

Minutes of the Special Meeting of the

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

August 27, 2020

The State Board of Education met in special session at 9:34 a.m. on Thursday, August 27, 2020, by teleconferencing, videoconferencing and there were parties present at the Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, OK 73105 Suite 1-20. The final agenda was posted at 9:30 a.m. on Wednesday, August 26, 2020.

The following were present at the meeting site and remote locations:

Mr. Brad Clark, General Counsel, at meeting site via Zoom videoconference
Ms. Terrie Cheadle, Chief Executive Secretary, via Zoom videoconference

Member of the State Board of Education present at meeting site via Zoom videoconference:

State Superintendent Joy Hofmeister, Chairperson of the Board
Mr. Brian Bobek, Oklahoma City
Mrs. Jennifer Monies, Oklahoma City
Mr. Barry “Kurt” Bollenbach, Kingfisher

Members of the State Board of Education present at remote locations via Zoom videoconference:

Mrs. Estela Hernandez, Oklahoma City
Mrs. Carlisha Williams Bradley, Tulsa
Mr. William “Bill” Flanagan, Claremore

**CALL TO ORDER
AND
ROLL CALL**

State Superintendent Joy Hofmeister called the State Board of Education special meeting to order at 9:34 a.m. Ms. Cheadle called the roll and ascertained there was a quorum.

Superintendent Hofmeister welcomed everyone to the virtual meeting of the State Board of Education.

STATE SUPERINTENDENT

Information from the State Superintendent

**Recognition of Oklahoma 2020 U. S. Presidential Scholars Sukanya
Bhattacharya, Heritage Hall School, Oklahoma City
and Nicholas Sayegh, Western Heights High Schools, Oklahoma City**

Superintendent Hofmeister introduced Oklahoma's graduate senior recipients of the 2020 U. S. Presidential Scholars, Sukanya Bhattacharya, Heritage Hall School and Nicholas Sayegh, Western Heights Public Schools. White House Commission Presidential Scholars select students based on academics, talent, artistic and excellence, and community services and leadership accomplishments.

Ms. Bhattacharya, a competitive gymnast at Heritage Hall, shifted her focus to helping others after sidelined by injuries. She founded and served on the Children's Hospital Teen Board, volunteers at the Regional Food Bank, President of the school's "United Nations" model on improving public health policy, a three time recipient of the Harvard Model United Nations Social Impact contest, University of Oklahoma Health Sciences Center researcher, and co-author of a United States Department of Agriculture (USDE) nutrition improvement program and activity practices of kids in low income funded daycares. Ms. Bhattacharya said she will attend Dartmouth this fall and hopes to use her education to leverage her OU research as a public health initiative, and is also considering epidemiology in light of COVID-19 virus.

Also a class of 2020 graduate Mr. Sayegh was the class valedictorian and received an Associates of Applied Science from Oklahoma State University-OKC. His heart of serving others led him to found the Western Heights K Closet Initiative to establish food pantries and teach student food insecurity in Oklahoma. He is a Coordinator Oklahoma Hall of Fame-Teen Board and member of the Oklahoma State Superintendent Student Advisory Council; received 20 music and art scholarships/awards; an Oklahoma City University Business Fellow and Oklahoma City University American Indian Scholar. In the fall he will attend Oklahoma City University majoring in marketing and finance and future plans to work in the for-profit or nonprofit industry to give back to the community. Education is one of his highest passions and he is honored to represent Oklahoma on a national scale as a presidential scholar.

Recognition of Department Employee for the month of August

Superintendent Hofmeister recognized Lori Gray, Human Resources Specialist, Office of Human Resources, as employee for the month of August and her outstanding work and service to schools and families.

Recognition of Michele Presley, Regional Coordinator, SoonerStart, Special Education OCAS for 30 years of service to the state of Oklahoma

Superintendent Hofmeister recognized Michele Presley, Regional Coordinator, Sooner Start, Special Education OCAS for her 30 years of service to the state of Oklahoma.

Superintendent Hofmeister said the new school year is underway and many school districts are providing in person, virtual and hybrid learning. They retain a flexibility plan at the forefront as numbers students and staff must be quarantined due to COVID-19. As the reopen begins OSDE continues to support districts, provide updates to the Return to Learn Frameworks and new information guidelines when staff or student exhibit COVID-19 symptoms or testing positive. Superintendent Hofmeister updates included Verizon Hotspots competitive grant awards and partnerships, Imagine Math program-HB 4153 \$1 million allocation, Oklahoma Academic Standards alignment- 5th and 8th grade; and Secretary of State Appointee Michael Rogers (former Secretary of Education).

Minutes of the July 23, 2020 Special State Board of Education meeting - Approved

Board member Bollenbach motioned to approve the July 23, 2020, State Board of Education special meeting minutes. Board member Williams Bradley seconded the motion. The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan, yes; Ms. Hernandez, yes; Ms. Monies, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

Update, discussion and possible action relating to COVID-19 response and operations -

Teacher and Support personnel COVID-19 testing plan – 3rd Amended Executive Order 2020; Health protocols, guidance and personal protective equipment in schools; School operations: Presentation by Tulsa Public Schools, Presentation by OSDE of School opening data

Mr. Clark said the intent of item 3 (c) is to provide reoccurring monthly updates, as the COVID-19 pandemic continues, with teacher and support personnel testing plans, and sub-items by the Governor Stitt's third amended Executive Order 20-20 with optional teacher testing/teacher and support personnel. Today, Adrienne Rollin, Oklahoma State Department of Health (OSDH) will report on the testing plans.

Ms. Rollins overviewed the testing plan components for teachers and staff statewide, continuous county health department testing, convenient teacher/staff testing, testing capacity, future additional options/methods/strategies, response times and flexibility; plan launch early September with locations, guidance, schedules; testing contracts/contractors inclusion; and school district notification process.

Board members asked questions and discussed pilot testing that included antibody strategy, rapid, diagnostic; PCR testing most used, alert map comparison to identify high number areas; and OSU-Rutgers saliva testing lab collaborations.

Superintendent Hofmeister said updates (data and reports) will continue on health conditions and public health notices occurring in our communities, counties and schools.

Dr. Deborah Birx, a member White House Coronavirus Task Force, visited the state August 16 and her message to state, municipal and school leaders focused on school reopening. Dr. Birx cautioned for people to change their behavior to protect others and effectiveness of wearing mask, distancing and hand washing. Oklahoma was a concern and she urged to take immediate action because the state was several weeks behind and could avoid increase spreading as southern states are experiencing. Community support is important if schools are to open and remain open if they do their 3W's part (wear mask, watch social distancing, and washing hands). Coronavirus is ever present with families, church, and school which is more densely populated and the explosions impacting people resulting in being quarantined. When asked, Dr. Birx said students and staff should absolutely be wearing masks in schools with the exception of districts in level green counties where transmission rate is below 1.2 people out of 100,000. Green level is the goal when everyone does their part.

Carolyn Thompson, Government Affairs/Deputy Chief of Staff said the Return to Learn framework – school reopening was released in July and updated with recent United States Centers for Disease Control and Prevention science driven guidance. Presented for review included up-to-date school COVID-19 guidance; Governor Stitt's COVID -19 relief funds purchase of personal protective equipment (PPE) for public and private schools, partnering agencies; OSDH public health advisory August releases and safety protocol recommendations, COVID-19 alert system levels, county and school district personnel recommendations; White House Coronavirus Task Force's report on Oklahoma COVID-19 cases and test rates; OSDE school district safety protocol survey/implementation results. Ms. Thompson paused the Return to Learn framework update for a school district reopening presentation.

Andrea Castaneda, Tulsa Public School District, presented the district's 2020-2021 Opening Schools Plan, focus on implementing distance learning and school year priorities that included safety for students, families and staff, wellbeing of students families and staff, investing in families and community organizations as learning partners, preparing and support educators, delivering grade-level learning and rigorous instruction. Ms. Castaneda reviewed COVID-19 challenges, lessons learned, solutions and successes, community engagement/feedback, shared views on high level distance learning and digital resources, school policy flexibilities, in person and hybrid learning modes, transitions, student/family barriers; internet accessibility, distance learning devices, distribution, pickup scheduling, backordered devices, delivery and delay disruptions; student attendance expectations and performance measures, live session instructional activities and availability; cost differences for various learning models (distance, blended or simultaneous) versus in school model, additional revenue needs for core expenses and grab and go meals.

Board members asked questions and discussed learning models economy of scale, virtual program options, USDA child nutrition reimbursement waiver request, supplemental funding, reoccurring cost and one-time funding; traditional school and charter school enrollment declines and increases, district charter partnership;

accountability and assessment school year interruption, data, academic gap challenges; student intervention/acceleration, targeted acceleration and recovery; and intentional and equitable service agreements and access.

Ms. Thompson reviewed and discussed return to learn statewide options and instruction; virtual option percentages, program evaluations and students affected; fall 2020 district reopening plans, safe protocol options and implementation; SDE school district survey results and feedback. School districts highlighted for implementing innovative return to learn plans and measures included Lawton, Bixby, Bartlesville, Idabel, and Shawnee; OSDH no mask mandate data of districts not in green level; and future concerns and board updates.

Board members discussed academic standards alignment of online tools and platforms, closing the digital divide, in person and online learning platforms, research identifying learning gaps for all students, and immediate and continuous resource needs.

(Board member Hernandez left the meeting at 11:15 a.m.)

(Superintendent Hofmeister called for a recess at 11:23 a.m. and reconvened at 11:35 a.m.)

CONSENT DOCKET – Approved

Discussion and possible action on the following deregulation applications, statutory Waivers, and exemptions for the 2020-2021 school year – 70 O.S. § 3-104; OAC 210: 35-1-4:

(a) **Abbreviated School Day – OAC 210:35-29-2 and 210:35-3-46**

Clinton Public Schools, Custer County
Little Axe Public Schools, Cleveland County
Bristow Public Schools, Creek County
Hobart Public Schools, Kiowa County
Prague Public Schools, Lincoln County

3 Years

Stilwell Public Schools, Adair County
Moore Public Schools, Cleveland County
Noble Public Schools, Cleveland County
Stroud Public Schools, Lincoln County
Skiatook Public Schools, Tulsa County

(b) **Cooperative Agreements for Alternative Education Programs – 70 O.S. § 1210.568**

Kiefer Public Schools, Creek County
Middleberg Public Schools, Grady County
Hobart Public Schools, Kiowa County

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

Hinton Public Schools, Caddo County
Hydro-Eakly Public Schools, Caddo County
Little Axe Public Schools, Cleveland County
Noble Public Schools, Cleveland County
Elgin Public Schools, Comanche County

Wynnewood Public Schools, Garvin County
Middleberg Public Schools, Grady County
Laverne Public Schools, Harper County
Mill Creek Public Schools, Johnson County
Hobart Public Schools, Kiowa County
Wilburton Public Schools, Latimer County
Chandler Public Schools, Lincoln County
Meeker Public Schools, Lincoln County
Tecumseh Public Schools, Pottawatomie County
Central Public Schools, Sequoyah County
Healdton Public Schools, Carter County
Vinita Public Schools, Craig County
Depew Public Schools, Creek County
Maysville Public Schools, Garvin County
Rush Springs Public Schools, Grady County
Blair Public Schools, Jackson County
Fanshawe Public Schools, LeFlore County
Eagletown Public Schools, McCurtain County
Muskogee Public Schools, Muskogee County
Henryetta Public Schools, Okmulgee County
Antlers Public Schools, Pushmataha County
Jenks Public Schools, Tulsa County
Skiatook Public Schools, Tulsa County

- (d) **Library Media Specialist – 70 O.S. § 3-126**
3 Years
Sperry Public Schools, Tulsa 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)**
Colbert Public Schools, Bryan County
Bixby Public Schools, Tulsa County
- (g) General Fund for Capital Expenditures – **70 O.S. § 1-117** and OAC 210:25-5-4
Bethany Public Schools, Oklahoma County

Board members discussed **Consent Docket items 5(a) through 5(g)** and asked questions regarding school district waiver application quality and inadequacies, budgetary impacts, and need for better information to understand statutory request. School districts were encourage to continue stating their plans and provide concise details.

Board member Bollenbach moved to table **Bristow, Noble and Skiatook Public Schools Abbreviated School Day** waiver requests and approve remaining requests **Consent Docket 5(a)**. Tabled applications will be returned to the district. Board member Monies seconded the motion. The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan, yes; Ms. Monies, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes

Board member Bollenbach moved to table Hobart Public School **Cooperative Agreements for Alternative Education Programs** waiver request for additional information, and conditionally approve Kiefer and Middleberg waiver requests with the understanding to return and request waiver or provided additional information if students go into the alternative program **Consent Docket 5. (b)**. Board member Bobek seconded the motion. The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan, yes; Ms. Monies, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

Board member Monies moved to approve and Board member Bollenbach seconded **Consent Docket 5. (c) - Library Media Services** and motions were **amended** to include **Consent Docket 5. (d) - Library Media Specialist**. The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan, yes; Ms. Monies, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

Board members Monies moved to approve **emergency certification requests** **Consent Docket 5. (e)**. Board member Bollenbach seconded the motion. The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan, yes; Ms. Monies, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

Board member Bollenbach moved to table Colbert Public School **flexibility to use text book funds** waiver request to amend their application, and approve Bixby Public School request **Consent Docket 5. (f)**. Board member Monies seconded the motion. The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan, yes; Ms. Monies, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

Drew Eichelberger, Superintendent, Bethany Public Schools provided reasons for requesting **General Fund for Capital Expenditures** waiver, state funding formula restrictions, low evaluation of district location, bond issues and low building fund revenues based on geographic and demographics.

Board members Bobek moved to approve Bethany Public Schools **General Fund for Capital Expenditures** waiver request **Consent Docket 5. (g)**. Board member Bollenbach seconded the motion. The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan, yes; Ms. Monies, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

FEDERAL PROGRAMS & FINANCE

Payment of late federal program claims – Approved

Monty Guthrie, Deputy Superintendent presented school district federal program claim requests that included CARES Act federal funding for Silo, Ketchum, Bristow, Fanshawe, Poteau, White Rock, Adair, Santa Fe South, Latta Public Schools; **Rural & Low-Income Students (RLIS) Project 587** for Fort Gibson Public Schools; **Title I Project 511** Poteau, South Rock Creek, Buffalo Valley Public Schools.

Board member Monies moved to approve the late claim requests. Board member Williams Bradley seconded the motion. The motion carried with the following

votes: Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan, yes; Ms. Monies, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

FY2021 Shared Superintendent Salary Assistance Application reports – Approved

Mr. Guthrie said all applicants requested 50 % salary assistance or wages for up to three years. Districts cannot receive more than \$150,000 from the school consolidation assistant fund.

Board members discussed and asked questions regarding split funds, local control mutual employment shared agreements and descriptions, no existing superintendent sharing requirement and descriptions.

Board member Monies moved to approve two applications and table Strother and Bowlegs application requests for additional data and remaining requests.

Board members further discussed on whether or not a superintendent must be in place or required to open a school district, shared administrative services only, applicants requesting access to lottery 5% funds for shared superintendent process or option incentive; and approval clarification on the four applications.

Board member Monies amended the motion to clarify approval of three applications and tabling the Strother and Bowleg School District application request and requested additional information in writing or appear at the September 24 State Board meeting to better clarify the request for money out of the fund.

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

Superintendent Hofmeister updated, on Board member Williams Bradley's school mask requirement question, that 35% of districts did not have a mask requirement school requirement. The information represents 190 school district, 187 with elevated spread of yellow, orange or red alert levels.

Board member Bradley inquired if and or when board action is needed to engage discussion of support with and enforcement of White House Task Force guidelines and recommendation when local boards do not chose to take action. If a timeline is needed to revisit mask mandate statewide.

Superintendent Hofmeister said with greater discussion the board can take action as future data is received, and explore district reasons for not adhering to state board recommendations.

LEGAL SERVICES/STATE BOARD OF EDUCATION OFFICE

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 **Aaron Hernandez** pending
an individual proceeding for revocation or other action –
70 O.S. § 3-104; 75 O.S. § 314; OAC 210-1-5-6

Convene into Executive Session

Board member Flanagan moved to convene into Executive Session at 12:30 p.m. Board member Monies seconded the motion: The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan, yes; Ms. Monies, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

Return to Open Session

Board member Flanagan moved to return to Open Session at 12:43 p.m. Board member Williams Bradley seconded the motion. The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan, yes; Ms. Monies, yes; Mr. Bobek, 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 Telana McCullough, Staff Attorney remained in the Executive Session.

Board member Monies moved suspend teaching certificate and number of Aaron Hernandez. Board member Bollenbach seconded the motion. The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan, yes; Ms. Hernandez, yes; Ms. Monies, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

ADJOURNMENT

Board member Monies moved to adjourn the meeting at 12:45 p.m. Board member Williams Bradley seconded the motion. The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan, yes; Ms. Monies, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

The next regular meeting of the State Board of Education will be held on Thursday, September 24, 2020, 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