

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

April 24, 2014

The State Board of Education met in regular session at 1:02 p.m. on Thursday, April 24, 2014, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 12:50 p.m. on Wednesday, April 23, 2014.

The following were present:

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

Members of the State Board of Education present:

State Superintendent Janet Barresi, Chairperson of the Board
MG (R) Lee Baxter, Lawton (left at 4:25 returned at 4:38 p.m.)
Ms. Amy Ford, Durant
Ms. Cathryn Franks, Roosevelt
Mr. Daniel Keating, Tulsa (left at 3:46 p.m.)
Mr. William "Bill" Shdeed, Oklahoma City (left at 4:38 p.m. returned at 4:40 p.m.)

Members of the State Board of Education not present:

Mr. William "Bill" Price, Oklahoma City

Others in attendance are shown as an attachment.

**CALL TO ORDER
AND
ROLL CALL**

Superintendent Barresi called the State Board of Education regular meeting to order at 1:02 p.m. and welcomed everyone to the meeting. Ms. Isenhour called the roll and ascertained there was a quorum.

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

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

**MARCH 25, 2014 STATE BOARD OF EDUCATION
REGULAR MEETING MINUTES APPROVED**

Board Member Ford made a motion to approve the minutes of the March 25, 2014, regular State Board of Education meeting. Board Member Baxter seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Ms. Franks, yes; Mr. Keating, yes; and Ms. Ford, yes.

STATE SUPERINTENDENT

Information from the State Superintendent

Superintendent Barresi said the wide spread online testing disruption this week caused problems for students and schools. The testing vendor CTB/McGraw-Hill has taken complete responsibility for the disruptions that impacted approximately 8,100 students in grades 6 through 8, and high school students taking end-of-instruction (EOI) examinations. As a result of the disruptions tests were suspended for the remainder of Monday and a conference call was coordinated with CTB/McGraw-Hill and representatives from cross sections of Oklahoma school districts later that day. Superintendent Barresi thanked the school districts for participating in the conference call that included Davis, Edmond, El Reno, Lawton, Norman, Oklahoma City, Prague, Pryor, Sapulpa, Tulsa, and Woodward.

Superintendent Barresi thanked Ellen Haley, President, CTB/McGraw Hill for coming to speak to the State Board of Education (SBE) along with CTB/McGraw Hill Dan Sieger, Vice President, Communications; Bob Emerson, Director of Implementation Services; and Ray Lowery, Chief Information Officer.

Wes Bruce is a consultant working with the State Department of Education (SDE) on assessments will present a proposed process for determining cut scores on our tests later in today's meeting. It is a strong comprehensive strategy that is inclusive and calls upon educator expertise throughout Oklahoma. Superintendent Barresi said this was a policy and procedure she suggested from the input and the work teachers were doing to implement the Oklahoma Academic Standards. It is important to select a cut score that reflects college and career preparedness but still allows more time for teachers to continue implementing the rigorous standards within their classroom.

Superintendent Barresi reminded SBE Members of the VISION2020 Conference, July 15-17, 2014. The free summer conference is for all educators, schools and parents. Parent Power Night is July 15, 5:30-7:00 p.m. it provides parents an opportunity to come receive information and interact with presenters of the conference.

Superintendent Barresi reported she participated in the Awards for Arts Excellence held in Guthrie, Oklahoma. Approximately 121 artistically talented high school seniors from 41 communities received awards. Fox Elementary School in Fox, Oklahoma will celebrate their first place ranking in Think Through Math's March Madness Competition later this evening. They surpassed 11,970 other schools nationwide by spending 869 hours in the competition, completed 143,825 math problems and 5,293 math lessons. The SDE presented certificates and 2,700 gold seals to the Oklahoma Academic Scholars high school seniors. Students qualified by having a 3.7 grade point average or a top 10 percent class ranking in their four years of high school; complete requirements to receive a standards diploma; ACT 27 composite score or SAT 1220 combined reading and math scores.

Recognition of the 2014 Prudential Spirit of Community Awards

Superintendent Barresi recognized youth volunteer recipients of the Prudential Spirit of Community Awards for 2014. The 1995 youth recognition program is based on volunteer community service, and honors middle and high school students for outstanding service to others at the local, state, and national level.

Oklahoma State Honorees included Ashten Vincent, Junior, Edmond North High School and Katherine Prior, 8th Grader, Home School. Distinguished Finalists included Cierra Little Water Fields, Freshman, Fort Gibson High School; Jessica Miller, senior, Wright City High School; Erika Vinson, Senior, Warner High School; and Kaylee Young, Junior, Young Creations Homeschool.

Recognition of the Oklahoma Representatives in the United States Senate Youth Program

Superintendent Barresi recognized Ryan Chapman, Norman North High School and Gloria Tso, Bartlesville High School, who were selected to represent Oklahoma in the 52nd United States Senate Youth Program. High school junior and senior students must participate who are elected officials in their respective student bodies or other state/community organizations, and interested in public service careers to participate in the United States Senate sponsored program. Student delegates attend a week long extensive program and receive a \$5000 Hearst Foundation undergraduate scholarship to the higher education institutions of their choice.

First-Year Superintendents

First-year superintendent(s) attending the meeting were Shellie Baker, Straight Public Schools; Sam Belcher, Mountain View-Gotebo Public School; Stacey Butterfield, Jenks Public Schools; Rod Carter, Foyil Public Schools; Karen Castonguay, Omega Public Schools; Bruce Chrz, Quapaw Public School; Mike Davis, Lookeba Schools; Stacy Ebert, Battiest Public Schools; Sherry Hitchings, Keyes Public Schools; and Kevin Stacy, Oklahoma Union Public School.

CONSENT DOCKET APPROVED

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

- (a) **Abbreviated School Day – OAC 210:35-29-2 and 210:35-3-46**
Hobart Public Schools, Kiowa County
- (b) **Allow Two School Days in a 24-Hour Period – 70 O. S. § 1-111**
Paoli Public Schools, Garvin County
Atoka Public Schools, Atoka County
Durant Public Schools, Bryan County
Little Axe Public Schools, Cleveland County
Pawhuska Public Schools, Osage County
- (c) **Library Media Services – OAC 210:35-5-71 and 210:35-9-71**
Panola Public Schools, Latimer County
- (d) **Planning Period – OAC 210:35-7-41 and OAC 210-35-9-41**
Broken Bow Public School, McCurtain County
Rector Johnson Middle School
Crooked Oak Public Schools, Oklahoma County
Crooked Oak High School
- (e) **Saturday Schools – 70 O.S. § 1-112**
Flower Mound Public Schools, Comanche County
- (f) **General Fund for Capital Expenditures – 70 O.S. § 1-117 and OAC 210:25-5-4**
Seminole Public Schools, Varnum County
- (g) Request approval on recommendations from the Teacher Competency Review Panel for applicants to receive a license - 70 O. S. § 6-202
- (h) Request approval on exceptions to State Board of Education teacher certification regulations to permit issuance of emergency (provisional) certificates – 70 O. S. § 6-187

Lynn Jones, Executive Director of Accreditation, responding to Board Member Ford's question regarding item 6 (a), said it is a regular requirement for an alternative education academy that will go less than six hours in a day.

Board Member Ford made a motion to approve the Consent Docket. Member Baxter seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Keating, yes; Ms. Franks, yes; General Baxter, yes; and Mr. Shdeed, yes.

STUDENT INFORMATION

Overview of State Department of Education's New Data Correction and Certification Reports Web Page

Autumn Daves, Data Governance and Technical Project Coordinator, Student Information, said school districts provided feedback of their need to have one place in which to access information regarding the required yearly data certification projects. In response to the feedback, the data correction and certification web page was developed and is assessable on the SDE Website. Ms. Daves demonstrated and overviewed the web page where school districts and community members can access all information relating to data certification projects.

Overview of the Wave Student Information System Requirements Documentation for 2014-2015

John Kraman, Executive Director Student Information, said in addition to Ms. Daves' report, data collected by the SDE is also on the Student Information home page. Per the new Student Data Accessibility, Transparency, and Accountability Act of 2013, section 7b, the annual report to the Legislature and Governor will be presented detailing specific reporting requirements. Mr. Kraman reviewed the SDE requirements to notify changes to existing data collections; collection updates on students, enrollment, teacher and course data-the Wave; and the 22 Wave data collection objects.

ACADEMIC AFFAIRS

Office of Educator Effectiveness

Recommendations regarding Marzano Causal Teacher Evaluation Model 2014 Protocol; Tulsa Teacher Evaluation Model 2014 updates; the Approved Other Academic Measures list; and Quantitative District Policies Approved

Jenyfer Glisson, Executive Director of Teacher and Leader Effectiveness presented the following updates and recommendation requests from the Teacher and Leader Effectiveness Commission that included:

Approved Other Measures list-recommendations #26: The TLE Commission recommends that the Oklahoma State Board of Education approve the changes to the Other Academic Measure list as provided by the Oklahoma State Department of Education, except for the addition of the student surveys.

Approved Other Academic Measure list-recommendation #27: The TLE Commission recommends that the Oklahoma State Board of Education approve the addition of student surveys to the Other Academic Measure list as provided by the Oklahoma State Department of Education.

Marzano Causal Teacher Evaluation Mode- recommendation #28:

The TLE Commission recommends that the Oklahoma State Board of Education approve the 2014 updates to the Marzano Causal Teacher Evaluation Protocol.

Tulsa TLE Evaluation Model-recommendation #29:

The TLE Commission recommends that the Oklahoma State Board of Education approve the 2014 updates to the Tulsa TLE Observation and Evaluation System.

Student Academic Growth and Other Academic Measures-recommendation #30:

The TLE Commission recommends that the Oklahoma State Board of Education require that district TLE Quantitative Component policies prohibit the use of the exact same students, content, measure, and growth expectations for Student Learning Objectives/Student Outcome Objectives and Other Academic Measures

Board Member Ford made a motion to approve the recommendation requests as listed. Board Member Franks seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Ms. Franks, yes; Mr. Keating, yes; and Ms. Ford, yes.

**Stroud Public Schools' Academic Performance
Production Bonus Plan Approved**

Kimberly Richey, General Counsel, presented a request from Stroud Public Schools for a teacher and leader incentive pay plan for the 2014-2015 school year. The district administration submitted an Academic Performance Production Bonus Plan prior to March 1, 2014, pursuant 70 O.S. § 5-141.2. The local school board must provide the approved plan to the SBE. Ms. Richey reviewed the complete plan's academic and report card improvement processes, financial opportunities, levels, and goals; state funding mechanisms, availability, reimbursements and exclusions.

Joe Van Tuyl, Superintendent, Stroud Public Schools, said the plan is an incentive model for when achievements are made.

Ms. Richey referred Board Members to three areas in the plan defining classroom teacher to include administrators and would be included in the calculation of a bonus. A provision in the law excludes administrators from this particular type of bonus plan. Staff recommendation would be to approve the plan excluding those sections that are inclusive of administrators within the Stroud School District. Within in the TLE section of law, it allows districts, at the district level, to adopt an incentive pay plan specifically for administrators. This can be done locally and no SBE approval is required.

Board Member Baxter made a motion to approved Bonus Plan as amended. Board Member Shdeed seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Keating, yes; Ms. Franks, yes; General Baxter, yes; Mr. Shdeed, yes.

Length of School Day Waiver submitted by Skiatook Public School Tabled from the March State Board of Education meeting Tabled

Lynn Jones, Executive Director of Accreditation presented a request from Skiatook Public School for statutory waiver for length of day tabled at the March 19, 2014 SBE meeting. Ms. Jones reviewed additional information regarding requirements for extended day (flexible day) pursuant 70 O.S. § 1-109, and previous SBE approvals.

Ms. Richey clarified the law did not address the concerns of how a local district implements the release. However, when reviewing the additional information, it was determined that enforcement had been lacking with regard to the extension of the school days. There are two sections in law in which one allows the local district to implement without SBE approval for grades 9 through 12. Implementing a length of day schedule in grades K through 12 requires SBE approval. Staff recommendation is for approval for Skiatook in order to remain consistent until there is an official policy change clarifying how requests will be processed and monitored in the future.

Board Member Baxter made a motion to table the request and require a representative Skiatook School District to appear with additional information. Board Member Ford seconded the motion. The motion carried with the following votes: Ms. Shdeed, yes; General Baxter, yes; Ms. Franks, yes; Mr. Keating, yes; and Ms. Ford, yes.

Social Studies Standards/Cut Score Setting Policy Approved

Wes Bruce, Office of Accountability and Assessment presented a request for a policy to implement new social studies cut scores adopted in 2012 for the 2013-14, 2014-15, and 2015-16 school years. Mr. Bruce overviewed standards and assessments to develop and process new Performance Level Descriptors (PLDs) and committees, new cut scores for grade 5 social studies, grade 8 social studies, and U.S. History examinations; and bookmark standard settings.

Board Member Ford made a motion to approve the request. Board Member Franks seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Keating, yes; Ms. Franks, yes; General Baxter, yes; and Mr. Shdeed, yes.

Update on OCCT and EOI Assessments

Ellen Haley, President, CTB/McGraw-Hill introduced Ray Lowery, Chief Information Officer, McGraw-Hill Education and Bob Emerson, Director of Implementation Services. Ms. Haley apologized to SBE members, Superintendent Barresi, SDE; and mostly to the teachers and 8200 students who were impacted on Monday during their spring testing. CTB/McGraw-Hill provides a wide variety of grades 3 through 8, EOI testing activity assessments for the state, and is responsible for the content test development, statistical work to support the scores, administration of the paper and online test, scoring and various reporting.

Ms. Haley said during the March 31 test administration disruptions were reported and the causes for the disruptions thereafter were detected. The problem was fixed and testing resumed shortly after the interruptions and approximately 100,000 test sessions administered successfully in Oklahoma.

Mr. Lowery reviewed what was determined as the cause for the disruptions. Intermittent communication failures between load balancers triggered random delays for students. The source of failures was traced to status requests from secondary monitoring services. The services were deactivated and communication failures cleared. The source of error was confirmed by the service provider and hardware manufacturer.

Board Members discussed concerns regarding system disruptions and detection, contractual upgrades/safety; testing validation and assessment; data components, monitoring and management; vendor confidence and commitment; Oklahoma Attorney General Opinion; and future development, structure and content assessment partnership.

RECESS

Superintendent Barresi recessed the State Board of Education meeting at 2:57 p.m.

RECONVENE

Superintendent Barresi reconvened the State Board of Education meeting at 3:10 p.m.

LEGAL SERVICES

Petition Filed by ABLE Charter School to appeal decision of Statewide Virtual Charter School to deny application for charter school sponsorship - Reverse Decision and Approve

Kimberly Richey, General Counsel presented the appeal allegations filed by ABLE Charter School regarding the statewide virtual charter school application rejection of the Statewide Virtual Charter School Board. Ms. Richey reviewed supporting documents, exhibits and facts; the summary basis for appeal alleging an arbitrary and prejudicial application process, and a rejection unsubstantiated and based on hearsay.

Ms. Richey introduced witnesses for ABLE Charter School included Honorable Ralph Shorty, State Senator; Dr. Kenneth Kuczynski, Judith Kuczynski, Beth Bley, Yvonda Whitmore, Dr. Susan Powell; and also present were John Harrington, Chairman, Statewide Virtual Charter School Board, and Sam Duell, Executive Director of School Choice, SDE.

Senator Ralph Shorty was unable to attend, but his letter of support was read by Dr. Kenneth Kuczynski and submitted to the SBE. Dr. Kuczynski said ABLE Charter School is comprised of four educators who are developing a grassroots Oklahoma based virtual charter school, and are experienced in education and virtual school system. Edgenuity and Success Maker were the two curriculums sited in the statewide virtual school application ABLE would use with our students to develop reading and math skills.

Board Member Ford made a motion not to reverse the decision of the Statewide Virtual Charter School Board. The motion failed for lack of a seconded.

Board Member Franks made a motion to reverse the Statewide Virtual Charter School Board decision. Board Member Baxter seconded the motion. The motion failed with the following votes: Ms. Ford, no; Ms. Franks, yes; General Baxter, yes; and Mr. Shdeed, yes.

Ft. Gibson Public School's request for Statutory Waiver from requirements of 70 O.S. 1-103 pursuant the Education Deregulations Act for Implementation of a Plan to consider virtual instruction completed by students as classroom instruction on days the school district is closed due to inclement weather Approved

Ms. Richey presented a statutory waiver request from Fort Gibson Public Schools to implement a virtual instruction plan. The Education Deregulations Act for Implementation of Plan, 70 O.S. § 1-103, allows students to complete classroom instruction when a school district(s) is closed due to inclement weather. Ms. Richey reviewed Fort Gibson School District's required plan and components as required by Title 70, Section 3-136.

Derald Glover, Superintendent, Fort Gibson Public Schools, said five years prior with the local school board began an overall school wide strategic plan for virtual instruction. SBE Members were provided the plan overviewed by Mr. Glover.

Board Member Baxter made a motion to approve the request subject to a Resolution of the local board of education. Board Member Shdeed seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Ms. Franks, yes; and Ms. Ford, yes.

Revocation of Teaching Certificates and Certificate Numbers

Yolanda Downing, Assistant General Counsel, presented teacher certificate and certificate number revocation requests for the following:

**Kathy L. Boen teaching certification and certificate number
OAC 210:1-5-6, OAC 210:20-9-98, and 70 O.S. § 3-104 Approved**

Board Member Franks made motion to approve the revocation request. Board Member Baxter seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Ms. Franks, yes; General Baxter, yes; Mr. Shdeed, yes.

**Jerry D. Dawson revocation of school bus driving certification
and certificate number of – 70 O.S. § 3-104 Approved**

Board Member Franks motion to approve the revocation request. Board Member Ford seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Ms. Franks, yes; and Ms. Ford, yes.

**Timothy Dennis teaching certification and certificate number
OAC 210:1-5-6, OAC 210:20-9-98, and 70 O.S. § 3-104 Approved**

Board Member Franks made a motion to approve the request. Board Member Ford seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Ms. Franks, yes; General Baxter, yes; and Mr. Shdeed, yes.

**Mandi L. Guerrero teaching certification and certificate number
OAC 210:1-5-6, OAC 210:20-9-98, and 70 O.S. § 3-104**

Ms. Guerrero surrendered her certificate prior to the meeting and no action is required.

**Courtney Hatchell teaching certification and certificate number
OAC 210:1-5-6, OAC 210:20-9-98, and 70 O.S. § 3-104 Approved**

Board Member Franks made a motion to approve the request. Board Member Baxter seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Ms. Franks, yes; General Baxter, yes; and Mr. Shdeed, yes.

**Troi Denise Jackson teaching certification and certificate number
OAC 210:1-5-6, OAC 210:20-9-98, and 70 O.S. § 3-104 Approved**

Ms. Jackson surrendered her certificate prior to the meeting and no action is required.

**Tyler Patterson teaching certification and certificate number
OAC 210:1-5-6, OAC 210:20-9-98 and 70 O.S. § 3-104 Approved**

Board Member Franks made a motion to approve the request. Board Member Ford seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Ms. Franks, yes; General Baxter, yes; and Mr. Shdeed, yes.

AG Opinion 2013 OK AG 23

Ms. Richey presented an Attorney General Opinion requested by Mike Turner, State Representative regarding imposing moratorium on annual bonuses for National Board Certified teachers; and speech-language pathologists, audiologists, and psychologists; Minimum Salary Schedule, funding appropriations, and allocation.

CHIEF OF STAFF

Legislative Update

Ms. Richey updated and reviewed House Bill 2625, House Bill 2640, House Bill 2642, House Bill 3170, House Bill 3399; Senate Bill 573, Senate Bill 1348, Senate Bill 1461, Senate Bill 1462, Senate Bill 1655, and Senate Bill 1971.

PUBLIC COMMENT

Individuals signed up to address/discuss AG Opinion 2013 OK AG 23 included Mona Ryan, Oklahoma Speech Language Hearing Association and Jessica Riediger, President, Oklahoma School Psychology Association.

ADJOURNMENT

Board Member Ford made a motion to adjourn. Board Member Franks seconded the motion. There being no further business Board Members unanimously agreed to adjourn the meeting at 5:32 p.m.

Minutes of the Regular Meeting of
the State Board of Education
April 24, 2014

The next regular meeting of the State Board of Education will be held on Tuesday, May 22, 2014, 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

Kalee Isenhour, Secretary to the State Board