

**Minutes of the Regular Meeting of the**

**STATE BOARD OF EDUCATION  
2500 NORTH LINCOLN BOULEVARD  
STATE BOARD ROOM, SUITE 1-20  
OKLAHOMA CITY, OKLAHOMA**

**September 22, 2022**

The State Board of Education met in regular session at 9:32 a.m. on Thursday, September 22, 2022, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 9:15 a.m. on Wednesday, September 21, 2022.

The following were present:

Mr. Brad Clark, General Counsel to the Oklahoma State Dept. of Education (OSDE)  
Mr. Travis Jett, Counsel to the Board  
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. Estela Hernandez, Oklahoma City  
Mrs. Jennifer Monies, Oklahoma City  
Mr. Trent Smith, Yukon

Members of the State Board of Education not present:

Mrs. Carlisha Williams Bradley, Tulsa  
Ms. Sarah Lepak, Claremore

**CALL TO ORDER  
ROLL CALL**

State Superintendent Joy Hofmeister called the State Board of Education regular meeting to order at 9:32 a.m. Ms. Cheadle called the roll and ascertained there was a quorum.

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

Superintendent Hofmeister welcomed everyone to the meeting and 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 Employee of the Month**

Superintendent Hoffmeister recognized Dionne Jordan Mock, Division Support Coordinator for Assessment, as the September employee of the month and for outstanding leadership, professionalism and going above and beyond in meeting the needs of children, school districts and OSDE.

Superintendent Hofmeister updated on the School Counselor Corps grants for counselors, licensed mental health professionals, licensed clinical social workers and recreational therapists; Oklahoma #3 nationwide in deploying/distributing \$1.3 billion of \$2.3 billion U.S. Department of Educational Stabilization (COVID) funds by June 30, 2022, and funding initiatives includes School Counselor, Math Tutoring Corps and Classroom Learning and School Supplies grants; Oklahoma 2022 Blue Ribbon School Award recipients included Checotah Intermediate Elementary, Cheyenne Elementary, Pauls Valley Junior High and Warner Elementary; fall application period for Purple Star Campuses designation for supporting military connected students and families; and ShapeED My Life video presentation on Bart Conner, University of Oklahoma graduate and Olympic gold medalist gymnast.

**BOARD ADMINISTRATIVE**

**Minutes of the August 25, regular  
State Board of Education meeting – Not approved**

Board member Monies moved to approve the August 25, 2022, regular meeting minutes. Board member Smith seconded the motion. The motion failed with the following votes: Mr. Smith, yes, Ms. Hernandez, abstain; Mr. Bobek, yes; Ms. Monies, abstain and Superintendent Hofmeister, yes.

The minutes of the August 25, 2022, regular State Board of Education meeting will present at the October 27, 2022, regular meeting.

**Proposed 2023 State Board of Education  
Regular Meeting Dates - Approved**

Board member Monies moved to approve the 2023 proposed State Board of Education regular meeting dates. Board member Bobek seconded the motion. The motion carried with the following votes: Mr. Smith, yes, Ms. Hernandez, yes; Mr. Bobek, yes; Ms. Monies, yes and Superintendent Hofmeister, yes.

**PUBLIC COMMENT**

Stacey Wooley, Tulsa School Board President signed up to address agenda item #8(a) FY 2024 Education budget request.

**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  
Choctaw-Nicoma Park Public Schools, Oklahoma County  
Harrah Public Schools, Oklahoma County  
  
**3 Years**  
Beggs Public Schools, Okmulgee County
  
- (b) **Cooperative Agreements for Alternative Education Programs – 70 O.S. § 1210.568**  
Gracemont Public Schools, Caddo County  
Chisholm Public Schools, Garfield County  
Calvin Public Schools, Hughes County  
Wilburton Public Schools, Latimer County  
Morrison Public Schools, Noble County  
Sequoyah Public Schools, Rogers County  
Reydon Public Schools, Rogers Mills County  
Grandfield Public Schools, Tillman County  
  
**3 Years**  
Okeene Public Schools, Blaine County  
Cleora Public Schools, Delaware County  
Braggs Public Schools, Muskogee County  
Hominy Public Schools, Osage County  
Oak Grove Public Schools, Payne County
  
- (c) **Library Media Services – OAC 210:35-5-71 and 210:35-9-71**  
Little Axe Public Schools, Cleveland County  
Wilburton Public Schools, Latimer County  
Agra Public Schools, Lincoln County  
Hanna Public Schools, McIntosh County

Empire Public Schools, Stephens County  
Grandfield Public Schools, Tillman County  
Porter Public Schools, Wagoner County

**3 Years**

Gracemont Public Schools, Caddo County  
Dickson Public Schools, Carter County  
Grand View Public Schools, Cherokee County  
Kiefer Public Schools, Creek County  
Panama Public Schools, LeFlore County  
Jones Public Schools, Oklahoma County  
Collinsville Public Schools, Tulsa County  
Keystone Public Schools, Tulsa County

- (d) **Library Media Specialist Certificate Exemption - 70 O.S. § 3-126**  
Little Axe Public Schools, Cleveland County  
Waukomis Public Schools, Garfield County  
Oklahoma City Public Schools, Oklahoma County  
Sallisaw 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 approval on flexibility to use textbook funds - **70 O.S. § 16-114a(B)**  
Mid-Del Public Schools, Oklahoma County
- (g) Discussion and possible action on the FY 2023 Shared Superintendent  
Salary Assistance Application reports - **70 O.S. § 7-203** and **70 O.S. § 5-106A**

Board member Bobek moved to approve one-year waivers for Consent Docket item 6(a) through (e) and (g); and approve item 6(f) Mid-Del Public Schools textbook flexibility exclusively for teacher salaries. Board member Hernandez seconded the motion. The motion carried with the following votes: Mr. Smith, yes, Ms. Hernandez, yes; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

**FEDERAL PROGRAMS**

**Payment of Joint Federal Program Claims – Approved**

Dr. Kathy Dodd, Deputy Superintendent, Federal Programs, presented a recommendation request to approve late claims from the prior fiscal year that included e-School Virtual Charter Academy, Fort Towson, Oklahoma Dept. of Corrections and Soper Public School District. Schools submitted reimbursement requests and provided good cause letters of explanations for ESSER and Title 1 federal funds and federal relief dollars.

Board members discussed and asked questions regarding updates on the federal programs department and school district trainings, monthly claim process trainings, streamlined school district claims process, on-site technical and professional development

assistance, restructured federal programs website; Office of Accreditation partnership/stopgap measures and solutions; and staff/school district bootcamp trainings startup.

Board member Smith moved to approve payment of the late claims. Board member Monies seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Ms. Hernandez, yes; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

### **FISCAL YEAR 2024 EDUCATION BUDGET - Approved**

Carolyn Thompson, Chief of Government Affairs and Deputy Chief of Staff, presented a \$3,571,730,049 fiscal year 2024 recommendation request for the budgetary needs of local school districts that include state aid, general functions, special education, and administration as required by 70 O.S. §3-104. Ms. Thompson said state statute requires budget approval by October 1 and submission to the legislature but because of timing the budget projections are two years in advance. Ms. Thompson reviewed budget line items that included funding formula, flexible benefit allowance(FBA), student/teacher salaries, general fund, textbooks, administrative support, and other construction materials.

Board members discussed and asked questions regarding funding increases/reasons, Oklahoma and regional state compensation averages data, formula calculation changes/projections, 2015-2024 funding/weighted student increases and student count validated data; COVID impact and challenges, student enrollment/Average Daily Membership (ADM), school district operations; board approved budgets and legislative approval process.

Board member Bobek moved to approve the FY24 education budget request. Board member Smith seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Ms. Hernandez, yes; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

### **LEGAL SERVICES**

#### **Update, discussion, and possible action regarding Western Heights Independent School District, and possible action to approve, modify and/or deny actions and inactions of Western Heights Public Schools Board of Education at its August 23, 2022, and September 12, 2022 ,meetings pursuant the terms and conditions of State Intervention and Accredited with Probation, as modified on July 12, 2021 – Approved**

Brad Clark, General Counsel, State Department of Education, presented a recommendation request to approve hiring Paula Stewart as Encumbrance Clerk for Western Heights Public Schools. At the September 12 District Board of Education regular meeting, members tabled the action to appoint Ms. Stewart as the Encumbrance Clerk due to questions from an absent board member. The school district and local board remain subject to the terms and conditions of the State Intervention Order and as part of the order the item is presented.

Brayden Savage, Interim Superintendent, Western Heights Public Schools, said Ms. Stewart is currently employed in the district accounts payable department. She recommended the board hire Ms. Stewart as the incumbent to alleviate her working dual roles as encumbrance clerk and treasurer.

Board member Bobek moved to approve Paula Stewart as the Encumbrance Clerk at Western Heights School District. Board member Hernandez seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Ms. Hernandez, yes; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

**Monthly report on complaints filed, and status thereof, regarding alleged violations of 70 O.S. § 24-157 and Administrative Code Rule 210:10-1-23, prohibiting race and sex discrimination -**

Mr. Clark presented a monthly report on complaints filed, status and alleged violations of state regulations and rules of law. Three complaints were filed, since the last update, two with local boards of education and one reported to the State Department of Education (SDE) legal services. The status of the complaints includes one local board of education determined no violation of state statute and board rules; a second local board of education dismissed the complaint; and the third complaint is pending with the SDE.

**Appeal of a transfer application upon denial  
70 O.S. § 8-101.2; OAC 210:10-1-18.1  
Jenks Public Schools - Denied**

Mr. Clark presented a student transfer appeal denial by Jenks Public Schools due to lack of capacity consistent with the school district's capacity policy restrictions. The parent's student applicant was denied transfer, and pursuant state statute and rules submitted an appeal to the State Board of Education.

Board members asked questions and discussed transfer appeal needs with William Newman IV, parent; Stacey Butterfield, Superintendent and Dr. Amy Hudson, Jenks Public Schools provided denial reason regarding school district capacity and residency policy; alternative school options/services; class size/space and challenges, residents and capacity obligations, policy aligned with Open Transfer legislation and State Board of Education authority.

Board member Monies moved to deny the appeal in support of the existing policy adopted by Jenks Public Schools. Board member Bobek seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Ms. Hernandez, yes; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

**Executive Session pursuant to 25 O. S. § 307 (B) (4)  
to discuss pending litigation, Midwest City-Del City  
Independent School District #52, et al., and  
Western Heights Independent School District #I-1 v.  
Oklahoma State Department of Education, Joy Hofmeister,  
State Superintendent of Public Instruction; and Oklahoma State Board  
of Education, in the District Court of Oklahoma County,  
CV-2016-1965, Oklahoma Supreme Court, Case No. 117,081, 2020 OK 56.**

**Executive Session pursuant to 25 O. S. § 307 (B) (4)  
to discuss pending litigation, Independent School District #71,  
Kay County, Oklahoma (Ponca City Public Schools, et al., av. Oklahoma  
State Department of Education and Oklahoma State Board of Education,  
in the District Court of Oklahoma County, CV-2020-2392**

**Executive Session pursuant to 25 O. S. § 307 (B) (4)  
to discuss pending litigation, Western Heights Independent School District  
#I-1, et al., v. Oklahoma State Department of Education, Joy Hofmeister, State  
Superintendent of Public Instruction, Oklahoma State Board of Education, in the  
District Court of Oklahoma County, CV-2021-945**

Mr. Jett advised convening into Executive Session for items 9 (a) (b) and (c).

**Executive Session**

Board member Bobek moved to convene into Executive Session at 11:32 a.m. Board member Hernandez seconded the motion. The motion carried with the following votes: The motion carried with the following votes: Mr. Smith, yes; Ms. Hernandez, yes; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

**Return to Open Session**

Board member Bobek moved to return to Open Session at 12:00 p.m. Board member Monies seconded the motion. The motion carried with the following votes: The motion carried with the following votes: Mr. Smith, yes; Ms. Hernandez, yes; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

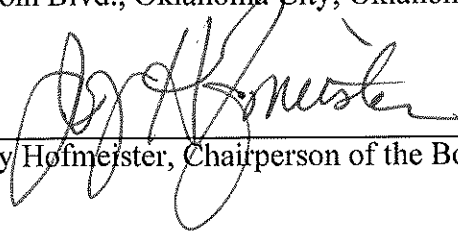
Superintendent Hofmeister said no decisions were made on the matters discussed in the Executive Session. Both legal counsels were present in the meeting.

**ADJOURNMENT**

Board member Bobek moved to adjourn the meeting at 12:06 p.m. Board member Monies seconded the motion. The motion carried by unanimous vote.

The next regular meeting of the State Board of Education will be held on Thursday, October 27, 2022, 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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Terrie Cheadle, Chief Executive Secretary

  
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Joy Hofmeister, Chairperson of the Board