

**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 26, 2023

The State Board of Education met in regular session at 9:35 a.m. on Thursday, January 26, 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 3:00 p.m. on Tuesday, January 24, 2023.

The following were present:

Mr. Bryan Cleveland, 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 Ryan Walters, Chairperson of the Board

Mr. Donald Burdick, Tulsa

Ms. Sarah Lepak, Claremore

Mrs. Suzanne Reynolds, Oklahoma City

Mr. Trent Smith, Yukon

Mrs. Kendra Wesson, Norman

New Appointed Member of the State Board of Education not present:

Mrs. Marla Hill, Yukon

Others in attendance are shown as an attachment.

CALL TO ORDER ROLL CALL

Newly appointed board members Suzanne Reynolds, Donald Burdick and Kendra Wesson were sworn in prior to the meeting.

State Superintendent Ryan Walters called the State Board of Education regular meeting to order at 9:35 a.m. Ms. 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

First-Year Superintendents

Superintendent Walters recognized first-year superintendents attending the meeting that included Don Wise, Indianhoma Public Schools; Lori Wiggins, Roland Public Schools; Bobbie Weddle, Belfonte/Bell Public Schools, Mike Hedge, Asher Public Schools, Shea Thompson, Whitebead Public Schools; Steven Cain, Dahlongegah Public Schools; Dixie Purdy, Guymon Public Schools; Angela Avila, Drumright Public Schools; Karis Reavis, Konawa Public Schools; Jerad Winningham, Calvin Public Schools; Dan Houser, Butner Public Schools; Kyle Vanderburg, Wilburton Public Schools; Chad Fox, Hardesty Public Schools; Scott Friesen, Arnett Public Schools; Kaleb Hoffman, Ripley Public Schools, Ramona Ketcher, Tahlequah Public Schools; Matt Sweet, Allen Bowden Public Schools; Clayton Yeager, Zion Public Schools; Machele Potter, Moseley Public Schools, Eddy Smith, Goodwell Public Schools; and Alison Black, Sovereign Community School.

Recognition of Department Employee for the month of January: Megan Ashbaugh

Superintendent Walters recognized Megan Ashbaugh, Curriculum and Instruction Specialist, for outstanding leadership, professionalism and going above and beyond in meeting the needs of children, school districts and OSDE.

Superintendent Walters recognized and congratulated Rebecka Peterson, Oklahoma Teacher of the Year, on being a Top 5 Finalist for the 2023 National Teacher of the Year award.

Superintendent Walters said he is excited about the first board meeting and the opportunities to tackle many important issues and challenges that face education in Oklahoma regarding what schools should do and the direction schools are headed. In the last several years educators, teachers, parents, and children have all faced tremendous challenges with COVID and other education roadblocks. The direction we are going will

reform our education system with accountability and transparency, school choice, eliminate indoctrination and CRT, and ensure all children are safe, no boys in the girls' bathroom nor pornography in the classrooms; and all vendors and schools will focus on education not diversity, equity, and inclusions.

Superintendent Walters reviewed the three core budget request items included implementing an expansive statewide school choice program, ensure best teachers are incentivized, matched performance pay and reading comprehension and performance. Increasing the Fiscal Year (FY) 24 budget request by \$330,801,656 million to invest in teacher incentive pay, student proficiency, state funding formula, instructional materials, alternative education, reading sufficiency and state assessment line item, and agency cost (staffing benefits, building rent, continuous IT infrastructure investment).

Board members asked questions and discussed the previous approved \$3,181,359,518 FY 24 State Board budget request and amended \$3,512,161,174 FY 24 budget request increases that included summary, funding formula/weighted students, teacher/student count, incentive pay, reading sufficiency, student proficiency, flexible benefit allowance, textbook adoption, and administrative/student and teacher support.

Board member Smith moved to approve the amended FY 2024 budget request. Board member Lepak seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Mr. Burdick, yes; Ms. Lepak, yes; Ms. Wesson, yes; Ms. Reynolds, yes and Superintendent Walters, yes.

PUBLIC COMMENT

Jan Barrick, Alpha Plus, signed up to address partnership and Ashley Daly, parent, Tulsa Public School signed up to address concerns with newly elect State Superintendent's leadership and public representation. Chris Tanner, Nowata Public Schools, signed up to address agenda item #6(d)-OCAS waiver request.

BOARD ADMINISTRATIVE

Minutes of the December 15, 2022, regular State Board of Education meeting - Approved

Board member Smith moved to approve minutes of the December 15, 2022, regular State Board of Education meeting. Board member Lepak seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Mr. Burdick, yes; Ms. Lepak, yes; Ms. Wesson, yes; Ms. Reynolds, yes and Superintendent Walters, yes.

CONSENT DOCKET - Approved

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2022-2023 school year and other requests:

- (a) **Library Media Services – OAC 210:35-5-71 and 210:35-9-71**
Turner Public Schools, Love County

- (b) **Library Media Specialist Certificate Exemption - 70 O.S. § 3-126**
Bethel Public Schools, Pottawatomie County
- (c) Request approval on exceptions to State Board of Education Teacher certification regulations to permit issuance of emergency (provisional) certificates –**70 O.S. § 6-187**
- (d) Request approval for Oklahoma Cost Accounting System (OCAS) late penalty waiver requests for school districts not meeting the September 1 submission deadline - **70 O.S. § 5-135.2**
 - 1. Bethany
 - 2. Bokoshe
 - 3. Goodwell
 - 4. Konawa
 - 5. Lexington
 - 6. Lone Wolf
 - 7. Mulhall-Orlando
 - 8. Nowata
 - 9. Pioneer
 - 10. Pocola
 - 11. Poteau
 - 12. Schulter
 - 13. Terral
 - 14. Tishomingo
 - 15. Western Heights
 - 16. Deborah Brown
 - 17. Afton
 - 18. Ninnekah
 - 19. Hanna

Mr. Jett advised to take no action on agenda item 6. (d) Oklahoma Cost Accounting Systems (OCAS) until the February 23 meeting to allow staff further feedback and the delay would not change anything for the schools.

Board member Smith moved to approve Consent Docket item 6. (a)-(c) waiver requests. Board member Lepak seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Mr. Burdick, yes; Ms. Lepak, yes; Ms. Wesson; yes; Ms. Reynolds, 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

Bryan Cleveland, General Counsel, State Department of Education (OSDE), advised no action required on agenda item 7. (a).

**Issue Notice of Proposed Termination on the State Board of Education's
sponsorship of Sovereign Community School – Approved**

Mr. Cleveland said at the December 15, 2022, State Board of Education (SBE) meeting, the board voted to table a Notice of Termination action to Sovereign Community School in which the State Board of Education is sponsor. The status of the school and why termination was considered were presented in overview that included school goal to educate and train next leaders Indigenous Oklahoma communities, purposes of the school, student enrollment; Charter School Act compliances, academic performance/improvement, improved learning, and continuous learning opportunities. Three areas of focus were school metrics, facts, academics, and finance; history of interaction with State Board of Education; and board options for future meeting(s).

Board members asked questions and discussed with Sovereign Community School Board Chair, Kendra Wilson-Clements and Alison Black, Head of Schools, regarding the performance frameworks/categories, academic status FY 21 and 22; financial status FY 20 and 21, audit findings, SDE areas of concern and noncompliance, unmet revenue projections and revenue short falls, debt and unpaid loans, SDE FY 23 audit findings, reimbursement filings/errors; accreditation compliance, frequent leadership, teacher and staff changes, lack of staff, special education requirements and deficiencies; State Board 2019 sponsorship interaction timeline, November 2020 accredited with probation action, April 2021 noncompliance of charter requirements, termination consideration/5-year plan review/quarterly reporting, June 2021 progress reported and probation continuance, SDE March 2022 terms of probation noncompliance; current Oklahoma Charter Schools Act non-compliances on financial, academic and status; Sovereign representatives ensured a 30-day cash increase and carryover would occur.

Mr. Cleveland recommended to terminate Sovereign Community School for not complying with the terms of the Oklahoma Charter Schools Act and school charter noncompliance with financial, academic, and other legal/regulatory requirements to operate a charter school; and reviewed the Oklahoma Charter Schools Act allowances to terminate sponsorship, notices to terminate and 90-day termination date.

Mr. Bill Hickman, Attorney for Sovereign Community School, said if the school is given another three years the leadership could turn the school around with the right environment. If termination is initiated today there is a 90-day process, and asked would the board consider 120-days?

Mr. Jett advised the 90-day process starts if board members issue the Notice of Termination and no formal request for a hearing proceeding is made. The recommended termination would be for June 30. If an informal hearing is requested the board can reverse course. Should the board allow an informal meeting after the notice is issued there is flexibility as to when the hearing date would occur. Sovereign can present more evidence regarding the ultimate decision whether to terminate is appropriate under the circumstances.

Board member Smith moved to approve issuance of the Notice of Termination Sovereign to end the school year by June 30 and have an informal hearing. Board member Wesson seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Mr. Burdick, nay; Ms. Lepak, yes; Ms. Wesson; Ms. Reynolds, 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 to issue an emergency order
summarily suspending the teacher certificates and certificate numbers of
Sarah Hull-DeGroat 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) 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.**

Mr. Jett advised an Executive Session for agenda items 8 (a) and (b) was required.

(Board member Reynolds stepped out 12:06 p.m. and returned in Executive Session)

Board member Smith moved to convene into Executive Session at 12:07 p.m. Board member Burdick seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Mr. Burdick, yes; Ms. Lepak, yes; Ms. Wesson; Ms. Reynolds, absent and Superintendent Walters, yes.

Return to Open Session

Board member Reynolds moved to return to Open Session at 12:30 p.m. Board member Smith seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Mr. Burdick, yes; Ms. Lepak, yes; Ms. Wesson; Ms. Reynolds, yes and Superintendent Walters, yes.

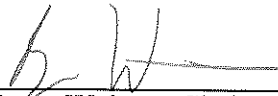
Board member Smith moved to issue emergency order to suspend the teacher certificates and teacher numbers of **Sarah Hull-DeGroat**. Board member Reynolds seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Mr. Burdick, yes; Ms. Lepak, yes; Ms. Wesson; Ms. Reynolds, yes and Superintendent Walters, yes.

Mr. Jett said no decisions were made on the matters discussed in the Executive Session. Bryan Cleveland, General Counsel, did not remain in the Executive Session.

ADJOURNMENT

Board member Smith moved to adjourn the meeting at 12:33 p.m. Board member Wesson seconded the motion. The motion carried by unanimous vote.

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