

**Minutes of the Regular Meeting of the
STATE BOARD OF EDUCATION
2500 NORTH LINCOLN BOULEVARD
STATE BOARD ROOM, SUITE 1-20
OKLAHOMA CITY, OKLAHOMA**

August 26, 2021

The State Board of Education met in regular session at 9:36 a.m. on Thursday, August 26, 2021, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 9:30 a.m. on August 25, 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
Mrs. Carlisha Williams Bradley, Tulsa
Mr. William “Bill” Flanagan, Claremore
Mrs. Estela Hernandez, Oklahoma City
Mrs. Jennifer Monies, Oklahoma City
Mr. Trent Smith, Yukon

Others in attendance are shown as an attachment.

**CALL TO ORDER
ROLL CALL**

State Superintendent Joy Hofmeister called the State Board of Education regular meeting to order at 9:36 a.m. Ms. Cheadle called the roll and ascertained there was a quorum. Board members were asked to remember recent loss of OSDE staff member, Judy Cummings, Coordinator, Curriculum & Instruction, during the moment of silence.

**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 August: Missy Corn**

Superintendent Hofmeister recognized Missy Corn, Alternative Education Specialist, for outstanding leadership, professionalism and going above and beyond in meeting the needs of children, school districts and OSDE.

**Recognition of Nora Neunlist, Grants Associate,
Office of Federal Programs, for 25 years of service to the state of Oklahoma:**

Superintendent Hofmeister recognized Nora Neunlist, Federal Programs, for her 25 years of service to the state of Oklahoma.

**Resolution presentation and recognition of Jessica Eschbach,
2021 Teacher of the Year (TOY)**

Superintendent Hofmeister recognized Jessica Eschbach, Oklahoma's 2021 Teacher of the Year who began her 1-year tour of duty on July 1 as the Ambassador for Teachers in Oklahoma.

Ms. Eschbach was presented a State Board of Education Resolution in her honor that read as follows:

***A RESOLUTION HONORING
JESSICA ESCHBACH***

2021 OKLAHOMA TEACHER OF THE YEAR

Whereas, Oklahoma Teacher of the Year Jessica Eschbach is a stellar example of the quality of education in Oklahoma as demonstrated by her dedication and devotion to students and her deep knowledge of the art and science of teaching; and,

Whereas, Jessica Eschbach, in her capacity as an Innovative Learning Coach of Pre-K through 12th-grade students at Norman Public Schools, develops confidence in

each child's abilities, sets high expectations for her students and herself, and promotes active involvement in her students' learning and in her own; and

Whereas, she consistently exceeds expectations in teaching and in return earns the profound respect and admiration of students, parents and fellow educators; and,

*Whereas, **J**essica **E**schbach will serve as Oklahoma's Ambassador for Teaching for the 2021-22 school year, sharing her knowledge and unique experiences with fellow and prospective educators while promoting education as a profession; and,*

Whereas, the Oklahoma State Department of Education believes the future of our state depends on every child having the opportunity to achieve academic excellence and wishes to commend and express gratitude to those who devote their lives to the education of future generations; and,

*Now, therefore, be it resolved that the State Superintendent of **P**ublic **I**nstruction and the State **B**oard of **E**ducation do honor **J**essica **E**schbach and offer our congratulations on her selection as Oklahoma's Teacher of the Year and official Ambassador for Teaching for the 2021-22 school year.*

Approved this twenty-sixth day of August 2021

Ms. Eschbach thanked board members for allowing the opportunity to represent Oklahoma and assuring every student has every opportunity to succeed. She partners with the SBE goal and is excited where the journey takes her. It is her hope to make Oklahoma teachers proud in the national competition, continue outreach and support to ensure all teachers have what they need to service Oklahoma students.

Superintendent Hofmeister said the 2021 Legislative Red Banner Book of 2021 Legislation were available and includes bills passed into law that impact Oklahoma. Updated on a notification to withdraw the approved Administrative Rules for House Bill 1775 due to technical reason. Instructions were received to remove an electronic version from the Secretary of State website, correct errors, and resubmit. A special SBE meeting will be scheduled to consider the corrected version, revote for resubmission and at that same time hiring a new board attorney. With no other required changes school districts in the meantime must follow the guidance until that is completed.

We have learned this morning, an eighth-grade student passed away due to COVID, and a teacher passed a few days ago. Sadly, the Delta variant is more contagious and is surging throughout communities and schools are no exception; and are dealing with numerous positive cases and students/staff quarantines and school restrictions. The most important thing is protecting their health and well-being, understand this is not like 2020 and we need to take it very seriously.

Superintendent Hofmeister and Tiffany Neill, Deputy Superintendent of Curriculum and Instruction overviewed the Return to School Guide/website offering students, schools/leaders and families with support structures that included a two-prong approach to support, statewide initiative, platforms, five support categories, guidance documents, relief fund frameworks, higher education partnerships, professional development academies, Teach for America partnership grant, and YMCA community outreach site recipient.

BOARD ADMINISTRATIVE

Minutes of the June 24, 2021, regular State Board of Education meeting – Approved

Board member Flanagan moved to approve minutes of the June 24, 2021, regular State Board of Education meeting. Board member Monies seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Flanagan, yes; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

Minutes of the July 12, 2021, regular State Board of Education meeting – Approved

Board member Bobek moved to approve minutes of the June 24, 2021, regular State Board of Education meeting. Board member Hernandez seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Flanagan, abstain; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

Resolution presentation and recognition of Jessica Eschbach, 2021 Teacher of the Year (TOY) - Approved

Board member Smith moved to approve the Resolution for Jessica Eschbach, 2021 Teacher of the Year. Board member Flanagan seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Flanagan, abstain; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

Board members congratulated Ms. Eschbach as Oklahoma Teacher of the Year and as the official teaching ambassador for the 2021 school year.

CONSENT DOCKET - Approved

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2021-2022 school year and other requests:

- (a) **Abbreviated School Day – OAC 210:35-29-2 and 210:35-3-46**
Little Axe Public Schools, Cleveland County
Harrah Public Schools, Oklahoma County
3 Years
Clinton Public Schools, Custer County
Blanchard Public Schools, McClain County
Bowlegs Public Schools, Seminole County
Mooreland Public Schools, Woodward County

- (b) **Cooperative Agreements for Alternative Education Programs – 70
O.S. § 1210.568**
Paoli Public Schools, Garvin County
Hobart Public Schools, Kiowa County
Purcell Public Schools, McLain County
Quapaw Public Schools, Ottawa County
Jennings Public Schools, Pawnee County

3 Years

Balko Public Schools, Beaver County
Merritt Public Schools, Beckham County
Cheyenne Public Schools, Roger Mills County
Bowlegs Public Schools, Seminole County

(c) **Library Media Services – OAC 210:35-5-71 and 210:35-9-71**

Erick Public Schools, Beckman County
Anadarko Public Schools, Caddo County
Cyril Public Schools, Caddo County
Tahlequah Public Schools, Cherokee County
Little Axe Public Schools, Cleveland County
Noble Public Schools, Cleveland County
Tupelo Public Schools, Coal County
Bishop Public Schools, Comanche County
Wilburton Public Schools, Latimer County
Chandler Public Schools, Lincoln County
Meeker Public Schools, Lincoln County
Purcell Public Schools, McClain County
Checotah Public Schools, McIntosh County
Harrah Public Schools, Oklahoma County
Tecumseh Public Schools, Pottawatomie County
Central Public Schools, Sequoyah County
Liberty Public Schools, Sequoyah County

3 Years

Chisholm Public Schools, Garfield County
Granite Public Schools, Greer County
Ryan Public Schools, Jefferson County
Henryetta Public Schools, McIntosh County
Quinton Public Schools, Pittsburg County
Glenpool Public Schools, Tulsa County

(d) **Library Media Specialist Certificate Exemption - 70 O.S. § 3-126**

Edmond Public Schools, Oklahoma County
Central Public Schools, Sequoyah County
Sallisaw Public Schools, Sequoyah County

3 Years

Woodall Public Schools, Cherokee County
Vici Public Schools, Dewey County
Salina Public Schools, Mayes County
Edmond Public Schools, Oklahoma County
(Edmond Memorial High School)
Edmond Public Schools, Oklahoma County
(Redbud Elementary School)
Liberty Public Schools, Sequoyah County

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

- (f) Request state accreditation approval as a private school for **Infinity Generation Preparatory School, Oklahoma City - OAC 210:35-33-1 and 70 O.S. § 3-104(7)**
- (g) Request approval on flexibility to use textbook funds - [70 O.S. § 16-114a\(B\)](#)
Owasso Public Schools, Tulsa County
- (h) Discussion and possible action on payment of joint federal program claims listed below - OAC 210:25-3-7(12)

Mangum	ARP-ESSER III
Bluejacket	CRRSA-ESSER II
Boise City	CRRSA-ESSER II
Gypsy	CRRSA-ESSER II
Yukon	CRRSA-ESSER II State
Haskell	IDEA-Project 617
Chisholm	Title IA
Chisholm	Title IIA

Board members discussed and asked questions regarding **Consent Docket** waiver requests on:

6(a) Abbreviated School Day-Little Axe Public Schools waiver requesting less than 4 hour 15 minutes minimum for alternative education; clarity need on reasons applicants requesting less days and/or time and concern alternative education night program needed to accommodate students.

6(b) Cooperative Agreements-Bowlegs Public Schools identifying serving less than ten (10) students within proximity to a cooperating school requested three hours and 30 minutes alternative time, four days per week. Board members requested to provide number of school districts with Cooperative Agreements.

6(d) Library Media Specialists-Edmond Public Schools-Edmond Memorial High School waiver request due to not having a credentialed librarian

Ryan Pieper, Executive Director of Accreditation, said the abbreviated school day waiver requesting less hours for alternative education program are often accommodating student work schedules and to obtain career tech certifications. Program types are examined for effectiveness, graduation rates, testing and how a school finds what works for them and student to be effective. A list of cooperative agreements will be sent to board members. The librarian shortage is similar to the emergency certification wavier where individuals have not completed the certification program pathway, as well as is more difficult to staff in more rural areas.

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

LEGAL SERVICES/STATE BOARD OF EDUCATION

**Resolve into Executive Session
pursuant to 25 O.S. §§ 307 (B) (4) for the purpose of
conducting confidential communication between the
State Board of Education and legal counsel concerning
*Western Heights Independent School District No. 1-41 of Oklahoma County
and Mannix Barnes, Superintendent v. State of Oklahoma, ex rel.,
Oklahoma State Board of Education, et al., Case No. CV-21-9457,
in the District Court of Oklahoma County, State of Oklahoma,
Case No. 119799, in the Supreme Court of the State of Oklahoma,
the State Board having been advised by legal counsel that disclosure
will seriously impair the ability of the State Board to
conduct the litigation in the public interest.*
Executive Session**

Board member Flanagan moved to convene into Executive Session at 10:26 a.m. Board member Bobek seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Flanagan, yes; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

Return to Open Session

Board member Flanagan moved to return to Open Session at 11:16 a.m. Board member Bobek seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Flanagan, yes; Mr. Bobek, Ms. Monies, yes; and Superintendent Hofmeister, yes.

Superintendent Hofmeister said no decisions were made on the matters discussed in the Executive Session. Those included in the executive session were members of the OSDE legal team, Chief of Staff, Deputy Chief of Staff and Representative Mark McBride.

Board member Smith said for a lot of reasons, for the Board and the Department as a whole, moved to formally call on President of the Western Heights School to resign for many reasons, one of which is his relationship with Superintendent Barnes, and the use of taxpayer dollars.

I question why they need twice as many attorneys as the entire State Department of Education. There is unbelievable talking about all of the other reasons, but I would also like to call on the parents at their Western Heights School District to continue to put as much pressure on him as possible. He is a cancer in our midst and needs to be removed as soon as possible. I regret we cannot do more today.

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

**Resolve into Executive Session
pursuant to 25 O.S. §§ 307 (B) (4) and (7) to discuss
confidential communications with legal counsel concerning a
pending investigation, claim, or action, concerning Ninnekah Public Schools,
when advised by legal counsel that disclosure of any additional information
could seriously impair the ability to process or conduct the pending
investigation and/or claim in the public interest -25 O.S. §§ 307 (B) (4) and (7)**

**Resolve into Executive Session
pursuant to 25 O.S. §§ 307 (B) (4) (7) and (8) for the purpose of
discussing possible action on the Hearing Officer's proposed findings of fact,
conclusions of law and orders on the teacher certificates and certificate numbers
of 1) Aaron Hernandez and 2) Bart Daniel - 70 O.S. § 3-104: OAC 210:1-5-6**

**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 certificate and certificate number of Ronald Arthur pending
an individual proceeding for revocation or other action - 70 O.S. § 3-104: OAC
210:1-5-6**

Convene into Executive Session

Board member Flanagan moved to go into Executive Session at 11:20 a.m. Board member Williams Bradley seconded. The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Flanagan, yes; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

Return to Open Session

Board member Flanagan moved return to Open Session at 12:08 p.m. Board member Monies seconded. The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Flanagan, yes; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

Superintendent Hofmeister said no decisions made during the Executive Session. Those included in the executive session were Legal Counsel, Chief of Staff and Dr. Robyn Miller.

She advised the situation at Ninnekah Public Schools is being closely followed and the legal services and Title IX offices have been conducting on-site investigations. During the executive session the SBE was updated on the SDE process preparing to take the next steps regarding the school district's accreditation as well as other intentional certification suspensions and revocations. While we are unable to take specific action today due to that process, procedures, timelines, and statute requirements, we feel it is still important to address the general public and the Ninnekah community that we hear them and are supportive of all of those who have been harmed in any way, that they come forward, and that we also want to ensure there is a culture that openly investigates any type of report or allegation and that is taken very seriously.

Board member Bobek concurred the SBE has taken the horrible situation seriously for those who have been victimized. There is an investigation and next steps will be coming as we are taking this very seriously to help protect those in the community.

Board member Smith moved to accept the Hearing Officer's orders to revoke teacher certificates and teacher numbers for **Aaron Hernandez and Bart Daniel**. Board member Hernandez seconded the motion: The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Flanagan, yes; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

Board member Smith moved to issue emergency orders to summarily suspending the teacher certificates and certificate numbers of **Ronald Arthur**. Board member Monies seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Flanagan, nay; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

ADJOURNMENT

Board member Williams Bradley moved to adjourn the meeting at 12:13 p.m. Board member Bobek seconded the motion. The motion carried by unanimous vote.

The next regular meeting of the State Board of Education will be held on Thursday, September 23, 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.

Joy Hofmeister, Chairperson of the Board

Terrie Cheadle, Chief Executive Secretary