



JOY HOFMEISTER

STATE SUPERINTENDENT *of* PUBLIC INSTRUCTION
OKLAHOMA STATE DEPARTMENT *of* EDUCATION

MEMORANDUM

TO: Joy Hofmeister, State Superintendent and Chair
State Board of Education

FROM: David L. Kinney, General Counsel
State Department of Education 

DATE: February 25, 2016

SUBJECT: Grant-Goodland Dependent School District No. C-3

Oklahoma statutes provide the State Board of Education jurisdiction to intervene with elementary school districts, as follows:

A. Whenever the State Board of Education determines that an elementary school district, as defined in Section 5-103 of Title 70 of the Oklahoma Statutes, has failed to meet financial requirements for school districts or accreditation standards which negatively affects education or could result in the elementary school district not being able to operate for the remainder of the year, the Board may issue an administrative order placing the elementary school district under full state intervention. Prior to an order for full state intervention being issued by the Board, the State Department of Education shall notify the elementary school district that full state intervention is likely. The elementary school district shall have the opportunity to appear before the State Board of Education by filing a request within fifteen (15) days of receipt of the notice. At the meeting, the elementary school district administration, school patrons, and board of education members shall have an opportunity to provide information to the Board. The Board may issue an order calling for full state intervention which shall become effective immediately unless the order is stayed by a court of competent jurisdiction. The order shall be effective for not more than two (2) school years. The order may be extended upon review of the Board. Any appeal of the order shall be made to the district court of the county in which the elementary school district is located.

B. Full state intervention by the State Board of Education may include:

1. Developing and imposing a corrective action plan for the elementary school district;
2. Appointing a superintendent to serve the elementary school district; and

3. Selection of a federally recognized Indian tribe within the State of Oklahoma to provide direct oversight of the elementary school district or to assume complete control of the elementary school district, provided the elementary school district is within the boundaries of the tribe's jurisdiction.

C. For purposes of the Governmental Tort Claims Act, the superintendent appointed by the state as provided for in subsection B of this section shall be considered a state officer.

70 O.S. § 1210.543.

By separate memo this date, I have presented the recent audit of Grant-Goodland school and financial irregularities that have been discovered. Withholding state aid to Grant-Goodland will cause them to fail to meet financial requirement for a school district and would result in closure.

Grant-Goodland school has been an failing, low performing school for the last 3 years.

I recommend the Board set for hearing next month an administrative order placing the Grant-Goodland Dependent School District No. C-3 under full state intervention. I further recommend that the appropriate notices of such hearing be sent pursuant to 70 O.S. § 1210.543.