

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

June 24, 2021

The State Board of Education met in regular session at 9:30 a.m. on Thursday, June 24, 2021, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 9:25 a.m. on Wednesday, June 23, 2021.

The following were present:

Mr. Brad Clark, General Counsel
Ms. Terrie Cheadle, Chief Executive Secretary

Members of the State Board of Education present:

State Superintendent Joy Hofmeister, Chairperson of the Board
Mr. Brian Bobek, Oklahoma City
Mrs. Carlisha Williams Bradley, Tulsa
Mrs. Estela Hernandez, Oklahoma City
Mr. William "Bill" Flanagan, Claremore
Mrs. Jennifer Monies, Oklahoma City
Mr. Trent Smith, Yukon

**CALL TO ORDER
AND
ROLL CALL**

State Superintendent Joy Hofmeister called the State Board of Education regular meeting to order at 9:30 a.m. and welcomed everyone to the meeting. Ms. Cheadle called the roll and ascertained there was a quorum.

FLAG SALUTE, AND MOMENT OF SILENCE

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

STATE SUPERINTENDENT

Recognition of Department Employee for the month of June

Superintendent Hofmeister recognized **Frances Clevenger**, Assistant Executive Director, Human Resources as the employee for the month of June.

Information from the State Superintendent

Superintendent Hofmeister provided updates on the annual summer professional development (PD) conference, 2021-EngageOK in the Cloud, held online June 21-23; OSDE staff presenting at the National Conference for Student Assessment (NCSA); Child Nutrition fraudulence in the Summer Food Service Program; National Assessment Educational Progress (NAEP) acknowledged Oklahoma ranked 2nd in the nation with high expectation for student academic proficiency for elementary-level reading; OSDE new initiative to offer no-cost early childhood literacy (K-3) program PD for 3 years and funds provided by the Elementary and Secondary School Emergency Relief (ESSER) fund utilized in the ‘Ready Together Oklahoma Plan’ initiative, and \$35 million ESSER funds utilized for the Oklahoma School Counselor Corps grant initiative; Oklahoma ranked 7th nationwide for Social Studies Standards in the Thomas B. Fordham Institute’s State of State Standards for Civics and U.S. History report.

Superintendent Hofmeister shared an ‘ELEVATE’ video presentation highlighting Recreational Therapy helping young learners with behavioral and/or mental health needs, and a related IDEA for students with disabilities service.

BOARD-ADMINISTRATIVE

**May 17, 2021, special meeting minutes of
the State Board of Education – Approved**

Board member Hernandez moved to approve the minutes of the May 17, 2021, special meeting. Board member Monies seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Ms. Williams Bradley, yes; Mr. Flanagan, yes; Ms. Monies, yes; Mr. Smith, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

**May 24, 2021, special meeting minutes of
the State Board of Education – Approved**

Board member Monies moved to approve the minutes of the May 24, 2021, special meeting. Board member Williams Bradley seconded the motion. The motion carried with

the following votes: Ms. Hernandez, yes; Ms. Williams Bradley, yes; Mr. Flanagan, yes; Ms. Monies, yes; Mr. Smith, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

**May 27, 2021, special meeting minutes of
the State Board of Education – Approved**

Board member Williams Bradley moved to approve the minutes of the May 27, 2021, special meeting. Board member Bobek seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Ms. Williams Bradley, yes; Mr. Flanagan, yes; Ms. Monies, yes; Mr. Smith, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

PUBLIC COMMENT

Individuals signed up for public comment included Nathan Estel, Vice President of Educator Certification for Pearson, addressed the Teacher Certification, Agenda item 11, and Amy Boone, parent, Western Heights School District, Agenda item 12. Sandra Kent, Executive Director, Oklahoma A+ Schools Institute signed up for a non-agenda public comment updating and information.

CONSENT DOCKET – Approved

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2019-2020 school year and other requests:

- (a) Request approval on exceptions to State Board of Education teacher certification regulations to permit issuance of emergency (provisional) certificates – **70 O.S. § 6-187**
- (b) Request state accreditation approval as a private school for **Solid Foundation Preparatory Academy, Tulsa, Oklahoma – OAC 210:35-33-1 and 70 O.S. §3-104(7)**
- (c) Request state accreditation approval as a private school for **Terra Verde Discovery School, Norman, Oklahoma – OAC 210:35-33-1 and 70 O.S. § 3-104(7)**

Board members discussed and asked questions regarding year-to-date 2020 certification report, waiver requests, emergency/provisional certificates, 2019-2020 school district comparisons; supply and demand report in July.

Board member Monies moved to approve Consent Docket. Board member Hernandez seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Ms. Williams Bradley, yes; Mr. Flanagan; Ms. Monies, yes; Mr. Smith, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

CURRICULUM and INSTRUCTION

**Reading Sufficiency Act screeners for students in
kindergarten through third grade – Approved**

Melissa Ahlgrim, Director of Reading Sufficiency, presented a request to approve screeners for students in kindergarten through third grade a required universal screening assessments component of the Reading Sufficiency Act (RSA).

Board members asked questions and discussed the screening instrument requirement presentation that included screening assessment to provide guidance for districts to choose a brief, valid and reliable evidence based assessment instrument; reliability and validity measures of all K-3 students during the beginning, middle and end of academic year; identifies students at-risk and non-at-risk of academic failure; RSA enacted 1997, 2018 assessment review of best products and seven(7) approved for districts, 2021 review of additional assessment options, review team representation, evaluation process, reading vendor RFI proposals, team recommendation of evidence-based criteria; testing needs, new assessments/requirements, growth, accomplishments since 1997, testing preparation and time frames; universal screeners address and assure students capable of broad skills, use of computer adaptive and one-on-one adaptive assessment tools; and dyslexia screeners attach to a RSA screener (universal screener).

Board member Flanagan moved to approve the Reading Sufficiency screener request. Board member Bobek seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Ms. Williams Bradley, yes; Mr. Flanagan; Ms. Monies, yes; Mr. Smith, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

SPECIAL EDUCATION SERVICES

Dyslexia Screening Assessments for students in kindergarten through third grade - Approved

Michele DeBerry, Special Education Services Program Specialist, presented the request for Dyslexia Screeners instruments for students in kindergarten through third grade for the 2022-2023 school year.

Board members asked questions and discussed the, SBE July 1, 2021 legislative deadline requirements, 2021 RFI dyslexia screener service suppliers, review team recruits of expert reading and dyslexia educator; assessing student grade level targets and reading, dyslexia screening assessed if targets are not met but does not diagnose dyslexia; at risk and grade level learning goals measured strengths and weaknesses; family participation and intervention; House Bill 2804, 2020, student target requirements and screening assessments, school administration/management requirements; review team identified screening instrument components, recommendations of evidence based research criteria, reliable and valid measures.

Board member Bobek moved to approve Dyslexia Screener request. Board member Monies seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Ms. Williams Bradley, yes; Mr. Flanagan; Ms. Monies, yes; Mr. Smith, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

FEDERAL PROGRAMS & FINANCE

Oklahoma Advisory Council Indian Education Annual Report

Jackie White, Executive Director, Indian Education, reported Oklahoma currently has 39 tribes, 38 are recognized by Oklahoma, Native American Students are self-identified and receive federal education funding.

Ms. White said the Oklahoma Advisory Council on Indian Education (OACIE) reports to improve, encourage, identify, analyze making Indian education a high focus in the state of Oklahoma, and recommendations to the OSDE included Oklahoma American

Indian Student count, Title VI education funding/eligibility/availability; updates to the Tribal Consultation Guide and Office of American Indian Education-OSDE website, tribal input; Circles of Reflections National Center AI/AN Education project grant, state participants and collaborations; October 7, 2021 Federal Summit; House Bill 1104 assist tribes/schools to obtain student citizenship, new Native Language and education sites; National Indian Education Study/results, state tribal gaming contributions to 1017 fund.

(Superintendent Hofmeister recessed at 11:04 a.m. reconvened at 11:20 a.m.);
(Board member Hernandez left the meeting at 11:17 a.m.)

GOVERNMENT AFFAIRS

FY2022 Education Budget

Carolyn Thompson, Chief of Government Affairs/Deputy Chief of Staff, presented the 2021 legislated line-item education budget for FY2022 included the general appropriation of \$3.1 billion (increased by \$170 million) and 5.5% increase to common education budget and largest education budget in state history.

Board members asked questions and discussed Ms. Thompson's review and presentation of House Bill 2900-line item dictates, funding formula/increase, class size limits/audits, kindergarten and first grade requirements; Support of Public School Activities, Flexible Benefit Allowance, Text Book increase, School Consolidation Assistance Fund, Teacher Retirement System (TRS) Dedication Fund, OSDE budget; revenue streams, Education Reform Revolving 1017 Fund/expiring, 2020 apportionment measures, Oklahoma Lottery Fund, Mineral Leasing Funds; House Bill 2894 TRS temporary appropriation, House Bill 2893 TRS reverse insurance premium apportionment, House Bill 2895 appropriation reverse to receive ROAD Funds-reversing 1017 Fund; Medical Marijuana Excise Tax Fund, Common Education Technology Fund, Lottery Trust Fund; and line item overview included per student allocation increase, fund use/flexibility; lower flexibility benefit health insurance premium, small increase support of student and teachers programs, funds restored or increased to Reading Sufficiency Act (RSA), Oklahoma Arts Institute, Teacher Induction Program, Teacher Leader and Leader effectiveness Programs, State Assessments/Testing, Teacher Retirement Credit, Psychologist, Speech Pathologist and Audiologist bonus; funds maintained or decreased to Sooner Start, Early Childhood Initiative, School Lunch Match, AP Teacher Training/Test Fee Assistance, AG in the Classroom, Secure Schools Programs, Teach for America and National Board Certified Teacher Bonus.

STATE BOARD OF EDUCATION OFFICE

Report, update and discussion on Sovereign Community School, including the school's 5-year financial plan, leadership and governance, student enrollment, liabilities and assets, measurements of operation progress from the April 9 and April 22, 2021, State Board of Education meetings

Sovereign Community School (SCS) representatives Kyla Molina, Interim School Board President, and Stacie Thrasher, (former Interim Superintendent), Director of Operations, introduced new superintendent, Dr. Donald L. (Dusty) Delso.

Board members asked questions and discussed Dr. Delso's presentation overview that included school staff for the 2021-2022 school year; state required curriculum and

Indigenous curriculum for grades 5 through 12; currently 5th-6th and 7th-8th grades are combined, 9 through 11th same curriculum format, 12th grade additional required math and same sciences format; June budget revenue, expense, carryover, payroll; school schedule, student enrollment/recruitment; fall 2021 projections, goals, employ foundational curriculum staff, report achievement scores and progress; meetings with Public School Resource Center, scheduled tribal meetings and funding assistance requests.

Board members recommended continued quarterly reporting.

**Resolve into Executive Session
pursuant to 25 O.S. §§ 307 (B) (4) and (7) for the
purpose of discussing possible action to issue an emergency order
summarily suspending the educator certificate (Superintendent, Prek-12)
and certificate number of Mannix Barnes pending an individual
proceeding for revocation or other action - 70 O.S. § 3-104;
75 O.S. § 314; OAC 210-1-5-6**

Executive Session

Board member Flanagan moved to convene into Executive Session at 12:22 p.m. Board member Bradley seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Ms. Williams Bradley, yes; Mr. Flanagan; Mr. Smith, yes; Ms. Monies, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

Return to Open Session

Board member Flanagan moved to return to Open Session at 1:33 p.m. Board member Williams Bradley seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Ms. Williams Bradley, yes; Mr. Flanagan, yes; Ms. Monies, yes; Mr. Smith, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

Superintendent Hofmeister said no decisions were made on the matters discussed in the Executive Session.

Board member Bobek moved to issue emergency orders summarily suspending the educator certificate (Superintendent, Prek-12) and certificate number of **Mannix Barnes** pending an individual proceeding for revocation or other action. Board member Monies seconded the motion. The motion carried with the following votes: Ms. Hernandez; Ms. Williams Bradley, yes; Mr. Flanagan; Ms. Monies, yes; Mr. Smith, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

**Update, report, discussion on the performance review and
accreditation status of Western Heights Independent School District,
including conditions and corrective actions, and possible action to
modify the conditions of the district's status of Accredited with
Probation, and possible action to provide notice of state intervention
and/or possible loss of accreditation and annexation – Approved**

Brad Clark, General Counsel, overviewed the April 9, 2021 State Board of Education terms of probation and updated timeline of events thereafter that included Western Heights and Mannix Barnes lawsuit vs. OSBE/OSDE/State Superintendent, Motion to Dismiss pleading filed, July 22 hearing; Overview of district's current student count and high absentee, school sites/demographics, audits/noncompliance and budget, student outcomes, academics, federal programs monitoring, emergency relief

funding/claims/distribution, personnel reductions, OSDE corrective actions and compliances; post-secondary gaps/opportunities; reported district culture, environment, retaliation patterns; 2019 bond proceeds violations, COVID-19 relief fund and CARES Act fund violations, unmet needs of underserved students; school leadership, Mannix Barnes Oklahoma and school district affiliations, school board resignation and 2019 hiring, parent and community complaints; school safety violations and evidence, child nutrition violations; OSBE 90-day probation status, course of correction, Western Height legal counsel and Mannix Barnes appear to OSBE, district continues employment, OSBE suspends certification, and OSDE stabilize and support district.

Mr. Clark said providing formal notice that the Western Heights School Superintendent, serving as the Chief Executive Officer of local school board, is responsible for demonstrating and maintaining professional competencies require certification and maintain certification by the State Board of Education, and provides leadership in all facets of administration of that school district. Based on the matters presented and acted on today the recommendations are as follows:

1. Immediate suspension today to immediately suspend Mr. Mannix Barnes and his certificate and implement procedures to revoke the certification of Maddox Barnes. The school board of education shall immediately suspend Mr. Barnes from his employment with the school district.

2. Should the Western Heights Board of Education not take immediate action on the conditions of probation and consistent with the actions of the State Board today, the State Board is ready, able, and willing to intervene. And provide confidence, security, stability, competence and continuity of the school district for the students, families, and the school district.

3. As noted on the agenda today, and the authority set forth that the State Board order to have the State Department of Education notify Western Heights School District that on July 12, the next scheduled meeting of the Board and after that July 8th, perhaps, that the State Board may consider modifying the conditions of probation. Those modifications can be the State's intervention, possible loss of accreditation and annexation that will result from that.

4. Should the local school board of Western Heights not implement immediate actions consistent with the State boards of education actions on Western Heights of March 25, 2021.

Board member Williams Bradley moved for the Oklahoma State Department of Education notify Western Heights Board of Education on today, July 12, 2021, that the State Board of Education may consider modifying the conditions of probation to include state intervention and/or possible loss of accreditation and annexation should the School Board not implement immediate corrective actions consistent with the State Board of Education actions today regarding Western Heights from March 25, 2021.

Board member Flanagan seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Ms. Williams Bradley, yes; Mr. Flanagan; Ms. Monies, yes; Mr. Smith, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

Board members concurred the authority and responsibility of the State Board of Education is to focus on students, protect their rights and civil rights and, their right to have a strong, well-rounded education with great people who want to be a part of that

community. Parents and community voices are encouraged, advocacy, engagement and reaching out to teachers are critical to transform systems to serve children.

Special Investigative Audit of Western Heights Independent School District for fiscal years 2019-20 to current and any other years deemed necessary for compliance with statutes, rules, policies and internal control procedures or other items applicable to Western Heights Independent School District - Approved

Board member Flanagan moved to approve the special investigative audit request. Board member Bobek seconded the motion. The motion carried with the following votes: Ms. Hernandez; yes; Ms. Williams Bradley, yes; Mr. Flanagan, yes; Ms. Monies, yes; Mr. Smith, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

ADJOURNMENT

Board member Williams Bradley moved to adjourn the meeting at 3:00 p.m. Board member Monies seconded the motion. Board members unanimously agreed.

The next regular meeting of the State Board of Education will be held on Thursday, July 12, 2021, at 9:30 a.m. The meeting will convene at the State Department of Education-State Board Room, 2500 North Lincoln Blvd., Oklahoma City, Oklahoma.

Joy Hofmeister, Chairperson of the Board

Terrie Cheadle, Chief Executive Secretary