

Minutes of the Regular Meeting of the

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

March 23, 2023

The State Board of Education met in regular session at 1:04 p.m. on Thursday, March 23, 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 12:30 p.m. on Wednesday, March 22, 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, Chairman of the Board

Mr. Donald Burdick, Tulsa

Ms. Sarah Lepak, Claremore

Mrs. Katie Quebedeaux, Guymon

Mrs. Suzanne Reynolds, Oklahoma City

Mr. Trent Smith, Yukon

Mrs. Kendra Wesson, Norman

Others in attendance are shown as an attachment.

**CALL TO ORDER
ROLL CALL**

Newly appointed board member Katie Quebedeaux was sworn in prior to the meeting.

State Superintendent Ryan Walters called the State Board of Education regular meeting to order at 1:04 p.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 Dr. Melissa Bush, Skiatook Public Schools; Dixie Purdy, Guymon; Jamie Carney, Wickliff Public Schools; Chuck Perry, Broken Arrow Public Schools; Tanya Jones, Tahlequah Public Schools; Sam Rhyne, Kiowa Public Schools; Laura Gragg, Canadian Public Schools; Matt Hagebusch, Chelsea Public Schools; Rick Grimes, Lane Public Schools; and Mark Williams, Fox Public Schools.

**Recognition of Department Employee
for the month of March: Jamie Miles**

Superintendent Walters recognized Jamie Miles, Senior HR Business Partner, Office of Human Resources, for outstanding leadership, professionalism and going above and beyond in meeting the needs of children, school districts and SDE.

PUBLIC COMMENT

Individuals signed up to address agenda item 8.(b) (1) and (2) included Mary Rippert, OKC; Kathy Loggie, OKC; David McLain, Tulsa; Deborah Campbell, Love My Liberties, Duncan; Sherry Payne, Chickasha and Cherrie Smith, Blanchard, Praytriots-Grady Co.; Shanna Lakin, Edmond; Erick Wright, Oklahoma Rural Schools Coalition, Noble; Dean Kleinhans, Tulsa.

Individuals signed up to address items not on the agenda included Nancy and Jim Davis; Lori Tuggle, Putnam City School Board Candidate; Gabe Wooley, Tulsa Public Schools; Sharon Ratliff, OKC Precinct, OKC; Gary Holt, resident-Elgin Public School District, addressed teacher investigations; Darrel Romine, Stillwater; E'Lena Ashley, Tulsa; Cheri Smith, Blanchard addressed parent-teachers; John Karlin, Tulsa; Trace Montgomery, Edmond; Craig Evans, Edmond; Sean Cummings, OKC, addressed parent-

teachers; Cathy Conner, Edmond, addressed parent-teachers; Aaron R. Means, Stillwater, addressed parent-teachers; and Nicole McAfee, Freedom, Administrative Rules.

Discussion on a *Janus* Notice to Teachers

Superintendent Walters thanked public comment input, support for parental empowerment, school choice, and said parental empowerment is important. Announced the State Department of Education (SDE) initiatives to empower parents with school choice FAQs now available at <https://sde.ok.gov/schoolchoice>, and coming soon a “Parent Watch” online portal, parentwatch@sde.ok.gov to view classroom materials; reviewed state of Oklahoma’s Janus Notice to Teachers of the First Amendment Rights, impact of Oklahoma Teacher Unions, Attorney General ruling of 2015 state statutes and implementation; viewers advised on a discussion/view of inappropriate sexual materials accessible to children in Oklahoma public school libraries.

BOARD ADMINISTRATIVE

Minutes of the February 23, 2023, regular State Board of Education meeting - Approved

Board member Smith moved to approve minutes of the February 23, 2023, regular State Board of Education meeting. Board member Reynolds seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Mr. Burdick, yes; Ms. Lepak, yes; Ms. Quebedeaux, 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) **Cooperative Agreements for Alternative Education Programs – 70 O.S. § 1210.568**
Porter Consolidated, Wagoner 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**
- (c) **Substitute Teachers – 70 O.S. § 6-105b**
Putnam City Public Schools, Oklahoma County

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. Quebedeaux, 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 (SDE), advised no action required on agenda item 8. (a).

Permanent rule adoption – Approved

- (1) Title 210. Oklahoma State Department of Education
Chapter 35. Standards for Accreditation of Elementary, Middle
Level, Secondary and Career and Technology Schools
Subchapter 3. Standards for Elementary, Middle Level, Secondary,
and Career and Technology Schools
Part 13. Standards VII: The Media Program
210:35-3-121. Statement of the standard [AMENDED]
210:35-3-121.1 Definitions. [NEW]
210:35-3-126. Collection requirements and penalty for
Noncompliance [AMENDED]
210:35-3-128. Evaluation [AMENDED]

- (2) Title 210. Oklahoma State Department of Education
Chapter 10. School Administration and Instructional Services
Subchapter 2. Parental Rights [NEW]
210:10-2-1. Parents' rights concerning their minor children.
[NEW]
210:10-2-2. Definitions. [NEW]
210:10-2-3. Requirements. [NEW]
210:10-2-4. Noncompliance. [NEW]

Board member Smith requested to discuss and vote on agenda item 8.(b) (1) and (2) permanent rule adoption separately.

Mr. Cleveland advised eleven rules would be presented and rule 8.(b) (1) Library Media Programs and (2) Parental Rights received bulk of the comments were presented first. The rules recognize the Board responsibility to protect minors from obscene material and to achieve the goal by prohibiting libraries from offering pornographic material or sexualized content to minors and not age-appropriate levels.

Reviewed were the Board's Constitutional and statutory authority, Supreme Court ruling, legislative authority; rule purpose/requirement, implementation, public comment categories; rule compliance and violations, accrediting status; and members made aware of Attorney General (AG) staffer letter clarifying why rules should not be presented today, referencing Section 3-104 would be an unconstitutional technical point as meaningless because it is not read in a vacuum and as footnote three can see Section 3-104.3 from Section 3.104 are constitutional and permit the board with the accreditation standards that ensure the children of the state have the opportunity to receive an education because Section 3.104 to the opening sentence subject to limitation otherwise provided by law as long as the board is stays within the limitation or accreditation standards it is exercising;

and advised not taking the pending rules as a common rule today. Board members were provided Mr. Cleveland's remarks on parental rights and library media programs, a final version with redline adjustments with comments recorded, and recommended passage of 8.(b) (1) and (2).

Board member Wesson moved to accept the passage of the permanent rules, agenda item 8. (b) (1) and (2). Board member Burdick seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Mr. Burdick, yes; Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Ms. Reynolds, yes and Superintendent Walters, yes.

- (3) Title 210. Oklahoma State Department of Education
Chapter 15. Curriculum and Instruction
Subchapter 19. Driver Education
210:15-19-4. Teacher qualifications [AMENDED]
210:15-19-5. Reporting [AMENDED]
210:15-19-8. Summer programs [AMENDED]
- (4) Title 210. Oklahoma State Department of Education
Chapter 15. Curriculum and Instruction
Subchapter 35. English Language Learner Programs
210:15-35-1. Definitions [AMENDED]
210:15-35-2. Responsibilities [AMENDED]
210:15-35-3. Assessments [AMENDED]
- (5) Title 210. Oklahoma State Department of Education
Chapter 20. Staff
Subchapter 18. Advanced, Lead, and Master Teachers
[AMENDED]
210:10-1-18.1 Lead Advanced, lead, and master teaching certificates [AMENDED]
- (6) Title 210. Oklahoma State Department of Education
Chapter 20. Staff
Subchapter 19. Local Professional Development Programs
210:20-19-6. Professional Development programs for early childhood educators and administrators [NEW]
- (7) Title 210. Oklahoma State Department of Education
Chapter 20. Staff
Subchapter 37. Adjunct Teachers
210:20-37-2. Adjunct teachers [AMENDED]
- (8) Title 210. Oklahoma State Department of Education
Chapter 30. School Facilities and Transportation
Subchapter 5. Transportation
210:30-5-8. School bus driver certification [AMENDED]

- (9) Title 210. Oklahoma State Department of Education
Chapter 35. Standards for Accreditation of Elementary, Middle
Level, Secondary, and Career and Technology Schools
Subchapter 19. Concurrent Enrollment
210:35-19-3. General procedures [AMENDED]

- (10) Title 210. Oklahoma State Department of Education
Chapter 35. Standards for Accreditation of Elementary, Middle
Level, Secondary, and Career and Technology Schools
Subchapter 3. Standards for Elementary, Middle Level, Secondary
and Career and Technology Schools
Part 11. Standard VI: student services
210:35-3-106. Guidance and counseling services [AMENDED]

- (11) Title 210. Oklahoma State Department of Education
Chapter 35. Standards for Accreditation of Elementary, Middle
Level, Secondary, and Career and Technology Schools
Subchapter 3. Standards for Elementary, Middle Level, Secondary
and Career and Technology Schools
Part 19. Standard X: school facilities
**210:35-3-186. Site and buildings: size and space; accessibility;
maintenance; health and safety [AMENDED]**

Mr. Cleveland presented summary overview the of agenda item 8. (b) (3) through (11) proposed rules requirement/changes, guidelines, policy/procedures, implementation, impacts, duties responsibilities, and feedback.

Board member Smith moved to adopt the proposed permanent rules agenda item 8. (b) (3) through (11). Board member Reynolds seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Mr. Burdick, yes; Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Ms. Reynolds, yes and Superintendent Walters, yes.

ASSESSMENT & ACCOUNTABILITY

Data Sharing process, criteria and data request approval implemented by provisions of the 2013 Student Data Accessibility, Transparency, and Accountability Act - Approved

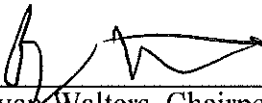
Sarina Rhinehart, Executive Director, Data Governance, presented a request for data sharing, criteria and data request approval implemented by provisions of the 2013 Student Data Accessibility, Transparency, and Accountability Act, 70 O.S.§3-168.

Ms. Rhinehart and Board members discussed and asked questions on Department Data Governance, committee, student data protections; compliance of the Family Education Rights and Privacy Act, Oklahoma Student Data Accessibility Transparency and Accountability Act; data review, rubric, policies/processes, security, research, management; data sharing differentials, aggregated, individual-external request and timelines, committee recommendations, agreements, and approvals; and yearly review.

Board member Smith moved to approve the request for high-level data workflow sharing process. Board member Quebedeaux seconded the motion. The motion carried with the following votes: Mr. Smith, yes; Mr. Burdick, yes; Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Ms. Reynolds, yes and Superintendent Walters, yes.

Board member Smith moved to adjourn the meeting 3:08 p.m. Board member Burdick seconded the motion. The motion carried by unanimous vote.

The next regular meeting of the State Board of Education will be held on Thursday, April 27, 2023, 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