

**Minutes of the Regular Meeting of the**

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

**March 23, 2017**

The State Board of Education met in regular session at 1:03 p.m. on Thursday, March 23, 2017, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 12:30 p.m. on Wednesday, March 22, 2017.

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. Daniel Keating, Tulsa  
Mr. William "Bill" Flanagan, Claremore  
Ms. Cathryn Franks, Roosevelt  
Mr. William "Bill" Price, Oklahoma City  
Mr. Robert J. Ross, Oklahoma City (arrived at 1:26 p.m.)

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 1:03 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**

**Recognition of Department Employee  
for the Month of March**

Superintendent Hofmeister recognized Ms. Lori Murphy, Assistant General Counsel, Legal Services as the employee for the month March.

**Employee Service Recognitions**

Superintendent Hofmeister recognized State Department of Education employee Debbie King, Executive Assistant to Dr. Cindy Koss, Deputy Superintendent, Academic Affairs for 25 years of service to the state of Oklahoma.

**Information from the State Superintendent**

Superintendent Hofmeister updated on the \$18 million March state aid shortage and payment at 70.96 % instead of the schedule 72%; Debra Deskin named Ag In the Classroom 2017 Teacher of the Year (TOY), Amber Bells 2016 TOY won the National 2017 TOY award; National Indian Education Study highlighted Oklahoma Native American students had significant gains in reading; April 5 ESSA Tribal Consultation and School District meeting with Bureau of Indian Affairs (BIA) and United States Department of Education (USDE); meetings with Betsy DeVos, USDE Secretary of Education and State Superintendents of Public Instruction.

**BOARD ADMINISTRATIVE**

**February 23, 2017 Regular Meeting Minutes  
of the State Board of Education Approved**

Board member Baxter moved to approve the minutes of the February 23, 2017, regular meeting. Board member Franks seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

## **PUBLIC COMMENT**

Signed up to address the Le Monde International School charter school sponsorship appeal included Kelly Nix, Jennifer Clark, Jody Britt of Norman; Loida Salmond, President, Le Monde International School; Michael Ramos, parent; and Barbara Thompson, retired French teacher, Oklahoma City.

### **STATE BOARD OF EDUCATION OFFICE**

#### **Accept or Deny the Appeal for Charter School Sponsorship submitted by the Le Monde International School**

Brad Clark, General Counsel, State Board of Education, advised SBE members of the presentation order, time allowances, questions and answers.

Bill Hickman, Attorney representing Le Monde International School, presented the mission statement of the immersion charter school for French and Spanish; parent commitment; considerations of denied revised charter school application and Charter School Act compliance.

Cindy Nashand, President, Norman Public School Board, presented explanation of the local board review process, evaluation and decision concerning the Le Monde Charter School application.

Dr. Joe Siano, Superintendent, Norman Public Schools presented the district focus to conduct a thorough, fair, collaborative review of the charter school application to ensure students would receive a high quality education. Dr. Siano reviewed the state charter sponsorship guidance, process and evaluation steps for content area specialists, curriculum, finance and personnel matters; and state budget cuts.

Eric Wade, Attorney, Rosenstein, Fist & Ringold, representing Norman Public Schools presented three (3) points for consideration that included application evaluation process and timeline, charter school application requirements, and conclusions by the school district.

Attorney Hickman concluded addressing the financial/budget reporting requirements, school site location and instructional/curriculum design.

Attorney Wade corrected that charter school applications with a first year cash flow analysis existed. One he reviewed provided a monthly break down of revenue and expenditures which not only is a good business practice for financial planning purposes but it is implied in the Act. He concluded it is a reasonable request as part of the evaluation.

**(Superintendent Hofmeister recessed at 2:28 p.m. and returned at 2:35 p.m.)**

## **First-Year Superintendents**

First-year superintendent Dr. Janet Dunlap, Broken Arrow Public Schools attended the meeting.

### **STATE BOARD OF EDUCATION OFFICE**

#### **Accept or Deny the Appeal for Charter School Sponsorship submitted by the Le Monde International School - Approved**

Board members discussed and asked questions relating to charter school timelines, sponsorship, policy adoption, state statute opposition/inconsistency, curriculum benefits revenue losses/budget constraint, teacher recruitment, State Board of Education requirements and expectations.

General Counsel Clark advised SBE members that a 2018 startup date would necessitate approving the application and then setting pre-opening requirement to be met required extensive support and oversight by the State Department of Education.

Board member Ross moved to accept the appeal of the Le Monde International School charter school sponsorship contract provided the school opened in one year (2018) if they met the pre-opening/planning year requirements; and contract agreement would be made between General Counsel for the State Board of Education and Le Monde International School. Board member Price seconded the motion.

In response to the motion, Attorney Wade said a 2018-19 start time had not been suggested in the application nor did the law and SBE regulation allow it on an appeal of an application.

Superintendent Hofmeister said she believed in immersion education and hoped to see it but at this time the agency did not have the capacity to walk alongside a group of parents and boards that are not ready for implementation. First, SDE is stretched supporting the work and serious needs in the schools and requiring the SDE's attention and focus; and additional budget cuts concerns that will mean cutting of services. Right now it would add to something that goes beyond our capacity to do. Secondly, we've had extensive staff discussions, review of the application and the concern is not having the capacity to be successful.

Board members asked questions and discussed resources, contractual perimeters of pre-opening requirements, student benefits and SBE standards/rules.

The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, nay; General Baxter, yes; and Superintendent Hofmeister, nay.

**(Mr. Keating and General Baxter left the meeting at 3:10 p.m.)**

## **Stroud Public School's Academic Performance Production Bonus Plan - Approved**

Joe Von Tuyl, Superintendent, Stroud Public Schools presented the modified academic performance production bonus plan for the school district. Mr. Tuyl reviewed the increased bonus categories and testing requirement changes to implement at the district.

Board member Price moved to approve the modifications to the bonus plan. Board member Ross seconded the motion. The motion carried with the following votes: Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, 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 2016-2017 school year and other requests:

- (a) **General Fund for Capital Expenditures – 70 O.S. § 1-117 and OAC 210:25-5-4**  
Quinton Public Schools, Pittsburg County  
Shawnee Public Schools, Pottawatomie County  
Porter Consolidated, Wagoner County
- (b) Request approval on exceptions to State Board of Education teacher certification regulations to permit issuance of emergency (provisional) certificates – **70 O. S. § 6-187**
- (c) Request approval for the Hillsdale Christian School, an accredited private school, to participate in the Lindsey Nicole Henry Scholarships for Students with Disabilities program – **70 O. S. § 13-101.2**
- (d) Request approval of the Order Declaring Consolidation for Olustee Public School District, Jackson County and Eldorado Public School District, Jackson County – 70 O. S. 7-105 and OAC 210:1-3-2 (6)

Board member Ross moved to approve the Consent Docket.

Board member Flanagan clarified that Quinton Public Schools, General Fund for Capital Expenditure request, Consent Docket item, 6 (a), is land for a gym/parking that will also be used by the band and future school locations.

Board member Franks seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; and Superintendent Hofmeister, yes.

## **FINANCIAL SERVICES**

### **FY2016 General Fund Balance Penalties-Approved**

Matt Holder, Deputy Superintendent of Finance and Federal Programs, presented recommendation requests to waive general fund balance penalties for Burlington, Cherokee, Beaver, Sayre, Calumet, Seiling, Deer Creek-Lamont, Frontier, Kiowa, Reydon, Cheyenne, Alva, and Freedom Public Schools.

Board member Franks moved to approve the general fund balance penalties. Board member Flanagan seconded the motion. The motion carried with the following votes: Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

### **The FY2017 State Board of Education budget as a result of the denial for a transfer of funds in the amount of \$397,200 from the Support of Partnership of Math Intervention to the Support of Public School Activities – Approved**

Mr. Holder presented a request to transfer \$397,200 from the National Board Certified Teacher line item due to the denial to transfer funding from the Support of Partnership and Math Intervention. All National Board Certified Teachers have received payments and these funds will need to be replaced with FY 2018 allocations.

Board member Flanagan moved to approve the \$397,200 transfer request. Board member Franks seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; and Superintendent Hofmeister, yes.

## **LEGAL SERVICES**

### **Amended Rules Adoption Approved**

Lori Murphy, Assistant General Counsel, Legal Services, presented a request to adopt the following rule amendments:

- (1) **210:10-13-21. Academic Assessment Monitoring Program (AAMP) [AMENDED]**
- (2) **210:20-9-91. Application for new certificates [AMENDED]**
- (3) **210:20-37-2. Adjunct teachers [AMENDED]**
- (4) **210:40-31-1. Public School Classroom Support Grants [NEW]**

Board member Franks moved to approve the rule amendments 1 through 4. Board member Flanagan seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; and Superintendent Hofmeister, yes.

## STATE BOARD OF EDUCATION OFFICE

**Resolve into Executive Session pursuant to 25 O. S. §§ 307 (B) (7) and (8) for the purpose of discussing possible action to issue emergency orders summarily suspending the teacher certificate and certificate number of Robert Gaskill pending individual proceedings for revocation or other Action -70 O. S. § 3-104; 75 O. S. § 314; OAC 210-1-5-6 - Approved**

**Convene into Executive Session pursuant to 25 O. S. § 307 (B) (4) for the purpose of confidential communications between the Board and its attorney concerning a pending claim by Kenda Miller, styled *Kenda Miller v. State of Oklahoma, ex rel. State Board of Education*, Case no: CV-2017-568, in the District Court of Oklahoma County, State of Oklahoma, the Board being advised that disclosure will seriously impair the ability of the Board to defend or otherwise represent itself in the litigation or proceeding in the public interest – 25 O. S. § 307 (B) (4) - Tabled**

Board member Price moved to convene into Executive Session at 3:48 p.m. Board member Ross seconded the motion. The motion carried with the following votes: Franks, yes; Mr. Flanagan, yes; Mr. Ross, 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 Flanagan moved to return to Open Session at 4:01 p.m. Board member Franks seconded the motion. The motion carried with the following votes: Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

Superintendent Hofmeister said no decisions were made on the matters discussed in the Executive Session.

Board member Ross moved to issue emergency orders summarily suspending the teacher certificate and certificate number of Robert Gaskill. Board member Price seconded the motion. The motion carried with the following votes: Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

### **ADJOURNMENT**

There being no further business Superintendent Hofmeister adjourned the meeting at 4:04 p.m.

The next regular meeting of the State Board of Education will be held on Thursday, April 27, 2017, 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