

Minutes of the Regular Meeting of the

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

January 25, 2024

The State Board of Education met in regular session at 9:33 a.m. on Thursday, January 25, 2024, 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 Wednesday, January 24, 2024.

The following were present:

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

Ms. Cara Nicklas, General Counsel to the State Board of Education
Ms. Terrie Cheadle, Chief Executive Secretary

Members of the State Board of Education present:

State Superintendent Ryan Walters, Chairperson of the Board

Mr. Zachary Archer, Hammon
Mrs. Katie Quebedeaux, Guymon
Mrs. Kendra Wesson, Norman

Members of the State Board of Education not present:

Mr. Donald Burdick, Tulsa
Ms. Sarah Lepak, Claremore

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 9:33 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 presented a video message from Chaya Raichik, new appointed Library Advisory Council member. Ms. Raichik helped to uncover instance of pornography in Oklahoma classrooms and around the country. The advisory board reviews and recommend all materials in Oklahoma schools and ensure books are age appropriate.

Updates provided on teacher certification suspensions, revocations and reporting, Senate Bill 1014 legislation and amendment requiring law enforcement notifications, SDE investigative authority and school accountability; pronoun rule vote; Tulsa Public School academic outcomes update, National School Choice Week, success of School Choice Tax Credit Act and program expansion; and congratulations new Secretary of Education, Nelly Sanders.

BOARD ADMINISTRATIVE

**Minutes of the December 21, 2023, regular
State Board of Education meeting - Approved**

Board member Quebedeaux moved to approve the minutes of the December 21, 2023, regular State Board of Education meeting. Board member Wesson seconded the motion. The motion carried with the following votes: Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, abstain; and Superintendent Walters, yes.

PUBLIC COMMENT

Individuals signed up to address agenda #5 items included Mike Howe, Dr. Rick Cobb, Sandra Valentine, Sean Cummings, Bailee Tyler, Sheena Martin, and Meghan Moulton.

Individuals signed up to address items not on the agenda included Bryan Morris, Polly Tyler and Read Downy.

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

3 Years

Holdenville Public Schools, Hughes County
Hanna Public Schools, McIntosh County

- (b) 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 member Wesson moved not to approve Consent Docket waiver requests. Board member Quebedeaux seconded the motion. The motion carried with the following votes: Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, yes; and Superintendent Walters, yes.

ACCREDITATION STANDARDS

2023-24 school year request to be in session and offer instruction for a less than the requirements - Approved

Bryan Cleveland, General Counsel, advised school district superintendents were present for discussion that included Russell Noland-Antlers, Derrick Mater-Jennings, and Jay Reeves-Glencoe.

Board members asked questions and discussed changes to the school calendars, accountability, waiver qualification legislation, SBE waiver authority; request based on school performance, financial benefits school budgets, 1080 hours fulfillment versus school days/hours, and instructional time achieved.

Board member Archer moved to approve Antlers, Jennings, and Glencoe Public Schools waiver requests. Board member Quebedeaux seconded the motion. The motion carried with the following votes: Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, yes; and Superintendent Walters, yes.

Oklahoma Cost Accounting System (OCAS) late penalty waiver requests for school district not meeting the September 1, September 30 and/or December 1 Submission deadline – Approved

Mr. Cleveland advised waivers include penalties over \$100 in fees. The department has a long-standing practice not to notify waivers under \$100 however board has the option to pursue penalties under \$100.

Kathy Black, Program Director, Financial Accounting, OCAS and Audits, and board members discussed and asked questions regarding repeat offenders, waiver penalty amounts, and delay reasons/district circumstances.

Board member Wesson moved to dismiss the penalties all except for Bokoshe and Hannah. Board member Quebedeaux seconded the motion.

Mr. Cleveland said for clarification the motion to dismiss is meant to grant or deny the waivers.

Board member Wesson amended the motion to grant the waivers and not grant Bokoshe and Hannah waivers. Board member Quebedeaux seconded the motion. The motion carried with the following votes: Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, yes; and Superintendent Walters, yes.

**Presentation from Tulsa Public School District, discussion,
and possible action on the Tulsa Public School District
accreditation status for the 2022-2023 school year**

Dr. Ebony Johnson, Superintendent, Tulsa Public School District (TPS) recognized a Memorial High School senior celebrating his TPSs winter graduation. All students are given an opportunity to complete graduation requirements early. Special thanks to Tulsa community, Oklahoma, nationwide support, and legislators for reaching out and attending legislative breakfast and hearing TPS progress and challenges and implemented tutoring initiative.

Dr. Johnson's 2023-24 Improvement Plan presentation included OSDE goals, overview of non-academic measures, 2023-24 school year comparisons, 2023-24 long term planning, financial and budget considerations, and updates from team members Dr. Erin Armstrong-Chief Learning Officer, Sean Berkstresser-Executive Director of Information and Analytics, Jill Hendrix-Deputy Chief Financial Officer and Dr. Kathy Dodd-Chief of Strategy and Innovation.

Board members asked questions and discussed facility lease and management plan, science and reading mastery skills, growth and challenges, non-instructional spending calculations, administrative cost, funding formulas and OCAS coding, absenteeism barriers, teacher retention; fiscal stability vision; thanks to board members Burdick and Wesson for participation.

Superintendent Walters thanked Dr. Johnson and TPS team for their frankness with staff and board and deep dive in changes made.

(Superintendent Walter called for a 10-minute recess at 3:23 a.m. and returned at 3:34 p.m.)

OPERATIONS

**Disposition of public assets owned by the State Board of Education
due to the closure of Sovereign Community School – Approved**

David Martin, Senior Director, presented assets and surplus owned by the State Board of Education. The audited inventory disclosure of Sovereign Community Schools represents of 29 of 121 technology or equipment assets. Recommended 20 items, damaged and unusable, through sale or disposition, under state surplus to the Office of Management and Enterprises Services to get the assets moved out of the building and prepare for the second set of assets.

Board member Wesson moved to approve disposal of 20 damaged assets to OMES.

Board member Quebedeaux seconded the motion. The motion carried with the following votes: Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, 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 House Bill 1775 issues to report on Agenda item 9.(a).

Permanent Rule Adoption

Mr. Cleveland advised the Oklahoma Regents for Higher Education agreed for the OSDE to use the FASFA reference tool explicitly in this rule. Recommended adoption of the FASFA requirement rule as it revises as a permanent rule on Agenda item 9.(b).

- (1) Title 210. Oklahoma State Department of Education
Chapter 35. Standards for Accreditation of Elementary, Middle
Level, Secondary and Career and Technology Schools
Subchapter 9. Additional Standards for Secondary Schools
Part 7. Standard IV: Curriculum, Instruction, Assessment, and
Climate
**210:35-9-31 Program of studies and graduation requirements
[AMENDED]**

Board member Wesson moved to adopt the rule Agenda item 9(b). Board member Archer seconded the motion. The motion carried with the following votes: Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, yes; and Superintendent Walters, yes.

- (1) Title 210. Oklahoma State Department of Education
Chapter 10. School Administration and Instructional Services
Subchapter 1. General Provisions
210:10-1-24 Student records [NEW]

Mr. Cleveland recommended adopting as permanent rule, Agenda item 9.(c) but deferred to Cara Nicklas, General Counsel, State Board of Education for any changes to the rule.

Ms. Nicklas responded she did not.

Board member Wesson moved to adopt Agenda item 9.(c) as a permanent rule. Board member Quebedeaux seconded the motion. The motion carried with the following votes: Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, yes; and Superintendent Walters, yes.

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 certificate and certificate
number of **Dallas Ewton – 70 O.S. §3-104; OAC 210-1-5-6**

Mr. Cleveland said the teacher failed to appear at the hearing and the Hearing Officer adopted the Board allegations as true due to that default. Recommended accepting the Hearing Officer's proposed findings and conclusions on Agenda item 9.(d).

Board member Wesson moved to accept the recommendation of the Hearing Officer's proposed findings and conclusions. Board member Quebedeaux seconded the motion. The motion carried with the following votes: Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, yes; and Superintendent Walters, yes.

Mr. Cleveland recommended board vote to enter Executive Session for items 9.(e) through 10.(a) and vote returning to session as follows:

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 or
Benjamin Hall pending an individual proceeding for revocation
or other action - 70 O.S. § 3-104; 75 O.S. § 314; 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 certificates and certificate numbers or
Lauren Anderson pending an individual proceeding for revocation
or other action - 70 O.S. § 3-104; 75 O.S. § 314; 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 certificates and certificate numbers or
Jordan Caldwell pending an individual proceeding for revocation
or other action - 70 O.S. § 3-104; 75 O.S. § 314; 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 certificates and certificate numbers or
James Miller pending an individual proceeding for revocation
or other action - 70 O.S. § 3-104; 75 O.S. § 314; OAC 210-1-5-6

Resolve into Executive Session
pursuant to 25 O.S. §§ 307 (B)(4) for the
purpose of discussing pending litigation against Board members
in *Doe v. Walters et al.*, no. 5:24cv34 in the U.S. District Court
for the Western District Oklahoma - 70 O.S. § 3-104;
75 O.S. § 314; OAC 210-1-5-6

**Resolve into Executive Session
pursuant to 25 O.S. §§ 307 (B)(4) for the
purpose of discussing retaining First Liberty Institute and
Spencer Fane LLP for pending litigation: No. CV-2023-1857
in Oklahoma County District Court- 70 O.S. § 3-104;
75 O.S. § 314; 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 order suspending the
teacher certificates and certificate numbers of 1) Erin Overton and
2) Kacy Katibeh for breach of contract with Glenpool Public Schools –
70 O.S. §§ 3-104, 5-200, 6-101**

**Refer pending applications to revoke the teacher certificates and
certificate numbers of 1) Ivy Reneau, 2) Kimberly Coates,
3) Kristen Andrews, 4) Melissa Smith, 5) Rhonda Carlile,
6) Stacy Dimarco, 7) Christin Covell, and 8) Devon Mitchell
to a hearing officer - 70 O.S. § 3-104; OAC 210-1-5-6**

**Enter a scheduling order regarding the pending Application,
recommendation, and motion in the proceeding regarding
revoking the teacher certificate and certificate number
of Summer Boismier - 70 O.S. § 3-104; OAC 210-1-5-6**

Convene into Executive Session

Board member Quebedeaux moved to convene into Executive Session at 12:26 p.m. Board member Archer seconded the motion. The motion carried with the following votes: Ms. Quebedeaux, yes; Ms. Wesson; Mr. Archer, yes; and Superintendent Walters, yes.

Return to Open Session

Board member Wesson moved to return to Open Session at 1:13 p.m. Board member Quebedeaux seconded the motion. The motion carried with the following votes: Ms. Quebedeaux, yes; Ms. Wesson; Mr. Archer, yes; and Superintendent Walters, yes.

No decisions were made on the matters discussed in the Executive Session. General Counsels Cara Nicklas and Bryan Cleveland were in the meeting, but Mr. Cleveland did not remain in the Executive Session.

Board member Quebedeaux moved to suspend effective immediately the teacher certificate and certificate number of **Benjamin Hall**, Agenda item 9(e), pending an individual proceeding for revocation as well as a hearing officer to be appointed to conduct a hearing for a time and date for the hearing to be set. Board member Wesson seconded the motion. The motion carried with the following votes: Ms. Quebedeaux, yes; Ms. Wesson; Mr. Archer, yes; and Superintendent Walters, yes.

Board member Wesson moved to approve the emergency order to suspend the teacher certificate and application to revoke teacher certification of **Lauren Anderson**, Agenda item 9(f), pending an individual proceeding for revocation as well as a hearing officer to be appointed to conduct a hearing for a time and date for the hearing to be set.

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

Board member Quebedeaux moved to immediately suspend the teacher certificate and certificate number of **Jordan Caldwell**, Agenda item 9(g), pending an individual proceeding for revocation including a hearing officer to be appointed and conduct a hearing with a time and date set. Board member Wesson seconded the motion. The motion carried with the following votes: Ms. Quebedeaux, yes; Ms. Wesson; Mr. Archer, yes; and Superintendent Walters, yes.

Board member Quebedeaux moved to immediately suspend the teacher certificate and certificate number of **James Miller**, Agenda item 9(h), pending an individual proceeding for revocation and for a hearing officer to be appointed and conduct a hearing for a time and day of the hearing to be set. Board member Archer seconded the motion. The motion carried with the following votes: Ms. Quebedeaux, yes; Ms. Wesson; Mr. Archer, yes; and Superintendent Walters, yes.

Mr. Cleveland advised no action required on Agenda item 9.(i).

Board member Quebedeaux moved to retain First Liberty Institute and Spencer LLP for pending litigation, Agenda item 9.(j). Board member Archer seconded the motion. The motion carried with the following votes: Ms. Quebedeaux, yes; Ms. Wesson; Mr. Archer, yes; and Superintendent Walters, yes.

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Board member Quebedeaux moved to suspend the teacher certificates and certificate numbers of **Erin Overton and Kasey Katibeh** for breach of contract with Glenn Poole Public Schools effective immediately for the remainder of the 2023-2024 school year, Agenda item 10(a). Board member Wesson seconded the motion. The motion carried with the following votes: Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, yes; and Superintendent Walters, yes.

Mr. Cleveland advised Agenda item 10 (b) is formalizing the referral to the Hearing Officer for purpose of setting hearings on the pending application. One of the eight applications listed has voluntarily surrendered her certificate and no longer requires a hearing. Revising the department request referral to the hearing officer for numbers 2) through 8).

Board member Quebedeaux moved for the pending applications to revoke the teaching certifications for a Hearing Officer to be appointed and for a hearing time and date to be set for Agenda item 10.(b), 2) through 8).

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

Board member Quebedeaux moved to proceed with the hearing March 28th during the regular board meeting, or the March 14 deadline for filing exceptions and a response to the request for disqualifications. Board member Wesson seconded the motion. The motion carried with the following votes: Ms. Quebedeaux, yes; Ms. Wesson; Mr. Archer, yes; and Superintendent Walters, yes.


ADJOURNMENT

Board member Wesson moved to adjourn the meeting at 1:23 p.m. Board member Archer seconded the motion. The motion carried with the following votes: The motion carried with the following votes: Ms. Quebedeaux, yes; Ms. Wesson; Mr. Archer, yes; and Superintendent Walters, yes.

The next regular meeting of the State Board of Education will be held on Thursday, February 22, 2024, 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