



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

MEMORANDUM

TO: The Honorable Members of the State Board of Education

FROM: Joy Hofmeister

DATE: December 15, 2022

SUBJECT: Statutory Waiver Concerning Cooperative Agreements for Alternative Education Programs.

The following schools are requesting a statutory waiver of 70 O.S. § 1210.568, which requires them to enter into a cooperative agreement with another school district if enrollment in their alternative education program is less than ten (10) students. Approval is recommended.

County	District	Waiver Year (Total)
Okmulgee	Preston	1 of 1

* The number in the County category represents the Congressional District.
See the attached map.

ab

Attachments

Section 915. Alternative Education Programs - Statewide System.

A. Beginning with the first semester of the 1996-1997 school year, the State Board of Education shall implement a statewide system of alternative education programs which shall be phased-in within seven (7) years. The statewide system shall include but not be limited to Alternative Approaches grant programs, funded pursuant to Section 1210.561 of this title, and alternative academies or alternative programs implemented pursuant to this section.

B. Beginning with the first semester of the 2002-2003 school year, all school districts of this state shall provide alternative education programs that conform to the requirements of statutes and rules applicable to alternative education. A program shall:

1. Allow class sizes and student/teacher ratios which are conducive to effective learning for at-risk students;
2. Incorporate appropriate structure, curriculum, and interaction and reinforcement strategies designed to provide effective instruction;
3. Include an intake and screening process to determine eligibility of students;
4. Demonstrate that teaching faculty are appropriately licensed or certified teachers;
5. Demonstrate that teaching faculty have been selected on the basis of a record of successful work with at-risk students or personal and educational factors that qualify them for work with at-risk students;
6. Reflect appropriate collaborative efforts with state agencies and local agencies serving youth;
7. Provide courses that meet the academic curricula standards adopted by the State Board of Education and additional remedial courses;
8. Offer individualized instruction;
9. State clear and measurable program goals and objectives;
10. Include counseling and social services components with the provision that providers of services are not required to be certified as school counselors;
11. Require a plan leading to graduation be developed for each student in the program which will allow the student to participate in graduation exercises for the school district after meeting the requirements of the school district as specified in the individual graduation plan for that student; provided, for students who enter the ninth grade in or prior to the 2007-08 school year, the plan shall specifically address whether the student is required to meet the graduation requirements established in Section 11-103.6 of this title;
12. Offer life skills instruction;
13. Provide opportunities for arts education to students, including Artists in Residence programs coordinated with the Oklahoma Arts Council;
14. Provide a proposed annual budget;
15. Include an evaluation component including an annual written self-evaluation;
16. Be appropriately designed to serve middle school, junior high school and secondary school students in grades six through twelve who are most at risk of not completing a high school education for a reason other than that identified in Section 13-101 of this title; and
17. Allow students in the alternative education program, who otherwise meet all of the participation requirements, to participate in vocational programs and extracurricular activities, including but not limited to athletics, band, and clubs.

C. The alternative education program of a school district shall be operational and serving students by September 15 of each school year.

D. Each alternative education program of a school district shall receive funding based on the combined number of dropouts and students within the district who have been referred to a county juvenile service unit, a county juvenile bureau or who have been committed to the custody of the Office of Juvenile Affairs. Each alternative education program shall receive incentive funding as follows:

1. For the first year of operation, One Thousand Dollars (\$1,000.00) per student;

2. For the second year of operation, Seven Hundred Fifty Dollars (\$750.00) per student; and
3. For the third year of operation and each year thereafter, Seven Hundred Dollars (\$700.00) per student.

Statewide alternative education funding shall not be used to supplant existing school district resources or to support programs that do not meet all the criteria for the statewide alternative education system. No alternative education program shall receive less than a total of Ten Thousand Dollars (\$10,000.00) per school year.

E. By September 15 of each school year, all statewide alternative education funds received and expended for students participating in an alternative education program shall be reported to the State Department of Education by major object codes and by program classifications pursuant to the Oklahoma Cost Accounting System as adopted by the State Board of Education pursuant to Section 5-135 of this title.

F. Elementary school districts, as defined in Section 5-103 of this title, may request a waiver from the State Board of Education from the requirements of this section to implement and provide an alternative education program. Any elementary school district that has not received funding pursuant to the provisions of subsection D of this section shall be automatically granted a waiver. If a school district is granted a waiver, no statewide alternative education funding shall be allocated to the district.

G. 1. The State Board of Education shall contract for technical assistance for operation of an Alternative Education Technical Assistance Center. The technical assistance provider shall be an entity located in Oklahoma that has been officially recognized by the United States Department of Education to assess and facilitate dissemination of validated educational programs in Oklahoma. The technical assistance provider shall have priority, if its operations are deemed satisfactory by the State Board of Education and if funds are available, for annual renewal of the contract.

2. The duties of the technical assistance provider shall include, but shall not be limited to:
 - a. providing initial and ongoing training of personnel who will educate at-risk populations through alternative education programs,
 - b. providing technical assistance to school districts to enhance the probability of success of their alternative education programs,
 - c. evaluating state-funded alternative education programs,
 - d. reporting to the State Board of Education the evaluation results of state-funded alternative education programs, and
 - e. providing in-depth program analysis and evaluation of state-funded alternative education programs.
3. The State Board of Education shall not provide funding to an alternative education program that does not receive a recommendation for continued funding in the evaluation provided for in this subsection. Provided, any school district not receiving such a recommendation for continued funding may request a hearing before the Board with a review of the evaluation prior to the Board's final determination.

H. All alternative education programs shall be subject to statutes and rules applicable to alternative education, including any exemptions from statutory or regulatory requirements authorized by statutes or rule.

I. An alternative education program may be offered by an individual school district or may be offered jointly by school districts that have formed interlocal cooperative agreements pursuant to Section 5-117b of this title. Any school district submitting a plan for an alternative education program serving fewer than ten students shall enter into a cooperative agreement with another school district to jointly provide the program unless the program has been granted a waiver from this requirement by the State Board of Education.

J. Any materials or equipment purchased by a school district with revenue received for students participating in an alternative education program shall be used only in or directly for the alternative education program offered by the district or any subsequent alternative education program offered to students enrolled in that district. Such materials and equipment shall be made available exclusively to alternative education students during the hours that the alternative education program is operating; provided, the material or equipment may be used for other purposes when the alternative education program is not operating.

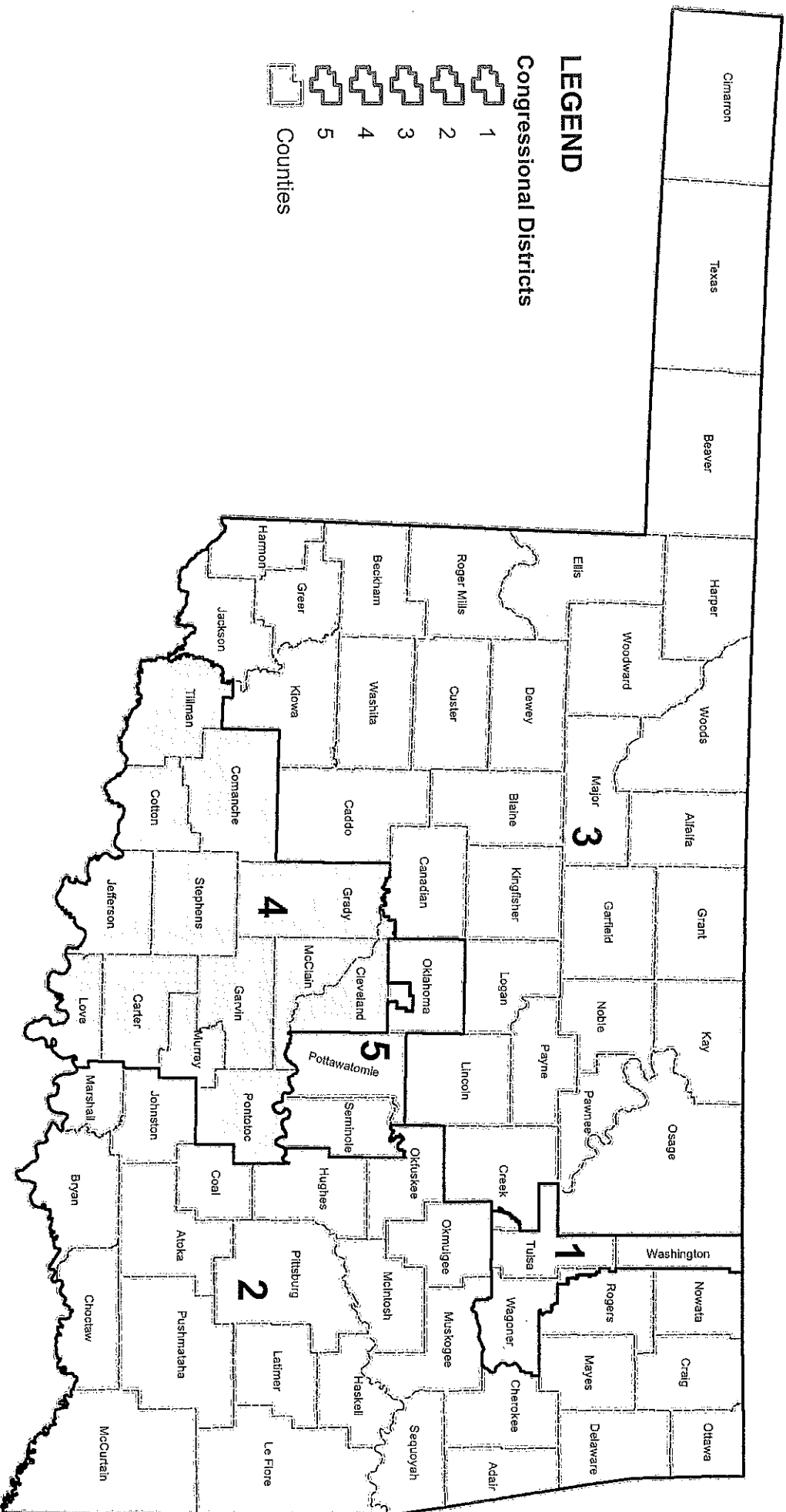
K. Upon implementation of this subsection as provided for in subsection M of this section and contingent upon the provision of appropriated funds designated for such purpose, all school districts in the state providing alternative education programs as required in subsection B of this section shall expand the programs to include middle-school-grade students. The program shall conform to the requirements of subsection B of this section.

L. Upon implementation of this subsection as provided for in subsection M of this section and contingent upon the provision of appropriated funds designated for such purpose, each urban school district identified by the State Department of Education as having a high population of elementary grade students who are at-risk and in need of alternative education shall provide elementary level alternative education programs. The State Department of Education shall establish requirements for the programs. For purposes of this section, "urban school district" means a school district with an average daily membership of thirty thousand (30,000) or more.

M. Implementation of subsections K and L of this section shall be delayed until the current expenditure per pupil in average daily attendance in public elementary and secondary schools in unadjusted dollars for the 1998-99 school year or any school year thereafter for Oklahoma, as reported by the National Center for Education Statistics annually in the Digest of Education Statistics, reaches at least ninety percent (90%) of the regional average expenditure for that same year, and funds are provided. For purposes of this subsection, the regional average expenditure shall consist of the current expenditure per pupil in average daily attendance in public elementary and secondary schools in unadjusted dollars for each of the following states: Arkansas, Colorado, Kansas, Missouri, New Mexico, Oklahoma, and Texas, averaged together. By January 1 of each year, the State Board of Education shall report whether or not the ninety-percent expenditure level has been reached based on information reported annually in the Digest of Education Statistics by the National Center for Education Statistics. Subsections K and L of this section shall be implemented on July 1 after the first January 1 report verifies that the ninety-percent expenditure level has been reached and funds have been provided for the specific purposes of this section.

(70-1210.568)

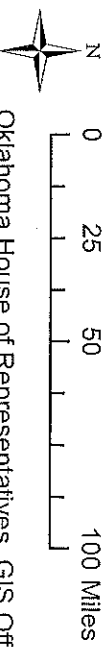
Oklahoma Congressional Districts Elections



LEGEND

Congressional Districts

- 1 [Cross-hatch pattern]
 - 2 [Cross-hatch pattern]
 - 3 [Cross-hatch pattern]
 - 4 [Cross-hatch pattern]
 - 5 [Cross-hatch pattern]
- Counties



MARK HUDSON



SCOTT MCCULLAH
High School Principal
918-756-8636

PRESTON PUBLIC SCHOOLS

10061 Old Hwy 75
Post Office Box 40 918/756-3388
PRESTON, OKLAHOMA 74456
FAX 918/877-2969

November 21, 2022

To Whom It May Concern,

I have been asked to make a statement as to why our waiver is being submitted late. This is my first year working with the alternative education program. I received the paperwork from my school board and I submitted it to to our Criteria 1 folder prior to the Oct 1, 2022 deadline. I did not realize that I needed to submit the waiver to the Department of Education for approval before submitting it to the Criteria 1 folder. Upon inspection from Dr. Butler, I was made aware of my error. I understand that my delay in submitting the waiver may result in it not being approved for this year.

Sincerely,

DeeDee Bivins

Preston Alternative Academy

Preston Public Schools

SCHOOL SITE STATUTORY WAIVER/DEREGULATION APPLICATION

for 20 22 - 20 23 school year

Okmulgee _____ Preston _____
 COUNTY SCHOOL DISTRICT

PO Box 40 _____ Preston _____ 74456 _____
 SCHOOL DISTRICT MAILING ADDRESS CITY ZIP CODE

Preston Alternative Academy _____
 NAME OF SITE

Scott McCulloch _____ 9-12-2022 _____
 PRINCIPAL SIGNATURE* DATE

 PRINCIPAL SIGNATURE* DATE

 PRINCIPAL SIGNATURE* DATE

Mark Hudson _____
 SUPERINTENDENT NAME (PLEASE PRINT)

mHUDSON@PRESTON.K12.OK.US _____
 SUPERINTENDENT E-MAIL ADDRESS

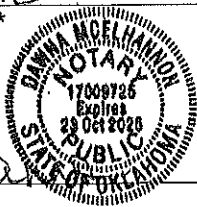
Mark Hudson _____ 9-12-22 _____
 SUPERINTENDENT SIGNATURE* DATE

I hereby certify that this waiver/deregulation application was approved by our local board of education at the meeting on September 12th, 20 22

Stem Johnston _____
 BOARD PRESIDENT SIGNATURE*

NOTARY SEAL →

NaonamfDa _____ 9-12-22 _____
 NOTARY DATE



10-23-2025 _____
 COMMISSION EXPIRATION DATE

Statute/Oklahoma Administrative Code to be Waived:
 (specify statute or OAC (deregulation) number: (see instructions))

*Original signatures are required. The attached questionnaire must be answered to process.**

THE WAIVER/DEREGULATION IS REQUESTED FOR:

One Year Only
 Three Years*

*Please see instruction page for additional requirements for a three year request

SDE USE ONLY

PROJECT YEARS _____ of _____

ENROLLMENT

_____ High School
 _____ Jr./Middle High
 _____ Elementary
 _____ District Total

11-18-22 _____
 DATE RECEIVED

70 O.S. 1210.568 _____

OAC _____
Coop Agreement _____
 NAME OF WAIVER

- A. Reason for the Waiver request. Please include distance from your alternative education site to the closest possible district to coop with, what alternative means will have to be employed if your waiver was to be denied, and what percentage of your student population will benefit from the waiver if approved.

The closest cooperative is in Okmulgee which is 8 miles from Preston High School.

Preston Schools is a small rural school; the standard states that the alternative education program must have at least 10 students.

The alternative education program currently has only 2 students.

The alternative education program will enhance the learning environment for at risk students. This includes achieving and receiving a high school diploma.

- B. List alternate strategies/plans which the district/site proposes, and how this plan will best serve the students of your district, i.e., a description of the educational benefits to the students, graduation rate if a waiver has been awarded prior to this year, and learning achievement. The alternative education program is to serve those students who are identified as being "at-risk" and would struggle with the traditional school setting. The alternative education program identifies "at-risk" students who would fail in the traditional setting due to: excessive absences, behavioral difficulties, pregnancy or parenting, family issues, substance abuse, financial issues, physical or mental health issues, overage or underserved students, students in state custody, juvenile justice involvement, or/and any other such factors. Being a rural school district with a student body of 210 students, students who are identified as being "at-risk" as less than 2% of the total population. These students even though being a low part of the population still deserve the right to an education. They just require a different method and the alternative education program is a perfect fit for them.
- C. Have you participated in an alternative education coop previously? Have you been awarded this waiver before and what was the educational impact to the district: Results of the Statutory Waiver, i.e., effect on student performance levels, impact of plan on other sites in the district. The alternative education program will allow the traditional school to successfully help those students who cannot continue in the normal setting. An "at-risk" student can still receive proper education as well as deal with outside factors in their lives. It would allow the student to receive his/her high school diploma in a timely manner. The deregulation allows the program to continue without having the minimum of 10 students. The plan would impact other sites in the district by allowing the program to continue in case they need to use it as well.

- D. Timeline: Please submit class schedule, calendars, assessment forms and other attachments as necessary.

The alternative education program follows the same days as the school calendar. The students of the alternative education program come to class from 7:45 to 12:25. The waiver would just need to be for one year because next year the student count could be over 10. (see attached school year calendar)

- E. Any financial impact to the District (positive or negative) for the proposed waiver/deregulation? If positive please describe where the available would be reallocated.

By not having this waiver, the alternative education program will not be able to maintain the ability to serve the students accordingly. The waiver will help keep the financial part allowed to be given to the school district to help with the cost of teacher/administration/counselor/overhead costs. The waiver would allow the program to continue to help those students who need the flexibility of hours to be able to work to support their families.

- F. Describe method of assessment or evaluation of effectiveness of the plan both for staff and students, I.E., TLE, ACT scores, graduation rates, RSA, School Report Card, etc.
The evaluation of the effectiveness of this plan is graduation of the at-risk students. There is an evaluation given pre/post for the student and guardian of the program. The program also uses surveys to help identify areas of weakness and strengths. The surveys are given in the middle of the school year and the end of the year. The district looks at these surveys as ways to improve for the next year. The district is currently maintaining a ZERO dropout rate.

** You will be contacted if more information is needed to process this request.

**Oklahoma State Department of Education
Districtwide Alternative Education Implementation Plan Report
2022-2023**

56 1005 PRESTON

Superintendent's Name Mark Hudson
 Superintendent's Email Address mhudson@preston.k12.ok.us
 Superintendent's Phone (918) 759-0224

Do you participate in an Alternative Education Cooperative or Interlocal Cooperative for Alternative Education? No

Is your district the Local Education Agency (LEA) for the Alternative Education Program? No

LEA of Alternative Education Cooperative or Interlocal Cooperative

Allocation Amount 3966.31

COOPERATIVE INFORMATION

If you participate in an Alternative Education Cooperative, your member districts will be listed below:

County	District	District Name	Allocation
56	1005	PRESTON	3966.31
			<u>#Error</u>

LEA PROGRAM INFORMATION

1. Program Name Preston Alternative Academy
 2. Physical Address (Not a PO Box) 10061 Old HWY 75
 Preston, OK 74456
 3. Director/Lead Teacher Name DeeDee Bivins
 4. Contact Title Director/Teacher
 5. Contact Telephone 9187568636
 6. Contact Fax

**Oklahoma State Department of Education
Districtwide Alternative Education Implementation Plan Report
2022-2023**

7. Mailing Address (Street)	PO Box 40	
8. Mailing Address (City)	Preston	
9. Mailing Address (Zip)	74456	
10. Contact Email	dblvins@preston.k12.ok.us	
11. Length of Program		
Program runs 4 hours 12 minutes 5 days a week		[]
756 hours in your school calendar		[]
Deregulation turned into Accreditation office date of submission		[]
12. Days Operating	M-F	
13. Time Program Begins	07:45 AM	
14. Time Program Ends	12:25 PM	
15. Grade Levels Served		
Grade 7	[X]	Grade 8 align="right">[X]
Grade 9	[X]	Grade 10 align="right">[X]
Grade 11	[X]	Grade 12 align="right">[X]
16. How many students are being served each day?	1	
16 A. If serving less than 10 students and not cooping have you completed a Statutory Waiver/Deregulation Application for Alternative Education? (Due Oct 1)	Yes	
17. Of the above number, how many students attend a Career Technology Center?	0	
18. How many Alternative Education students take classes at the traditional school in addition to their classes in the Alternative Education Academy Program?	1	
19. How many Alternative Education students are concurrently enrolled in college or university courses?	0	

**Oklahoma State Department of Education
Districtwide Alternative Education Implementation Plan Report
2022-2023**

TEACHER INFORMATION

20. Teacher Name	DeeDee Bivins
21. Email Address	dbivins@preston.k12.ok.us
22. Years of experience	10
23. Degree Held	BA
24. Number of hours per week served in the Alternative Education Academy Program.	20
25. Indicate the salary and benefits on the designated step within the District's Salary Schedule including the five percent (5%) increment. (Only for the time actually served in the Alternative Education Academy Program)	6281.14
26. Has a criminal record search been conducted on this teacher?	Yes
27. Teacher Certification Number	410192
28. Has a 'Teaching Out of Certification Exemption' form been filed with the Alternative Education office for this teacher (if applicable)? Due by Oct 2	Yes

**Oklahoma State Department of Education
Districtwide Alternative Education Implementation Plan Report
2022-2023**

ADMINISTRATOR/COUNSELOR INFORMATION

Counselor Type

29. Administrator or Counselor Name	Scott McCullah
30. Email address	smccullah@preston.k12.ok.us
31. Documented duties performed in the Alternative Education Program	Principal
32. Number of hours per week served in the Alternative Education Program.	5
33. Is this counselor a certified school guidance counselor?	--
34. Salary and benefits	0.00
35. In what capacity does this individual serve?	Administrator

29. Administrator or Counselor Name	Kim McCullah
30. Email address	kmccullah@preston.k12.ok.us
31. Documented duties performed in the Alternative Education Program	Counselor/Group Counseling
32. Number of hours per week served in the Alternative Education Program.	1
33. Is this counselor a certified school guidance counselor?	School Guidance Counselor
34. Salary and benefits	0.00
35. In what capacity does this individual serve?	Counselor

**Oklahoma State Department of Education
Districtwide Alternative Education Implementation Plan Report
2022-2023**

COLLABORATIVE AGENCY INFORMATION

36. Agency Name Creoks
 37. Contact Name Sarah Bedinghaus
 38. Phone 9189732179
 39. Email Address sarah.bedinghaus@creoks.org
 40. Services Provided Counseling/Life Skills

 41. When are the services provided? Weekly

36. Agency Name Okmulgee County DA
 37. Contact Name Gary McCollum
 38. Phone 9187560794
 39. Email Address gary.mccollum@dac.state.ok.us
 40. Services Provided Drug Awareness/Prevention

 41. When are the services provided? Twice per year or as needed

36. Agency Name Oklahoma National Guard
 37. Contact Name SSG Brandon Duke
 38. Phone 9186258635
 39. Email Address brand.e.duke.mil@mail.mil
 40. Services Provided Career Exploration

 41. When are the services provided? quarterly

42. Check all that apply to the district's intake and screening process.

Approved intake form [X]
 At Risk Indicator [X]
 Parent/guardian present [X]
 Teacher from the traditional school [X]
 Administrator from the traditional school [X]

**Oklahoma State Department of Education
Districtwide Alternative Education Implementation Plan Report
2022-2023**

- Administrator from the alternative program (when applicable)
- Individualized Education Plan (IEP) Change of Placement
- Counselor present
- Cumulative folder
- Student present
- Student transcript
- Written graduation plan for each student
- Official referral

43. How often are students allowed to enroll in the Alternative Education Program? Check all that apply.

- Daily
- Once each week
- Monthly only
- Quarterly only
- Semester only
- Other interval. Please describe:

44. Do you ensure that no indication will appear on the Alternative Education student's transcript that will eliminate the opportunity for high school credit to be accepted at institutions of higher education, career technology centers, and/or the United States Military?

- Yes

45. List courses that are offered to students in the traditional school that are not available to the students in the Alternative Education Program.

None at this time

46. Check all instructional strategies and activities that apply to your program. (Documented evidence required)

- Lesson plans from teacher(s) at the traditional school
- Hands on art instruction
- Cooperative learning
- Distance learning. Please list the distance learning provider used in your Alternative Education Academy program. Edgenuity
- Computer software. Please list computer software programs used in your Alternative Education Academy program. Edgenuity
- Teacher-developed curriculum and learning activities
- Service-learning
- Packaged curricula

**Oklahoma State Department of Education
Districtwide Alternative Education Implementation Plan Report
2022-2023**

Self-paced	<input checked="" type="checkbox"/>
Project-based learning	<input checked="" type="checkbox"/>
Tutoring	<input checked="" type="checkbox"/>
Individualized instruction	<input checked="" type="checkbox"/>
Life skills instruction for all students	<input checked="" type="checkbox"/>

47. How many hours per week is counseling provided exclusively to Alternative Education students? (Documented evidence required)

1-3

48. Check the days counseling is provided exclusively to Alternative Education students.

Monday	<input checked="" type="checkbox"/>
Tuesday	<input type="checkbox"/>
Wednesday	<input type="checkbox"/>
Thursday	<input type="checkbox"/>
Friday	<input type="checkbox"/>

49. Who provides counseling services?

KIm McCullah

50. Indicate the provider's credentials. (Counselor must be certified by SDE or a mental health provider with appropriate licensure.)

Kim McCullah/ School Counselor/School
Psychologist

51. Check all types of counseling strategies used in the Alternative Education Program. (Documented evidence required)

Individual	<input checked="" type="checkbox"/>
Family	<input type="checkbox"/>
Academic	<input checked="" type="checkbox"/>
Conflict resolution	<input checked="" type="checkbox"/>
Group	<input checked="" type="checkbox"/>
Teen parenting	<input checked="" type="checkbox"/>
Career	<input checked="" type="checkbox"/>
Drug/alcohol/substance abuse	<input checked="" type="checkbox"/>

52. Which disciplines of art are taught to Alternative Education students? (Documented evidence required)

Vocal music	<input type="checkbox"/>
Instrumental music	<input checked="" type="checkbox"/>
Integrated approach (hands-on)	<input type="checkbox"/>

**Oklahoma State Department of Education
Districtwide Alternative Education Implementation Plan Report
2022-2023**

Performing arts (dance, drama, etc.)

Visual art (drawing, oil, photography, etc.)

53. Do students receive credit for the arts?

Yes

54. The district will support the Alternative Education personnel's attendance at professional development workshops, regional meetings, and seminars provided by the State Department of Education. (Documented evidence required)

Yes

55. Students in the Alternative Education Program, who otherwise meet all participation requirements, are allowed to participate in vocational programs and extracurricular activities, including but not limited to athletics, band, and clubs.

Yes

56. How many Alternative Education senior students participated in the regular commencement exercises last school year?

1-10

57. How many Alternative Education students were reported on your district's annual Student Dropout Report for the 2020-2021 school year?

0

58. Will the Alternative Education Program be operational and ready to serve students on the 1st of September?

Yes

59. Are materials and equipment purchased with revenue received for the Alternative Education Program made available exclusively to the Alternative Education students during the hours that the Alternative Education Program is operating?

Yes

60. Is the Alternative Education Program site readily ADA Compliant?

Yes

No

61. Does the Alternative Education Program regularly provide transportation to students or transportation accessible if needed?

Yes

No

62. Does the Alternative Education Program offer food service to students?

Yes

No

**Oklahoma State Department of Education
Districtwide Alternative Education Implementation Plan Report
2022-2023**

63. I understand in order to receive funding the evidence criteria review must be completed and students must be coded correctly in your district's student information system.

Yes

No

MARK HUDSON
Superintendent of Schools
918-756-3388



CASSIE HOLLEMAN
Elementary Principal
918-756-3638

SCOTT MCCULLAH
High School Principal
918-756-8636

PRESTON PUBLIC SCHOOLS

10061 Old Hwy 75
Post Office Box 40 918/756-3388
PRESTON, OKLAHOMA 74456
FAX 918/877-2969

Nov 18, 2022

To whom it may concern:

We had a meeting with Dr. Butler yesterday and we were made aware that we needed to submit these documents for approval and we had not done so. We are a small school in a rural community. I know the standard states that we must have at least ten students; however, we only have two students in the alternative program at this time. We request that the State Board of Education approve the waiver for the standard of having ten students in our program.

We appreciate your time and effort on this matter.

A handwritten signature in cursive script that reads "Mark Hudson".

Mark Hudson
Preston Public Schools Superintendent