

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

March 27, 2013

The State Board of Education met in Special Session at 9:48 a.m. on Wednesday, March 27, 2013, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 9:15 a.m. on Tuesday, March 26, 2013.

The following were present:

Ms. Kalee Isenhour, Secretary to the State Board
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
Ms. Amy Ford, Durant
Ms. Joy Hofmeister, Tulsa
Mr. William "Bill" Price, Oklahoma City

Members of the State Board of Education not present:

Mr. Brian Hayden, Enid
Mr. William "Bill" Shdeed, Oklahoma City

Others in attendance are shown as an attachment.

**CALL TO ORDER
AND
ROLL CALL**

Superintendent Barresi called the State Board of Education special meeting to order at 9:48 a.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 and a salute to the Oklahoma Flag, and a moment of silence.

STATE SUPERINTENDENT

Information from the State Superintendent

Superintendent Barresi said thanked Board Members for attending the special meeting as well as their work studying the proposed changes. Today's meeting is to review and discuss proposed rules only and there are no action items. We appreciate all the public comments and those who attended the rules hearings.

LEGAL SERVICES

Discussion on Proposed Rules

Ms. Stephanie Moser Goins, Assistant General Counsel, Legal Services presented the following proposed permanent rule changes:

**Chapter 10. School Administration and Instructional Services;
Subchapter 13. Student Assessment – 210:10-13-18.
Oklahoma School Accountability System [AMENDED]**

Ms. Moser Goins said the rule changes were specific in addressing adequate yearly progress (AYP) procedure and incorporated revised definitions of designations. The majority of public comments were aimed at the district's ten working day period to file an appeal after receipt of preliminary data report. She reviewed comment concerns, outside of scope of changes, non-substantive/grammatical changes, and future need of statutory changes.

**Chapter 15. Curriculum and Instruction; Subchapter 27.
Reading Sufficiency Act – 210:15-27-1. Reading Sufficiency
Plans and Summer Reading Programs [AMENDED]
210:15-27-2. Good cause exemptions for promotion
under the Reading Sufficiency Act [AMENDED]**

Ms. Moser Goins said public comments addressed specific statutory exemptions and language affecting students with disabilities as well as comments regarding summer academy reading programs, reading instruction remediation prevention, retention requirements, RTI, and portfolio exemption.

Superintendent Barresi said there are misunderstandings regarding how RTI is applied in terms of additional time needing to be spent. We will focus on clarifying RTI information and increased block of time spent on reading with school districts.

**Chapter 20. Staff; Subchapter 3. Evaluation: Minimum Criteria
for Effective Teaching and Administrative Performance –
210:20-3-4. Oklahoma minimum criteria for effective
teaching performance [REVOKED]
210:20-3-5. Oklahoma minimum criteria for
effective administrative performance [REVOKED]**

Ms. Moser Goins said due to the Teacher Leader Effectiveness legislation the existing rules needed to be revoked. There will be a later change to section 152 that addresses minimum standards and criteria that are incorporated. Public comments were in support of revocation.

**Chapter 1. State Board of Education; Subchapter 5. Due
Process - 210:1-5-6. Revocation of certificates [AMENDED]**

Ms. Moser Goins said the public comment period ended on Monday, March 25, 2013. Public and hearing oral comments were aimed at the A through F rule. Written comments aimed at the proposed changes concerning procedures for revocation of a teaching certificate. A key element was added as an incorporation of the provision in the APA allowing emergency suspension of a teaching certificate in case of public health issues or public safety concern. She reviewed structural changes/ concerns clarification between revocation procedures versus procedure for suspension, grammatical changes, and non-substantive implement.

**Chapter 10. School Administration and Instructional Services;
Subchapter 13. Student Assessment –210:10-13-16. Student
exceptions and exemptions related to graduation requirements
for end-of-instruction exams [AMENDED] (“ACE”)**

Ms. Moser Goins said the proposed rule change updates the ACE graduation requirements specifically to reflect the appeal process. Public comments addressed the definition of extenuating circumstances, added provisions, proper petitioner for appeal, and student project clarification.

Board Members discussed original rule language regarding selective college or university; proposed changes in language that includes: accredited regional college may or may not be a four year institution, four year institution limitation, expansion for two-year accredited universities and non-exclusion of exemptions; higher education remediation rates, ACT/SAT affects, state graduation rates/data/class ranking, ACE criteria/exceptions/waivers, legislation,

college/university admission requirements, possible rule amendment, and impact on student economic and college opportunity.

**Chapter 10. School Administration and Instructional Services;
Subchapter 13. Student Assessment – 210:10-13-22.
Implementation of a system of school improvement and
accountability [AMENDED] (“A-F”)**

Ms. Moser Goins said numerous comments were received and reviewed A through F suggested changes incorporated, eliminations/replacements, policy considerations, statutory change(s), definitions, legislation, school district response/request, and data release/review.

Kimberly Richey, General Counsel, Ms. Maridyth McBee, Assistant Superintendent Accountability and Assessments, and Board Members further reviewed/discussed A through F rule language, revisions, clarifications, and public comment inclusion.

Ms. Kerri White, Assistant State Superintendent, Office of Educational Support, provided Board Members additional ACE information, student financial aid, admissions requirements, and student information system data collection possibilities.

**Chapter 15. Curriculum and Instruction; Subchapter 1.
General Provisions – 210:15-1-3. Procedures for review and
implementation of academic content and process standards [NEW]
Subchapter 3. Priority Academic Student Skills [REVOKED]**

Ms. Richey said the proposed permanent rule change revokes or pulls out the standards from the Oklahoma Administrative Code. She reviewed/discussed public comment concerns, perceptions, beliefs, legislation, and standards setting/process.

**Chapter 20. Staff; Subchapter 9. Professional Standards:
Teacher Education and Certification; Part 9.
Teacher Certification – 210:20-9-98. Administrative
requirements of teacher certification [AMENDED]
210:20-9-104. Certification for languages with no
subject area examination [AMENDED]**

Ms. Moser Goins said these teacher certification proposed rules pertain to the recognition of tribal certification of proficiency in Native American Languages. Public comment was very positive and incorporated into the rule, and the rule language was crafted to be useful to all tribal governments. She reviewed and discussed changes/clarifications, degree requirements, professional development, certification requirements, and subject area proficiencies.

**Chapter 40. Grants and Programs-In-Aid; Subchapter 87.
Rules for Payment to Charter Schools –
210:40-87-6. Charter School surety bonds [NEW]
210:40-87-7. Statewide Virtual Charter School
Board [NEW]**

Ms. Moser Goins said the two rules relate to charter school surety bonds and a Statewide Virtual Charter School Board (SVCSB). The proposed SVCSB rules were drafted from scratch in compliance with Senate Bill 1816, and amend and clarify charter school insurance

requirements and surety bonding. The purpose of the rule establishes a general framework for the newly established SVCSB that operates as a school district, to submit applications to the State Board of Education (SBE) which is the sponsor of the statewide virtual charter school board. She reviewed/discussed public comment concerns, rule language/revisions, bond requirements, charter school application requirements, provided services, state/federal compliances, SVCSB duties, SBE oversight, *Oklahoma Charter School Act* specifications, and online provider definitions.

ADJOURNMENT

There being no further business Superintendent Barresi made a motion to adjourn and Board Member Ford seconded the motion. The motion carried unanimously and the meeting adjourned at 1:20 p.m.

The next regular meeting of the State Board of Education will be held on Thursday, March 28, 2013, at 1:00 p.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