

**Minutes of the Regular Meeting of the**

**STATE BOARD OF EDUCATION  
OKLAHOMA HISTORY CENTER  
CHESAPEAKE EVENT CENTER  
800 NAZIH ZUHDI DR.  
OKLAHOMA CITY, OKLAHOMA**

**January 28, 2021**

The State Board of Education met in regular session at 10:12 a.m. on Thursday, January 28, 2021, in the Chesapeake Event Center of the Oklahoma History Center, 800 Nazih Zuhdi Dr., Oklahoma City, Oklahoma. The final agenda was posted at 10:00 a.m. on Wednesday, January 27, 2021.

The following were present:

Mr. Brad Clark, General Counsel  
Ms. Terrie Cheadle, Chief Executive Secretary

Members of the State Board of Education present:

State Superintendent Joy Hofmeister, Chairperson of the Board  
Mr. Brian Bobek, Oklahoma City  
Mr. William “Bill” Flanagan, Claremore  
Mrs. Estela Hernandez, Oklahoma City  
Mrs. Jennifer Monies, Oklahoma City

Members of the State Board of Education not present:

Mrs. Carlisha Williams Bradley, Tulsa

Others in attendance are shown as an attachment.

## **CALL TO ORDER**

State Superintendent Joy Hofmeister called the State Board of Education regular meeting to order at 10:12 a.m.

## **INTRODUCTION AND SWEARING IN OF NEW STATE BOARD OF EDUCATION MEMBERS**

Superintendent Hofmeister administered the Oath of Office to swear in newly appointed member Trent Smith to serve on the State Board of Education.

## **ROLL CALL**

Superintendent Hofmeister welcomed everyone to the meeting. Ms. Cheadle called the roll and ascertained there was a quorum.

Superintendent Hofmeister introduced and welcomed newest board member Trent Smith.

Mr. Smith said he looked forward to learning and working with all state board members and contributing in any way to better the outcomes for all Oklahoma school children including his own.

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

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

## **STATE SUPERINTENDENT**

### **Information from the State Superintendent**

#### **Recognition of Department Employee for the month of January**

Superintendent Hofmeister recognized Edgar Saravia-Rodas, Family Day Care Coordinator, Child Nutrition Program, as employee for the month January.

Superintendent Hofmeister said Governor Stitt appointed Trent Smith last week and we are excited to work together with him. Mr. Smith, a resident and business owner of Yukon, will represent Congressional District 3 that includes western Oklahoma. His children attend Yukon Public Schools, and many members of his family are lifelong educators. Also, he is a former OU Sooner and NFL football player.

Superintendent Hofmeister updated on virtual meetings that included Advisory Council and feedback; Student Advisory Council mental health concerns/support, resources, pandemic effects, ACT/SAT and ICAP participation/feedback initiatives; Teacher Advisory Council, and School Board Advisory Council.

## **Video presentation of Penny’s Closet, Cooper Middle School-Putnam City**

Superintendent Hofmeister highlighted new school initiatives from the Elevate chronicle series video/social media, “Penny’s Closet”. A donation club for winter coats helping district school children stay warm and named after a beloved Putnam City Public School Counselor.

### **December 17, 2020 regular meeting minutes of the State Board of Education - Approved**

Board member Flanagan moved to approve the minutes of the December 17, 2020, regular meeting. Board member Hernandez seconded the motion. The motion carried with the following votes: Ms. Hernandez; yes; Mr. Smith, abstain; Mr. Flanagan, yes; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

### **PUBLIC COMMENT**

Mike Workman, Tulsa Oklahoma signed up to address updates, progress and new actions regarding previous ethical and discriminatory concerns at Kiefer Public Schools.

Brad Clark, General Counsel, advised regarding public comment option requirements for various public entities.

### **CONSENT DOCKET - Approved**

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2019-2020 school year and other requests:

- (a) **Cooperative Agreements for Alternative Education Programs – 70 O.S. [§ 1210.568](#)**  
Sequoyah Public Schools, Rogers County
- (b) **Library Media Services – OAC 210:35-5-71 and 210:35-9-71**  
Gracemont Public Schools, Caddo County  
Buffalo Valley Public Schools, Latimer County  
Asher Public Schools, Pottawatomie County  
Brushy Public Schools, Sequoyah County
- 3 Years**  
Albion Public Schools, Pushmataha County
- (c) 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 members discussed and asked questions regarding Consent Docket items 5 **Library Media Services** waiver requests included commending **Asher Public Schools** application; **Gracemont Public Schools** library staffing; and **Albion Public Schools** library scheduling/staffing.

Ryan Pieper, Executive Director, Accreditation, reported community volunteers and student interns work in collaboration with **Gracemont Public Schools** to provide coverage for library hours. The district has experienced financial difficulties and the local board approved the best option for the students. For clarification, the library at **Albion Public Schools** opens daily, yet the application only reflected the days when teachers and students were in the library.

Board member Monies moved to approve Consent Docket waiver requests. Board member Flanagan seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Mr. Smith, yes; Mr. Flanagan, yes; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

## **OFFICE OF ACCOUNTABILITY**

### **Proposed amendments to Oklahoma's consolidated state plan under the Every Student Succeeds Act (ESSA) – Approved**

Maria Harris, Deputy Superintendent of Assessment and Accountability, presented a recommendation request of the proposed changes to the consolidated state plan accountability system Oklahoma School Report Card.

Board members asked questions and discussed Ms. Harris' presentation overview that included accountability system goals, technical review/validation, mentation support; ESSA requirements, separation of the academic achievement indicator, recommended minimum number of students or N-size, Additional Targeted Support and Improvement (ATSI), indicators of performance and improvement, state assessment performance levels, multi-year model leverages; 3 federal designations-ATSI, Comprehensive Support and Improvement (CSI) and Targeted Support and Improvement(TSI); OSDE school support, pandemic disruptions/challenges effected 2019-20 school year and data; consolidated state plan, school improvement plans, state funding formula/allocations, professional development and resources; CSI and CTI identifiers, progress and successes, No Child Left Behind constraint practices vs. ESSA evidence based practices, What Works Clearinghouse, evidence based providers or vendors and approved funding.

Board member Bobek moved to approve the proposed amendments. Board member Flanagan seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Mr. Smith, yes; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

## **LEGAL SERVICES/STATE BOARD OF EDUCATION**

### **Amended Rule Adoption Approved**

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

- (1) Chapter 1. State Board of Education  
Subchapter 5. Due Process  
**210:1-5-6. Suspension and/or revocation of certificates**  
**[AMENDED]**

(2) Chapter 25. Finance  
Subchapter 5. Budgeting and Business Management  
**210:25-5-4. Accounting [AMENDED]**

Board member Monies moved to adopt the amended rules request. Board member Bobek seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Mr. Smith, yes; Mr. Flanagan, yes; Mr. Bobek yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

(Superintendent Hofmeister recessed the meeting at 11:51 a.m. and reconvened at 12:04 p.m.)

**Annual School Calendar requirements for the 2021-2022 school year,  
Senate Bill 441 (2020) – Approved**

Mr. Clark presented a recommendation to extend a one-year waiver of the annual school calendar requirement for public schools. State statute and administrative rule requires the school session and classroom instruction be offered 180 days or 1080 hours and allows flexibility if conditions beyond the control of local authority warrant the waiver.

Board members asked questions and discussed disruption of education, support for recover of lost/unfinished learning, rebuilding/rebounding from pandemic; strategic investments plan, federal COVID relief funds/allocations, lost learning/tools opportunities; lowering minimum school days, 4 day vs. 5 day school week, challenge to school administrators and local boards; Senate Bill 41 and supportive data effected by pandemic.

Board member Bobek said as a result of the continuing disruptions due to COVID-19, moved to approve granting the one year waiver under the Oklahoma Administrative Code 210:10-4 dashboard to all school districts and sites operated by the district for the 2021, 2022 school year, beginning with a length of term of requirements in the Oklahoma Statute 71-09 and the 2022 and 2023 school year and thereafter, the district may individually apply for a waiver as provided in these administrative rules listed; and the criteria being met including the 1080 hours during the waiver year, the criteria being met prior to applying for the purpose using most recent Oklahoma school report card issued under the School Accountability System shall be issued based on the higher school year's performance data. Board member Flanagan seconded the motion.

Board member Bobek clarified that the one year waiver is for the 2021-2022 school year, per state statute 71-109 schools will implement the 1080 hour law at the start of the 2022-2023 school year, and a school district must apply for a waiver on behalf of each school.

The motion carried with the following votes: Ms. Hernandez, yes; Mr. Flanagan, yes; Mr. Bobek, yes; Ms. Monies, yes; Mr. Smith, yes; and Superintendent Hofmeister, yes.

**Woodland Public Schools including operations, governance  
and accreditation - Approved**

Mr. Clark overviewed Woodland Public Schools reporting non compliances to the United States Department of Education (USDE) civil rights data collection and Child Nutrition Program and recommended to change the accreditation status to probation.

Reviewed timeline of notification disregards from the USDE-Office of Civil Rights and Oklahoma Department of Education (OSDE); U.S. Secretary of Education, Civil Rights Data Collection Act (CRDC), enforcement, civil rights laws, Title VI, IX, II, Age Discrimination Act; High Risk Status notification to Woodland Public School Superintendent, school district, local board, and loss of all federal funds.

Board member Smith moved to approve the probation accrediting status recommendation. Board member Monies seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Mr. Flanagan, yes; Mr. Bobek, yes; Ms. Monies, yes; Mr. Smith, yes; and Superintendent Hofmeister, yes.

**Resolve into Executive Session**  
**pursuant to 25 O.S. §§ 307 (B) (4) (7) and (8)** for the  
purpose of discussing possible action to issue an **emergency order**  
summarily suspending the teacher certificates and certificate numbers  
of **1) Joe Brent Shaw** and **2) Andee Lantz**; pending an individual  
proceeding for revocation or other action - **70 O.S. § 3-104;**  
**75 O.S. § 314; OAC 210-1-5-6**

Board member Flanagan moved to convene into Executive Session at 12:51 p.m. Board member Bobek seconded the motion: The motion carried with the following votes: Ms. Hernandez, yes; Mr. Flanagan, yes; Mr. Bobek, yes; Ms. Monies, yes; Mr. Smith, yes; and Superintendent Hofmeister, yes.

#### **Return to Open Session**

Board member Flanagan moved to return to Open Session at 1:10 p.m. Board member Monies seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Mr. Flanagan, yes; Mr. Bobek, yes; Ms. Monies, yes; Mr. Smith, yes; and Superintendent Hofmeister, yes.

Superintendent Hofmeister said no decisions were made on the matters discussed in the Executive Session. Brad Clark, General Counsel, Lori Murphy, Assistant General Counsel, and Phil Bacharach, Chief of Staff; Jeremy Irons, Justin Newton, and Amanda Jones, remained in the Executive Session.

Board member Bobek moved to suspend the teacher certificates and teacher numbers of **Joe Brent Shaw and Andee Lantz**. Board member Hernandez seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Mr. Flanagan, yes; Mr. Bobek yes; Ms. Monies, yes; Mr. Smith, yes; and Superintendent Hofmeister, yes.

#### **ADJOURNMENT**

Board member Hernandez moved to adjourn the meeting at 1:13 p.m. Board member Bobek seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Mr. Flanagan, yes; Mr. Bobek yes; Ms. Monies, yes; Mr. Smith, yes; and Superintendent Hofmeister, yes.

The next regular meeting of the State Board of Education will be held on Wednesday, February 25, 2021 at 9:30 a.m. The meeting will convene at the State Department of Education-State Board Room, 2500 North Lincoln Blvd., Oklahoma City, Oklahoma.

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Joy Hofmeister, Chairperson of the Board

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Terrie Cheadle, Chief Executive Secretary