

**Minutes of the Regular Meeting of the
STATE BOARD OF EDUCATION
STATE CAPITOL, SENATE ROOM 535
2300 NORTH LINCOLN BOULEVARD
OKLAHOMA CITY, OKLAHOMA**

September 25, 2014

The State Board of Education met in regular session at 9:34 a.m. on Thursday, September 25, 2014, in the Senate Room 535 of the State Capitol at 2300 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 9:15 a.m. on Wednesday, September 24, 2014.

The following were present:

Ms. Kalee Isenhour, Secretary to the State Board of Education
Ms. Terrie Cheadle, Administrative Assistant

Members of the State Board of Education present:

State Superintendent Janet Barresi, Chairperson of the Board
MG (R) Lee Baxter, Lawton
Ms. Amy Ford, Durant
Ms. Cathryn Franks, Roosevelt
Mr. Daniel Keating, Tulsa
Mr. William "Bill" Price, Oklahoma City
Mr. William "Bill" Shdeed, Oklahoma City (arrived at 9:35 a.m.)

Others in attendance are shown as an attachment.

**CALL TO ORDER
AND
ROLL CALL**

Superintendent Barresi called the State Board of Education regular meeting to order at 9:34 a.m. and welcomed everyone to the meeting. Ms. Isenhour called the roll and ascertained there was a quorum.

**PLEDGE OF ALLEGIANCE, OKLAHOMA
FLAG SALUTE, AND MOMENT OF SILENCE**

Superintendent Barresi led Board Members and all present in the Pledge of Allegiance to the American Flag, a salute to the Oklahoma Flag, and a moment of silence.

**AUGUST 27, 2014 STATE BOARD OF EDUCATION
REGULAR MEETING MINUTES APPROVED**

Board Member Ford made a motion to approve the minutes of the August 27, 2014, regular State Board of Education meeting. Board Member Shdeed seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Ms. Franks, yes; Mr. Keating, yes; Mr. Price, yes; and Ms. Ford, yes.

**SEPTEMBER 17, 2014 STATE BOARD OF EDUCATION
SPECIAL MEETING MINUTES APPROVED**

Board Member Ford made a motion to approve the minutes of the September 17, 2014, special State Board of Education meeting. Board Member Shdeed seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; Mr. Keating, yes; Ms. Franks, yes; General Baxter, abstain; and Mr. Shdeed, yes.

STATE SUPERINTENDENT

Information from the State Superintendent

Superintendent Barresi said Board Members are asked to approve a sole-source contract with CTB-McGraw Hill for the winter testing window. Unfortunately, a limited time window made it untenable to put out for bid. Nor enough time to initiate an entirely new system to train schools to use a brand new assessment. Another option would be to deny high school students an opportunity to take end-of-year instruction (EOI) tests. This situation is not ideal, but circumstances made this unavoidable.

The PASS Plus Academies are scheduled starting next week. Teachers and education leaders are offered professional development opportunities to learn more about the Priority Academic Student Skill (PASS) standards in English Language Arts and mathematics. State Department of Education (SDE) representatives will be present to help educators with instructional effectiveness through evidence-based activities. A full list of the 17 statewide locations, dates, and times can be located on the SDE website.

A second statewide event to take place is the “Oklahoma Education Town Halls” that will be held in various locations. Oklahomans interested in their local schools are provided an opportunity to learn about PASS standards, and give input on the Oklahoma’s academic standards.

**Recognition of Oklahoma's Advanced Placement (AP) Scholars
Steve Zhang, Norman North High School and
Defne Altan, Casady High School,**

Superintendent Barresi recognized the Oklahoma's 2014 Advanced Placement award recipients Steve Zhang, Senior, Norman North High School-Norman Public Schools and Defne Altan, Graduate, Casady School, Oklahoma City. Ms. Altan was not present because she is a student at Harvard University. Dr. Peter Liesenfeld, Principal, Norman North High School was also present.

First-Year Superintendents

First-year superintendent(s) attending the meeting were Michael Johnson, Temple School District; Hank Nichols, Glover Public Schools; and Lance West, Collinsville Public Schools.

**Presentation of Achievement Awards for
Excellence in Annual Financial Reporting**

Nancy Hughes, Executive Director, OCAS said this is the 18th year to recognize school districts for achieving excellence in annual financial reporting of large, midsize, small and elementary school districts. SDE in conjunction with the Association of School Business Officials (ASBO) present Certificates of Achievement and award plaques to Yukon, Hennessey, Fargo Public School Districts and Zaneis Elementary School District.

PUBLIC COMMENT

Representative Jason N. Smalley signed up to address the sole source contract with CTB-McGraw Hill.

CONSENT DOCKET APPROVED

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2014-2015 school year and other requests:

- (a) **Abbreviated School Day – 70 O.S. § 1210.567 and OAC 210:35-29-2**
 - Bartlesville Public Schools, Washington County
 - Blackwell Public Schools, Kay County
 - Bridge Creek Public Schools, Grady County
 - Choctaw Nation, Bryan County
 - Choctaw Nicoma Park Public Schools, Oklahoma County
 - Clinton Public Schools, Custer County
 - Harrah Public Schools, Oklahoma County
 - Idabel Public Schools, McCurtain County
 - Keota Public Schools, Haskell County
 - Little Axe Public Schools, Cleveland County
 - Paoli Public Schools, Garvin County
 - Pocola Public Schools, LeFlore County
 - Pond Creek Hunter Public Schools, Grant County
 - Pryor Public Schools, Mayes County
 - Putnam City Public Schools, Oklahoma County

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- (b) **Adjunct Teachers – 70 O.S. § 6-122.3**
Panama Public Schools, LeFlore County
Wapanucka Public Schools, Johnston County
- (c) **Allow Two School Days in a 24-Hour Period – 70 O. S. § 1-111**
Bennington Public Schools, Bryan County
Bridge Creek Public Schools, Grady County
Clayton Public Schools, Pushmataha County
Cottonwood Public Schools, Coal County
Haywood Public Schools, Pittsburg County
Holly Creek Public Schools, McCurtain County
LeFlore Public Schools, LeFlore County
Lukfata Public Schools, McCurtain County
Milburn Public Schools, Johnston County
Rock Creek Public Schools, Bryan County
Shady Point Public Schools, Coal County
Springer Public Schools, Carter County
Stonewall Public Schools, Pontotoc County
Tipton Public Schools, Tillman County
Wapanucka Public Schools, Johnston County
Welch Public Schools, Craig County
Wetumka Public Schools, Hughes County
Wright City Public Schools, McCurtain County
- (d) **Cooperative Agreements for Alternative Education Programs – 70 O. S. § 1210.568**
Big Pasture Public Schools, Cotton County
Billings Public Schools, Noble County
Burlington Public Schools, Alfalfa County
Central High Public Schools, Stephens County
Freedom Public Schools, Woods County
Gans Public Schools, Sequoyah County
Goodwell Public Schools, Texas County
Milburn Public Schools, Johnston County
Oologah Talala Public Schools, Rogers County
Ringling Public Schools, Jefferson County
Stuart Public Schools, Hughes County
Texhoma Public Schools, Texas County
Turpin Public Schools, Beaver County
- (e) **Length of School Day - 70 O. S. § 1-109**
Tulsa Public Schools, Tulsa County
- (f) **Library Media Services – OAC 210:35-5-71 and OAC 210:35-9-71**
Alex Public Schools, Grady County
Bartlesville Public Schools, Washington County
Blackwell Public Schools, Kay County
Bridge Creek Public Schools, Grady County
Coweta Public Schools, Wagoner County
Dover Public Schools, Kingfisher County

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Freedom Public Schools, Woods County
Harrah Public Schools, Oklahoma County
Kingston Public Schools, Marshall County
Leach Public Schools, Delaware County
Midway Public Schools, McIntosh County
Pocola Public Schools, LeFlore County
Ringwood Public Schools, Major County
Waurika Public Schools, Jefferson County
Wetumka Public Schools, Hughes County

- (g) **Library Media Specialist – 70 O.S. § 3-126**
Muskogee Public Schools, Muskogee County
Early Childhood Center

- (h) **Planning Period – OAC 210:35-7-41 and OAC 210-35-9-41**
Bridge Creek Public Schools, Grady County
Burs Flat Dill City Public Schools, Washita County
Dewar Public Schools, Okmulgee County
Gracemont Public Schools, Caddo County
Jones Public Schools, Oklahoma County
Lukfata Public Schools, McCurtain County
Marietta Public Schools, Love County
Mid-Del Public Schools, Oklahoma County
Kerr and Monroneym Middle Schools
Mid-Del Public Schools, Oklahoma County
High School
Ponca City Public Schools, Kay County
East Middle School
Ponca City Public Schools, Kay County
High School
Ringling Public Schools, Jefferson County
Stigler Public Schools, Haskell County
Stilwell Public Schools, Adair County

- (i) **General Fund for Capital Expenditures – 70 O.S. § 1-117 and OAC 210:25-5-4**
Haworth Public Schools, McCurtain County

- (k) Request approval of sponsorship/donations from Access Midstream – 70 O.S. § 3-104 (12)

- (l) Request approval on exceptions to State Board of Education teacher certification regulations to permit issuance of emergency (provisional) certificates – 70 O. S. § 6-187

Board Member Ford made a motion to approve the Consent Docket. Board Member Baxter seconded the motion.

Board Member Ford thanked Access Midstream for the donation of weather radios to all Oklahoma public schools.

The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Ms. Franks, yes; Mr. Keating, yes; Mr. Price, yes; and Ms. Ford, yes.

ACADEMIC AFFAIRS

Office of School Turnaround

Presentation by the Office of Juvenile Affairs on the Application seeking sponsorship of a charter school by the State Board of Education

Sam Duell, Executive Director of School Choice said the *Oklahoma Charter School Act* states the State Board of Education (SBE) may sponsor a charter school (Oklahoma Youth Academy Charter School) when the applicant of the charter school is the Office of Juvenile Affairs (OJA) or their consultant. The purpose for providing education is to provide services to youth who are in custody or under the supervision of the state. In December 2013, the SBE adopted a policy that outlines the initial presentation. The purpose of today's presentation is to provide information about the application, provide an opportunity to direct questions to the applicant, and opportunity to request supplemental information.

Mr. T. Keith Wilson, Executive Director, Office of Juvenile Affairs, presented the OJA charter school application, education provided to children in OJA medium secure facilities/institutions, and contracted education service providers. Tecumseh Public Schools and Manitou Education Unit-Tipton Public Schools are the most recent professionals providing education services. Mr. Wilson reviewed statistics on youthful offender high school graduates; convicted/adjudicated factors; school suspension percentages; education access and real time needs/benefits, intra-agency transference, progress monitoring, community and school reintegration; and charter school enhancement opportunities to OJA youth.

Mr. John Pugh, Education Consultant, and Ms. Tina Kershner, Director, Human Resources, OJA, were also present.

Report on the 21st Century Community Learning Centers Grant Awards

Sonia Johnson, Director, 21st Century, presented a report on grants awarded for 21st Century Community Learning Centers programs. The programs provide services to students attending high poverty and low performing schools. Services are offered before and after school, summer school breaks/intersessions, or weekends when school is not in session. These expanded learning opportunities as they are nationally referred by focus on three core areas that include providing academic enrichment, a broad array of additional services designed to reinforce; and compliment the regular academic program, supporting literacy and related educational development services to children's family.

Awards were made August 13, 2014 to 13 school districts and community-based organizations.

Office of Instruction

Appointment of the Full Membership of a Steering Committee to perform specific duties, as directed by the State Board of Education and to Implement Provisions of House Bill 3399 Approved

Board Member Amy Ford presented a recommendation request to appoint members of the Steering Committee. The SBE members approved at the August 27,

2014, SBE meeting to serve on the committee are General Lee Baxter, William “Bill” Price and Amy Ford as Steering Committee, Chairperson.

Recommended Steering Committee appointees included Mr. Glen Johnson, Chancellor, Oklahoma State Regents for Higher Education; Mr. Larry Parman, Secretary and Executive Director of Commerce; Dr. Marcie Mack, Interim Executive Director, State Department of Career and Technology Education; also Ms. Matra Jones, Parent to an Oklahoma school student; Dr. Don Raleigh, Superintendent, Pryor Public Schools; Ms. Barbara Bayless, Reading Specialist, Choctaw-Nicoma Park Public Schools; Ms. Elaine Hutchins, Mathematics Teacher, Fairview High School, Chamberlain Middle School, Oklahoma School and Mathematics Regional Center, and the 2013 Oklahoma Teacher of the Year.

Board Member Ford said the State Department of Education representative recommendation will be presented to the SBE once that person has been identified.

Ms. Ford made a motion to approve the recommendation request of appointees to the Steering Committee as approved at the August 27, 2014 SBE meeting.

Superintendent Barresi said as a member of the SBE and as the State Superintendent of Public Instruction, it was previously noted that a member of the SDE was recommended, but the nomination was rejected. Superintendent Barresi reviewed the SDE nominee’s education qualifications, accomplishments, and achievements, and again nominated Teri Brecheen, Executive Director, Literacy and Reading Instruction.

Superintendent Barresi amended Ms. Ford’s motion to include the nomination of Teri Brecheen as the representative for the SDE. The motion to amend failed due to lack of a second.

Board Member Price seconded Board Member Ford’s motion to approve the recommendation request of appointees to the Steering Committee as approved at the August 27, 2014 SBE meeting. The motion carried by the following votes: Ms. Ford, yes; Mr. Price, yes; Mr. Keating, yes; Ms. Franks, yes; General Baxter, yes; Mr. Shdeed, yes, and Superintendent Barresi, no.

Office of Educator Effectiveness

District that have not completed the Teacher and Leader Effectiveness (TLE) Qualitative Report and withholding of State Aid payments Approved

Jenyfer Glisson, Executive Director, Teacher and Leader Effectiveness (TLE) presented a recommendation request to withhold or not withhold the state aid of school districts for noncompliance reporting. Ms. Glisson reviewed due dates and extended deadlines for uploading the Teacher and Leader Qualitative Report.

Superintendent Barresi said research is being conducted on individuals/superintendents of the noncompliant school districts. The information will be presented for possible considerations of disciplinary actions at a future SBE meeting.

Kevin Burr, Superintendent, Sapulpa Public Schools, reported the school district reasons and contract dilemma for noncompliance reporting and requested SDE assistance.

Board Members discussed dispositions of previous superintendents, 30-day grace period, SBE disciplinary action, and denial of state aid.

Kimberly Richey, General Counsel, advised the SDE office reviewed and concluded that a negotiated agreement bargained locally cannot conflict with state law. Ms. Richey referenced Title 70 regarding policies, regulations, contracts adopted by a local district cannot conflict with rules or statutes of the State Board of Education.

School districts were made aware in early February the department would be collecting the data in order to fulfill other statutory requirements, and duties of the SBE. Some school districts voiced that they were unsure if the SDE had the authority to collect this level of data under the Teacher and Leader Effectiveness (TLE) law. As a result of that a legislative change occurred this year which was Senator Ford's Senate Bill 1828. Another section of law within the TLE statutes was amended to specifically authorize the SDE to receive data under Section 6-101.10. The law was amended based on concerns expressed by districts, signed by the Governor in May, and effective earlier this year. In July districts received notifications, as well as, in weekly and monthly TLE messages.

Board Member Ford made a motion to take action at the next SBE meeting against schools that have not come into compliance at the next regular scheduled with the exception of Cave Springs, Pleasant Grove, and Temple because of the inability to ever come into compliance. Board Member Shdeed seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; Mr. Keating, yes; Ms. Franks, yes; General Baxter, yes; and Mr. Shdeed, yes.

Office of Assessment

Sole Source Contract with CTB-McGraw Hill to conduct testing for the 2014 Winter Testing Window Tabled

Lisa Chandler, Assistant Superintendent, Office of Assessment, presented a request recommending a sole-source contract for the 2014 winter testing window with CTB-McGraw Hill. Ms. Chandler said correct, the SDE was aware of the timeline and testing schedule. Ms. Chandler reviewed the complexity of switching to a new vendor, training test administrators, and new platform testing.

Board Members discussed late bidding process; timeline/testing schedule, other testing companies availability and capacities; sole-source contract, OMES and state criteria; test waiver provisions, ACE appeal process; contract damages clause, payment and penalty, Attorney General review; and state law testing content requirement.

Superintendent Barresi said the lateness is attributed to the fact that House Bill 3399 was going through the legislature, we did not know what assessment to develop and align with the standards. Subsequently, there was a lawsuit regarding the implementation of HB 3399 which then got us through June. In the past 10 years the number and variety of testing vendors and options have decreased. Superintendent Barresi shared her concerns regarding Pearson examinations and promotion of Aspire ACT series.

Board Member Baxter made a motion table the request. Board Member Shdeed seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Ms. Franks, yes; Mr. Keating, yes; Mr. Price, yes; and Ms. Ford, yes.

FINANCIAL SERVICES

Report on Hulbert Public Schools and Seminole Public Schools improper Expenditures in Fiscal Year 2014

Nancy Hughes, Executive Director, OCAS, presented a report on improper expenditures made by Hulbert and Seminole Public Schools in fiscal year 2014. Ms. Hughes reviewed corrective letters submitted by the superintendents of the school districts.

INFORMATION TO THE BOARD

Board Member Baxter stated his personal view concerning the sole source contract with CTB-McGraw, hiring of Dr. Larry Birney, Assistant State Superintendent, Accreditation, and change of leadership of the State Department of Education.

Board Member Ford announced the first meeting of the Steering Committee is scheduled Thursday, October 2, 2014, 10 a.m. in the Governor's Conference Room, 2nd floor.

ADJOURNMENT

Board Member Shdeed made a motion to adjourn and Board Member Keating seconded the motion. There being no further business Board Members unanimously agreed to adjourn the meeting at 11:40 a.m.

The next regular meeting of the State Board of Education will be held on Thursday, October 23, 2014, at 9:30 p.m. The meeting will convene at the State Capitol, Senate Room 535, State Capitol, 2300 North Lincoln Blvd., Oklahoma City, Oklahoma.

Janet Barresi, Chairperson of the Board

Kalee Isenhour, Secretary to the State Board