



JANET BARRESI
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
STATE OF OKLAHOMA

MEMORANDUM

TO: The Honorable Members of the State Board of Education
FROM: Janet Barresi
DATE: June 28, 2012
SUBJECT: Statutory Waiver Concerning Cooperative Agreements
for Alternative Education Programs

The following school is requesting a statutory waiver of 70 O.S. § 1210.568, which requires them to enter into a cooperative agreement with another school district if enrollment in their alternative education program is less than ten (10) students. Approval is recommended.

District	County *	Duration of Waiver (Years)
Eldorado Public Schools	Jackson (3)	3

* The number in the County category represents the Congressional District.
See the attached map.

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Attachments

Section 915. Alternative Education Programs - Statewide System.

A. Beginning with the first semester of the 1996-1997 school year, the State Board of Education shall implement a statewide system of alternative education programs which shall be phased-in within seven (7) years. The statewide system shall include but not be limited to Alternative Approaches grant programs, funded pursuant to Section 1210.561 of this title, and alternative academies or alternative programs implemented pursuant to this section.

B. Beginning with the first semester of the 2002-2003 school year, all school districts of this state shall provide alternative education programs that conform to the requirements of statutes and rules applicable to alternative education. A program shall:

1. Allow class sizes and student/teacher ratios which are conducive to effective learning for at-risk students;
2. Incorporate appropriate structure, curriculum, and interaction and reinforcement strategies designed to provide effective instruction;
3. Include an intake and screening process to determine eligibility of students;
4. Demonstrate that teaching faculty are appropriately licensed or certified teachers;
5. Demonstrate that teaching faculty have been selected on the basis of a record of successful work with at-risk students or personal and educational factors that qualify them for work with at-risk students;
6. Reflect appropriate collaborative efforts with state agencies and local agencies serving youth;
7. Provide courses that meet the academic curricula standards adopted by the State Board of Education and additional remedial courses;
8. Offer individualized instruction;
9. State clear and measurable program goals and objectives;
10. Include counseling and social services components with the provision that providers of services are not required to be certified as school counselors;
11. Require a plan leading to graduation be developed for each student in the program which will allow the student to participate in graduation exercises for the school district after meeting the requirements of the school district as specified in the individual graduation plan for that student; provided, for students who enter the ninth grade in or prior to the 2007-08 school year, the plan shall specifically address whether the student is required to meet the graduation requirements established in Section 11-103.6 of this title;
12. Offer life skills instruction;
13. Provide opportunities for arts education to students, including Artists in Residence programs coordinated with the Oklahoma Arts Council;
14. Provide a proposed annual budget;
15. Include an evaluation component including an annual written self-evaluation;
16. Be appropriately designed to serve middle school, junior high school and secondary school students in grades six through twelve who are most at risk of not completing a high school education for a reason other than that identified in Section 13-101 of this title; and
17. Allow students in the alternative education program, who otherwise meet all of the participation requirements, to participate in vocational programs and extracurricular activities, including but not limited to athletics, band, and clubs.

C. The alternative education program of a school district shall be operational and serving students by September 15 of each school year.

D. Each alternative education program of a school district shall receive funding based on the combined number of dropouts and students within the district who have been referred to a county juvenile service unit, a county juvenile bureau or who have been committed to the custody of the Office of Juvenile Affairs. Each alternative education program shall receive incentive funding as follows:

1. For the first year of operation, One Thousand Dollars (\$1,000.00) per student;

2. For the second year of operation, Seven Hundred Fifty Dollars (\$750.00) per student; and
3. For the third year of operation and each year thereafter, Seven Hundred Dollars (\$700.00) per student.

Statewide alternative education funding shall not be used to supplant existing school district resources or to support programs that do not meet all the criteria for the statewide alternative education system. No alternative education program shall receive less than a total of Ten Thousand Dollars (\$10,000.00) per school year.

E. By September 15 of each school year, all statewide alternative education funds received and expended for students participating in an alternative education program shall be reported to the State Department of Education by major object codes and by program classifications pursuant to the Oklahoma Cost Accounting System as adopted by the State Board of Education pursuant to Section 5-135 of this title.

F. Elementary school districts, as defined in Section 5-103 of this title, may request a waiver from the State Board of Education from the requirements of this section to implement and provide an alternative education program. Any elementary school district that has not received funding pursuant to the provisions of subsection D of this section shall be automatically granted a waiver. If a school district is granted a waiver, no statewide alternative education funding shall be allocated to the district.

G. 1. The State Board of Education shall contract for technical assistance for operation of an Alternative Education Technical Assistance Center. The technical assistance provider shall be an entity located in Oklahoma that has been officially recognized by the United States Department of Education to assess and facilitate dissemination of validated educational programs in Oklahoma. The technical assistance provider shall have priority, if its operations are deemed satisfactory by the State Board of Education and if funds are available, for annual renewal of the contract.

2. The duties of the technical assistance provider shall include, but shall not be limited to:
 - a. providing initial and ongoing training of personnel who will educate at-risk populations through alternative education programs,
 - b. providing technical assistance to school districts to enhance the probability of success of their alternative education programs,
 - c. evaluating state-funded alternative education programs,
 - d. reporting to the State Board of Education the evaluation results of state-funded alternative education programs, and
 - e. providing in-depth program analysis and evaluation of state-funded alternative education programs.

3. The State Board of Education shall not provide funding to an alternative education program that does not receive a recommendation for continued funding in the evaluation provided for in this subsection. Provided, any school district not receiving such a recommendation for continued funding may request a hearing before the Board with a review of the evaluation prior to the Board's final determination.

H. All alternative education programs shall be subject to statutes and rules applicable to alternative education, including any exemptions from statutory or regulatory requirements authorized by statutes or rule.

I. An alternative education program may be offered by an individual school district or may be offered jointly by school districts that have formed interlocal cooperative agreements pursuant to Section 5-117b of this title. Any school district submitting a plan for an alternative education program serving fewer than ten students shall enter into a cooperative agreement with another school district to jointly provide the program unless the program has been granted a waiver from this requirement by the State Board of Education.

J. Any materials or equipment purchased by a school district with revenue received for students participating in an alternative education program shall be used only in or directly for the alternative education program offered by the district or any subsequent alternative education program offered to students enrolled in that district. Such materials and equipment shall be made available exclusively to alternative education students during the hours that the alternative education program is operating; provided, the material or equipment may be used for other purposes when the alternative education program is not operating.

K. Upon implementation of this subsection as provided for in subsection M of this section and contingent upon the provision of appropriated funds designated for such purpose, all school districts in the state providing alternative education programs as required in subsection B of this section shall expand the programs to include middle-school-grade students. The program shall conform to the requirements of subsection B of this section.

L. Upon implementation of this subsection as provided for in subsection M of this section and contingent upon the provision of appropriated funds designated for such purpose, each urban school district identified by the State Department of Education as having a high population of elementary grade students who are at-risk and in need of alternative education shall provide elementary level alternative education programs. The State Department of Education shall establish requirements for the programs. For purposes of this section, "urban school district" means a school district with an average daily membership of thirty thousand (30,000) or more.

M. Implementation of subsections K and L of this section shall be delayed until the current expenditure per pupil in average daily attendance in public elementary and secondary schools in unadjusted dollars for the 1998-99 school year or any school year thereafter for Oklahoma, as reported by the National Center for Education Statistics annually in the Digest of Education Statistics, reaches at least ninety percent (90%) of the regional average expenditure for that same year, and funds are provided. For purposes of this subsection, the regional average expenditure shall consist of the current expenditure per pupil in average daily attendance in public elementary and secondary schools in unadjusted dollars for each of the following states: Arkansas, Colorado, Kansas, Missouri, New Mexico, Oklahoma, and Texas, averaged together. By January 1 of each year, the State Board of Education shall report whether or not the ninety-percent expenditure level has been reached based on information reported annually in the Digest of Education Statistics by the National Center for Education Statistics. Subsections K and L of this section shall be implemented on July 1 after the first January 1 report verifies that the ninety-percent expenditure level has been reached and funds have been provided for the specific purposes of this section.

(70-1210.568)

OKLAHOMA STATE DEPARTMENT OF EDUCATION

ACCREDITATION DIVISION
2500 North Lincoln Boulevard, Suite 210
Oklahoma City, Oklahoma 73105-4599
(405) 521-3333

SCHOOL SITE STATUTORY WAIVER/EXEMPTION APPLICATION
FOR 20¹² - 20¹³ SCHOOL YEAR

Name of Site(s): Eldorado High School
Eldorado Elementary School

Name of School District: Eldorado Public Schools

Signature of Principal(s): * Christal Burp Date May 10, 2012
Date _____

Signature of Superintendent: * [Signature] Date _____
County Name: Jackson

<u>SDE USE ONLY</u>	
PROJECT YEARS	<u>3</u> of <u>3</u>
ENROLLMENT	
High School	<u>43</u>
Jr./Middle High	<u>0</u>
Elementary	<u>93</u>
District Total	<u>136</u>
Date Received	_____
70 O.S.	_____

I hereby certify that this deregulation application was approved by our local board of education at the meeting on May 10, 20 12.

Signature of Board President: * [Signature]

Notary: [Signature]

Date: 5-10-12 My Commission Expires: 11-23-2013

Notary Public State of Oklahoma
HEATHER HILL
Commission # 09009711
Jackson County, Oklahoma
Expires 11-23-2013

1. **Statement of the Statute to be Waived:** (specify statutory citation)
70 O.S. 1210.568 Paragraph I: requested by Eldorado Public Schools and the Eldorado Board of Education.

Pursuant to Title 70 O.S. 1210.568 subsection I, An Alternative Education Program may be offered by an individual school district or may be offered jointly by school districts that have formed interlocal cooperative agreements pursuant to Section 5-117b of this title. Any school district submitting a plan for an Alternative Education Program serving fewer than ten students shall enter into a cooperative agreement with another school district to jointly provide the program unless the program has been granted a waiver from this requirement by the State Board of Education.

*Original signatures are required.

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A. A description of the educational benefits to be derived (i.e., describe specific benefits to learning/achievement).

Educational benefits students being served through the Eldorado Public Schools Alternative Education Program include one on one teacher student attention involving interaction and communication with students. Along with various academic attention to core curriculum areas the program will allow the teacher to provide to students both college as well as workforce/career opportunities. Having the program in house at Eldorado Public Schools will also allow availability of the districts administration to the Alternative Education Program and those students being served. Eldorado Public Schools Alternative Education Program will be housed in a separate location within the main school facility with students being served throughout the regular school day on a separate schedule. All students being served will have individual work stations. Students will be provided a computer located in the Alternative Education classroom. Life Skills curriculum will be integrated into the core curriculum areas with the addition of computer based instruction to help increase student success and increase graduation rates. Students will also receive career guidance that will enable students to track for potential college and or career workforce opportunities.

B. A definition of the standards of the plan (i.e., alternate strategies proposed).

Eldorado Public Schools Alternative Education Program will center around the seventeen criteria areas pursuant to 70 O.S. 1210.568. In addition, Eldorado Public Schools having an in house program will be able to provide educationally more one on one student instruction and student/teacher interaction creating more communication between the students and the teacher. By housing the program in a separate location within the main school facility it will allow both opportunities for expanded one on one opportunities while also allowing students interaction opportunities with other students and activities outside the alternative education schedule. Students will have the advantage of separate work stations with each student having access to their own computer for computer based instruction areas of the Alternative Education curriculum.

C. Development of definitive work products, such as site improvement plans and progress reports (i.e., describe the expected student performance levels to be demonstrated or results of the Statutory Waiver).

In development of the alternative education program, the program will center around various online programs including Odyssey Ware and Study Island as well as through other various computer generated programs. The curriculum will be assessed through end of unit test both through the various computer generated programs as well as unit test designed by the teacher with use of course test master to ensure that student/students have mastered the curriculum, based on the Oklahoma Priority Academic Student Skills standards and the Oklahoma Core Curriculum guidelines. Progress reports will be assessed every four weeks with needs for improvement, strengths and weaknesses, total number of absences and cumulative grade point average (GPA). The teacher will use gradebook for averages for each subject of instruction. This will allow student/teacher interaction and individual needs of student/students to be met allowing the teacher to better identify the strengths and weaknesses to help provide extra support and resources for the subjects and projects that the student/students may need.

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D. Demonstration of collaboration of teachers, administrators, higher education representatives, students, parents/families, and the community.

With the continued implementation of the alternative education program, all regular education faculty and staff will be involved in the program. They will work one on one with the alternative education teacher to ensure curriculum alignment through the both the standards of the Oklahoma Priority Academic Student Skills and the Oklahoma Core Curriculum are met. Regular classroom teachers will be used as an advocate for the alternative education teacher and provide assistance when needed. The alternative education instructor will provide opportunities for higher education representatives to visit the alternative education program as well as opportunities for the student/students to visit respective higher education campuses. The Sothwest Career Technology Center, Altus, Oklahoma and their programs will be used as instruction for those student/students who meet the criteria. Career Tech representatives will work one on one with the alternative education teacher and student/st5udents to provide the best skill program for the student/students. Students and parents will work with the alternative education teacher to ensure that the interest of student/students are being met along with the guidelines of the program. With the implementation of the program, the community will be able to be involved through various areas of support while having a clear understanding of the importance of the program. With the alternative method of instruction there will be more opportunities to increase graduation rates and less opportunity for student failure.

E. Development and the use of an assessment mechanism to determine progress in meeting the goals and objectives of the plan (i.e., method of evaluation).

The alternative education program training team will design assessment mechanisms that will be able to measure strengths and weaknesses of the progrma, methods of improvement, student successes andfailures, needs of improvement for instruction by the alternative education instructor and changes that can be made to improve the overall aspects of the alternative education program. The team will design an initial assesasment mechanism and make all necessary corrections as the program is implenented and enhanced. This assessment process will be assessed yearly with the training team to include core teachers, the alternative education teacher and the school administration.

F. Development of an in-service training plan to be provided to personnel at the site who will participate in the projects.

The in-service training plan will be developed to include the four core curriculum areas (EOI assessment areas) of Math, Science, English and Social Studies. The in-service training will include alignment of the alternative curriculum with the Oklahoma Priority Academic Student Skills standards as well as the Oklahoma Core Curriculum Standards. All core curriculum teachers will be included in in-service training to ensure alignment across the curriculum is in place including various types of assessment to be used in the alternative education program. In-service training will include at least one administrator to oversee the guidelines of the program.

G. Report on the results of the plan to the State Board of Education and provision of appropriate technical assistance to other school districts and the State Department of Education as required (i.e., describe how you will report to the State Board of Education annually).

The Alternative Education team will develop professional development training in addition to the initial in-service training and will work with the Oklahoma Technical Assistance Office and the Alternative Education Section of the Oklahoma State Department of Education by providing any and all reports and minutes of meetings pertaining to the alternative education program. The district will when necessary seek any and all assistance from both the OTA Office and the State Department of Education, Alternative Education Section to ensure that all legislative requirements for the program are being met. The reports and any additional information including technical assistance will be submitted by the Alternative Education teacher and school administration after approval from the Alternative Education Team and when necessary the local Board of Education through the Superintendent of Schools.

H. Explanation of how the plan will affect other schools, programs or sites in the district.

With the continued development and implementation of the Eldorado Public Schools Alternative education Program it will allow the district to develop more opportunities for those students in the program while also allowing the district to have more local control. It will also bring about a more positive range of results in all aspects of the proposed program while integrating the program with other district programs and the program provided by Southwest Technology Center, Altus, Oklahoma. It will also bring about positive results in all aspects of the district, the community and surrounding areas. In cooperation with Southwest Technology Center students will have access to attend classes there in the morning and return to Eldorado Public Schools Alternative Education program in the afternoon. This will allow better communication between the school and the student/students to address areas of concern for the students that originally would have to be addressed at an inconvenient time for the student. With the alternative education program being housed at Eldorado Public Schools, the student can have career and guidance opportunities available with the district's counselor to better help address student/students individual needs. Students will also have access to AP online course programs offered by the district as well as other programs not available to our students being served at the present alternative education site through a cooperative involving five other districts with Granite Public Schools, Granite, Oklahoma serving as the LEA. The program will allow our students who may not graduate on time the opportunity to do so without dropping out. By development of a program through Eldorado Public Schools it will bring the district alternative education state supported funding back into the district which can have a more profound result for the district and the community allowing the district to meet the needs of any and all students in need and who are struggling and need another educational alternative. Last but not least it will allow parents of those students being served to have more input than what are presently not being involved in.

I. Period of public review on the proposed plan.

The period for/of public review for the proposed alternative education program would be held at the beginning of the school year beginning with the 2012-2013 school year allowing the district after the initial first year of operation during the 2011-2012 school year to assess the strengths and weaknesses of the program and those areas in need of improvement that were addressed through the assessment mechanism and the alternative learning team.

J. Notification and comments from the district bargaining agent, or if no bargaining agent exists, the teachers directly affected.

The Alternative Education teacher and the administration along with the alternative education learning team will conduct meetings to address and work with state statutory guidelines as well as school guidelines to assure that the districts alternative education program is in compliance with statutory requirements and guidelines outlined in statute.

K. All comments, recommendations and objections made by the bargaining agent and others to the local board of education shall be forwarded to the State Board of Education for consideration prior to review of the plan.

Eldorado Public Schools will address any and all comments, recommendations and or objections to the alternative education program either through a Special meeting of the Eldorado Board of Education or as a public hearing during a regularly scheduled meeting of the Board of Education for the purpose of addressing any concerns and recommendations with the Superintendent of Schools forwarding any and all communications to the State Board of Education for consideration prior to review of the plan.

L. Timeline for implementing the Statutory Waiver, specifying the period requested.

Eldorado Public Schools is requesting this statutory waiver for the continued implementation of the districts alternative education program for the 2012-2013 school year.

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Eldorado Public Schools

Dr. Harold Hayes
Superintendent

P.O. Box J – 200 North Seventh Street
Eldorado, Oklahoma 73537
580-633-2219 / Fax 580-633-2316

Chrystal Bryant
Principal

June 11, 2012

State Board of Education
2500 North Lincoln Boulevard
Oklahoma City, Oklahoma 73105

Honorable Members of the State Board of Education:

On behalf of the Eldorado Public Schools Board of Education and in accordance with Oklahoma Deregulation Act, 70 O.S. 3-124, et seq. and as Superintendent of Eldorado Public Schools this letter is being submitted as part of the districts formal application for a statutory waiver/exemption pursuant to Title 70 O.S. 1210.568 allowing Eldorado Public Schools to conduct an Alternative Education Program for the 2012-2013 school year.

Eldorado Public Schools was a former member of an Alternative Education Program Cooperative with five other school districts in Greer and Jackson Counties prior to and including the 2010-2011 school year. Prior to the start of the 2011-2012 school year, Eldorado Public Schools submitted a formal request to have the districts Alternative Education Program on site at Eldorado Public Schools rather than to remain in the cooperative. At that time it was the feeling of the Eldorado Board of Education and the administration that the needs of the students of Eldorado Public Schools would and could be better served in a program at Eldorado Public Schools.

The Eldorado Board of Education voted on May 10, 2012 at its regular meeting to approve making application for a Statutory Waiver/Exemption in accordance with the requirements of the application process for the 2012-2013 school year. As Superintendent of Eldorado Public Schools, please accept this formal letter of request as part of the formal deregulation application process along with the districts School Site Statutory Waiver/Exemption application.

Respectfully,



Dr. Harold Hayes
Superintendent