

**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 24, 2023

The State Board of Education met in regular session at 9:35 a.m. on Thursday, August 24, 2023, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 9:00 a.m. on Wednesday, August 24, 2023.

The following were present:

Mr. Bryan Cleveland, General Counsel to the Oklahoma State Dept. of
Education(OSDE)

Ms. Terrie Cheadle, Chief Executive Secretary

Members of the State Board of Education present:

State Superintendent Ryan Walters, Chairperson of the Board

Mr. Donald Burdick, Tulsa

Ms. Sarah Lepak, Claremore

Mrs. Kendra Wesson, Norman

Mrs. Katie Quebedeaux, Guymon

Mrs. Suzanne Reynolds, Oklahoma City

Others in attendance are shown as an attachment.

**CALL TO ORDER
ROLL CALL**

State Superintendent Ryan Walters called the State Board of Education regular meeting to order at 9:35 a.m. Ms. Terrie Cheadle called the roll and ascertained there was a quorum.

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

Superintendent Walters 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 Prayer.

STATE SUPERINTENDENT

Information from the State Superintendent

Superintendent Walters thanked board members for their dedication to ensure students have every opportunity to be successful and appreciated the willingness to reform our education system so every child can truly be successful. Updates and concerns were provided on Tulsa Public School District funding programs through a third party by the Communist Party in China, legislative actions; special reporting requirements for foreign contributions and student pronouns in Oklahoma schools.

**Require special report regarding foreign government
contribution to Oklahoma Schools- Approved**

Superintendent Walters said to stop Oklahoma schools accepting foreign government funds district superintendents will be requested to provide a special report if using foreign dollars, directly or indirectly through nonprofits.

Bryan Cleveland, General Counsel, presented the proposed Board Order requiring school districts to provide a list of all foreign organizations and governments that contributed funds during the 2022-2023 school year, including specific amounts and description of any in-kind services, and advised on the terms and deadline.

Board members asked questions and discussed the Board Order captures the use of any foreign government and/or organization in-kind funds and in-kind services.

Board member Burdick moved to approve the special report Board Order. Board member Wesson seconded the motion. The motion carried with the following votes: Mr. Burdick, yes; Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; and Superintendent Walters, yes.

**Require special report regarding student
pronouns in Oklahoma Schools- Approved**

Superintendent Walters said the ongoing assault on gender and gender confusion indoctrination of children in Oklahoma, pronouns have become a direct way school districts have embraced policies that breakdown gender identities. We want to see our

schools focused on educating children, not confusing them; and every practice grounded in truth and reality and not undermine the entire education system. School districts with pronoun policies are requested to submit a copy and copy of any informal guidance.

Mr. Cleveland advised amending the proposed Board Order requirement wording to also require a 'copy of procedures' because often time 'procedure' is used rather than policies. Clarified the second requirement does not ask for every stray communication but focus on district's informal guidance on the matter.

Board members asked questions and discussed compliance of the Parents Bill of Rights, rules, violations, and school district model practices.

Board member Wesson moved to approve the special report Board Order. Board member Quebedeaux seconded the motion. The motion carried with the following votes: Mr. Burdick, yes; Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Ms. Reynolds, yes; and Superintendent Walters, yes.

Superintendent Walters updated on meeting with Tulsa leaders, groups, organizations, and different interested parties and it was made clear there was misinformation and confusion. He wants the Tulsa community to rally together with new leadership to change the direction of serving students. This year, significant changes are needed to ensure a dramatic transformation of the district to a high performing, successful district. Outlined four (4) criteria for Tulsa Public School District 1). Resignation of Superintendent Gist; 2). Finance; 3). Transparency; and 4). Reading Proficiency rates. Superintendent Walters is willing to do whatever it takes for the students and advised Tulsa Public School leadership "do not test me."

BOARD ADMINISTRATIVE

Minutes of the July 27, 2023, regular State Board of Education meeting - Approved

Board member Quebedeaux moved to approve minutes of the July 27, 2023, regular State Board of Education meeting. Board member Wesson seconded the motion. The motion carried with the following votes: Mr. Burdick, yes; Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Ms. Reynolds, yes; and Superintendent Walters, yes.

ACCREDITATION STANDARDS DIVISION

Tulsa Public School District and school site accreditation status for the 2022-2023 school year, continued from the July 27, 2023, meeting of the State Board of Education - Accredited with deficiency Approved

Mr. Cleveland recapped the July 27, 2023, State Board meeting discussion regarding the accreditation status of Tulsa Public School District, and presented additional accreditation observations (questions, levels of severity and options); and deficiencies concerning untimely Oklahoma Cost Accounting System (OCAS) reports, lack of transparency, and lack of local board financial control.

Members of the Tulsa Public School Board (TPSB) present included Dr. Jeanettie Marshall-member, Stacey Woolley-Board President and E'Lena Ashley-member.

Dr. Marshall reported the TPSB, on August 23, accepted the resignation and separation of Dr. Gist and Dr. Ebony Johnson was voted as Interim Superintendent. Dr. Johnson has served the district 24 years as educator, site leader, principal, and administrator, and has brought effective and positive results in schools she served. Knowing what the leadership position brings, and acknowledging the pitfalls, construction problems/issues, turmoil/trouble, and recognizing the districts grief and need to heal, she humbly accepted and made the commitment to be a catalyst for change. The district has a competent and prepared leader, committed board members and partnership with the State Board of Education (SBE) to work together to assure obstacles and barriers will be removed. Dr. Marshall requested the SBE members to show grace and allow the district opportunity to turn things around to meet the SBE mandated goals.

E'Lena Ashley, TPSB member-District 4, was pleased the SBE recognized the downward trajectory of the district and students, and making strong, hard decisions; and agreed with Superintendent Walters that the district has the possibility of Excellence. In the last 10 years she, Dr. Johnson and other counterparts collaborated to help students who have been mistreated and miseducated. District 4 is one of Tulsa's multicultural additions and a lower performing area of the district because of it. Resources and opportunities are needed, teachers need a variety of tools to instruct and help the different cultural aspects to educate our students. Ms. Ashley said prior to being elected, she attended a TPSB meeting conducted by Dr. Griffin who at the time announced leaving the board's finance committee due to concerns and misgivings. She and Dr. Marshall wondered why no audit or investigation was conducted, and both moved forward to spearhead that a state investigation and state audit be conducted. She agreed Dr. Johnson will be a great Interim Superintendent and a start to evaluate the terrible learning curve of the past eight years moving toward a successful turnaround.

Stacy Woolley, TPSB President, said she was honored to be present as an elected board member of TPS. Very difficult decisions were made by fellow board members who are committed to students. The board recognizes it must accelerate change, so with a strong start and work already done, look forward to continuing working on behalf of our Tulsa students. Ms. Woolley made an important request and plea to call off attacks because schools could not risk disruptions, more threats, and that all should not do anything that would cause any harm to students, teachers, or families. Reasonable people can disagree reasonably, but the antics and rhetoric must stop. In past days the city of Tulsa had two bomb threats because of rhetoric at schools, and this is not okay. First and foremost, we are to protect students and everyone in those buildings. Another request, if we are to speak about truth, then use truth that TPS District does not have 65% failing schools and that is an important fact just as we teach our students facts. The truth is also critically important for the safety of our students. We request TPS District be accredited with deficiency as the initial accreditation report was written. Ms. Woolley acknowledged TPS board member Susan Lamkin-District 7 was also present.

Board members and TPS board members discussed and asked questions on the administrations lack of transparency and communications, accountability; new strategic plan, stakeholders, parent, student, community engagement and implementation; academic performance affected by pandemic, obstacles and challenges, diverse school taskforce networking, collaborations/outcomes; committed school board, teacher voices needed and autonomy; reading proficiency initiatives, short-term goals, needs, interventions and implementation, community and business partner necessity; SBE required accountability, monitoring and in-person monthly reporting.

Board member Burdick said pursuant to the authority identified on the agenda, moved to approve the 2023 accreditation status of Tulsa Public Schools effective for the 2023/24 school year. TPS is accredited with deficiencies and to require the following actions of Tulsa Public Schools: 1). a professional development plan to train teachers on the science of reading identifying resources, costs, employment timelines, and to make monthly in-person updates to the State Board of Education; 2). development of a corrective action plan for all schools designated with an "F" on the most recently State Board of Education report card under 70 § 1210.545, again with monthly and personal updates to the State Board of Education; and 3). devolvement, publication, and execution of new internal controls, including provisions to specifically prevent and protect embezzlement, with monthly financial updates to the State Board of Education and local board, and include the actual expenditures encumbrances and progress on new and internal controls.

Board member Reynolds seconded the motion. The motion carried with the following votes: Mr. Burdick, yes; Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Ms. Reynolds, yes; and Superintendent Walters, yes.

**Infinity Generation Preparatory School, school site accreditation status
for the 2022-2023 school year, continued from the July 27, 2023,
meeting of the State Board of Education- Not Accredited Approved**

Superintendent Walters confirmed he wanted a 10-minute time limit for SDE legal counsel and Jim Johnson, Attorney for Infinity Generation Preparatory School.

Mr. Johnson argued the agenda item was improper.

Superintendent Walters asked Mr. Cleveland to advise, and Mr. Cleveland responded the agenda item was appropriate and the objection was without merit.

Mr. Johnson argued the time limit was a violation of the Open Meetings Act.

Superintendent Walters directed Mr. Cleveland to start and said board members would hear his response to what Mr. Johnson's asserted.

Mr. Cleveland reviewed the August 24, 2023, accreditation recommendation of Infinity Generations for another year. There were no additional modifications to the July 'not accredited' status recommendation, but to note that Infinity Generation did not operate as an accredited school, as required, for half a year. The decision of the board is whether to renew accreditation to a school that was not open for half a year.

Jim Johnson, Attorney for Infinity Generation Preparatory School, said the agenda item was improper and a violation of Open Meeting Act records, ten minute rule violation of a Due Process Hearing and violation of SBE rules, informal or formal procedures vs. Administrative Procedure Act; SDE General Counsel response two days prior to meeting, disputed Deputy General Counsel Andy Ferguson's deficiency notification letter to client; Mr. Ferguson's delayed response to request for rules and information (26 days), no response to three (3) emails, nor phone calls; due process violation shared memo of Mr. Cleveland, Superintendent Walters and Mr. Ferguson, lack of agency authority; email addressing lack of promulgated rules and agency actions to Mr. Ferguson, Ryan Piper and Superintendent Walters, and Superintendent Walters request to provide rules affecting Infinity Generations. The State Board of Education is not allowed to interpret rules except through further rulemaking; to apply a rule specifically for public schools is a different mandate. One of the rules states that private schools exist in all kinds of forms and are

allowed to be in all kinds of forms. The only consideration that is expressed in the SBE rules is the Board wants the agency to see if there is a quality program and times of operation. The Oklahoma Constitution provision of a school year is only three months. The SBE has no rule on the length of the school year or the continuation of a private school. Mr. Ferguson stated in his email, private schools voluntarily seek accreditation and classification in like matter of public schools if they make an application to the SDE and cites 70 O.S. § 3-104. A position of contrary to the statute is nonconsensual. The statement is misstated but accurate. The failure of the SBE to promulgate rules leaves all the Board's action null-in-void and unenforceable, but now the SBE has extended this to Infinity Generations because of two rules saying we will give them accreditation. The only thing they care about is quality for which there are no standards and that was intentional in the drafting of the rule.

Mr. Johnson exceeded his 10-minute time to speak and would not relinquish and Superintendent Walters entertained a motion to end Mr. Johnson's time to speak.

Board member Burdick moved to end Mr. Johnson's time to speak for Infinity Generation Preparatory School. Board member Wesson seconded the motion. The motion carried with the following votes: Mr. Burdick, yes; Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Ms. Reynolds, yes; and Superintendent Walters, yes.

Board member Burdick moved to not accredit Infinity Generation Preparatory School. Board member Wesson seconded the motion. The motion carried with the following votes: Mr. Burdick, yes; Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Ms. Reynolds, yes; and Superintendent Walters, yes.

PUBLIC COMMENT

Individuals signed up to address agenda item #5(a) included E'Lena Ashley, representative Regina Goodwin, and Mike Howe.

RECESS

Board member Reynolds moved to recess at 12:07 p.m. Board member Burdick seconded the motion. The motion passed with the following votes: Mr. Burdick, yes; Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Ms. Reynolds, yes; and Superintendent Walters, yes.

RECONVENE

Board member Burdick moved to reconvene at 12:17 p.m. Board member Reynolds seconded the motion. The motion carried with the following votes: Mr. Burdick, yes; Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Ms. Reynolds, yes; and Superintendent Walters, yes.

PUBLIC COMMENT (continued)

Individuals signed up to address agenda item #S(a): Carmon Drummond, Ryan Daly, Ashley Daly, LeeAnn Jimenez, Kota Joy McKee, Michell Simmons, Khadija Goz, Caressa Bossa, Erika Wright, Larry Williamson, Erica Watkins, Bailee Tyler, Joel Williams, Tori Caswell, Audrey Polonchak, and Brian Shellem.

Individuals signed up to address items **not** on the agenda included Bob Linn, Reed Downing, Wade Burleson, Lori Tuggle and Elicia Cleaver.

CONSENT DOCKET - Approved

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2023-2024 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
Prague Public Schools, Lincoln County
Idabel Public Schools, McCurtain County
Shawnee Public Schools, Pottawatomie County
Noble Public Schools, Cleveland County

(b) **Cooperative Agreements fo1• Alternative Education Programs - 70 O.S. § 1210.568**

Lookeba Public Schools, Caddo County
Tupelo Public Schools, Coal County
Fargo-Gage Public Schools, Ellis County
Wilburton Public Schools, Latimer County
Holly Creek Public Schools, McCurtain County
Reydon Public Schools, Roger Mills County
Grandfield Public Schools, Tillman County

3 Years

Cherokee Public Schools, Alfalfa County
Okeene Public Schools, Blaine County
Carnegie Public Schools, Caddo County
Hydro-Eakly Public Schools, Caddo County
Boise City Public Schools, Cimarron County
Whitehead Public Schools, Garvin County
Medford Public Schools, Grant County
Keota Public Schools, Haskell County
Kinta Public Schools, Haskell County
Newkirk Public Schools, Kay County
Jennings Public Schools, Pawnee County
Hartshorne Public Schools, Pittsburg County
Sequoyah Public Schools, Rogers County
Bray-Doyle Public Schools, Stephens County
Marlow Public Schools, Stephens County
Fort Supply Public Schools, Woodward County
Mooreland Public Schools, Woodward County

(c) **Libra1y Media Services -OAC 210:35-5-71 and 210:35-9-71**

Carnegie Public Schools, Caddo County
Dickerson Public Schools, Carter County
Tahlequah Public Schools, Cherokee County Little
Axe Public Schools, Cleveland County Tupelo
Public Schools, Coal County

Duke Public Schools, Jackson County
Wilburton Public Schools, Latimer County
Newkirk Public Schools, Kay County
Chandler Public Schools, Lincoln County
Forest Grove Public Schools, McCurtain County
Central Public Schools, Sequoyah County
Liberty Public Schools, Sequoyah County
Grandfield Public Schools, Tillman County

3 Years

Okeene Public Schools, Blaine County
Hydro-Eakly Public Schools, Caddo County
Hulbert Public Schools, Cherokee County
Peggs Public Schools, Cherokee County
White Oak Public Schools, Craig County
Pauls Valley Public Schools, Garvin County
Arkoma Public Schools, LeFlore County
Purcell Public Schools, McClain County
Eagletown Public Schools, McCurtain County
Stidham Public Schools, McIntosh County
Hilldale Public Schools, Muskogee County
Muskogee Public Schools, Muskogee County
Woodland Public Schools, Osage County
Quapaw Public Schools, Ottawa County
Jennings Public Schools, Pawnee County
Macomb Public Schools, Pottawatomie County
Sequoyah Public Schools, Rogers County
Skiatook Public Schools, Tulsa County

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

Meeker Public Schools, Lincoln County
Twin Hills Public Schools, Okmulgee County

3 Years

Mustang Public Schools, Canadian 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
Owasso Public Schools, Tulsa County

(g) General Fund for Capital Expenditures - **70 O.S. § 1-117** and OAC 210:25-5-4

Bishop Public Schools, Comanche County

- (h) Discussion and possible action on the FY 2024 Shared Superintendent Salary Assistance Application report - 70 O.S. § 7-203 and 70 O.S. § 5-106A
- (i) Discussion and possible action on payment of joint federal program claims listed below - **OAC 210:25-3-7(12)**
 Washington Public Schools BSCA School Safety Grant, Project 715 Beaver Public Schools Special Education, Flowthrough Project 621 Cordell Public Schools Special Education, Flowthrough Project 621 Monroe Public Schools Title I, Project 511
 Monroe Public Schools Title I, Project 793
 Monroe Public Schools Title I, Project 795 Bethel Public Schools Title I, Project 795

Board member Wesson moved to approve Consent Docket item 6.(a) through (i). Board member Reynolds seconded the motion. The motion carried with the following votes: Mr. Burdick, yes; Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Ms. Reynold, yes; and Superintendent Walters, yes.

LEGAL SERVICES

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. Cleveland, General Counsel, State Department of Education (OSDE), advised there were no new House Bill 1775 issues to report on agenda item 8.(a).

Charter School Closure Fund sponsor reimbursement for Sovereign Charter School- Approved

Mr. Cleveland advised the State Board of Education is the charter school sponsor of Sovereign Community Schools (SCS). The department is completing the SBE approved closure and requesting approval to use Charter School Reimbursement Revolving Funds, approximately \$20,000, to reimburse expenditures on three contracts that includes the SCS closing audit-\$6,000, final accounting-\$5,000, and accounting and records software to facilitate final accounting and closing audit-\$4,426.30.

Board member Burdick moved to approve the request to use revolving funds. Board member Quebedeaux seconded the motion. The motion carried with the following votes: Mr. Burdick, yes; Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; and Superintendent Walters, yes.

**Appeal of a transfer application upon denial
Yukon Public Schools**

Mr. Cleveland advised convening into Executive Session for agenda item 8(c) on the to hear the pending transfer appeal and because it involves confidential student records, and the board members may deliberate on those records or with counsel.

**Resolve into Executive Session
pursuant to 25 O.S. §§ 307 (B) (8) for the
purpose of engaging in deliberations on appeal of an
application for student transfer listed on Agenda Item 8(c)**

Board member Lepak moved to convene into Executive Session at 1 :42 p.m. Board member Reynolds seconded the motion. The motion carried with the following votes: Mr. Burdick, yes; Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Ms. Reynolds, yes; and Superintendent Walters, yes.

Bryan Cleveland, General Counsel, and Terrie Cheadle, Chief Executive Secretary, remained in the Executive Session; Taylor Plumbtree-parent of student and board members requested Ryan Pieper but did not remain in the session.

Return to Open Session

Board member Reynolds moved to return to Open Session at 2:16 p.m. Board member Wesson seconded the motion. The motion carried with the following votes: Mr. Burdick, yes; Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Ms. Reynolds, yes; and Superintendent Walters, yes.

No votes were taken, and no decisions were made on the matters discussed in the Executive Session.

Board member Wesson moved to override the appeal by the local district board and allow the student to stay in the current school. Board member Quebedeaux seconded the motion. The motion carried with the following votes: Mr. Burdick, yes; Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; and Superintendent Walters, yes.

ADJOURNMENT

Board member Burdick moved to adjourn the meeting at 2: 17 p.m. Board member Reynolds seconded the motion. The motion carried with the following votes. Mr. Burdick, yes; Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Ms. Reynolds, yes; and Superintendent Walters, yes.

The next regular meeting of the State Board of Education will be held on Thursday, September 28, 2023, 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.



Ryan Walters, Chairperson of the Board



Terrie Cheadle, Chief Executive Secretary