

**Minutes of the Regular Meeting of the**

**STATE BOARD OF EDUCATION  
2500 NORTH LINCOLN BOULEVARD  
STATE BOARD ROOM, SUITE 1-20  
OKLAHOMA CITY, OKLAHOMA**

**January 28, 2016**

The State Board of Education met in regular session at 9:30 a.m. on Thursday, January 28, 2016, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 9:30 a.m. on Wednesday, January 27, 2016.

The following were present:

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

Members of the State Board of Education present:

State Superintendent Joy Hofmeister, Chairperson of the Board  
MG (R) Lee Baxter, Lawton  
Mr. William "Bill" Price, Oklahoma City  
Ms. Cathryn Franks, Roosevelt  
Mr. Daniel Keating, Tulsa  
Mr. William "Bill" Flanagan, Claremore  
Mr. Robert J. Ross, Oklahoma City

Others in attendance are shown as an attachment.

**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.

**PLEDGE OF ALLEGIANCE, OKLAHOMA  
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**

**Information from the State Superintendent**

Superintendent Hofmeister said this is the last State Board of Education (SBE) meeting before the 2016 legislative session, and it is an exciting time to advocate and champion excellence for the school children of Oklahoma. The highlights of this year's focus that warrant the greatest attention include budget, academic standards, and teacher shortage and reasons.

Shawn Sheehan, Oklahoma Teacher of the Year (TOY), is one of four finalists for the National Teacher of the Year along with TOYs from California, Connecticut, and Washington State. In late February the finalists will interview in Washington, D.C. and the winner will be announced in the spring at a White House ceremony. His "Teach like me" campaign platform is designed to create the type of morale needed where teachers statewide can also say "teach like me."

January is observed as "School Board Recognition Month" in Oklahoma. Superintendent Hofmeister introduced five school board member honorees selected by the Board of Directors of the Oklahoma State School Board Association.

Shawn Hime, Executive Director, Oklahoma State School Boards Association (OSSBA), presented Certificates of Recognition to Dustin Tackett, Caddo-Kiowa Technology Center Board; Janice Modisette, Choctaw-Nicoma Park School Board; April Stobbe, Shawnee Public School Board; Don Tice, Oologah-Talala Public School Board; and Jamie Underwood, Edmond Public School Board.

Superintendent's accompanying school board members included Dennis Ruttman, Caddo-Kiowa Tech Center; Jim McCharen, Choctaw-Nicoma Park Public School; Marc Moore, Shawnee Public Schools; Max Tanner, Oologah-Talala Public Schools and; Bret Towne, Edmond Public Schools.

## **First-Year Superintendents**

First-year superintendents attending the meeting were Meri Jane Miller, Lone Grove Public School; Kent Southward, Ringling Public Schools; Brent Towne, Edmond Public Schools; and Richard Cobb, Mid-Del Public Schools.

## **Recognition of Department Employee for the Month of January**

Superintendent Hofmeister introduced Ms. Lori Kimbrough, Financial Analyst, Financial Services, as the employee for the month of January.

Superintendent Hofmeister introduced the newest member to the SDE leadership team Dr. Katie Dunlap, Deputy of Assessment and Accountability.

## **BOARD ADMINISTRATIVE**

### **December 17, 2015 Regular Meeting Minutes of the State Board of Education Approved**

Board member Ross moved to approve the minutes of the December 17, 2015 regular meeting. Board member Franks seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

### **January 7, 2016 Special Meeting Minutes of the State Board of Education Approved**

Board member Flanagan moved to approve the minutes of the January 7, 2016 special meeting. Board member Baxter seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

## **CONSENT DOCKET Approved**

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2015-2016 school year and other requests:

- (a) **Adjunct Teachers – 70 O. S. § 6-122.3 and OAC 210:20-37-2**  
Ringling Public Schools, Jefferson County
- (b) **Cooperative Agreements for Alternative Education Programs – 70 O. S. § 1210.568**  
Carnegie Public Schools, Caddo County
- (c) Request approval on exceptions to State Board of Education teacher certification regulations to permit issuance of emergency (provisional) certificates (list attached) – 70 O. S. § 6-187

- (d) Discussion and possible action on the amendment to the accreditation status of Luther Public Schools for the 2015-2016 school year- OAC 210:35 3-201

Board member Franks moved to approve the Consent Docket. Board member Price seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

### **ACADEMIC AFFAIRS and PLANNING**

#### **Adopt the Oklahoma Academic Standards in Physical Education in accordance with 70 O.S. § 11-103.6a. (A)**

Dr. Cindy Koss, Deputy Superintendent, Academic Affairs and Planning, overviewed the academic standards in physical education, health, English Language Arts, mathematics and legislative timelines. All standards were written by diverse writing committee members who donated time and expertise in their content areas. Board members received letters in support of the academic standards from a variety of agencies, constituents, consortiums, school associations, and education professionals. An additional 50 letters were provided at the meeting.

Board members asked questions and discussed standards availability to school districts, tools, options for implementation, and Board of Regents approval.

Board member Baxter motioned to approve the academic standards in physical education. Board member Ross seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

#### **Adopt the Oklahoma Academic Standards in Health in accordance with 70 O.S. § 11-103.6a (A) Approved**

Board member Baxter moved to approve the academic standards in health. Board member Keating seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

#### **Adopt the Oklahoma Academic Standards in English Language Arts in accordance with 70 O.S. § 11-103.6a. (B)(1) Approved**

Board member Baxter motioned to approve the academic standards in English Language Arts. Board member Flanagan seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

#### **Adopt the Oklahoma Academic Standards in Mathematics in accordance with 70 O.S. § 11-103.6a.(B)(1) Approved**

Board member Franks motioned to approve the academic standards in mathematics. Board member Baxter seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

**Report and discussion on the 2016 Mathematics and  
Science Partnerships (MSP) Grant Awardees administered  
under Title II, Part B of No Child Left Behind (NCLB)**

Levi Patrick, Director of Mathematics and Tiffany Neill, Director of Science, presented the grant awardees of the 2016 mathematics and science partnerships. The Title II, Part B program funds provide possibilities for school district partnerships to improve content knowledge and pedagogical practices of cohort groups of mathematics and science teachers; and support teachers to improve student achievement in mathematics and science. Regional grant recipients included Tahlequah Public Schools, Edmond Public Schools, Lawton Public Schools and Durant Public Schools; and Statewide recipients included Western Heights Public Schools, Noble Public Schools, and Osage Interlocal Cooperative

Board members asked questions and discussed grant requirements, criteria, measurements and regional/statewide restructuring.

**Superintendent Hofmeister recessed the meeting at 11:00 a.m. and reconvened at 11:15 a.m.**

Brad Clark, General Counsel, State Board of Education, clarified to Board members that Joint Resolutions passed through the legislature, approved or disapproved, will forward to the Governor's office to accept or veto.

**FINANCIAL SERVICES**

**OCAS late penalty for noncompliant school districts  
not meeting the September 1 submission deadline Approved**

Nancy Hughes, Executive Director, Financial Accounting/OCAS, presented 13 school districts failing to meet the OCAS revenue and expenditures submission deadline that included Bowring, Durant, Fort Towson, Gans, Henryetta, Jay, Jennings, Peavine, Skiatook, South Rock Creek, Swink, Terral, and White Rock. Penalty waivers were recommended with the exception of Choctaw, Adair and White Rock Public Schools for repeated noncompliance.

Board members asked questions and discussed school accountability, OCAS deadlines and penalties.

Board member Baxter motioned to approve penalty waivers with the exception of Choctaw, Adair and White Rock (Lincoln County) Public Schools. Board member Franks seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

**One-time FY2016 Severance Allowance payments to former  
certified employees of Byars Public Schools which annexed to  
Wayne Public Schools FY2015, Title 70 O.S. § 7-203 (c) Approved**

Renee McWaters, Executive Director, State Aid, reviewed the school consolidation assistance fund, allocations and expenditures approved through the SBE. One purpose of the funds is for severance payments to former employees whose employment ended due to an annexing or consolidation. Three employees did not receive severance from Wayne

Public Schools, and Ms. McWaters presented a recommendation for only two employees who met the eligibility requirements.

Board member Flanagan moved to approve the severance allowances with the exception of Janie Mae DeArman based on 70 O.S. § 7-203(B)(1)(c) and OAC 210:1-3-2(e)(i). Board member Baxter seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

## **GOVERNMENT AFFAIRS**

### **Expenditure of funds disbursed for the purpose of the Reading Sufficiency Act (RSA), Achieving Classroom Excellence (ACE), alternative education, and staff development funds approved by the State Board of Education on June 25, 2015, for the purpose of providing additional flexibilities to schools pursuant to 70 O.S. 3-104(3)(c)**

Carolyn Thompson, Director, Government Affairs, presented a proposal to provide \$29,903,988.19 additional flexibilities to school districts for their fiscal year 2016 funding items. Public Schools Activity Fund line items allowed included Alternate Education - \$13,299,308.19; ACE Remediation - \$7,990,245; Reading Sufficiency - \$7,990,245; and Staff Development - \$2,122,361. Allocations were distributed to school districts after the SBE approved the 2016 budget in June 2015. The SBE has the authority to determine how the allocated funds can be repurposed and spent. School districts are required by law to provide the same services however, the flexibilities allow funds to be spent in other areas.

Board members asked questions and discussed state funding payments, revenue failure and flexibilities.

Board member Franks moved to approve the FY16 budget flexibility as presented. Board member Baxter seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

### **Presentation and discussion on the Red Tape Taskforce**

Heather Griswold, Deputy Chief of Staff and Brad Clark, General Counsel, State Board of Education, updated on the Red Tape Taskforce purpose, focus areas and recommendations in efforts to reduce excessive, outdated reporting; streamline resources and reallocate; and concentrate on teaching/learning. Implementation phases for the SDE, rules and federal programs were reviewed.

### **Legislative Update**

Ms. Thompson updated on 2015 end-of-year legislative session, introduced/signed bills, 2016 bill carryovers; January through May legislative deadlines, bill trends; education funding and SDE focus.

## LEGAL SERVICES

### Administrative Rule Adoption

Lori Murphy, Assistant Legal Counsel, presented the following administrative rule amendments pursuant to the *Oklahoma Administrative Procedures Act*, 75 O.S. § 250 *et seq.*:

Title 210. State Department of Education  
Chapter 20. Staff  
Subchapter 9. Professional Standards: Teacher Education and Certification  
Part 9. Teacher Certificate Requirements  
**210:20-9-10.2. Teacher Competency Review Panel; recommendation for certification; fee assessment [REVOKED]**  
Part 9. Teacher Certification  
**210:20-9-100. Teacher Competency Review Panel [REVOKED]**

Board member Baxter moved to approve the revoked rule. Board member Keating seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; General Baxter, yes; Superintendent Hofmeister, yes.

Title 210. State Department of Education  
Chapter 20. Staff  
Subchapter 9. Professional Standards: Teacher Education and Certification  
Part 1. General Teaching Certificate Requirements  
**210:20-9-9. Kinds, types, classes, and processing fees of certificates [AMENDED]**

Board member Baxter moved to approve the amended rule. Board member Flanagan seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

Title 210. State Department of Education  
Chapter 20. Staff  
Subchapter 9. Professional Standards: Teacher Education and Certification  
Part 9. Teacher Certification  
**210:20-9-94. Period of validity of certificates [AMENDED]**

Board member Price moved to approve the amended rule. Board member Flanagan seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

Title 210. State Department of Education  
Chapter 20. Staff  
Subchapter 9. Professional Standards: Teacher Education and Certification  
Part 9. Teacher Certification  
**210:20-9-95. Effective date of teaching certificates [AMENDED]**

Board member Baxter moved to approve the amended rule. Board member Franks seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

Title 210. State Department of Education  
Chapter 20. Staff  
Subchapter 9. Professional Standards: Teacher Education and Certification  
Part 9. Teacher Certification  
**210:20-9-96. Requirements for renewal or reissuance of certificates [AMENDED]**

Board member Franks moved to approve the amended rule. Board member seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

**Report on the Oklahoma Youth Academy Charter School of the Board of Juvenile Affairs from the Office of Juvenile Affairs (OJA)**

Brad Clark, General Counsel, State Board of Education presented the SBE required Office of Juvenile Affairs quarterly report on the Oklahoma Youth Academy Charter School.

State Board of Education members concurred with Board member Baxter's suggestion to allow SBE staff review future reports and advise accordingly on significant concerns. Presenting to the board will not be required and if SBE staff deem necessary.

In attendance representing the charter school and OJA were John Pugh, Education Coordinator and Melissa White, Director of Education.

**Resolve into Executive Session pursuant to 25 O.S. 2001 §§ 307(B) (7) and (8) for the purpose of discussing possible action to issue emergency orders summarily suspending the teacher certificates of Claire Torres, Amy Replogle, Nathan Cato, Raymond Crawford, and Heather Hammer pending individual proceedings for revocation or other action – OAC 210:1-5- 6(e), 75 O.S. § 314, and 70 O.S. § 3- 104**

**Utilize a Hearing Officer to conduct individual proceedings for revocation or other action on the teacher certificates of Claire Torres, Amy Replogle, Nathan Cato, Raymond Crawford and Heather Hammer Approved**



### **Convene into Executive Session**

Board member Baxter moved to convene into Executive Session at 12:15 p.m. Board member Franks seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

Brad Clark, General Counsel, State Board of Education, remained in the Executive Session.

### **Return to Open Session**

Board member Ross moved to return to Open Session at 12:29 p.m. Board member Flanagan seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

Superintendent Hofmeister stated no action was taken in Executive Session.

Board member Price moved to approve emergency suspension of the teaching certificate of **Clair Torres**. Board member Franks seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

Board member Flanagan moved to approve utilizing a hearing officer to conduct proceedings for revocation of the teaching certificate of **Clair Torres**. Board member Price seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

Board member Franks moved to approve emergency suspension of the teaching certificate of **Amy Replogle**. Board member Baxter seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

Board member Flanagan move to approve utilizing a hearing officer to conduct proceedings for revocation of the teaching certificate of **Amy Replogle**. Board member Ross seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Flanagan, yes; Mr. Ross, yes; Ms. Franks, yes; General Baxter, yes and Superintendent Hofmeister, yes.

Board member Franks moved to approve emergency suspension of the teaching certificate of **Nathan Cato**. Board member Baxter seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

Board member Franks moved to approve utilizing a hearing officer to conduct proceedings for revocation of the teaching certificate of **Nathan Cato**. Board member Baxter seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

Board member Franks moved to approve emergency suspension of the teaching certificate of **Raymond Crawford**. Board member Baxter seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

Board member Franks moved to approve utilizing a hearing officer to conduct proceedings for revocation of the teaching certificate of **Raymond Crawford**. Board member Ross seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

Board member Franks moved to approve emergency suspension of the teaching certificate of **Heather Hammer**. Board member Ross seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

Board member Franks move to approve utilizing a hearing officer to conduct proceedings for revocation of the teaching certificate of **Heather Hammer**. Board member Baxter seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes and Superintendent Hofmeister, yes.

Board members asked questions and discussed policy and guidance for utilizing hearing officer; and status of Swink Public School District.

## ADJOURNMENT

There being no further business Board members unanimously agreed to adjourn the meeting at 12:40 p.m.

The next regular meeting of the State Board of Education will be held on Thursday, February 25, 2016, 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.

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Joy Hofmeister, Chairperson of the Board

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Terrie Cheadle, Chief Executive Secretary