

**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**

April 9, 2012

The State Board of Education met in special session at 9:30 p.m. on Monday, April 9, 2012, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 9:25 p.m. on Thursday April 5, 2012.

The following were present:

Ms. Connie Holland, Chief Executive Secretary
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
Mr. Brian Hayden, Enid
Ms. Joy Hofmeister, Tulsa
Mr. William "Bill" Price, Oklahoma City
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 9:30 a.m. and welcomed everyone to the meeting. Ms. Holland 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

Superintendent Barresi thanked Board Members for attending the special meeting. She reviewed Department activity that included: Tulsa REAC³H network meetings, Superintendent's Roundtable, 20 member Leadership Council, and CNG and traditional fuels. Mr. Trent Gibson, Director, Transportation, will provide school district vehicle conversions/cost savings report study at May 24, 2012, SBE meeting.

ACADEMIC AFFAIRS

Office of Educational Support

**Recognition of Reward Schools Identified as Part of the
Elementary and Secondary Education Act (ESEA) Flexibility Request**

Recess

Superintendent Barresi recessed the State Board of Education meeting for a Recognition Ceremony for Reward Schools at 9:45 a.m.

Reconvene

Superintendent Barresi reconvened the State Board of Education meeting at 10:45 a.m.

FINANCIAL SERVICES

Waiver of Administrative Cost Penalties Approved

Ms. Mathangi Shankar, Director, Financial Services presented a request to waive penalties for 13 school districts that did not meet the administrative cost criteria for the 2010-2011 school year.

Ms. Shankar said this is a continuation from the March 29, 2012, SBE meeting. There were 28 school districts for fiscal year 2011 that exceeded the allowable administrative cost. The

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SBE waived the penalties for 15 school districts after superintendents reported that the excess administrative cost were due to clerical errors which resulted in the miscoding of expenditures. The SBE tabled the remaining 13 districts to this special meeting to give those districts an opportunity to report. After the last meeting, the 13 school districts were notified and requested to submit documentation to show if there was any miscoding. Documentation from seven school districts was received and superintendents were present at the meeting.

Ms. Shankar said Board Members requested historical information pertaining to these school districts at the last SBE meeting and reported Glover, Foyil, Grandview, Straight and Gage school districts exceeded administrative costs this fiscal year; Skelly, Mannsville, and Greenville school districts exceeded administrative cost in 2009 and 2010; and Riverside, Leach, Braman, Lone Wolf, and Nashoba school districts exceeded costs only in 2010.

Board Member Ford asked these are all data errors thus the reason for waiving the penalty?

Superintendent Barresi said it was traditional that all penalties were waived. The law states only on "data error."

Mr. Greg Gregory, Superintendent of Gage Public Schools, presented information regarding coding data errors. The penalty is due to coding error(s) for a new technology person. Mr. Gregory was newly hired at the same time as an interim consultant for eight weeks at \$13,000. He was hired later on as superintendent due to death of the superintendent. Mr. Gregory said of the \$69,008.43 penalty, \$9,000 is not data error.

Board Member Ford said if the numbers are rerun with the correct codes does that offset the penalty of \$69,000?

Mr. Gregory said if you rerun the technology person that is \$45,000 of the amount. Paying a current superintendent and consultant is \$13,000 of it, which drops the amount to \$9,000. He begged the SBE to forgive all of it.

Board Member Ford said we are allowed statutorily to forgive data errors and must follow the statutes. Can we forgive or how do we motion to forgive part of the penalty until we get the correct numbers?

Ms. Endres said the data can be verified and tabled.

Board Member Price asked if SDE staff could be come up with the exact figure, that it is somewhere around \$9,000.

Board Member Ford asked can we waiver all the penalty that is determined to be....

Ms. Endres said that is verified to be clerical.

Board Member Ford made a motion to waive the administrative cost penalty attributed to data errors for Gage Public Schools. Board Member Hayden seconded the motion.

Board Member Price said the Board can specify what we considered data errors.

Superintendent Barresi said to clarify, would Board Members want numbers reported to them or work with the school districts to clarify information.

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Board Member Price said yes and delegate it to the SDE.

Board Member Ford said we are going to waive all the data errors, the \$45,000 and the \$13,000, and instructed Mr. Gregory to work with the SDE.

Board Member Price said and delegate to the SDE to determine that amount.

Superintendent Barresi asked Ms. Shankar would that be possible.

Ms. Shankar said yes.

Board Member Hayden said the SDE would determine the amount of the penalties and provide a report to the SBE. The motion carried with the following votes: Ms. Ford, yes; Mr. Hayden, yes; Ms. Hofmeister, yes; Gen. Baxter, yes; Mr. Shdeed, yes; and Mr. Price, yes.

Mr. Mike Converse, Superintendent, Glover Public Schools, said coding mistakes for line item expenditures/corrections and clerical errors are the reasons for the penalty. He said this was his seventh year at Glover, and they have not had an issue like this. Basically ours is the same situation with clerical errors and coding mistakes. We can get it to where it needs to be if we are allowed to make the changes to correct clerical errors this year and this past year.

Superintendent Barresi asked what the clerical errors were.

Mr. Converse said the secretary sent in the information and has some line item codes.

Superintendent Barresi asked do they equal approximately \$6,800.

Mr. Converse said yes, \$6,850.61 is what the penalty would be.

Board Member Price asked do the clerical errors exceed that amount.

Mr. Converse said yes.

Board Member Price asked what the clerical errors were.

Mr. Converse said he does not understand completely, but his secretary was coded in some areas that she should not have been. She has been there a long time, and the way she was coded in the past has not been an issue. She did not know to code it differently. We received less money over the past year and that caused us to be over the ten percent. He had the letter that explained the situation to the SDE.

Board Member Baxter said is it out the question to suggest for first time deviants or transgressors we strip out the administrative side of this and waive the rest unless there is something the SDE knows that the Board does not. We are allowed to waive the coding issues, and these numbers reflect just the total amount. If he knew that the coding errors, on the first-time group, were causing this issue, why would we not just waive them. He is more concerned about people that have penalties three years in a row and not able to make this work.

Superintendent Barresi said would Board Members like for us to work with the superintendent to identify all of those issues?

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Board Member Ford asked could we move to waive the penalties on those that are truly coding errors.

Ms. Pam Honeysuckle, Financial Accounting, said Glover Public Schools submitted documentation that satisfies administrative cost/OCAS requirements.

Board Member Price asked if there were supporting documents regarding the coding errors?

Ms. Honeysuckle said yes.

Board Member Ford made a motion to waive the administrative cost penalty attributed to data errors for Glover Public Schools.

Board Member Shdeed asked if penalties could be waived for all first year schools that present.

Board Member Hofmeister asked do we have to do each one. Can we make a motion to...

Superintendent Barresi asked Ms. Shankar if the first year overages were reconciled as a result of increased information from Foyil Public Schools, Grandview Public Schools, and Straight Public School.

Ms. Shankar reported Straight Public School is reconciled. Foyil and Grandview Public Schools did not submit information, but the superintendents are present.

Superintendent Barresi asked Foyil Public Schools to report and asked if SBE members could vote on all of these at one time?

Mr. Mike McGregor, Superintendent, Foyil Public Schools, said penalties are due to clerical coding errors for salaries, personnel disruptions, changes, and cuts. He said he had a communications problem and thought this was going to be presented at the SBE meeting later in the month and that is why the documentation was not available. The school treasurer does the coding, and it is her second year working with this and she is still learning. She was hired by the previous superintendent who replaced me after he retired and they called him back. Several people in the office have been miscoded, with full salaries going into certain areas where they should not have been instead of partial salaries. The SDE will have the documentation that shows it is all clerical error and that we had more than enough to eliminate the overage.

Mr. Gary Wade, Superintendent, Grandview Public Schools, said he was not aware of the problem until the SDE contacted him. Money has already been moved around, and the \$363.00 can be taken care of.

Board Member Ford asked these were data errors?

Mr. Wade said data errors, yes. The penalties are due to data errors and money has been moved around.

Board Member Ford amended the motion to waive the administrative cost penalty attributed to data errors for Glover Public Schools and to include waiving penalties assessed for exceeding administrative costs attributed to data errors for Foyil, Grandview, and Straight Public Schools. Board Member Baxter seconded the motion. The motion carried with the following

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votes: Mr. Price, yes; Mr. Shdeed, yes; Gen. Baxter, yes; Ms. Hofmeister, yes; Mr. Hayden, yes; and Ms. Ford, yes.

Superintendent Barresi asked for representatives from Riverside, Leach, Braman, Lone Wolf, and Nashoba. She said if it pleases the Board, we will do this in one vote.

Mr. Jeffery Gore, Superintendent, Riverside Public Schools, said penalties were due to clerical/data coding errors, which have been recoded resulting in a savings of \$44,000. Mr. Gore said everything was coded in the 2500 series instead of the 2300. We can save \$44,000. The penalty was \$19,000. Due to recoding him, the secretary and clerk can save \$44,000. The encumbrance clerk is on vacation, but he talked with the treasurer and was informed it is clerical/data coding errors. A 26-digit code is used even if we buy a pencil sharpener. It does not take much to be off one or two numbers. He asked the SBE to waive the penalties because we have already figured out how to fix it.

Superintendent Barresi reminded Board Members this was the second year.

Mr. Gore said it is the second year. It should have been corrected last year, but due to personnel shortages the information does not always get to the needed people.

Board Member Ford asked if many of these that are more than one year because historically they were waived.

Board Member Shdeed asked how many students were enrolled.

Mr. Gore said 185 students.

Mr. Kenneth Guthrie, Superintendent, Leach Public School, said penalties were personnel miscoding data errors and will offset the cost. Last year he was a first-year superintendent, and he could not speak for why this has been the case two years in a row. Going back and reviewing the information we determined it was a clerical error and brought to his attention in by letter from the SDE. Basically there are three people at our small district, and we share many of duties. He felt all had been fixed for the current year. The physical education teacher/coach was incorrectly coded as athletic director and does not serve in that capacity, much of the secretary's salary was coded under administrative duties, part of the federal programs director, and the curriculum instructor were incorrectly coded.

Board Member Ford asked if it will offset the cost.

Mr. Guthrie said, yes, we were over \$24,635.31, and the three combined exceeds that amount

Superintendent Barresi said Braman Public Schools' penalty is \$31,414.44.

Mr. Rustin Clark, Superintendent, Braman Public Schools, said two years prior the district went from an independent to a dependent school district. Last year would have been our second year without a high school. That closure process caused our budget to go down. His salary was still coded as a fulltime superintendent and fulltime principal, as opposed to part superintendent and part principal. He said the law changed the coding last year. The coding was incorrect for his secretary who also became the building secretary with the closure of the high school. He also mentioned the high school closed two years ago. The voters and neighboring district voters voted last week to consolidate, so this will actually be the last year that Braman will be around.

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If we are able to offset his salary and the clerk's salary, that would put the amount under ten percent by \$24,000.

Superintendent Barresi asked what district(s) will consolidate with Braman?

Mr. Clark said Newkirk Public Schools.

Mr. James Sutherland, Superintendent, Lone Wolf Public Schools, said two personnel clerical coding errors resulted in the administrative cost penalties. The secretary typically in all small schools in the area serves as secretary for the elementary and high school principal plus the superintendent. We had a flexible benefit for the treasurer that should have been coded under the flexible benefit for a certified teacher. He is a retired teacher and serves part time as a teacher and one period a day as the treasurer.

Superintendent Barresi said the penalty for Nashoba Public School was \$464.57. She asked Ms. Shankar if there was documentation on this issue.

Ms. Shankar said Nashoba Public School submitted documentation that satisfies the administrative cost/OCAS requirements.

Superintendent Barresi said there are districts in the three-year category. She called on the superintendent of Skelly Public School, Adair County that has a penalty of \$8,004.27.

Mr. Emmett Thompson, Superintendent, Skelly Public School, said he was unaware that this was the third year in a row Skelly was on the list. He did know in 2009, the year before he arrived, the school was over on administrative cost. There was a fulltime superintendent and two fulltime secretaries, and how they were coded he did not know. He did receive a phone call in July or August of that year notifying him of the overage on administrative costs for 2009. He did not receive any notification about the 2010 penalty, and last week he received notification for 2011. A letter was submitted to the SDE late last week. Regarding any coding issues the only thing he could think of was to look at the secretary's salary and make sure it was coded partially for the principal salary. We have reduced the administrative salaries by almost 20 percent in three years. Our managerial expenses have been raised more than 34 percent which is partly due to the Drug Free Communities grant that we are the LEA for, and the director should be coded as administrative. It had not been done in the first three years, but since then we have coded it as administrative duties. That person acts as a consultant this year and is no longer with the district, but we are still the LEA.

Board Member Ford said so recoding you think you are going to get below....

Mr. Thompson said yes.

Superintendent Barresi asked if there was documentation.

Mr. Thomson said he had not submitted any documentation as far as recoding. It would be helpful. He said he was looking at the personnel report for support staff and making sure that there is coding for the principal's secretary instead of solely the superintendent's secretary, and that will help.

Superintendent Barresi said the SDE would like to have input from the schools about how we can be more helpful to you moving forward. Mannsville Public Schools is next with a penalty of \$10,867.60.

Ms. Shankar said Mannsville Public Schools submitted documentation that satisfies the administrative cost/OCAS requirement.

Superintendent Barresi said Greenville Public Schools' penalty is \$13,297.35.

Mr. Terry Shaw, Superintendent, Greenville Public Schools, said he was a first-year superintendent, and he too was unaware until the announcement today that this is the third year. His secretary attended the OCAS meeting last week regarding administrative costs to ensure we are not on the penalty list this year. Last year was simply a coding error in 2321. The secretary coded over \$10,000 of her salary towards administrative cost. Part of that was her secretarial retirement and the other two putting us at \$13,534 coded towards other board services that show up under administrative cost. Corrections were made and documentation was submitted to SDE last week which put us under our ten percent by \$900.

Board Member Baxter said when he joined the SBE there was a process where every time a school needed to hire a temporary faculty member to fill a vacancy and the person was one semester hour short of a master's degree, the SBE required the superintendent and the applicant to troop here to testify why they should hire the person to be a school psychologist. He asked is this was the best use of a superintendent's time to come before the SBE and report the reason for a \$650 deficit? Especially, when all the penalties end up being written off? It would be more useful for SDE staff to provide the SBE a report, and if any particular area does not meet the requirement, a superintendent should be invited to speak.

Superintendent Barresi said the SDE would be happy to comply. Last year it was such a large number the SBE raised concerns about the number.

Board Member Baxter said he remembered. It did not look that there was anything here other than coding errors or problems. The SDE could inform the SBE if it was something worth the time. He just hates to see them come from across the state for this.

Board Member Price said that was a good point. As long as schools provide some kind of paperwork showing that it is clerical error and the SDE reviews and determines it is clerical error, let's put it on the Consent Agenda in the future and not have the superintendent's drive from all over.

Superintendent Barresi said also in the past we have been frustrated with getting the data in a timely fashion which causes the SDE to be late in reporting numbers and gets the SDE in trouble with the legislature in terms of getting these numbers out. I have asked Ms. Shankar to work with our new staff now in OCAS to focus on deadlines that will allow districts to make timely reporting, clarify issues and make current, to get the list down to nothing. As you can see a lot of new superintendents are involved in this and are working hard with transition situations as well.

Board Member Baxter said he remembered this from last year, and it is a great reduction in the number of schools that are missing and is a credit to the SDE. He said he appreciates the efforts.

Board Member Price said the penalty for being very late is having to traipse here and appear before the SBE. When we deal with these items in the future by Consent Docket and by... or do we need a motion to approve the waivers we have heard that all appear to be clerical error?

Board Member Price made a motion to approve waiver requests due to clerical errors for Riverside Public School, Leach Public School, Braman Public Schools, Nashoba Public School, and Lone Wolf Public Schools. Board Member Hayden seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Hayden, yes; Ms. Hofmeister, yes; Gen. Baxter, yes; Mr. Shdeed, yes and Mr. Price, yes.

Board Member Ford asked if a motion was required to move the items to the Consent Docket.

Board Members concurred to list future administrative cost penalty items under the Consent Docket on the SBE meeting agenda.

FIRST-YEAR SUPERINTENDENTS

First-year superintendent(s) attending the meeting were Ms. Leslie Christian, Superintendent, Turner Public Schools, and Mr. Terry Shaw, Superintendent, Greenville Public Schools.

ACADEMIC AFFAIRS

Report and Recommendations Regarding C³ Partnership Schools Approved

Mr. Richard Caram, Director of C³ Schools, said the seven schools selected for C³ partnerships presented at the March 29, 2012, SBE meeting included Keyes Elementary School, Farris Elementary School, Santa Fe South Middle School, Okay High School, Shidler Elementary School, Roosevelt Middle School-Oklahoma City Public Schools, and McLain High School-Tulsa Public Schools. Mr. Caram said the SDE has been working with the Level I schools regarding their partnership plans, school improvement process, wrapping the capacity into their school capacity, and developing a system program to help with what is best for their students.

Superintendent Barresi said if it pleases the SBE, representatives from the school districts were present, if they would like them to come forward.

Board Member Ford asked Mr. Caram to discuss the partnerships with the different schools.

Mr. Caram said he and Mr. Kincaid, Superintendent, Keyes Elementary School, have ongoing discussions and in late March 2012 met with the local board of education. All parties were made aware of the available resources to C³ partnership schools. The district is preparing a plan and has an open dialog with the SDE about how to help the 75 students as well as reviewing all options to make the financial situation more viable with a shrinking school district. He had conversations with the local board vice president and addressed his concerns.

Board Member Ford asked how they are responding.

Mr. Caram said they are responding very well. He will have a conference call at the Keyes local board meeting on April 23, 2012, to work through their questions. They have been

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involved with the TLE, have contacted Pangia-Apangea Math programs, and there is a good positive open dialog with Keyes.

Mr. Caram said he, Mr. Watson and Superintendent Barresi have had several conversations and most recently this morning, talked with Ms. Mary Colvin regarding the opportunities involved with the School Improvement Grant (SIG) and money available that schools compete for. We also conversed at the REAC³H meeting on Thursday.

Mr. Wes Watson, Superintendent, Farris Public Schools, said since October 29, 2011, when we were required to be present the dialog has been positive. He has been a superintendent for 33 years; rather his career has been 33 years and in administration 25 years. During his 33 years as an educator/administrator, Farris has been on the top ten lists of schools to close, but the local board of education and community rallied together voting/fundraising to keep the school and revamped everything. Since that time the school has met adequate yearly progress (AYP), the economic status changed, and Farris is steadily progressing. Mr. Watson requested a due process appellate hearing for Farris Public School with regard to the C³ status. He reviewed reasons why Farris Public School should not be a C³ school. We have had a new direction which is good in the sense that change is inevitable, but at this time we all have not been provided the opportunity to make that change. Being a C³ school is the bottom of the barrel. We do not feel we should be there. The reasons our district capacity determination (DCD) report was allowed to be sent to the SDE in a PDF format were per a telephone conversation with Richard Caram, which the board president was present. In this PDF format we sent 37 pages. The district determination evaluation report was presented at a mandatory meeting on March 29, 2012, at 8 a.m. which we were asked to attend. Superintendent Barresi informed me that we needed to be there. The board members and I came. Board members had to take off work and reschedule things, but all three did appear. We were presented the evaluation at that time, and during that process the SBE meeting started. People started coming in and out while we were in a meeting in Superintendent Barresi's office, is that correct?

Superintendent Barresi said we adjourned to her office.

Mr. Watson said we were in a meeting and they were pulling people in and out. I believe one of my board members asked to tape the conversation, and at that point, I pointed out the fact that there were some things that were inconsistent in the evaluation. There were inconsistencies with regard to the evaluators. One said the information was there, but another said it was not. Were all evaluators given the same information? There were issues with regard to not having highly qualified staff, but Farris received an award from the SDE for having 100 percent highly qualified staff in October. We never received any information from anyone that there might be something missing or if evaluators had any questions. We were not able to attend the SBE meeting to find out anything because we were over in another meeting. I understood the timeline for notifying us and it was very tight. Mr. Caram did try to notify us the previous Friday. We received email, but of course, school was out on spring break, which is required by law it be taken that week. There is no clear cut information on the due process appeal process or right to appeal. Limitations for legal counsel and representation due to exceeding administrative cost and the funding due to the penalties, is restricting. There has been a limitation on the due process. I asked to be placed on the SBE meeting agenda for the purpose of requesting due process and appeal the C³ status for Farris School, but we were not on the agenda. I was informed by my local board clerk, that he requested to be on the agenda. I was not aware of that until later. We are also limited with regard to legal fees in the form of due process; these types of issues are figured into the administrative cost. If administrative cost is exceeded, as you are aware, we can come before the SBE, but the bottom line is attorneys are expensive and up until recently has been included into administrative cost. This limits the right to due process and

getting fair representation. Also, there is inequitable accounting for accountability where regarding administrative costs because large schools are at ten percent administrative cost and small schools at eight percent. At one time we were all the same. Reports and evaluation of the school have not been provided in a timely manner allowing us to provide a more in-depth response to you. Furthermore, if you go over the district capacity determination evaluation presented to us, it is not consistent throughout and not consistent with what we submitted or the reports within. We did not receive points where we were due points. The evaluation was the guideline instrument provided by the state and we wrote the report accordingly. We have email, taped conversations, notes, state documents, evaluations, and materials. We are requesting a due process appeal of the C³ status.

Board Member Baxter asked if Mr. Watson understood the purpose of the meeting today was to approve or disapprove the C³ list.

Mr. Watson said yes.

Board Member Baxter said any appeal would be subsequent to the decision. He was not sure if his argument for an appeal was timely but appreciated Mr. Watson's comments.

Mr. Watson said he understood and agreed with him.

Board Member Ford asked if the 37 page PDF sent was received. He seemed to be indicating that perhaps the SDE did not receive all the information.

Mr. Watson said no. All the information was sent, and he has an email confirmation from Mr. Caram indicating the information was received.

Board Member Ford asked Mr. Caram if he received all the information or was there missing information?

(Cannot hear Mr. Caram's response)

Mr. Watson said we are all trying to work towards moving in the direction of Superintendent Barresi's vision. But at the same time it behooves us to present problems to the SBE in order to be aware of the problems we are having moving that direction. I am not saying that change in accountability is wrong...

Board Member Baxter said this is not a legal procedure, but an administrative procedure. He understands that nobody wants to be on the C³ list. If Mr. Watson was able to view this as an opportunity to draw additional resources, money, support for programs, and help, why would that not be a good for a school that is making progress on their own but not as quickly as they would like? Get over being on the C³ list and try to view this as an opportunity to draw help for your program. He did not disagree with Mr. Watson's thought that nobody wants to be on that list, but if he worked with the SBE and the SDE, there will be goodness come out of this for you, not something negative, which would be our intent and hope.

Mr. Watson said he agreed, but the SBE has read the reports submitted. Releasing information, especially in a small school district which over the years has been faced with consolidation, annexation and this type of thing, that indicates is inferior or not meeting certain guidelines, is the type of thing that causes panic in small schools. He agrees there are opportunities, but at the same time a two-edged sword swung which scared the people in the small schools. Because you have labeled Farris inferior to the rest of the state we are going to

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rise to the challenge. Mr. Watson said that we want to prove to everybody that we were not at the bottom of the list and to also prove to our constituents that their children have not been receiving the worst education in the state. That is the reason it behooves us to appear before you to straighten this matter out.

Board Member Shdeed asked how many do you have in your district?

Mr. Watson said a total of 70 students. Enrollment was approximately 100 last year, but because of this, enrollment decreased by 30. People get scared about annexation, and consolidation has always been a threat in small school systems. Now, are we meeting No Child Left Behind (NCLB) which Superintendent Barresi has stated in public has been a very stringent program. We met NCLB, the most stringent. Yes, sir, I agree with you that there are opportunities, and we would like to rise to the challenge but we do not want to be labeled in the low. If we could rise altogether, then great, but provide us with an opportunity. We have not been tested.

Board Member Price said Farris School received one of the lowest Academic Performance Index (API) scores in the state. The AYP score is 695, which is not good and whether it is the bottom five percent or bottom ten percent, it is awfully low.

Mr. Watson said he assumed it is definitely in the bottom five percent based upon being placed on the list. Mr. Caram has introduced us to the Apangea math and we responded very quickly, and are in the process of making changes.

Board Member Price said is this not a part of the whole process as Lee Baxter said of trying to help schools achieve something. Part of the plan is the math studies we are talking about and viewing it as an opportunity. In a year or two some of these schools will turn around and become a reward school. He said he attended Edgemere, for instance, which was one of the poorest grade schools in the state. Panic can also help activate a community to say this is not good enough for us, and we need to turn around. Maybe no one understood the API score like they will understand the "A-F." You will be coming to a cruel realization that your school will probably be a "D" or "F" school without this kind of help and cooperation. Board Member Price suggested Mr. Watson view it as an opportunity to turn the school around.

Board Member Shdeed asked why did the school drop from 130 to 70 and where were you three years ago.

Mr. Watson said 100 to 70. Three years ago there were 58 and funded on 52.

Mr. Caram said June 30th it will be four years and it was Mr. Watson's mission to bring enrollment back up. He has succeeded, but enrollment fluctuates sometimes. There have been some changes and Mr. Watson is teaching seventh and eighth grade math. For these small schools it is hard to hear this message. While he fights on one side, there is still a part of him that says he can fix this, right?

Mr. Watson said that's correct.

Board Member Ford said you are working on it. Nobody on this Board wants to discount that at all and the efforts you are putting out there. We were asked to look at the numbers with the data and identify the schools based on the information we have.

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Superintendent Barresi said she thought at first Mr. Watson's resistance and response to the district capacity review were largely based on the fact he thought we were contemplating closing the district. He is gaining a bit more trust and understanding that is not an option being considered by the SDE. When he, Mr. Caram, and I have gotten an opportunity to visit, he is full of ideas on how they can improve the school; it is very impressive. As a matter of fact, he sat down with us on Thursday and said he was looking at this as a phase situation and the biggest concern was that the teachers have and need help and support. He talked about data and reviewing data. That level of individual support is something she was encouraged about and hopes the superintendent is as well. Mr. Watson turned around another district earlier in his career and we are committed to doing everything we can to get Farris up and moving again and making them successful.

Board Member Hayden said it sounds like he is not necessarily questioning that, but questioning the process and that his school ended up on the list.

Mr. Watson said that is correct.

Superintendent Barresi asked would it be helpful to the Board to have staff review the selection process because it is going to apply to all of these schools.

Mr. Watson said the Farris application may need to be reviewed independently because there are so many inconsistencies by the different evaluators. That is what we saw and of course it is of high concern to us. We feel there is erroneous material we would like to bring to the attention of the SBE at a later date before final decisions are made regarding Farris School. We look forward to working and doing this, but at the same time we want a fair assessment of where we are.

Board Member Baxter said you have made your case, and I appreciate it.

Mr. Watson thanked the Board for allowing him the time.

Board Member Ford asked for clarification about the wide discrepancies of the evaluators.

Mr. Caram said the evaluations were split up into four different areas; historical data, academic support, organizational support, and district expectations. There were different reviewers reviewing those areas. They did not review the entire document.

Board Member Ford asked was there a wide variance in the reviews in historical data area.

Mr. Caram said there could have been. But again it is their reviews. There were independent reviewers, who were looking at it from their perspective.

Board Member Ford asked but all of those were taken into consideration.

Mr. Caram said yes.

Mr. Watson said but there is an extremely wide discrepancy that we would like to point out later when you review this.

Superintendent Barresi said the thing that surprised us was in three of the capacity reviews, was the serious incompleteness of the report itself. There were remarks of lack of data by the reviewers. We were disappointed the information did not come forward and that it was not

submitted in a timely process after many attempts by Mr. Caram. Once we met March 29, prior to the SBE meeting, we really had a chance to sit down with them. Personally, it is her impression we are turning the corner a bit and moving forward and hope they understand closure is not an option for the SDE. There has been criticism of district capacity reviews but is an opportunity for the SDE to allow a district to tell their story. We tried to be as fair as we could by having outside evaluators and we will stand by the results. Never did we dream that a district would simply not supply information. She said she appreciated Mr. Watson and some of the comments he made and understood he is taken back by all of this as well.

Board Member Hayden said his concern is that if the data had been submitted, would it change the results. If it does, we are potentially focusing energy on the wrong school.

Superintendent Barresi said good point. Part of the confidence in Farris School to have a capacity to change has to do with its leadership and its ability to present the data and interpret the data. Those points would have come out in the capacity review, and for some districts it was easier to produce than others. She assured it was not due to a lack of communication because everyone was given the same direction, the exact same communication. Part of their capacity is the way they respond.

Board Member Hayden said he agreed because before the meeting we went to Mr. Caram's office and saw the material. The seven schools that are selected have a much thinner notebook than everybody else. You can only evaluate the data that you have in front of you and only do so much to get the data. Are we getting to the right schools?

Board Member Ford asked was there communications to try to get additional data.

Mr. Caram said with some of the schools there were communication attempts when there was something that might have been confusing to an evaluator or something that they needed to add. There were schools that added. They sent their documents on time but asked to have a two or three day leeway on parts and pieces which was given. There was one school that took about two weeks to get information to us, and he really worked with that school and that data came. There were communications with schools if there was something that the evaluator saw that was missing.

Board Member Ford asked did the evaluators of Farris note that there was a lack of information for the Farris school district.

Mr. Caram said in some their notes it states "lack of evidence" and were judged that way.

Mr. Watson clarified that two evaluators in the same expertise area said evidence was provided in the Farris capacity review, but the other evaluator stated there was no evidence. They all received the same materials. Before moving forward, a true assessment must be provided and what is a true assessment requested. In order to assist a school the right data and information must be provided to know where everyone stands.

Board Member Ford said her concern is many schools submitted notebooks and correct data, why did Mr. Watson feel like he may be the only one that did not get the information.

Mr. Watson said Mr. Caram has said we provided all the information. The SDE never contacted Farris for lack of information. He started to step down because it wasn't our school Superintendent Barresi was describing. She has access to and directive of all the schools. But

for Farris he sees the inconsistencies and would like to come forward and lay it out for the SBE. In the spirit of moving forward and accomplishing all the goals, we need a fair assessment.

Board Member Price said one fair assessment we could have gone with was the API scores only. The API is not perfect, but it is the academic performance with a few other elements like attendance and Farris falls within the bottom five percent under that. It is debatable whether the standards are perfect and that you are the worst of the five percent. He invited Mr. Watson to view this not as a legal punishment for the school but as a way of helping. There is no system is perfect, but you are certainly towards the bottom end of the scale and would benefit enormously from all the resources that can be provided.

Board Member Ford said you are a success story.

Mr. Watson said it is his understanding Farris will remain on the list for three years and that there might be an appeal process but nothing is written down in stone. He is requesting a clear-cut understanding of where Farris stands based on the assessment and how the school should move forward. Mr. Watson said he appreciated the Board's consideration and would be available for any questions. But in the spirit of fair play, we would like to work with you if you help provide us with a clear cut evaluation.

Board Member Price said that is for a later meeting. Today's meeting is to determine the list.

Board Member Ford said we do want to work with you.

Superintendent Barresi said we would be coming forward with MOUs on each of the schools as well. She asked if the Board would care to hear a review of how we came about developing this list.

Board Member Hofmeister asked are we able to hear from other superintendents that are present.

Superintendent Barresi said yes.

Board Member Ford said hearing what went into the process and then hearing from the other superintendents might help her listen differently.

Board Member Hofmeister said we might also be able to cover all the concerns if we listen to all the superintendents first. However, if we want comment afterwards then...

Board Member Ford said yes. However, if she knew the process when she hears the concerns she could follow through how that process worked with each one.

Ms. Kerri White, Assistant State Superintendent, Office of Educational Support, and Ms. Maridyth McBee, Assistant State Superintendent, Accountability/Assessments, reviewed assessments, AYP/API data/corrections, options/appeals, NCLB waiver/requirements, United States Department of Education (USDE) notification/requirements, low achieving school process criteria and school list selection, turnaround data/implementation, district determination capacity process/benefits, priority school district notifications, and partnership levels/exiting.

Board Member Ford asked when the capacity requests were mailed.

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Ms. White said superintendents in the 75 selected districts were first notified in December 2011 with follow up in January and February 2012. Superintendents were required to submit the final determination documents at the end of February 2012.

Dr. McBee said part of the reason was because we had applied for the waiver but needed to have an agreement from the USDE that we were going to get the waiver before we could start implementing this process. Notifications were sent in December 2011 that the waiver would be coming because we knew it would happen fast even though implementation was not until the end of January and February 1. Dr. McBee reviewed how the priority schools list of the original 75 was identified in the waiver.

Superintendent Barresi asked for clarification of the interplay of subgroups making AYP versus those not making AYP, as opposed to receiving the waiver and how we are going to move forward.

Dr. McBee said in the past a subgroup that did not make AYP, either by making the target or making the ten percent incremental growth, was challenging for all the different subgroups. This was due to all the rational categories, special education, English Language Learners, and economically disadvantage students to name a few. There were a number of groups that possible one group did not make that target then that school was identified for being low performing. This is why there were so many low performing schools this year and would project, if we had not received the ESEA waiver, to have even more. Next year there will possibly be 400 to 500 because of the higher target, which means the ten percent growth has to be more.

Board Member Price said after taking out the elementary schools and just comparing the middle and high schools, which one had a greater number?

Dr. McBee said more students score successfully at the high school level and that means it would be more challenging. You have to score higher to be in the five percent in that particular side.

Board Member Price said charter schools should be listed with their appropriate grade level. If they are a charter middle school, they should be with middle schools, if a charter high school with high schools. Including them with the high schools is a disadvantage and he rather there be an even playing field. An argument can be made that charters have a greater ability to hire and fire. As people who are determining public policy as we go along, we should compare apples to apples. If more charters are more successful so be it, if not they are not. His suggestion going forward is that charter schools be placed within their appropriate level with the same type of school.

Dr. McBee said she understood. The process used was a legitimate one but should you direct us in the future to put charters in with their like group, elementary with middle and high, that would be possible.

Superintendent Barresi said we are being sensitive to comments of superintendents from traditional schools who are saying it is not an apples-to-apples comparison. Charter schools have certain benefits, but also, speaking from experience, they have considerable challenges as well. What we continually hear from schools around the state is it is unfair to be compared to a charter school in their group.

Board Member Price said that could be argued because they get less money but at the same time, they have more freedom. We should compare or judge academic performance and not

what is fair about one having more advantages or disadvantages. Comparison should be for the students' sake and about how academic performance it compares between the same grade level in a charter and public school. The idea is ultimately for the parents to be able to choose, judge and make intelligent decisions. It seems it should be an even playing field regardless of some of the push from superintendents that say they are disadvantaged. They should push for more deregulation that can make them more like charter schools. The ability to provide AP courses and to advance students, which is built into the "A-F" evaluations systems, is part of the AYP. Is that correct; how does that work exactly?

Dr. McBee said there is not an overall AYP.

Board Member Price said you could get a great API score and yet get a bad AYP. He thought API was based on reading, math and attendance.

Dr. McBee said it is also has other characteristics.

Ms. White said AYP is a singular yes or no decision based on all the subgroups of API. In the "A-F" system not all subgroups will be reviewed, but overall school performance and what is done with low performing students regardless of ethnicity, socio-economic status, ELL status or disability status. A more holistic picture of the school will be taken in calculating the "A-F" grade.

Ms. White addressed how long a school stays on the priority school list. All of the 75 schools on the priority school list can exit the list if they make a grade, based on the "A-F" calculation, that is an A, B, or C. Currently there is a request to amend the SDE waiver that may include a grade of D. Schools can exit priority school status based on the assessment results that come out of tests given beginning this week. They are required to continue implementation of the turnaround principles for three years from the time the implementation begins. Based on the SBE determination today, some schools will begin implementing tomorrow and continue to do so for three years. They can also exit priority school status as well. If they do not exit, the SBE with the assistance of the SDE can determine the level of partnership needs and partner for as long the school needs.

Board Member Hofmeister asked when was the decision made regarding the categories and to include an urban high school, a K-8 school, or charter school. Why is the bottom five percent lowest performing schools not being looked at?

Ms. White said all 75 schools were in the bottom five percent. The SDE invited them to demonstrate their capacity.

Mr. Caram said, as we looked at all the school rankings in the district capacity determination, the bottom five percent fell to very small districts and elementary schools and was determined to be unfair. After comparing districts, situations, demographics, and diversity that make up public schools in Oklahoma it was decided where the most help was needed.

Board Member Shdeed said watering it down saying we do not want the tiny schools to all be in the bottom, but if the kids are not getting a proper education in elementary school where it begins, then what is the deal.

Mr. Caram said he did not think it was being watered down.

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Board Member Baxter said but you are inserting in this cold, analytic display of data, numbers and analysis and Ph.D. level work. At the end of the day, you guys are on your own on categories. The decision was made to have these categories and not trust all the data but that there would be large and small schools and charter schools. When were the decisions made and was the SBE part of the process? I do not recall making these decisions. There is some suspicion based on the subjectivity that all of sudden gets rolled out when questioned, if these are really the lowest scoring. The answer is no, they are the lowest scoring in a subjective category that we determined represents the schools across the state.

Mr. Caram said the SBE was not part of the decisions.

Superintendent Barresi said the SBE was presented and approved the process. When the district capacity reports were reviewed it became apparent that large districts had more capacity and personnel to present impressive reports and ability to interpret data. It was decided that putting smaller districts up against large districts was an unfair process. Most of the time there is only a superintendent and secretary in small districts and the superintendent has multiple jobs. Putting them up against districts with more personnel is difficult. If we are talking improving capacity, it does not mean a small district does not have the capacity to improve, but that the capacity looks different for the various sizes. This is the reason each school is approached differently.

Board Member Shdeed asked if a small school is not providing the right education because they do not have the capacity then how do we change that. We should not say that because a school is small students receive less of an education because they do not have capacity.

Superintendent Barresi said we are not saying they get less of an education but that they can improve greatly.

Board Member Ford said the district expectations in the capacity determination may not be attainable or family and community engagement may be limited versus larger urban districts.

Board Member Hofmeister said she thought the focus is to identify those who needed this kind of focus and help instead of what has been stated.

Mr. Caram said the 75 priority schools would have opportunity to have and work closely with partnerships. The seven schools selected for the C³ major partnerships will have more resources offered based on the capacity report turnaround principles.

Board Member Ford said she does have a problem with separating the charter schools out, but not with the way it has been divided because if they are going to have the ability like Tulsa, for example, that has a great number of students by this partnership versus having a district that has 20 or more.

Board Member Hayden said he is on the same page, too. The larger number will help.

Mr. Caram referred to the reward list of small schools and large schools with 3,000 plus students. We are trying to help the most young people in all of the diverse areas in the state.

Board Member Price said is there a real difference in terms of the help given to the seven schools versus help given to the 77. We are separating the seven from the 77 and nobody argues much about designation of the 77 to begin with. Maybe 90 percent of the resources go to the 77 and little bit more to the seven.

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Mr. Caram said they are all built around the turnaround principles. Some models or resources are more turbo charged for the group of seven.

Board Member Price said is there much distinction. Give us more of a feel for that.

Mr. Caram said he would not say there is a large amount of distinction.

Superintendent Barresi said personnel will be in the seven schools on a weekly basis. The Office of State Finance has offered to send an employee to Farris School to assist them with data. Our focus will be on the 75 but an extreme and very specific type of focus and support for each of the seven schools. Level III schools are already school improvement grant (SIG) schools. Their plans have been underway. The Level II schools will be visited twice monthly.

Board Member Hofmeister said to clarify, the schools on the list perhaps do not feel they belong on that list. Could the SDE make determinations about their staffing, issues with removal of personnel, and teachers? Is this a separate distinction from all the other priority schools that did not appear in that group?

Mr. Caram said the only time that would specifically happen is if one of the seven schools was not awarded a SIG grant based on one of the turnaround principles requiring the evaluation of the leadership and teachers. If assistance were requested, we would open the dialog to see where they are and help.

Board Member Hofmeister said based upon what has been represented in the waiver, what authority are we granting the SDE by saying yes, these are your schools for unique partnership beyond the priority schools. What authority is the SBE saying or giving potentially local control away by approving this list, or why are we here approving a list?

Mr. Caram said the SBE is not giving him the authority to take over anything. He has repeatedly said that the word "takeover" is not the purpose. The purpose is to build a partnership and build capacity in that school district for them to get out of the status. The SDE has the authority already to help schools; it just has not offered full capacity as the State Department of Education in the past. As a former superintendent, he can attest we have not done a very good job of that. We are here to change that perception of the superintendents and teachers that the SDE is here to help and not to point fingers or...

Board Member Price asked have you sensed that having all of the 77 schools do self-analysis, presenting material, and looking at their capacity, do you see a lot of lights go on and school district realizing what they need to accomplish?

Mr. Caram said light bulbs have come on for superintendents and principals in the process and have stated it has made a difference. Some are re-approaching what they are doing in their school districts, which is the whole point of this exercise, to look at what is best for students.

Board Member Price said that may be the most important result. It is a self-examination forced on the schools that are not performing to make them realize the things they need to do. It makes a superintendent address their local boards on what needs to be changed.

Mr. Mickey Igert, Superintendent, Okay Public Schools, asked for consideration of a waiver and reviewed concerns regarding school capacity review reporting, SDE school take over/partnership, budget cuts/personnel loss, new math program implementation, C³ school scoring, determination, and clarification/expectations.

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Mr. Caram said staff had meetings with McLain High School, Tulsa Public Schools, and scheduled to meet again with district personnel and community advisory boards.

Mr. Chris Brewster, Superintendent, Santa Fe South Middle School, presented concerns regarding the priority school placement of Santa Fe South Middle School.

Board Members inquired what seven schools are the right ones to be on the priority school list?

Mr. John Kraman, Executive Director, Student Information, provided information regarding consistency across the raters, reviews, data analysis patterns, scores, and opportunities.

Superintendent Barresi said some schools on the Level II list probably should have been on the Level I list. We did not think it appropriate to interject based on our knowledge of the school but to make the process fair as possible.

Board Member Baxter asked had the data been submitted in the correct format would Santa Fe School be placed on the priority list. In his opinion, it would not have. He suggested that time be taken to look at the real data and not make this a "Brewster" problem.

Board Member Ford was concerned about school(s) not reporting information timely.

Board Member Hofmeister was concerned other schools were describing similar scenarios and said she wants the best data, which is the goal of the process.

Board Member Ford concurred but concerned about setting precedent of failure to provide correct information.

Board Member Baxter said it is a learning experience for the SBE having not done this before. On other items we have taken time to transition and evaluate before making decisions. Next year we will do a better job of asking for specific information and information delivered will be better.

Board Member Ford suggested the seven schools on the priority list that failed to meet criteria be granted three days to submit corrected criteria information.

Board Member Hayden said Farris Public School, Okay Public Schools, and Santa Fe Middle School have expressed the opinion they did not receive a fair evaluation. He proposed to allow the schools the opportunity to present information to the SDE in order to make a right decision.

Board Member Price was concerned with the low API scores and time spent on the needs improvement lists and AYP.

Superintendent Barresi said at one time a charter school failing AYP, per the school district contract, was placed on probation, and if failure continued a second year, the charter was subject to closure.

Dr. Chris Caram, Deputy State Superintendent, said the validation of the raters would be invalidated if information is submitted after the process. There were 75 evaluations that each rater reviewed, and across 75, their inner rater liability was there and was compared.

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Mr. Karl Springer, Superintendent, Oklahoma City Public Schools, said from the beginning with the information provided by Mr. Caram the process was wide open with no real directions given on how to complete the capacity review. Schools were told to provide “good” information. The school district and Santa Fe South did in fact submit good information. The issue for Santa Fe was the same mentioned by the others. Two readers reading the same information, but one gives a score of three or full capacity, and the other reader says no evidence was provided.

Mr. Springer said he is hearing that everything will be okay because the evaluation was consistently inconsistent. There were things the SBE does not know about them and did not ask about, district student population, community involvement, district data capability. The conversation at the beginning of this process was that lowest five percent, 1285 school sites, of Title I schools, in the state and in doing the waiver application there were approximately 65, not 77, school sites considered to be C³. Dr. McBee recently stated it will now include all schools. Things keep changing and seem to be made up as we go. The deviation from what the waiver said, what was approved by the USDE, and what was being heard caused red flags to be raised.

Mr. Brewster is a strong leader at Santa Fe South as well as an advocate for children. Oklahoma City Public Schools will work closely with Mr. Caram regarding Shidler Elementary School and Roosevelt Middle School. A district strategic plan is in place to improve schools, and the district capacity to work on the reforms is there. Every aspect of school improvement is in place.

Mr. Caram, Dr. McBee, and Mr. Kraman clarified the four teams’ review process of the 75 schools and data analysis.

Superintendent Barresi said the goal is to focus on improving academics, which is the way out of poverty. The SDE will be focused on helping the principals and teachers to be as effective as possible. Schools will develop a memorandum of understanding (MOU) for their essential plans of going forward. The MOUs will be presented to the SBE. State statute says the SBE shall vote on the C³. School take over is of no interest to the SDE, but a partnership approach will fulfill that requirement.

Board Member Hofmeister said for clarification Level III schools were moved to Level II because of extenuating circumstances. She asked what the differences in the levels were.

Mr. Caram said Level II schools demonstrated a significant amount of capacity and have the beginnings of a plan in place but need turbo charging from the SDE to assist with implementation, guidance, and mentorship to get out of priority school status. Level III schools are close based on the evaluation.

Board Member Ford said C³ schools are Priority I, Priority II, and Priority III. The C³ and priority schools are different.

Mr. Caram said seven schools are in C³ status and are Level I schools in the priority ranking with the least capacity.

Board Member Hofmeister asked that includes the Tulsa and Oklahoma City Public Schools showing the least capacity to improve, correct? They also have the highest percentages which mean they have a higher capacity.

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Mr. Caram said Tulsa and Oklahoma City were put in the large urban school district group and were the lowest of those schools.

Board Member Baxter suggested tabling Santa Fe Middle School to allow time to resubmit data missing in the required format. The SDE can meet with Oklahoma City Public Schools and Santa Fe School leadership and report if any status change occurs because of that submission. The information will be presented at the April 26, 2012, SBE meeting.

Board Member Shdeed made a motion to approve the request for six of the seven C³ schools that includes Keyes Public School, Farris Public Schools, Okay Public Schools, McLain High School-Tulsa Public Schools, and Shidler Elementary School and Roosevelt Middle School- Oklahoma City Public Schools and defer the request for Santa Fe South Middle School until the April 26, 2012 SBE meeting.

Board Member Price seconded the motion.

Board Member Baxter amended the motion to approve the request for six of the seven C³ schools that includes Keyes Public School, Farris Public Schools, Okay Public Schools, McLain High School-Tulsa Public Schools, and Shidler Elementary School and Roosevelt Middle School-Oklahoma City Public Schools and to defer Santa Fe South Middle School-Oklahoma City Public Schools until the April 26, 2012, SBE meeting and in doing so request the SDE establish a process for selected schools to appeal their placement on the C³ list.

Board Member Hofmeister seconded the amended motion.

Superintendent Barresi said in reference to General Baxter's amended motion to include establishing an appeal process was a separate issue, but after the vote the motion could be entertained.

Board Member Baxter withdrew the amendment to the motion based on guidance it was not appropriate.

Superintendent Barresi said the district capacity reviews were evaluated by independent reviewers. Who is to evaluate the new information submitted by Santa Fe South - SDE personnel? Reassembling reviewers would be difficult.

Board Members Shdeed, Ford, Hofmeister, and Baxter suggested options that SDE personnel meet with Santa Fe South and present reports to the SBE to review with independent reviewers, vote the schools of the C³ list, or have resubmitted data reviewed by SDE and report substantial changes.

Superintendent Barresi said every effort would be made to reassemble review panel but that the inter-rater reliability will be gone.

The motion carried with the following votes: Mr. Price, yes; Mr. Shdeed, yes; Gen. Baxter, yes; Ms. Hofmeister, yes; Mr. Hayden, yes; and Ms. Ford, yes.

Board Member Hofmeister asked if in the future you will continue having evaluators set up that are also evaluating capacity review.

Superintendent Barresi said the comments made by the SBE and other comments heard will be given consideration, and we will work to see what can be done about this process. There

will never be a time it will be perfect and will always be criticized because it has to do with a most unpleasant and difficult subject. We will continue the process because embarrassment or no embarrassment, it is the children in the schools that are our primary concern.

INFORMATION TO THE BOARD

Superintendent Barresi reminded Board Members the April 26, 2012, Board meeting will be held at the Will Rogers College High School/Junior High School in Tulsa, Oklahoma, at 9:30 a.m. Additional information will be supplied in the future.

PUBLIC COMMENT

Mr. Wes Watson, Superintendent, Farris Public School, requested a due process meeting to appeal the determination of the Farris school system on the C³ and to provide notification of the meeting.

Ms. Lisa Endres, Legal Counsel, said, as a point of clarification, to ask for an appeal of a decision that has yet to be made by this Board is premature. Any decision at the state level is an appealable decision. The Oklahoma Administrative Code at 210:1-5-1 applies to any decision the SBE makes. There is no reason to create a special appeal process for C³ schools. An individual can make a formal petition for a declaratory hearing to the Secretary of the Board in writing appealing a decision made by the SBE. The word appeal is not used because the party is technically returning or requesting from the same board a reconsideration of a determination. She advised the SBE to continue to follow what is in place with regard to how they handle proceeding from this point forward.

Mr. Reiv Brummett, Clerk, Farris School Board, provided his data analysis review expertise and knowledge regarding the district capacity review. He presented suggestions and examples on how to provide and implement evaluation data analysis.

ADJOURNMENT

There being no further business the meeting adjourned at 3:00 p.m. Board Member Ford made a motion to adjourn and Board Member Price seconded the motion. The motion carried unanimously.

The next regular meeting of the State Board of Education will be held on Thursday, April 29, 2012, at 9:30 a.m. The meeting will convene at the Will Rogers College High/JR High School, 3909 East 5th Place, Tulsa, Oklahoma.

Janet Barresi, Chairperson of the Board

Connie Holland, Chief Executive Secretary