to, show that they are willing to pursue strong reforms in exchange for federal flexibility," said Mr. Bennett, who is also the chairman of Chiefs for Change, a coalition of 10 current and former state chiefs who describe themselves as advocates of "bold, visionary education reform."

For their part, advocates for local districts are also skeptical of the idea of waivers, particularly if states are being asked to embrace certain policies in order to get the flexibility.

The chairmen of the House and Senate education committees—Rep. Kline, in the House, and Sen. Tom Harkin, D-Iowa—both expressed concerns. On June 10, Sen. Harkin called the waiver route "premature."

But that hasn't stopped some from saying that Mr. Duncan is overstepping his authority in demanding changes in exchange for waivers.

The Education Department disagrees.

District Advocates Not Fans of Duncan's NCLB Waiver Ideas - Politics K-12 - Education Week

http://blogs.edweek.org/edweek/campaign-k-12/2011/08/we_still_dont_know_for.html

We still don't know for sure what shape the Department of Education's soon-to-be-issued waivers from parts of the No Child Left Behind Act will take. But Secretary of Education Arne Duncan has made one thing clear: This is not going to be straight-up relief without any strings. The waivers will come with conditions attached.

The letter also says that the conditional waivers are likely to come with mandates and it will be difficult for cash-strapped states to

comply. Do you think AASA and NSBA are jumping the gun here, since we haven't actually seen the plan? Or are extra costs a safe assumption

NCLB Waivers Confirms Link with Nationalization of Education | EducationNews.org

http://www.educationnews.org/ednews_today/159733.html

Conservatives who spent the last year pooh-poohing concerns about federal government coercion lying behind the “voluntary” “state-driven” adoption of Common Core are now shocked and saddened to discover that the federal government is gearing up to use the ridiculous and unobtainable NCLB 100% proficiency requirement as a bludgeon to force the last remaining holdout states to bow down and adopt Common Core. [writes Greg Forston at jaypgreene.com](#)

Nationalization Chickens Come Home to Roost « Jay P. Greene's Blog

<http://jaypgreene.com/2011/08/09/nationalization-chickens-come-home-to-roost/>

The federal government is gearing up to use the ridiculous and unobtainable NCLB 100% proficiency requirement as a bludgeon to force the last remaining holdout states to bow down and adopt Common Core.

Common Core is irreversibly associated with nationalization. It already was before the latest word about NCLB waivers; that news doesn't create, but merely confirms, the permanent link between CC and nationalization of education.

Look Out, Voluntarism! Here They Come Again! | Cato @ Liberty

<http://www.cato-at-liberty.org/look-out-voluntarism-here-they-come-again/>

It is being widely reported this morning that in September U.S. Secretary of Education Arne Duncan will publish criteria states will have to meet to be granted waivers from the No Child Left Behind Act. (A gross violation of the Constitution's separation of powers, by the way, but that is a slightly different debate.) And the administration is signaling that, among other things, it will force all states that want relief from NCLB to adopt national curriculum standards, better known as the Common Core.

If you support Common Core, oppose Arne Duncan

<http://www.educationgadfly.net/flypaper/2011/08/if-you-support-common-core-oppose-arne-duncan/>

Arnie Duncan is at it again. Unmoved by pleas that he “first do no harm” when it comes to promising reforms like the Common Core State Standards Initiative, he seems compelled to attach mandates to his forthcoming NCLB waivers that will require adoption of the Common Core standards.

No, his team won't mention the Common Core, but everybody knows that's what he's talking about when he calls for “college and career-ready standards.”

Phi Delta Kappa/Gallup Poll What Americans Said About the Public Schools 2010

[Click to view original PDF](#)

Whether it's paying the bills, setting standards, deciding what should be taught, or holding schools accountable, Americans believe state government is the responsible agency for public education in the United States. Conversely, four of five Americans believe the federal government should not have a role in holding schools accountable, and that local government — that is, school boards — should not set education standards.

Americans believe the most important national education program should be improving the quality of teaching. Developing demanding standards, creating better tests, and improving the nation's lowest-performing schools were rated significantly lower.

American opinion of NCLB is unchanged from last year, and overall remains unfavorable, as less than one in four Americans believe NCLB has helped their local schools.

Of the two-thirds of Americans who believe increasing student or teacher learning time would increase student learning, more believe that having teachers spend more time learning new ways to teach would have a greater effect on student learning than having students spend more time in school.

Three of four Americans believe success in school is based on effort and not natural ability

Three of four Americans believe the more important factor in determining whether students learn is the parents, not the schools. And parents agree.

The 2010 survey findings are based on 1,008 completed interviews.

The obtained sample was weighted to be representative of U.S. adults nationwide.

For findings based on the total sample of national adults, one can say with 95% confidence that the maximum margin of sampling error is 3 percentage points and, in the case of public school parents, 5 percentage points.

ROPE Survey questions on fed involvement

[Click to view original PDF](#)

The Dead Hand of Federal Education Reform

<http://www.heritage.org/Research/Commentary/2011/06/The-Dead-Hand-of-Federal-Education-Reform>

To keep federal funds flowing, state education systems and local school districts must satisfy Washington's compliance demands first. The needs of students, parents and taxpayers come a distant second.

The result: Today, the U.S. Department of Education operates more than 100 separate grant programs. Under NCLB alone, federal bureaucrats this year will dole out nearly \$25 billion on more than 60 competitive grant programs and another 20 formula grant programs.

A 1994 Government Accountability Office report on education finance found that, while the feds provided just 7 percent of education funding, they accounted for 41 percent of the paperwork burden imposed on the states. Indeed, the report found that the states have had to hire 13,400 workers just to oversee compliance with all the red tape.

By 2006, its new guidelines and regulations were estimated to have increased state and local education agencies' annual paperwork burden by 6.7 million hours, at a cost of \$141 million. This year, one Virginia school district reported that “the cost of setting aside a single day to train the roughly 14,000 teachers in the division on the [NCLB's] complex requirements is equivalent to the cost of hiring 72 additional teachers.”

Washington's ever-expanding role in education has been paralleled by a huge increase in non-teaching staff on school payrolls. Since the 1950s, the number of teachers as a percentage of school staff has declined from 70 percent to about 51 percent. Meanwhile, administrative support staff increased from 23.8 percent to 30 percent.

It's estimated that only 65-70 cents of every education dollar leaving Washington makes it into the classroom.

Do Governmental Grants Create Tax Ratchets

Click to view original PDF

Our results clearly demonstrate that grant funding to state and local governments results in higher own source revenue and taxes in the future to support the programs initiated with the federal grant monies.

Our results suggest that the recent large increase in federal grants to state and local governments that has occurred as part of the American Recovery and Reinvestment Act (ARRA) will have significant future tax implications at the state and local level as these governments raise revenue to continue these newly funded programs into the future.

Using our estimates, this increase of \$200 billion in federal grants will eventually result in roughly \$80 billion in future state and local tax and own source revenue increases.

Federal Compliance Works against Education Policy Goals

Click to view original PDF

The current compliance structure for federal education policy is a significant barrier to fulfilling federal policy goals.

Fiscal and administrative requirements often lead to expensive and time-consuming compliance processes that are not related to improving student achievement or school success.

While protecting public money is an important interest, and compliance rules play a role in that objective, it is essential to identify disconnects between federal education policy objectives and federal compliance requirements.

As policymakers consider issues such as accountability and teacher qualifications for the upcoming ESEA reauthorization, it is important to thoroughly examine the fiscal and administrative compliance rules governing federal education programs.



Kerri White <kerri.white@sde.ok.gov>

Fwd: ESEA Reauthorization and Waiver

Chris Caram <chris_caram@sde.state.ok.us>

Thu, Nov 10, 2011 at 12:19 PM

To: kerri.white@sde.ok.gov, Kerri White <Kerri_White@sde.state.ok.us>

Chris,

Three issues come to mind in the state's waiver request that I wish to comment on. First, with regard to graduation rate calculations, it would be much more accurate and beneficial to use longitudinal data and records request information to confirm students leaving a school district did in fact enroll in another school district. Simply taking the difference of the graduating class from the ninth grade enrollment four years earlier is superficial and doesn't take into account mobility, enrollment in other districts both in state or out of state, completion GEDs etc. We have long suffered in our community because of our mobility rate. We have begun trying to track records requests or any knowledge of where families go, but unfortunately, it is reality many never withdraw they simply leave without notice. This usually occurs during the summer months where a visit to the school is not a priority and the school only knows the student left when they don't return at the start of the next school year. This lag in time often represents clear communication tracking problems since forwarding addresses are rarely found or known. Perhaps the use of SS numbers or some statewide student id would provide longitudinal data on where these students emerge and could help account for those that simply disappear. The current way dropout rates are calculated is completely wrong and inaccurate and certainly not fair to schools. If there is chance for sanction in school grades given, then dropout rate calculations need to be rethought.

Secondly, I wish to comment on interventions for Focus schools. As a local control purist, I resent the possibility that local control of school districts can so easily be taken away by a state department that neither funds schools at appropriate levels and doesn't have the staff to accommodate many of the interventions proposed. This means state dollars will be sent to private vendors to provide intervention programs that should be implemented by the people in those local districts. I realize provisions are in place for them to prove they can handle their own focused intervention, but there seems to be substantial possibility that someone doing the evaluating at the SDE may have too much power to determine the appropriateness of that effort and if they disagree, open the door for private vendors to take state monies to handle the intervention and possible dismissal of the staff and principal. This

completely ignores the rights and control provided by the local boards of education. It still is their responsibility in my opinion and not that of big brother in OKC or Washington. Resources need to be provided as well as support and technical assistance and then if all else fails, work with the local BOE to make substantive changes that THEY make within their own schools with any suggestions asked for provided by the SDE. This local control provision shouldn't be taken away if this effort has any chance of succeeding.

Third, having a goal that all students will be college, career, and citizenship ready is a worthy goal. There still needs to be some realization that when dealing with human beings, perfection won't ever be achieved. If that reality isn't considered in this process, then we set schools up to fail when they don't reach perfection. One of the chief fallacies of No Child Left Behind was it placed an impossible goal in front of schools but was set to punish them when they didn't achieve the impossible. We all understand setting high, lofty goals because that is what we should strive for. However, as long as free will exists and fallible humans are involved, perfection will never be attained. It would be wise for there to be some understanding that though laudable, perfection isn't realistic where humans are concerned. If you want fidelity in these reform initiatives, then you must show that they are grounded in reality.

Thank you for allowing me to express my opinion!

David N. Hall

Assistant Superintendent

Owasso Public Schools

1501 North Ash Street

Owasso, OK 74055

[918-272-5367](tel:918-272-5367)



Kerri White <kerri.white@sde.ok.gov>

Fwd: Public Comment on Oklahoma's ESEA Flexibility Request

Chris Caram <chris_caram@sde.state.ok.us>

Thu, Nov 10, 2011 at 10:08 AM

To: kerri.white@sde.ok.gov, Kerri White <Kerri_White@sde.state.ok.us>

Chris A. Caram, Ph.D.
Deputy State Superintendent of Academic Affairs
Oklahoma State Department of Education
2500 N. Lincoln Blvd.
Oklahoma City, OK 73105
[\(405\) 521-3332](tel:(405)521-3332)

----- Original Message -----

Dr. Caram,

We would like to thank the Oklahoma State Department of Education (OSDE) for pursuing a flexibility waiver that will allow the State of Oklahoma to develop an accountability system that is most effective for the students of our State and for the multiple opportunities for representatives of schools, districts, and community to provide feedback on the request. We would also like to express our support of Oklahoma's commitment to preparing students to be college, career, and citizen ready; making bold reforms in the area of school improvement; and closing the achievement gap by focusing interventions on the students who are identified as most at-risk.

Upon review of Oklahoma's ESEA Flexibility Request, we also submit the following comments:

1. It is encouraging to see that stronger partnerships are being developed with other stakeholders in Oklahoma including the Oklahoma State Regents for Higher Education, Oklahoma Commission for Teacher Preparation, and the Oklahoma Association of Colleges of Teacher Education (page 21).
2. Differentiated support for schools supports the differentiated

instruction that school leaders and teachers are trying to implement in classrooms across Oklahoma every day.

3. It is important that the REAC3H Network's Coaches really offer the type of support that all LEAs in Oklahoma will need as we transition to the Common Core State Standards. Extensive training should be provided to ensure the coaches are prepared.

4. The Waiver Request states that Tier I schools receiving SIG funds will be named as Priority schools. Does this take into account SIG schools that are no longer in the bottom 5% of schools in the state or have increased graduation above 60%? Also, does it take into account schools that may have a Tier I school and a Tier II school who share a building, principals, and teachers? How will these situations be addressed under the new system? (Pages 45-46)

5. The Waiver Request states that the State Board of Education may reserve up to 20% of an LEA's Title I funds for priority schools and that an LEA must reserve up to 20% of those same funds for the focus schools. This would mean an LEA could be reserving 40% of its funds for a small number of schools. This is concerning because it will decrease the amount available to other schools in the district who rely on Title I funding to provide interventions to students who are most at-risk. Many of these interventions will have to be eliminated which puts these schools at risk of being named priority or focus schools in the future. (Pages 46 and 54)

6. It is also unclear from the waiver how the 20% will be calculated. Will it be calculated before the State Board removes the allocation for priority schools in C3 or after? Will the next 20% for focus schools be calculated on the total Title I allocation or the amount left after the reservation for priority schools has been taken by the State Board? (Pages 46 and 54)

7. What are the objective criteria the State Board will use to "review and approve" the total operating budgets of LEAs within which a priority school exists? (Page 46)

8. What are the objective criteria that will be used to determine "appropriate leadership" to operate the school? (Page 46)

9. The Waiver states that funding for priority schools will be determined by "No later than June 1, 2012." Districts do not receive allocations for Title I until after July 2012, and this year, districts still have not received final allocations or carryover amounts for FY2012 as of November 2011. How will funding be determined given the timing of allocations? (Page 49) If funding is based on a preliminary amount, this may have a negative impact on the budgeting of the district if the final allocation differs greatly and the district and schools have to decrease budgets and services after school has started.

10. Although the waiver does present options for a C3S school that exits priority status, the waiver does not address the options or accountability for C3S schools that fail to meet the criteria for exiting priority status. Meaning, if a school is part of C3S for three years and does not make the required progress, what is the next step in the process?

11. The Waiver Request clearly states that priority and focus schools must use the WISE Planning Tool. Does including the specific name of a planning system limit the options for C3S, LEAs, or priority/focus schools to research and adopt other planning systems that may be as or more effective for the particular school? It may also be advantageous for Oklahoma to include specific data of how use of the WISE Planning Tool improved student achievement in the 2010-2011 school year to support the requirement of a specific system.

If you have any questions concerning the comment, please contact me at [405-587-0020](tel:405-587-0020) or [<mailto:jtmania@okcps.org>] jtmania@okcps.org.

Thank you,

Jackie Mania

Title I Compliance Officer

Oklahoma City Public Schools

900 N. Klein

Oklahoma City, OK 73106

[405.587.0020](tel:405.587.0020)

jtmania@okcps.org



Kerri White <kerri.white@sde.ok.gov>

Fwd: Comment on Waiver request

Chris Caram <chris_caram@sde.state.ok.us>

Thu, Nov 10, 2011 at 10:08 AM

To: kerri.white@sde.ok.gov, Kerri White <Kerri_White@sde.state.ok.us>

Chris A. Caram, Ph.D.
Deputy State Superintendent of Academic Affairs
Oklahoma State Department of Education
2500 N. Lincoln Blvd.
Oklahoma City, OK 73105
[\(405\) 521-3332](tel:(405)521-3332)

----- Original Message -----

I feel the draft of the flexibility request demonstrates a well thought out process that has kept the students learning as the main goal.

Tom Sipe



Kerri White <kerri.white@sde.ok.gov>

Fwd: ESEA Flexibility Waiver Comment

Chris Caram <chris_caram@sde.state.ok.us>

Fri, Nov 11, 2011 at 9:05 AM

To: kerri.white@sde.ok.gov, Kerri White <Kerri_White@sde.state.ok.us>

Our district believes the waiver is making some positive changes needed in the education system. One of the concerns we have relates to the A-F system. Currently, teacher and leader evaluations calculate into the school grading system. Part of the purpose of the new TLE system is to give districts a stronger ability to remove ineffective teachers and leaders; however, by rating teachers or leaders as ineffective or needs improvement we will be penalized in the A-F grading system. We believe the other measures used to calculate the A-F grades already encompass the impact of ineffective educators, thus districts should not be penalized again for trying to remove ineffective employees who negatively contributed to student achievement.

Kristi Gray

Curriculum and Federal Programs Director

Little Axe Schools



Kerri White <kerri.white@sde.ok.gov>

Fwd: ESEA Public Comment on Flexibility Request

Chris Caram <chris_caram@sde.state.ok.us>

Fri, Nov 11, 2011 at 9:10 AM

To: kerri.white@sde.ok.gov, Kerri White <Kerri_White@sde.state.ok.us>

Dr. Caram,

I recently got access to the seventy-six page application for flexibility request to ESEA/NCLB. I read some sections in detail and scanned others. I wish to exercise the right to public comment at this time.

I am in my 35th year of employment in public education in two different states. Educational reform initiatives have been ever present during that time period, especially in the last 20 years with Outcomes Based Education, Goals 2000 and HB 1017 coming readily to mind. More recently of course has been the federal legislation, No Child Left Behind, when the Federal Government decided that education was no longer just a state issue, as mandated in the constitution, but a national imperative which the government should take oversight for.

It seems that most of these "reform" initiatives are centered in demands of an ever changing work environment and need to have an educated workforce to meet global labor demands. However, such reform initiatives rarely take a look at the social fiber of our nation that impacts the work ethic needed to drive a vibrant work force, perhaps because it is much more difficult to legislate against abuse, drug addiction, mental illness and poverty. But it is the proverbial "elephant in the room" that will not go away even if we ignore it. I did not notice any references to this pachyderm problem in the request. The constant cry for reform reminds me of the adage "they climbed the ladder of success only to find out it was leaning against the wrong wall". With my years of watching and working in public education, it seems that we get part way up one reform ladder only to decide we need to find either another ladder or a new wall.

When it was recently determined that opposing viewpoints could not come to a timely resolution on the reauthorization of current ESEA federal legislation to loosen the noose of AYP from around local districts necks. The veiled opportunity for states to take back more control over their educational direction through the filing of a request for flexibility came to the rescue. It appears however, that at the core of all of this pot stirring is the federal Race to the Top initiative. Race to the Top drove the apparent need and rush to judgment on Common Core State Standards regardless of the public relations campaign stating otherwise. This hasty judgment appears to be the federal government tying curriculum reform to the money grab known as Race to the Top, in order to get your nickel you had to hurry and sign up for a national curriculum. All the while it being advertised as a "state led initiative by local governors" when the

reality, if you did not play the CCSS game you were not in line to get a Race to the Top grant. Like lemmings running towards the cliff at least 48 states ran and ran. Now, at least 5 of those states have put the breaks on the sprint before they go over the curriculum and assessment cliff. I for one think that Oklahoma should quickly come to a similar conclusion, but I doubt they will. I would be in favor of legislation to review and repeal our state involvement in CCSS.

The application for flexibility states that "the reforms outlined in this ESEA Flexibility Request have widespread support of a variety of stakeholders, meaning that the reforms are likely to be implemented with fidelity and fervor across the state". I take exception to that statement, especially as it relates to CCSS, there was no mention to state educational personnel and certainly no public comment period about its adoption until we were "informed" it had been adopted by the Governor and signed into regulation. The statement "Oklahoma districts have embraced the CCSS and are transitioning by developing their own curricula in line with the standards" is a stretch of the truth for sure. School districts were "informed" in July 2010 that CCSS was the new "marching" direction without any input. That the needed transition plans to move in that direction, would be required and reviewed on an already established time line. I can only assume that TLE has been given birth under similar circumstances, the "if you don't know what is really good for you then we will show you and you WILL like it" approach.

CCSS might have the appeal of leveling expectations between states but "when you pick up one end of that stick you also pick up the other end" which is an over emphasis on reading and math and the exception of other disciplines and new assessment protocols which will be too expensive to afford and take years to translate down the educational ladder to 3rd graders. I have a difficult time believing that all prospective employment opportunities will require such higher ordered thinking skills as we are being led to believe. Some where in all of this discussion, Blooms' Taxonomy must meet Maslow's Hierarchy of Needs for lunch, and determine how our hope of creation or synthesis through self actualization will be met, if the most basic of needs are not addressed first in the lives of an ever growing number of our students. As a 15 year old student I recently had in my office put it, "it is hopeless because my brain does not work right to remember all this stuff". She is not going to college but I think her desire to work as a CNA could be realized, but not under this plan.

I don't discount the need to establish educational goals and work towards them in unity, but all the verbiage portrayed in this flexibility request is going to miss the mark for many who are in need and will drive the drop out rate even higher instead of its intended lofty goal. I do not see any reduction in speed as this reform train heads again into uncharted terrain, missing a few boxcars as well. So can we pause long enough to review the landscape? No. Rather than engineer, whoever that might be, and has never traveled this way before, calls for full steam ahead. Get out the ladder and paint the wall 2020 and start climbing again to a most uncertain educational future.

Sincerely,
Gerald Roberts



Kerri White <kerri.white@sde.ok.gov>

Fwd: PTA Response to ESEA Flexibility Request

Chris Caram <chris_caram@sde.state.ok.us>

Fri, Nov 11, 2011 at 10:46 PM

To: kerri.white@sde.ok.gov, Kerri White <Kerri_White@sde.state.ok.us>

Dr. Caram,

Oklahoma PTA is happy to respond with comments to the ESEA Flexibility Request, First Draft.

Consultation, 2. (pg 9 -10)

The application specifically asks how the SEA has engaged diverse stakeholders - including parents. There is little to no mention of parents in the SEA's response, and no mention of state parent organizations (PTA or others) as ongoing collaborative partners in development or implementation.

Addressing the Focus Groups and Advisory Committee, page 9, pp.1, the application states: "The listening tour site visits are intensive and focused on in-depth engagement with teachers, administrators, students, and parents."

However, on Sept 16th, the video message of the state superintendent stated,

"Over the past several weeks, I've launched a listening tour across the state to sit down with teachers (*italics ours*). I've already been from one end of the state to the other, having visited Adair County, Lawton and Osage County, with more visits planned. Though I'm always engaged in listening to educators and parents, this is another chance for me to ensure I'm hearing the full spectrum of views -- from anxieties to aspirations."

While Oklahoma PTA appreciates the time listening to teachers, we would expect focused discussions for parents as well.

Community Engagement Forum, October 2011:

Only 5 parents were involved in the Community Engagement Forum on the ESEA Flexibility Request. We are concerned if this is the only community engagement effort on this subject whether a true picture of parent concerns and suggestions was gathered.

Oklahoma C3 plan (pg 11-12)

There is virtually no mention of increasing sustainable family engagement in the state's reform plans (neither increasing parent involvement in

student learning nor in the reform implementation process).

PTA invites the SEA to partner with PTA moving forward.

Also, while we appreciate the email to our office regarding input on the proposal, we do not believe simply asking for public comment over a 4-day turnaround period (and on a holiday weekend) is sufficient engagement of the state's parent community.

Thank you for considering our comments.

Humbly Yours,
Anna King
OKPTA President

"Our children need our presence, not our presents." ~ Martin Luther King Jr.~



Kerri White <kerri.white@sde.ok.gov>

Mid-Del Comments on ESEA Waivers and TLE

Kathy Dunn <Kdunn@mid-del.net>

Mon, Nov 14, 2011 at 8:22 AM

To: kerri.white@sde.ok.gov, Chris Caram <chris_caram@sde.state.ok.us>

Cc: Kerri White <Kerri_White@sde.state.ok.us>

The Mid-Del Teaching & Learning Team has reviewed the proposed ESEA Waivers, and we believe the waivers would allow the flexibility that our teachers and administrators need in order to feel positive about moving forward with Common Core curriculum and instructional strategies.

I presented separate comments to Alicia Currin-Moore on the Teacher Leader Effectiveness proposals. I will also forward those to you.

Thank you for the opportunity to provide input on these issues that will shape the future of education in Oklahoma.

Kathy Dunn
Executive Director of Teaching & Learning
 [\(405\) 737-4461 x1225](tel:(405)737-4461)
Mid-Del Schools
[Image]



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14K



Kerri White <kerri.white@sde.ok.gov>

TLE Commission Preliminary Recommendations

Kathy Dunn <Kdunn@mid-del.net>

Thu, Nov 10, 2011 at 6:07 PM

To: "Alicia_Currin-Moore@sde.state.ok.us" <Alicia_Currin-Moore@sde.state.ok.us>

Alicia,

After much thought about which Teacher Leader Effectiveness Framework would make the greatest impact on Teaching and Learning in my district, I have come full circle on my preference! I first thought the Tulsa model would be good because it was the least amount of change, and thus would be easier to "sell" to anyone who is reluctant about change. I even sent Comments on TLE earlier that leaned in favor of the Tulsa model.

After studying Robert Marzano's *The Art and Science of Teaching*, I now see the impact his framework could make on instruction, and THAT (improved instruction) is what will make a difference for our students in Mid-Del. We have caring teachers who prepare and teach well, but many do not employ a framework to design their instructional lessons and to organize their instructional strategies. That is the strength of Marzano's Framework! To further benefit and add to the professional development of educators using the protocol, Marzano's online observation tool contains video clips that relate directly to elements/ indicators in the observation protocol. So when I identify an area that needs to be strengthened in a teacher's toolkit of procedures and strategies, I can simply click to direct the teacher to a master teacher modeling that particular strategy.

In Marzano's work, teaching<learning<evaluation of teaching and learning - - all is blended together with common language. It blends perfectly with the style of instruction required to teach Common Core effectively. Finally professional development would be directly tied to research and to the evaluation, and everyone would have a clear path and a purpose leading to improvement as we hone our skills as educators.

In my 35 years as an educator, these are the most exciting times I've experienced! We have such an opportunity to truly impact the way teachers teach, and the way students learn! In Mid-Del, we are bringing Phil Warrick, from the Marzano Research group, to guide our principals in professional development using the framework *The Art and Science of Teaching*. I would invite any of the Commission members or State Department staff who would like to hear more and see the training unfold to join us in Mid-Del on November 30 during Dr. Warrick's presentation.

Please share my thoughts with the TLE Commission and any others at the State Department who might want to hear my thoughts.

Thank you!

Kathy Dunn

Executive Director of Teaching & Learning

[\(405\) 737-4461 x1225](tel:4057374461x1225)

Kdunn@mid-del.net

Mid-Del Schools



From: Kerri White <kerri.white@SDE.OK.GOV>
Reply-To: "Ashley.Hahn@sde.ok.gov" <Ashley.Hahn@sde.ok.gov>
Date: Wed, 9 Nov 2011 10:23:58 -0600
To: <REACH@LISTSERV.SDE.STATE.OK.US>
Subject: Fwd: TLE Commission Preliminary Recommendations

Alicia_Currin-Moore@sde.state.ok.u

 **TLE 11-7-11 Recommendations.docx**
14K



Kerri White <kerri.white@sde.ok.gov>

Fwd: Comments

Chris Caram <chris_caram@sde.state.ok.us>

Mon, Nov 14, 2011 at 8:02 AM

To: kerri.white@sde.ok.gov, Kerri White <Kerri_White@sde.state.ok.us>

Chris A. Caram, Ph.D.
Deputy State Superintendent of Academic Affairs
Oklahoma State Department of Education
2500 N. Lincoln Blvd.
Oklahoma City, OK 73105
[\(405\) 521-3332](tel:(405)521-3332)

----- Original Message -----

Chris,

I was able to spend about 10-15 minutes perusing this document. It is well put together. I especially like the key points. The document does a nice job of assimilating all initiatives, requirements etc. into one neatly, aligned document. Thanks for the opportunity to comment.

Andrea Rains



Kerri White <kerri.white@sde.ok.gov>

Fwd: RE: ESEA Flexibility - Public Comment

Kerri White <kerri.white@sde.ok.gov>

Mon, Nov 14, 2011 at 10:07 AM

To: Kerri White <kerri.white@sde.ok.gov>

From: **Gloria Bayouth** Gloria_Bayouth@sde.state.ok.us

----- Original Message -----

Gloria,
Good Morning!
Attached please find comments regarding the draft waiver.
Thank you,
Tracy

Tracy Bayles
Executive Director of Federal Programs and Special Projects
Tulsa Public Schools
[918.746.6577](tel:918.746.6577) Office

"Excellence and High Expectations with a Commitment to All"



OK ESEA Waiver Comments 11-11-11.pdf
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OKLAHOMA'S ESEA FLEXIBILITY REQUEST- DRAFT

Comments 11-11-11

HIGHLIGHTS

- Intentional inclusion of subgroups
- Focus on College, Career and Citizen Readiness
- TLE Focus
- Reduction of minimum subgroup size from 30 to 25
- Inclusion of individual student growth measures in the new AMOs
- School Choice required set-aside of 5% from 10%
- SES required set-aside removed

CONCERNS

- Limited amount of time for review and public comment for DRAFT
- Lack of definition of “theoretical, geographically-unbound group of schools” and restriction of additional Title I funds

“LEAs that are unable to demonstrate capacity and ability to facilitate improvement will relinquish control of all aspects of a Priority School’s operations that directly or indirectly relate to student achievement to the SEA to be included in a theoretical, geographically-unbound group of schools, known as the C₃ Schools (C3S). The State Board of Education and the State Superintendent of Public Instruction will assume control of the operations and management for schools in the C3S as they directly or indirectly relate to student achievement. Funding for these schools will come from the state and federal revenues that would have been allocated to the school through the LEA to ensure that funding follows the students being served. In addition, the State Board of Education may choose to reserve a percentage, not to exceed 20%, of the LEA’s Title I, Part A allocation to allow the SEA to implement the Turnaround Principles in C3S Priority Schools in the LEA.”

*Concern: The waiver states that the LEA must reserve up to 20% of Title I, Part A allocation for Focus Schools (pg. 54). In the paragraph above, from page 46 of the waiver, the state may reserve an additional 20% of the same funds if the LEA has at least one C3S Priority School. Therefore, the LEA could have up to **40%** of the **district** allocation restricted by a minimal number of schools.*

- Title I 1003(a) School Improvement funds not addressed

Question: Does this waiver apply to Title I 1003(a) fun

Concern: Lack of clarification

- Conflicting Information Presented:
 - Pg.46-“the LEA must commit to implementing the Turnaround Principles in the 2012-2013 school year, and for at least the following two school years, for each Priority School in the LEA. The SEA will support LEAs that are able to demonstrate this capacity as they implement the Turnaround Principles.”

Assumption: LEA has three years to “turn around” a Priority School.

- Pg.46-“LEAs that are unable to demonstrate capacity and ability to facilitate improvement will relinquish control of all aspects of a Priority School’s operations that directly or indirectly relate to student achievement to the SEA to be included in a theoretical, geographically-unbound group of schools, known as the C3 Schools (C3S).

Assumption: LEA will relinquish control after the third year of failing to “turn around” a Priority School.

- Pg. 48-“If at any point the State Board of Education determines that a Priority School cannot make improvement or should not be allowed to continue serving students, the LEA may voluntarily surrender the school to the C3S for a period of three years, or the State Board of Education may choose to close the school and reassign students, without prior notice, to higher performing schools in:
 - the LEA,
 - another LEA that does not operate any Priority or Focus Schools, or
 - the C3S

*Assumption: The LEA will **not** have the three years to implement Turnaround Principles as described on page 46.*

- The timeline (pg. 49) states that “**No later than March 1, 2012**...[the SEA will] contract with an EMO or appoint C3S leadership [where] **reserved funds** will be used to pay for the services of the EMO.”

Question: What is the source of the “reserved funds”?

Concern: If “reserved funds” are defined as Title IA funds, LEAs have already reserved and expended funds as required by current ESEA guidelines.

*Conflict/Concern: Based on the timeline, LEAs will **not** have the three years as outlined on pg. 46.*

Attachment 3: Notice and Information Provided to the Public Regarding the Request

Attachment 3A: Invitation to the Community Engagement Forum

Attachment 3B: Community Engagement Forum Agenda

Attachment 3C: Notice to the Public – Screenshot of Web posting

Oklahoma State Department of Education



Community Engagement Forum: Oklahoma's ESEA Flexibility Request

Friday, October 28, 2011

9:00 a.m. – 11:00 a.m. (Registration begins at 8:30)

REAC³H Network Districts are invited to send a team of up to three people to engage in discussion about the development of the State's ESEA Flexibility Request, focusing on (1) college- and career-ready expectations for all students; (2) a differentiated recognition, accountability, and support system; and (3) supporting effective instruction and leadership.

One team member should be a teacher or teachers' representative. One or two members should be students; parents; or representatives from community-based organizations, civil rights organizations, organizations representing students with disabilities and English Learners, business organizations, Indian tribes, or similar community members.

On-Site Registration Only

For questions, please call (405) 521-4514.

Concourse Auditorium, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma

Oklahoma State Department of Education



Community Engagement Forum: Oklahoma's ESEA Flexibility Request

Friday, October 28, 2011

9:00 a.m. – 11:00 a.m. (Registration begins at 8:30)

You are invited to engage in discussion about the development of the State's ESEA Flexibility Request, focusing on (1) college- and career-ready expectations for all students; (2) a differentiated recognition, accountability, and support system; and (3) supporting effective instruction and leadership.

Who Should Attend: Teachers or teachers' representatives; students; parents; or representatives from community-based organizations, civil rights organizations, organizations representing students with disabilities and English Learners, business organizations, Indian tribes, or similar community members.

On-Site Registration Only

For questions, please call (405) 521-4514.

Concourse Auditorium, Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma

Oklahoma State Department of Education
2500 North Lincoln Boulevard
Oklahoma City, Oklahoma 73105 – 4599

**ESEA FLEXIBILITY
COMMUNITY ENGAGEMENT FORUM**

October 28, 2011
9:00 a.m. – 11:00 a.m.
(Registration begins at 8:30 a.m.)

Purpose

To ensure that teachers, parents, students, and community members are given ample opportunity to provide collaborative input regarding Oklahoma's *ESEA Flexibility Request*.

Goals of ESEA Flexibility Community Engagement Forum

- **Goal One: To provide an overview and receive input on Oklahoma's vision for a new Differentiated Accountability, Recognition, and Support System.**
- **Goal Two: To discuss the community-school relationships that result in student readiness for college, careers, and citizenship.**
- **Goal Three: To discuss the needs and resources of communities related to school accountability and support.**

Agenda

Purpose and Overview of <i>ESEA Flexibility</i>	9:00-9:25
Discussion Topic #1: College, Career, and Citizen-Readiness	9:25-9:40
Discussion Topic #2: Areas of School Accountability	9:40-9:55
Discussion Topic #3: Recognitions for Excellent Schools	9:55-10:10
Discussion Topic #4: Supports and Interventions for Unsuccessful Schools	10:10-10:25
Other Topics of Discussion as Suggested by Forum Participants	10:25-10:50
Questions and Answers	10:50-11:00

ATTACHMENT 3C: SCREENSHOT OF WEB POSTING

<http://www.sde.state.ok.us>



OKLAHOMA STATE DEPARTMENT OF EDUCATION

Janet Barresi, State Superintendent of Public Instruction

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The Oklahoma State Department of Education will be closed on Friday, November 11, 2011 in observance of Veterans Day.

Quick Links	Recent Photos		
Curriculum <ul style="list-style-type: none"> • PASS: Implemented State Curriculum • Common Core State Standards • REACTM (Regional Educators Advancing College, Career, and Citizen-Readiness Higher) Network Facts <ul style="list-style-type: none"> • Investing in Oklahoma (pdf) • Data and Research Information Funding <ul style="list-style-type: none"> • 2008-09 Annual Report • 2012 State Aid Allocations • ARRA Stimulus Funding • District Consolidated Application • District Financial Reports, Expenditures/Revenues (OCAS) • FY12 Approved School Activities Budget (pdf) • FY12 Cash Management Application - District & County • FY11 Total FBA Funding Adjustment Report • Mid-term State Funding Adjustment Notices (January 10) • School District Transparency Act Notice <ul style="list-style-type: none"> • ESEA Flexibility Waiver Request Graduation <ul style="list-style-type: none"> • ACE Opportunities <ul style="list-style-type: none"> • Jobs Available in Education • Grants & Opportunities for Educators and Students Recognitions <ul style="list-style-type: none"> • 21st Century Community Learning Centers Grant Recipients (Round 10) • Teacher of the Year - Kristin Shelby • Teacher of the Year Finalists • Milken Educator - Sarah Vann Resources <ul style="list-style-type: none"> • Dropout Prevention • Earthquake Safety - OK Dept. of Emergency Management • Immunization Schedule • New School Board Member Workshop • Instructional Technology Ning - Calendar of FREE Professional Development • Teacher Certification Testing - Accountability & Assessment <ul style="list-style-type: none"> • Oklahoma Student Testing Dates 	<div style="display: flex; justify-content: space-around; text-align: center;">      </div> <div style="display: flex; justify-content: space-around; text-align: center;">  <div> <p>Get to know State Superintendent Janet Barresi! Biography, duties, boards and commissions, and more. View Speech Request View Newspaper Message: From the Superintendent's Desk View Follow the State Superintendent!</p> <div style="display: flex; justify-content: space-around;"> <div>  Facebook </div> <div>  Twitter </div> <div>  Flickr </div> </div> <div style="display: flex; justify-content: space-around;"> <div>  Vimeo </div> <div>  YouTube </div> <div>  Radio </div> </div> </div> </div>		
Video Message from the State Superintendent			
 <p>Regular video message for 11-7-2011</p>			
<div style="display: flex;">  <div> <p>Oklahoma School Laws and Legislation Title 70 Legislation - 2011 Legislative Session (updated 6/14/2011) Oklahoma Administrative Rules Law Book for Oklahoma Schools (download or search) Current Legislation (House and Senate Bills) Red Banner Letters Teacher and Leader Effectiveness Commission</p> </div> </div>			
In the News			
<p>November 7: State Supt. Janet Barresi to Welcome Attendees At Safe and Healthy Schools Conference (pdf)</p> <p>November 1: State Supt. Janet Barresi Says NAEP Scores Show Need for Reform (pdf)</p> <p>November 1: State Supt. Janet Barresi releases School API Scores (pdf)</p> <p>October 31: Owasso Eighth-Grade Science Teacher Wins \$25,000 Milken Award (pdf)</p> <p>October 27: Governor and State Superintendent Congratulate State AP Scholars (pdf)</p> <p>October 27: State Supt. Janet Barresi Releases Districts And Schools on Needs Improvement List (pdf)</p> <p>October 26: Oklahoma Child, Adult Care Institutions Announce Participation in Federally Funded Feeding Program (pdf)</p> <p>October 13: State Supt. Janet Barresi Welcomes New Director of American Indian Education (pdf)</p> <p>October 12: Education Department Lauds Norman Public Schools' French Immersion Program (pdf)</p> <p>October 11: State Supt. Janet Barresi Welcomes New Deputy Superintendent (pdf)</p> <p>October 10: State Supt. Janet Barresi to Speak at National Education Reform Summit (pdf)</p>			

ATTACHMENT 3C: SCREENSHOT OF WEB POSTING

<http://www.sde.state.ok.us/Programs/ESEA/Default.html>

Firefox File Edit View History Bookmarks Tools Window Help

ESEA Flexibility Request

www.sde.state.ok.us/Programs/ESEA/Default.html

Google

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home site index search

OKLAHOMA STATE DEPARTMENT OF EDUCATION
Janet Barresi, State Superintendent of Public Instruction

ESEA Flexibility Request

Oklahoma's ESEA (Education and Secondary Education Act) Flexibility Request: Community Engagement Forum

On Friday, October 28, 2011, Oklahoma School Districts sent teams of up to three people to engage in discussion about the development of the State's ESEA Flexibility Request, focusing on (1) college- and career-ready expectations for all students; (2) a differentiated recognition, accountability, and support system; and (3) supporting effective instruction and leadership.

Team members included:
one teacher or teachers' representative
one or two students
parents
or representatives from community-based organizations, civil rights organizations, organizations representing students with disabilities and English Learners, business organizations, Indian tribes, or similar community members.

NOTE: All documents on this page are listed in pdf format.

The comments recorded and survey results collected at the forum are linked on this page.

Oklahoma's ESEA Flexibility Request

[FIRST DRAFT](#)
[For Public Comment](#)
As of November 7, 2011

ESEA Flexibility Community Engagement Forum
Friday, October 28, 2011

[Comments from Audience](#) | [Survey Results - Reported as Written](#)

For more information, please contact [Dr. Chris Caram](#), Deputy Superintendent, Oklahoma State Department of Education, at (405) 521-8767.

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

Attachment 4B: Oklahoma Administrative Code – 210:35-3-61

Attachment 4C: Letter of Approval from former Governor Henry

Attachment 4D: Implementation Timeline



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

June 24, 2010

STATE BOARD OF EDUCATION

Index to Minutes

Thursday, June 24, 2010

1. Call to Order and Roll Call..... 2
2. Pledge of Allegiance, Oklahoma Flag
Salute, and Moment of Silence..... 2
3. May 27, 2010, Regular Board Meeting Minutes **Approved** 2

STATE SUPERINTENDENT

4. **INFORMATION TO THE BOARD**..... 2
5. Star Employee for the Month of June..... 2
6. **CONSENT DOCKET Approved**..... 3

FINANCIAL SERVICES DIVISION

7. Waive Class-size Penalties for the 2009-2010 School Year **Approved**..... 3

LEGAL SERVICES DIVISION

8. Revocation of Teaching Certificate and Teacher Number of James Leroy
Ellis, Jr. **Approved**..... 3
9. Revocation of Teaching Certificate and Teacher Number of James Sterling
Gilbertson **Approved**..... 4
10. Revocation of Teaching Certificate and Teacher Number of Dale Swank
Approved..... 4
11. Emergency Rule Adoption **Approved**..... 4
12. Mandatory Annexation of Bell Public School District C033, Adair County
Approved..... 5

PROFESSIONAL SERVICES DIVISION

13. Exceptions to Teacher Certification Regulations **Approved**..... 6

LEGAL SERVICES DIVISION

14.	Nonaccreditation of Watson Public Schools District C056, McCurtain County Approved	6
15.	Mandatory Annexation of Watson Public School District C056, McCurtain County Approved	7

SCHOOL IMPROVEMENT DIVISION

Office of Innovation, Support, and Alternative Education

16.	21 st Century Community Learning Centers Grant Awardees Approved	8
-----	--	---

Office of Standards and Curriculum

17.	Supplemental Education Services Providers (NCLB) Approved	8
-----	--	---

Office of Innovation, Support, and Alternative Education

18.	Report on Gifted and Talented Education for the 2009-2010 School Year....	8
19.	FIRST YEAR SUPERINTENDENTS	9

PROFESSIONAL SERVICES DIVISION

20.	Recommendation from the Teacher Competency Review Panel Approved ..	9
21.	Report on Alternative Placement Certification and Troops to Teachers.....	9
22.	Professional Standards Production Report.....	9
23.	LEGISLATIVE UPDATE	9
24.	INFORMATION TO THE BOARD	9
25.	ADJOURNMENT	10
26.	ATTACHMENT	11


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Minutes of the Meeting of
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. Arnn, 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

Minutes of the Meeting of
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

Index to Minutes

Thursday, March 24, 2011

1.	Call to Order and Roll Call.....	2
2.	Pledge of Allegiance, Oklahoma Flag Salute, and Moment of Silence.....	2
3.	February 24, 2011 Regular Board Meeting Minutes Approved	2
4.	March 17, 2011, Special Board Meeting Minutes Approved	7

STATE SUPERINTENDENT

5.	First-Year Superintendents	7
6.	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.....	7
7.	Report on Department Activities.....	7
8.	CONSENT DOCKET Approved	8

LEGAL SERVICES DIVISION

9.	Permanent Rules Adoption in Title 210 Approved	9
10.	Revocation of Teaching Certificate and Teacher Number of John Charles Gisler Approved	14
11.	Revocation of Teaching Certificate and Teacher Number of Billy Ray Smith Approved	14
12.	Update on Western Heights Independent School District No I-41 of Oklahoma County v. The State of Oklahoma ex rel. Oklahoma State Board of Education and Sandy Garrett, State Superintendent of Public Instruction for the State of Oklahoma, Case No. 106,696	14
13.	Severance Pay Larry Nettles, Former Employee of Bell Public School, Adair County Approved	15

ACCREDITATION/STANDARDS DIVISION

14.	Update on White Oak Public School.....	15
15.	Non-accreditation of Boynton-Moton Public School District I004, Muskogee County for the 2011-2012 school year Approved	18

LEGAL SERVICES DIVISION

16.	Interview Applicants for Position of General Counsel	22
	Convene into Executive Session Approved	22
	Return to Open Session Approved	22

PROFESSIONAL SERVICES DIVISION

17.	Oklahoma Parents as Teachers (OPAT) Annual Program Evaluation Approved	23
-----	--	----

FINANCIAL SERVICES DIVISION

18.	Additional Payments to the Teachers' Retirement System for the Teachers' Retirement Credit Approved	23
-----	---	----

FINANCIAL SERVICES DIVISION

19	Financial Update.....	25
20.	REPORTS	26
21.	ADJOURNMENT.....	26
22.	ATTACHMENT.....	28

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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.

Minutes of the Meeting of
State Board of Education
March 24, 2011

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.

Minutes of the Meeting of
State Board of Education
March 24, 2011

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?

Minutes of the Meeting of
State Board of Education
March 24, 2011

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?

Minutes of the Meeting of
State Board of Education
March 24, 2011

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?

Minutes of the Meeting of
State Board of Education
March 24, 2011

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

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.

Minutes of the Meeting of
State Board of Education
March 24, 2011

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

Minutes of the Meeting of
State Board of Education
March 24, 2011

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

Minutes of the Meeting of
State Board of Education
March 24, 2011

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.

Minutes of the Meeting of
State Board of Education
March 24, 2011

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

Minutes of the Meeting of
State Board of Education
March 24, 2011

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

Minutes of the Meeting of
State Board of Education
March 24, 2011

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.

Minutes of the Meeting of
State Board of Education
March 24, 2011

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.

Minutes of the Meeting of
State Board of Education
March 24, 2011

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. Arnn, 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. Arnn, 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.

Minutes of the Meeting of
State Board of Education
March 24, 2011

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

Minutes of the Meeting of
State Board of Education
March 24, 2011

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.

Minutes of the Meeting of
State Board of Education
March 24, 2011

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

Sign In Sheet

State Board Room
Oliver Hodge Bldg.
2500 North Lincoln Blvd.
Oklahoma City, Oklahoma

MARCH 24, 2011

Sign In Sheet

[illegible]

Janet Barresi
State Superintendent of Public Instruction
State Department of Education

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



Janet Barresi
State Superintendent of Public Instruction
State Department of Education

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

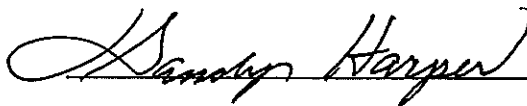
Gaylene Freeman
Olustee Public Schools

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

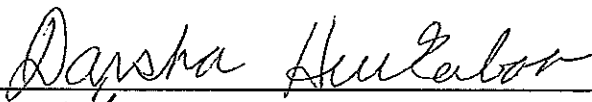
Lewetta Hefley
Felt Public Schools

Leon Hiett
Depew Public Schools

Bryan Hix
Lowrey Public School

Lyndon Howze
Albion Public School

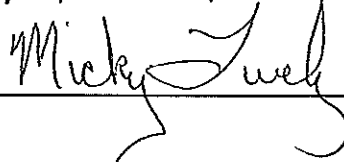
Darsha Huckabaa
Pauls Valley Public Schools



Karen LaRosa
Monroe Public School



Micky Lively
Mangum Public Schools

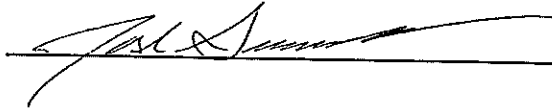


Jason Lockhart
Talihina Public Schools

Janet Barresi
State Superintendent of Public Instruction
State Department of Education

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

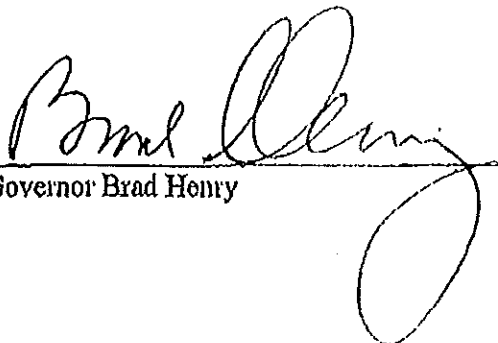
**NOTIFICATION FROM GOVERNOR BRAD HENRY
REGARDING SUBMITTED AGENCY RULES**

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:

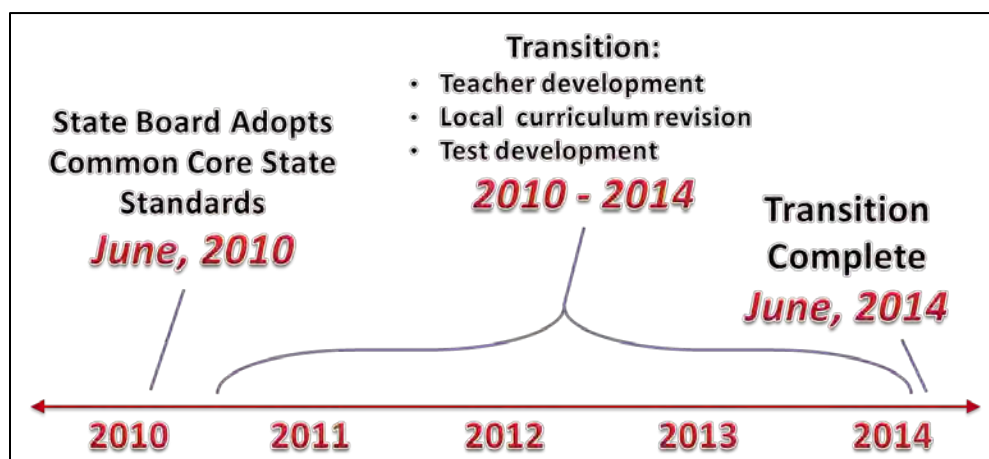
210:15-4
210:15-4-1
210:15-4-2
210:15-4-3


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

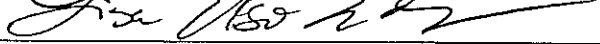
By: _____

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