

**Minutes of the Regular Meeting of the
STATE BOARD OF EDUCATION
LAWTON PUBLIC SCHOOLS
SHOEMAKER EVENT CENTER
AUDITORIUM
753 FORT SILL BOULEVARD
LAWTON, OKLAHOMA**

August 27, 2015

The State Board of Education met in regular session at 1:05 p.m. on Thursday, August 27, 2015, in the Auditorium of the Lawton Public Schools-Shoemaker Education Center, 753 Fort Sill Boulevard, Lawton, Oklahoma. The final agenda was posted at 12:00 p.m. on Wednesday, August 26, 2015, by Keith Mitchell, Executive Director Communications, Lawton Public Schools.

The following were present:

Ms. Terrie Cheadle, Chief Executive Secretary

Members of the State Board of Education present:

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

Members of the State Board of Education not present:

Ms. Cathryn Franks, Roosevelt

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 1:05 p.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

Prior to the meeting Superintendent Hofmeister introduced and swore in Mr. William E. “Bill” Flanagan to the State Board of Education.

Superintendent Hofmeister recognized State Representative Anne Coody of Lawton.

It was a great pleasure to start day with Lawton Public Schools in celebrating dedication of Freedom Elementary School at Fort Sill Army Base. National, State, and local dignitaries were present who were engaged in producing a top notch, world class education for students in Lawton.

A special “thank you” to Dr. Tom Deighan, Superintendent, Lawton Public Schools for his wonderful welcome; luncheon with his staff and the orchestra assembled to serenade during lunch.

Recognition of Mr. Shawn Sheehan, 2016 Oklahoma Teacher of the Year

Superintendent Hofmeister introduced Mr. Shawn Sheehan the 2016 Oklahoma Teacher of the Year and presented a Resolution honoring the 2016 Oklahoma Teacher of the Year.

Mr. Sheehan is a special education math teacher at Norman High School-Norman Public Schools. He said he is honored and excited to represent the state of Oklahoma. His goals as Teacher of the Year are to shine a spotlight on the educator profession, the work that is happening in all classrooms, and post amazing stories of fellow Teacher of the Year finalists in his “Teach Like Me campaign.” Search “Teach Like Me” on Facebook, YouTube, Instagram and Twitter. A second goal is to start a Renaissance in Education in the State that mobilizes fellow educators, encourages them to stop tip toeing around issues, and have an “all hands on deck” attitude to support public education for the long term.

Superintendent Hofmeister thanked Board members Baxter and Price for their participation with the Teacher of the Year activities.

ACT Pilot Program Announcement

Superintendent Hofmeister said the ACT pilot program initiative was announced last week to give high school juniors an opportunity to take the ACT college entrance exam at no cost to school districts and students.

Standards Writing Update

Superintendent Hofmeister said the standards are progressing ahead of schedule. Teams are pleased to announce there has been great amount of input given from leaders in the state.

BOARD ADMINISTRATIVE

July 23, 215 Regular Meeting Minutes of the State Board of Education Approved

Board member Baxter moved to approve the minutes of the July 23, 2015 regular meeting. Board member Ross seconded the motion. The motion carried with the following votes: General Baxter, yes; Mr. Flanagan, abstain; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

Appoint Bradley Clark as General Counsel for the State Board of Education Approved

Board member Price motioned to approve the appointment of Bradley Clark. 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; General Baxter, yes; and Superintendent Hofmeister, yes.

Mr. Clark thanked Board members for the opportunity. He is humbled and motivated by the trust and confidence by the votes cast by the State Board of Education.

Proposed 2016 State Board Regular Meeting dates

Superintendent Hofmeister advised Board members to review dates to their respective calendars.

Board member Baxter requested to convene offsite of the State Department of Education at least twice in 2016, visiting a rural school and a school in Tulsa, Oklahoma.

First-Year Superintendents

First-year superintendents attending the meeting were Shane Gilbreath, Fletcher Public Schools; Melonie Hau, Duncan Public Schools; Nate Meraz, Elgin Public Schools; and Dax Trent, Flower Mound Public Schools.

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) **Abbreviated School Day – OAC 210:35-29-2 and 210:35-3-46**
Anadarko Public Schools, Caddo County
Lexington Public Schools, Cleveland County
McAlester Public Schools, Pittsburg County
Evening Program
Pawhuska Public Schools, Osage County
Perry Public Schools, Noble County
Quinton Public Schools, Pittsburg County
Stroud Public Schools, Lincoln County

- (b) **Adjunct Teachers – 70 O. S. § 6-122.3 and OAC 210:20-37-2**
Wapanucka Public Schools, Johnston County
Teacher Troy Bornman and Teacher Tanya Russell

- (c) **Cooperative Agreements for Alternative Education Programs – 70 O. S. § 1210.568**
Bishop Public Schools, Comanche County
Central Public Schools, Sequoyah County
Keyes Public Schools, Cimarron County
Milburn Public Schools, Johnston County

- (d) **Length of School Day-Flexible day - 70 O. S. § 1-109**
Caney Valley Public Schools, Washington County
Tannehill Public Schools, Pittsburg County
Vinita Public Schools, Craig County

- (e) **Library Media Services – OAC 210:35-5-71, OAC 210:35-7-61 and 210:35-9-71**
Bartlesville Public Schools, Washington County
Berryhill Public Schools, Tulsa County
Blair Public Schools, Jackson County
Braggs Public Schools, Muskogee County
Caney Valley Public Schools, Washington County
Depew Public Schools, Creek County
Elgin Public Schools, Comanche County
Elk City Public Schools, Beckham County
Eufaula Public Schools, McIntosh County
Fairview Public Schools, Major County

Cornelsen Elementary and Chamberlain Middle School
Fanshawe Public Schools, LeFlore County
Frontier Public Schools, Noble County
Greasy Public Schools, Adair County
Hardesty Public Schools, Texas County
Leach Public Schools, Delaware County
Paden Public Schools, Okfuskee County
Perry Public Schools, Noble County
Ponca City Public Schools, Kay County

Putnam City Public Schools, Oklahoma County
Tannehill Public Schools, Pittsburg County
Tuttle Public Schools, Grady County
Watonga Public Schools, Blaine County
Wetumka Public Schools, Hughes County

- (f) **Library Media Specialist – 70 O.S. § 3-126**
Muldrow Public Schools, Sequoyah County
Edmond Public Schools, Oklahoma County
Cleghern Elementary
Holdenville Public Schools, Hughes County
Salina Public Schools, Mayes County
Tahlequah Public Schools, Cherokee County
Tulsa Public Schools, Tulsa County
Academy Central Elementary, McKinley Elementary, McClain Seventh
Grade Academy, Anderson Elementary, Dual Language Academy,
Jackson Elementary, Early Childhood Development Center, Hamilton
Elementary, Hamilton Elementary, Lindbergh Elementary and
Whitman Elementary
- (g) **Allow Two School Days in a 24-Hour Period – 70 O. S. § 1-111**
Altus Public Schools, Jackson County
Anadarko Public Schools, Caddo County
Braggs Public Schools, Muskogee County
Caddo Public Schools, Bryan County
Caney Public Schools, Atoka County
Coalgate Public Schools, Coal County
Friend Public Schools, Grady County
Holly Creek Public Schools, McCurtain County
Leach Public Schools, Delaware County
Milburn Public Schools, Johnston County
Nashoba Public Schools, Pushmataha County
Paden Public Schools, Okfuskee County
Roff Public Schools, Pontotoc County
Quinton Public Schools, Pittsburg County
Tannehill Public Schools, Pittsburg County
Tuttle Public Schools, Grady County
Wapanucka Public Schools, Johnston County
Wetumka Public Schools, Hughes County
- (h) **Planning Period – OAC 210:35-7-41 and OAC 210-35-9-41**
Dewey Public Schools, Washington County
Leach Public Schools, Delaware County
Tuttle Public Schools, Grady County
Wapanucka Public Schools, Johnston County
- (i) **General Fund for Capital Expenditures – 70 O.S. § 1-117 and
OAC 210:25-5-4**
Bethany Public Schools, Oklahoma County
- (j) 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

Superintendent Hofmeister requested to remove James Facello from the emergency certification list on Agenda item 6. CONSENT DOCKET (6) (i), and table the consideration.

Board members asked questions and discussed the implications of the 506 emergency certification requests and solutions to teacher shortages.

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

CHIEF OF STAFF

Report on the Oklahoma Youth Academy Charter School of the Board of Juvenile Affairs from the Office of Juvenile Affairs

David Kinney, Assistant Attorney General presented an update on the status of December 18, 2014 board approved Office of Juvenile Affairs (OJA) Oklahoma Youth Academy Charter School contract, at which time the Board stipulated five (5) report requirements. On August 21, 2015, OJA responded to the requirements and approved the report provided to the State Board of Education (SBE) today. Board members were also provided an Open House invitation to the Youth Academy.

Board members discussed and asked questions pertaining to the OJA reporting requirements.

FINANCIAL SERVICES

Payment of Late Federal Program Claims

Titles I, II, VI, X; Title IV, Part B- 21st Century Community Learning Centers; Title I Elementary and Secondary School Act, Section 1003(g)- School Improvement Grants (SIG) Approved

Matt Holder, Chief Operations Officers, presented a request to pay federal claims to school districts that did not file by the August 1 deadline. Mr. Holder advised even though reasons maybe legitimate however, deadlines are set for a reason. Future “deadline date” meetings will be scheduled with the school districts to educate and communicate State Department of Education (SDE) expectations.

School districts requesting payment and filed “good cause” reason letters include Blackwell, Buffalo, Cave Springs, Coweta, Crooked Oak, Eufaula, Holly Creek, Ketchum, Keys, Krebs, Mangum, Muskogee, Rocky Mountain, Quinton, Lane, Shady Point, Watts and Maud.

Board members asked questions and discussed late claim rules, process and procedures.

Board member Baxter moved to approve payments of the late federal programs claims. 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; General Baxter, yes; and Superintendent Hofmeister, yes.

FY2016 Shared Superintendent Salary Assistance Applications Report Approved

Mr. Holder presented a request for four (4) school districts to share a superintendent that include Chelsea, White Oak, New Lima, and Moss. The 2011 Legislation allows school districts to share a superintendent and salary assistance for approximately three (3) years and a \$150,000 maximum. In Fiscal Year 2013, eight (8) school districts took advantage of the program, FY2014-12 school districts and FY15-six (6) school districts.

Board members asked questions and discussed shared superintendent salary assistances.

Board member Price moved to approve the shared superintendent salary assistance request. Board Member Keating seconded the motion. The motion carried with the following votes: General Baxter, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

ACADEMIC AFFAIRS and PLANNING

School Improvement Grants (SIG) Section 1003(g) of ESEA Approved

Dr. Cindy Koss, Deputy Superintendent, Academic Affairs and Planning, presented a recommendation request to award Cohort 5 grant funds to Liberty STEM Academy-Sapulpa Public Schools; Temple Elementary School-Temple Public Schools; Briggs Public Schools; and Strother Elementary School-Strother Public Schools. Grants are funded by the United States Department of Education (USDE) under section 1003 (g) of Title I of the Elementary and Secondary Education Act of 1965 to State Educational Agencies (SEAs). The OSDE received \$5,080,935 to provide five (5) year competitive subgrants to local educational agencies (LEAs).

Board members asked questions and discussed SIG requirements, responsibilities, monitoring and achievements.

Board member Price moved to approve the SIG recommendation request. 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; General Baxter, yes; and Superintendent Hofmeister, yes.

2014-2015 Oklahoma School Testing Program (OSTP) Results

Dr. Koss presented the preliminary results of the 2014-15 Oklahoma Core Curriculum Tests for Grades 3-8 and End-of-Instruction (EOI) tests. State and federally mandated tests include math and reading Grades 3-8; science; geography, social studies Grade 5 and 8; and writing tests Grade 5 and 8. Final tests results will be presented at the September SBE meeting.

Board members asked questions and discussed OSTP results, focus areas, and final updates.

EDUCATOR EFFECTIVENESS AND POLICY

Publishing and making Publically Available the Low Income Report; Enrollment Report; Dropout Report and Graduation Report Approved

David Kinney, Assistant Attorney General, presented a recommendation request to publish and publicly make available reports required by state or federal mandates which includes a Low Income, Enrollment Report, Dropout Report and Graduation Report. The SBE was authorized by the Student Data Accessibility, Transparency and Accountability Act of 2013, Section C, effective July 1, 2013.

Board members asked questions and discussed open records, evaluation/redaction and SDE attorney data reviews.

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

LEGAL SERVICES

Emergency Rules Adoption Approved

Lori Murphy, Assistant General Counsel, presented a request for emergency rule amendments of the following rules:

- (1) Title 210. State Department of Education
Chapter 1. State Board of Education
Subchapter 3. Departmental Precepts
**210:1-3-8.1. Student Data Accessibility, Transparency, and
Accountability Act [AMENDED]**

Board member Price moved to approve the amended emergency 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; General Baxter, yes; and Superintendent Hofmeister, yes.

- (2) 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 emergency rule. Board member Ross seconded the motion. The motion carried with the following votes: General Baxter, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

- (3) Title 210. State Department of Education
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]**

Board member Baxter moved to approve the amended the 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; General Baxter, yes; and Superintendent Hofmeister, yes.

- (4) Title 210. State Department of Education
Chapter 35. Standards for Accreditation of Elementary, Middle
Level, Secondary, and Career and Technology Schools
Subchapter 9. Additional Standards for Secondary Schools
Part 7. Standard IV: Curriculum, Instruction, Assessment and
Climate
**210:35-9-31. Program of studies and graduation requirements
[AMENDED]**

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

Suspension of the Teaching Certifications

Brad Clark, General Counsel, State Board presented emergency order requests to suspend teaching certifications and to utilize a Hearing Officer should revocation proceedings are pursued in the matter of Cameron K. Kedy and Joseph Leon Love.

Board members asked questions and discussed Hearing Officer appointment, qualifications and hearing procedures.

Board member Price moved to approve the request to suspend the teaching certification of Cameron K. Kedy with an opportunity to surrender teaching certificate. 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; General Baxter, yes; and Superintendent Hofmeister, yes.

Board member Price moved to approve the request to suspend the teaching certification of Joseph Leon Love with an opportunity to surrender teaching certificate. Board member Flanagan seconded the motion. The motion carried with the following votes: General Baxter, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

ACE APPEALS

Convene into Executive Session

Board member Price made a request to convene into Executive Session at 2:55 p.m. 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; General Baxter, yes; and Superintendent Hofmeister, yes.

Return to Open Session

Board member Flanagan made a motion to return to Open Session at 3:45 p.m. Board member Ross seconded the motion. The motion carried with the following votes: General Baxter, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

Dr. Robyn Miller, David Kinney, and Melissa White were in attendance in the Executive Session. No action was taken on any item under consideration during Executive Session.

Recommendation: Action based upon verified evidence meeting the criteria for granting an exception to ACE graduation requirements
OKC15-0004 **Approved**

Board member Price moved to approve the ACE appeal recommendation for OKC15-0004. 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; General Baxter, yes; and Superintendent Hofmeister, yes.

Recommendation: Action based upon verified evidence meeting the criteria for granting an exception to ACE graduation requirements
Durant 15-0006 **Disapproved**

Board member Baxter moved to disapprove the ACE appeal recommendation Durant15-0006. Board member Keating second the motion. The motion carried with the following votes: General Baxter, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, no.

Recommendation: Denial based upon verified evidence meeting the criteria for granting an exception to ACE graduation requirements
Millwood15-0005 **Approved**

Board member Baxter moved to approve the ACE appeal recommendation for Millwood15-0005. 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; General Baxter, yes; and Superintendent Hofmeister, yes.

PUBLIC COMMENT

Board members discussed review of the public comment period on the SBE agenda.

ADJOURNMENT

There being no further business Board member Baxter moved to adjourn the meeting at 3:49 p.m. Board member Ross seconded the motion. The motion carried with the following votes: General Baxter, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

The next regular meeting of the State Board of Education will be held on Thursday, September 24, 2015, 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