

Minutes of the Regular Meeting of the

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

October 24, 2019

The State Board of Education met in regular session at 9:30 a.m. on Thursday, October 24, 2019, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 9:15 a.m. on Wednesday, October 23, 2019.

The following were present:

Mr. Brad Clark, General Counsel
Ms. Terrie Cheadle, Chief Executive Secretary

Members of the State Board of Education present:

State Superintendent Joy Hofmeister, Chairperson of the Board
Mr. Brian Bobek, Oklahoma City
Mr. Barry “Kurt” Bollenbach, Kingfisher
Mr. William “Bill” Flanagan, Claremore
Mrs. Carlisha Williams Bradley, Tulsa
Mrs. Estela Hernandez, Oklahoma City
Mrs. Jennifer Monies, Oklahoma City

Others in attendance are shown as an attachment.

**CALL TO ORDER
AND
ROLL CALL**

State Superintendent Joy Hofmeister called the State Board of Education regular meeting to order at 9:30 a.m. welcomed everyone to the meeting and introduced Representative Mark McBride, Chair Education Appropriations Subcommittee, Representative Rhonda Baker, Chair Common Education Committee, and Senator John Haste- Education Committee member.

Ms. Cheadle called the roll and ascertained there was a quorum.

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

Superintendent Hofmeister led Board Members and all present in the Pledge of Allegiance to the American Flag, a salute to the Oklahoma Flag, and a moment of silence.

STATE SUPERINTENDENT

Recognition of Department Employee for the month of October

Superintendent Hofmeister recognized Heather Butler, Director of School Personnel Records as employee for the month October.

Information from the State Superintendent

Superintendent Hofmeister updated on three grant awards in partnership with Oklahoma School Safety and Security Institute and Oklahoma Department of Emergency Management; College Career Math Ready course program, implementation requirements and new ELEVATE series; Dr. Chan Hellman author of “Hope Rising”; and 2019-2020 SDE conference dates.

BOARD ADMINISTRATIVE

**September 26, 2019 regular meeting minutes
of the State Board of Education - Approved**

Board member Flanagan moved to approve the minutes of the September 26, 2019, regular meeting. Board member Williams Bradley seconded the motion. The motion carried with the following votes: Ms. Monies, yes; Mr. Bobek, yes; Mr. Flanagan, yes; Mr. Bollenbach, abstain; Ms. Williams Bradley, yes; Ms. Hernandez; yes; and Superintendent Hofmeister, yes.

First-Year Superintendents

Superintendent Hofmeister introduced first-year Superintendent, Melissa Ferguson, Coleman Public Schools.

CONSENT DOCKET - Approved

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2019-2020 school year and other requests:

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

Watonga Public Schools, Blaine County
Little Axe Public Schools, Cleveland County
Bridge Creek Public Schools, Grady County
Keota Public Schools, Haskell County
Valliant Public Schools, McCurtain County
Okfuskee Public Schools, Okemah County
Wilson Public Schools, Okmulgee County
Quinton Public Schools, Pittsburg County
Central Public Schools, Stephens County

3 Year Request

Lexington Public Schools, Cleveland County
Hollis Public Schools, Harmon County
Collinsville Public Schools, Tulsa County

Board members discussed and asked questions regarding **Abbreviated Day waiver requests**, Consent Docket item 6. (a), regarding Central, Lexington, Hollis and Collinsville Public Schools. Recommended tabling Central and Lexington for additional information; and 1 year waivers for Hollis and Collinsville.

Ryan Pieper, Executive Director, Accreditation, reported Lexington Public Schools information was forthcoming.

Board member Bollenbach moved to table **Central and Lexington School Districts** and request follow up information; and to approve 1-year waivers for Hollis and Collinsville School Districts. Board member Flanagan seconded the motion. The motion carried with the following votes: Ms. Hernandez; yes; Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan, yes; Mr. Bobek, yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

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

Burlington Public Schools, Alfalfa County
Turpin Public Schools, Beaver County
Erick Public Schools, Beckman County
Taloga Public Schools, Dewey County
Bridge Creek Public Schools, Grady County
Pioneer Public Schools, Grady County
Tuttle Public Schools, Grady County
Carney Public Schools, Lincoln County
Smithville Public Schools, McCurtain County
Billings Public Schools, Noble County
Preston Public Schools, Okmulgee County
Verdigris Public Schools, Rogers County
Hammon Public Schools, Roger Mills County

Bray-Doyle Public Schools, Stephens County
Hooker Public Schools, Texas County
Grandfield Public Schools, Tillman County
Porter Consolidated, Wagoner County
Alva Public Schools, Woods County

3 Year Request

Thackerville Public Schools, Love County
Sasakwa Public Schools, Seminole County
Texhoma Public Schools, Texas County
Okay Public Schools, Wagoner County

Board members discussed and asked question regarding **Cooperative Agreement alternative education programs**, Consent Docket 6. (b), and recommended tabling Turpin Public Schools to provide clarity on alternative options.

Board member Bobek moved to table **Cooperative Agreement for Alternative Education Programs** request for Turpin Public Schools, and to approve the remaining school district requests. Board member Hernandez seconded the motion. The motion carried with the following votes: Ms. Monies, yes; Mr. Bobek, yes; Mr. Flanagan, yes; Mr. Bollenbach, yes; Ms. Williams Bradley, yes; Ms. Hernandez; yes; and Superintendent Hofmeister, yes.

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

Timberlake Public Schools, Alfalfa County
Lookeba-Sickles Public Schools, Caddo County
Vinita Public Schools, Craig County
Moseley Public Schools, Delaware County
Tuttle Public Schools, Grady County
Laverne Public Schools, Harper County
Calvin Public Schools, Hughes County
Wetumka Public Schools, Hughes County
Tishomingo Public Schools, Johnston County
Wilburton Public Schools, Latimer County
Bowring Public Schools, Osage County
Woodland Public Schools, Osage County
Turkey Ford Public Schools, Ottawa County
Asher Public Schools, Pottawatomie County
Earlsboro Public Schools, Pottawatomie County
Albion Public Schools, Pushmataha County
Brushy Public Schools, Sequoyah County
Liberty Public Schools, Sequoyah County
Garfield Public Schools, Tillman County
Broken Arrow Public Schools, Tulsa County
Glenpool Public Schools, Tulsa County

3 Year Request

Carnegie Public Schools, Caddo County
Riverside Public Schools, Canadian County
Peggs Public schools, Cherokee County
Drumright Public Schools, Creek County

Leach Public Schools, Delaware County
Enid Public Schools, Garfield County
Minco Public Schools, Grady County
Hollis Public Schools, Harmon County
Ponca City Public Schools, Kay County
Snyder Public Schools, Kiowa County
Shady Point Public Schools, LeFlore County
Crooked Oak Public Schools, Oklahoma County
Crutcho Public Schools, Oklahoma County
Preston Public Schools, Okmulgee County
Cleveland Public Schools, Pawnee County
Savanna Public Schools, Pittsburg County
Texhoma Public Schools, Texas County
Yarbrough Public Schools, Texas County
Okay Public Schools, Wagoner County

Board members discussed and asked questions regarding **Library Media Services request**, Consent Docket 6. (c) certified/non-certified staffing, funding impact, and recommended tabling Broken Arrow, Carnegie, Peggs, Crutcho, and deny Drumright for failure to provide additional information.

Board member Bobek moved to table **Library Media Services request** for Broken Arrow, Carnegie, Peggs and Crutcho Public Schools; to deny Drumright Public Schools; and to approve the remaining school district requests. Board member Monies seconded the motion. The motion carried with the following votes: Ms. Monies, yes; Mr. Bobek yes; Mr. Flanagan yes; Mr. Bollenbach, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; and Superintendent Hofmeister, yes.

- (d) **Library Media Specialist – 70 O.S. § 3-126**
Woodall Public Schools, Cherokee County
Altus Public Schools, Jackson County
Foyil Public Schools, Rogers County
Konawa Public Schools, Seminole County
Owasso Public Schools, Tulsa County

3 Year Request

Mustang Public Schools, Canadian County
Tonkawa Public Schools, Kay County
Western Heights Public Schools, Oklahoma County

Board members commended districts on thoroughness and completion of the **Library Media Specialist Certificate Exemptions** application request, Consent Docket 6. (d).

Board member Williams Bradley moved to approve the **Library Media Specialist Certificate Exemption** requests. Board member Flanagan seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan yes; Mr. Bobek yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

(e) **General Fund for Capital Expenditure – OAC 210:35-1-4**
Marietta Public Schools, Love County

Board members discussed and asked questions regarding the **General Fund for Capital Expenditure** request from Marietta Public Schools for additional funding for athletics (\$80 million) to cover the difference of the STEM bid cost to sustain the build fund balance of \$140,000; intent of appropriated funds; legislative requirements; and SBE authority/rules.

Ms. Brandy Naylor, Superintendent, Marietta Public Schools reported the athletic bond issue, inherited from a previous Superintendent, was created for safety of condemned bleachers, softball facility location, and locker room expansion remodel. The STEM center was in the building fund but the architect advised the district include the amount into one contract bid. The bid totaled \$150-160 million more than initially estimated (\$90,000 bond project and \$74,000 STEM building) and created the overages. The request is for flexibility in the future to sustain the current \$140,000 General Fund through the end of the year.

Board member Flanagan moved to approve an additional \$80,000 to cover the difference of the contract bid for construction of the STEM building; and to disallow the remaining **General Fund application** request. Motioned amended to approve an additional \$80,000, **as needed** was withdrawn.

Board member Flanagan amended to approve allocating \$80,000 specifically to the STEM building.

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

(f) 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 members commended on additional information supplied on the **Exceptions for issuance of emergency (provisional) certificates** Consent Docket 6. (e); and requested numerical order on FY district and area summary(s).

Board member Monies moved to approve issuance of emergency certificates. Board member Hernandez seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan yes; Mr. Bobek yes; Ms. Monies, yes; and Superintendent Hofmeister, yes.

(g) Request approval for **St. Mary's Catholic School, Ponca City** to
participate in the Lindsey Nicole Henry Scholarships for Students with
Disabilities program - **70 O.S. § 13-101.2**

Board members discussed and asked questions regarding St. Mary's Catholic Schools' **Lindsey Nicole Henry Scholarship for Students (LNHS) with Disabilities Program** request and ability to offer required services for student with disabilities.

Board member Bollenbach moved to table the LNHS request and provide additional information. Board member Williams Bradley seconded the motion. The motion carried with the following votes: Ms. Monies, yes; Mr. Bobek, yes; Mr. Flanagan, yes; Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Ms. Hernandez, yes; and Superintendent Hofmeister, yes.

FEDERAL PROGRAMS & FINANCE

Late Federal Program Claims - Approved

Monty Guthrie, Deputy Superintendent, presented federal claims requests by school districts that included Grand View and Stilwell. Both schools were recipients of Champions of Excellence 1-yr grants and all funds have been expended and closed out.

Board members asked questions and discussed purpose of Champions of Excellence grant, funds, flexibility, and benefits.

Board member Bobek moved to approve payment of late claims request. Board member Flanagan seconded the motion. The motion carried with the following votes: ; Ms. Monies, yes; Mr. Bobek yes; Mr. Flanagan yes; Mr. Bollenbach, yes; Ms. Williams Bradley, yes; Ms. Hernandez, yes; and Superintendent Hofmeister, yes.

GOVERNMENT AFFAIRS

FY2021 State Department of Education Legislative Budget Request –Approved

Carolyn Thompson, Chief of Government Affairs/Deputy Chief of Staff presented the \$3,290,924,495 2021 fiscal year common education budget outlining needs for school districts, agency and administration. She overviewed the State Board of Education statutory requirements; legislative process/ timelines; Board of Equalization projections, budget priorities/hearings, final projections, negotiations; approved June allocations and July 1 appropriation disbursement.

Superintendent Hofmeister reviewed future strategic plan goals to reduce the need for emergency certified teachers by 95%; become top 20 in NAEP on school performance; top 10 in high school graduations; reduce college remediation; ICAP for all school students; 75% of students reading by kindergarten.

The request includes approximately \$220 million increase to restore operational dollars in the \$118 million state funding formula lifting kindergarten and first grade class size moratoriums, Senate Bill 193 requirement, and a 1 year of 3 request of \$19 million creating a new School Counselor Corp competitive award to districts; \$42.6 million increase to Support of Students and Teachers line item adding classroom dollars in five areas; and funding for Instructional Materials, Flexible Benefit Allowance and Administrative Support line items.

Board members discussed and asked questions regarding effects of budget shortfalls and recessions, funded and unfunded mandates, legislative requirements/implementations, budget funding histories/restoration timeline, state and federal funding/obligations; increased student enrollment, school district and teacher shortages, needs, future investments; and SDE/partnership support to schools, SDE agency projections, needs and SBE statutory responsibilities.

(Ms. Monies stepped out 11:53 am returned 11:56 am; Ms. Hernandez stepped out 12:20 pm returned 12:22 pm)

(Mr. Bobek left the meeting at 12:30 pm)

Board member Williams Bradley moved to approve the FY2021 budget request. Board member Flanagan seconded the motion. The motion carried with the following votes: Ms. Hernandez; abstain; Ms. Williams Bradley, yes; Mr. Flanagan, yes; Ms. Monies, yes; Superintendent Hofmeister, yes; and Mr. Bollenbach, abstain.

LEGAL SERVICES/STATE BOARD OF EDUCATION

Resolve into Executive Session

pursuant to 25 O.S. §§ 307 (B) (4) and (8) for the purpose of discussing possible action to accept the Hearing Officer's proposed orders to revoke the teacher certificate and certificate number of **Chase Kime - 70 O.S. § 3-104; OAC 210-1-5-6**

Resolve into Executive Session

pursuant to 25 O.S. §§ 307 (B) (4) to discuss pending litigation, *Oklahoma Public Charter School Association v. Oklahoma State Board of Education*, in the **District Court of Oklahoma County, CV-2017-1330**

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 and CJ-2016-4826**

Board member Flanagan moved to convene into Executive Session at 1:52 p.m. Board member Williams Bradley seconded the motion: The motion carried with the following votes: Ms. Monies, yes; Mr. Flanagan yes; Ms. Williams Bradley, yes; Mr. Bollenbach yes; Ms. Hernandez, yes; and Superintendent Hofmeister, yes.

Return to Open Session

(Ms. Hernandez and Ms. Williams Bradley left the meeting during the Executive Session)

Board member Bollenbach moved to return to Open Session at 3:06 p.m. Board member Flanagan seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Mr. Bollenbach, yes; Mr. Flanagan yes; and Superintendent Hofmeister, yes.

Superintendent Hofmeister said no decisions were made on the matters discussed in the Executive Session.

Board member Hernandez moved to suspend the teacher certificate and certificate number of **Daniel Bodine, Elizabeth (Nicole) Lanaburg and Deja Vogt**. Board member Bollenbach seconded the motion: The motion passed with the following votes: Mr. Flanagan, yes; Mr. Bollenbach, yes; Ms. Hernandez; yes and Superintendent Hofmeister, yes.

Brad Clark, General Counsel, Lori Murphy, Assistant General Counsel, and Telana McCullough, Staff Attorney, remained in the Executive Session.

ADJOURNMENT

Board member Bollenbach moved to adjourn the meeting at 3:08 p.m. Board member Hernandez seconded the motion. Board members unanimously agreed.

The next regular meeting of the State Board of Education will be held on Monday, November 25, 2019, 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