

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 26, 2023

The State Board of Education met in regular session at 9:40 a.m. on Thursday, October 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 9:30 a.m. on Wednesday, October 25, 2023.

The following were present:

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

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

Mr. Donald Burdick, Tulsa

Ms. Sarah Lepak, Claremore

Mrs. Kendra Wesson, Norman

Mrs. Katie Quebedeaux, Guymon

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 9:40 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 updated on school district visits to Guymon and Woodward Public Schools and High Plains Technology Center in the Oklahoma Panhandle; thanked Board member Quebedeaux for taking time to join on the visits; commended Guymon Public Schools' use of resources and providing opportunities and Woodward Public Schools, High Plains Technology Center, and community partnerships, producing K-12 career program opportunities, college options and community job successes.

Superintendent Walters said lack of school discipline is a top issue of teachers, parents, and administrators. Classroom management is needed and comprehensive classroom management measures, guidelines, and student discipline accountability and consequences; concerns of Higher Ed institutions reaction to Israel and United States of America's stand with the Nation of Israel, review of Oklahoma State Standards and curriculum, resource materials and possible changes; and board members made aware of complaints regarding parent emails from Stillwater School District Superintendent's circumventing SBE rules ensuring protection of parents rights.

BOARD ADMINISTRATIVE

**Minutes of the September 28, 2023, regular
State Board of Education meeting - Approved**

Board member Lepak moved to approve the minutes of the September 28, 2023, regular State Board of Education meeting. Board member Quebedeaux seconded the motion. The motion carried with the following votes: Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, abstained and Superintendent Walters, yes.

**Amend meeting dates for regularly schedule
meetings during Calendar Year 2023 –
Changing Thursday, November 16, 2023,
to a different date and time - Approved**

Bryan Cleveland advised board members acknowledged not being available for the November 16, 2023, 1:00 p.m. regular meeting as published in the 2023 meetings calendar. Suggested moving to November 30, 2023, and time change option to 9:30 a.m. Board member Burdick was contacted, and he is available.

Board members discussed changing the November 16, 2023, meeting date and time schedule to Thursday, November 30, 2023, 9:30 a.m.

Board member Lepak moved to approve the November 30, 2023, regular meeting date and time to 9:30 am. Board member Quebedeaux seconded the motion. The motion carried with the following votes: Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, yes and Superintendent Walters, yes.

**Proposed 2024 State Board of Education
regular meeting dates - Approved**

Board member Wesson moved to approve the 2024 State Board of Education regular meeting dates calendar. Board member Quebedeaux seconded the motion. The motion carried with the following votes: Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, yes and Superintendent Walters, yes.

PUBLIC COMMENT

Individuals signed up to address agenda item #5 included - Peggy Howe, Casey Yochum, Sandra Valentine, Ashley Dailey, Sean Cummings, Garrett Colson, Stephanie Pyle, Breanna Hann, and Tori Caswell.

Individuals signed up to address items not on the agenda included Mike Howe, Audrey Beasley, Melanie Dewey, Wade Bozeman, Preston Bobo, Lori Tuggle, Bryan Morris, Michael Jones, Chris Walsh, and Ellen Miller.

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) **Abbreviated School Day – OAC 210:35-29-2 and 210:35-3-46**
 - Watts Public Schools, Adair County
 - Choctaw-Nicoma Park Public Schools, Oklahoma County
 - Bethel Public Schools, Pottawatomie County
 - Blackwell Public Schools, Kay County
 - Newkirk Public Schools, Kay County
 - Woodland Public Schools, Osage County
 - Quinton Public Schools, Pittsburg County
 - Clayton Public Schools, Pushmataha County
 - Mooreland Public Schools, Woodward County
- (b) **Cooperative Agreements for Alternative Education Programs – 70 O.S. § 1210.568**
 - 3 Years**
 - Beaver Public Schools, Beaver County
 - Turpin Public Schools, Beaver County
 - Maple Public Schools, Canadian County
 - Dickson Public Schools, Carter County
 - Fox Public Schools, Carter County
 - Lowrey Public Schools, Cherokee County
 - Shady Grove Public Schools, Cherokee County
 - Fort Townson Public Schools, Choctaw County
 - Robin Hill Public Schools, Cleveland County

Gypsy Public Schools, Creek County
Cleora Public Schools, Delaware County
Arnett Public Schools, Ellis County
Paoli Public Schools, Garvin County
Middleberg Public Schools, Grady County
Whitefield Public Schools, Haskell County
Mill Creek Public Schools, Johnston County
Snyder Public Schools, Kiowa County
Arkoma Public Schools, LeFlore County
Fanshawe Public Schools, LeFlore County
Howe Public Schools, LeFlore County
Monroe Public Schools, LeFlore County
Talihina Public Schools, Latimer County
White Rock Public Schools, Lincoln County
Wickliffe Public Schools, Mayes County
Haworth Public Schools, McCurtain County
Perry Public Schools, Noble County
Millwood Public Schools, Oklahoma County
Oakdale Public Schools, Oklahoma County
Dewar Public Schools, Okmulgee County
Morris Public Schools, Okmulgee County
Twin Hills Public Schools, Okmulgee County
Bowring Public Schools, Osage County
Woodland Public Schools, Osage County
Perkin-Tryon Public Schools, Payne County
Clayton Public Schools, Pushmataha County
Sweetwater Public Schools, Roger Mills County
Grandview Public Schools, Stephens County
Texhoma Public Schools, Texas County
Okay Public Schools, Wagoner County

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

Timberlake Public Schools, Alfalfa County
Calera Public Schools, Bryan County
Weatherford Public Schools, Custer County
Kansas Public Schools, Delaware County
Moseley Public Schools, Delaware County
Ninnekah Public Schools, Grady County
Waurika Public Schools, Jefferson County
Lone Wolf Public Schools, Kiowa County
Buffalo Valley Public Schools, Latimer County
Howe Public Schools, LeFlore County
Porum Public Schools, Muskogee County
Paden Public Schools, Okfuskee County
Prue Public Schools, Osage County
Ripley Public Schools, Payne County
McAlester Public Schools, Pittsburg County
Asher Public Schools, Pottawatomie County
Wewoka Public Schools, Seminole County
Bixby Public Schools, Tulsa County
Broken Arrow Public Schools, Tulsa County
Liberty Public Schools, Tulsa County
Caney Valley Public Schools, Washington County

3 Years

Lookeba-Sickles Public Schools, Caddo County
Grand View Public Schools, Cherokee County
Boswell Public Schools, Choctaw County
Robin Hill Public Schools, Cleveland County
Indiahoma Public Schools, Comanche County
Grove Public Schools, Delaware County
Whitefield Public Schools, Haskell County
Fanshawe Public Schools, LeFlore County
White Rock Public Schools, Lincoln County
Coyle Public Schools, Logan County
Turner Public Schools, Love County
Wickliffe Public Schools, Mayes County
Washington Public Schools, McClain County
Eufaula Public Schools, McIntosh County
Midway Public Schools, McIntosh County
Frontier Public Schools, Noble County
Perry Public Schools, Noble County
Pawhuska Public Schools, Osage County
Miami Public Schools, Ottawa County
Pittsburg Public Schools, Pittsburg County
Savanna Public Schools, Pittsburg County
Pleasant Grove Public Schools, Pottawatomie County
Butner Public Schools, Seminole County
Gore Public Schools, Sequoyah County
Optima Public Schools, Texas County
Texhoma Public Schools, Texas County
Jenks Public Schools, Tulsa County
Owasso Public Schools, Tulsa County
Okay Public Schools, Wagoner County

(d) **Library Media Specialist Certificate Exemption - 70 O.S. § 3-126**

Mustang Public Schools, Canadian County
Lindsay Public Schools, Garvin County
Enid Public Schools, Garfield County
(Waller MS)
Enid Public Schools, Garfield County
(Garfield ES)
Cimarron Public Schools, Major County

3 Years

Claremore Public Schools, Rogers County
Tulsa 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)**

Moore Public Schools, Oklahoma County
Norman Public Schools, Oklahoma County

- (g) Discussion and possible action on payment of a joint federal program Claim listed below – OAC 210:25-3-7(12)
Haworth Public Schools Project 511

Ryan Pieper, Program Director, Accreditation Standards, said Agenda item #6(b)-Cooperative Agreement schools are requesting to hold their own alternative education programs as opposed to co-oping with another district. Most common reasons are travel time and expense due to distance to another cooperative or the coop partner ceased being a cooperative. Schools feel a better job can be done on their own.

Board member Quebedeaux moved to approve Consent Docket waiver requests Agenda item 6.(a) through item (g). Board member Lepak seconded the motion. The motion carried with the following votes: Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, yes; and Superintendent Walters, yes.

ACCREDITATION STANDARDS

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-Interim Superintendent, Tulsa Public School District (TPS) and team members attending the meeting included Dr. Kathy Dodd-Chief of Strategy and Innovation, Dr. Erin Armstrong-Interim Chief Learning Officer and Johnathan McElroy-Data and Analytics.

Dr. Johnson said TPS team met with OSDE school improvement team on October 11, 2023, and focused on nine (9) questions pertaining to TPSs approach to science of reading. Dr. Johnson updated three action areas required by the OSBE for the 2023-24 school year that included a professional development plan to train teachers on the science of reading, development of a corrective action plan for all schools designated with F grade, and development, publication and execution of new internal controls related to finances; direct response to plan objectives questions, recommendations/timeline to increase reading proficiency, corrective actions and one unrelated recommendation.

Dr. Dodd said TPS team is fully committed and focused on continued improvement process and student outcomes. In August, TPS began offering network support expert teams in curriculum, assessment data and special education, and implemented at all school sites.

Superintendent Walters said he appreciated TPS emphasis on process, quality and questioned did academic outcome improve, how many improved prior to and present improved reading numbers, trajectory was more than 700, and how to increase numbers.

In response to Superintendent Walters question of number of students can read proficiently, trajectory of the 700 students, and how to move the numbers. Dr. Johnson said it is not only based on our common core assessments but also on the MAP assessment data, as well as comparison on how students performed on previous OSTP, and progress seen leading on to the next one. We have students who can read, student who are proficient, student who are performing, and a substantial number of students that are, right now, learning the foundation of literacy and reading. The data is showing students are progressing from where they were in the spring, over the summer and growth of students participating in Ready Set summer program. To continue seeing growth is not only continued monitoring but will require family participation, assuring students have access and materials, setting goals and, in addition, empower family of growth goals and effects

of absenteeism, and community awareness. The crisis is so many students demonstrate a need of support but are not at school to get the support. It is made clear to the students they are taught materials and curriculum needed for the April Oklahoma State test. Mr. McElroy and Dr. Armstrong can address Amira data and intervention programs.

Mr. McElroy reviewed the weekly data provided for each school, the number of students in the program and are using it. Amira Learning is used in all elementary schools and TPS staff can track student's usage and progress. During the fall, winter and spring a student's progress is seen in Amira on what they are making on MAP, and the two correlate together. Tying the usage data to achievement data, progress is tracked, monitored, and small-scale and large-scale growth observed. Amira provided a great amount of data last year, and more growth is seen that what is currently projecting, and we continually vet this into every quarter. Research study analysis and results revealed some programs are great for some students which may be more expensive but not scalable.

Ms. Armstrong said data from intervention programs are used to create small-group instruction operations for students. Secondary schools utilize Read 180 which curriculum teachers use to provide whole-group in small-group instruction, based on students' needs and provides an independent level work for students. All elementary schools use Waterford and Amira Learning.

Board members asked questions and discussed spring 2023 student proficiencies, success and outcomes graft; adjusted approach objectives for improvement, progress, and key takeaways now through May 2024; OSDE approved approach 2023-24 three (3) objectives, initiatives, metrics and spring data observed; effective intervention results with Amira Learning accelerating student learning; Amira data research availability and usage, Read 180 in person intervention programs, reading specialist needs; enquiry regarding lobbying funds for community support; include at November presentation TPS finance plan and opportunities, program and school site successes, options, results and Amira Learning data.

(Superintendent Walter called for a 10-minute recess at 12:05 p.m. and returned at 12:13 p.m.)

FINANCE

Provided one-time FY2024 Severance Allowance Payment to former Employees of Greenville Public School District, which were not employed or paid severance by the receiving district. Annexations took place in FY2023 – Approved

Renee McWaters, Program Manager, Office of State Aid, said Greenville Public Schools annexed to Marietta Public Schools on June 30, 2023. Eleven (11) employees, not employed nor paid severance by the receiving district, requested severance payments. Ms. McWaters requested holding Greenville Superintendent Gregory Raper's payment request to review additional information not provided in the original severance application. The severance worksheet requires reprocessing to a decreased severance payment amount due to the annexing district provided stipends to all the staff (\$421,289) before the annexation took place and therefore included as part of their employment assistance.

The recommendation request is to approve 10 applicant payments (8 certified and 2 support staff) totaling approximately \$86,859 which does not include the severance stipend. Mr. Raper's severance request will be presented for approval after it is recalculated and completed.

Board member Wesson moved to approve the request to pay the recommended ten (10) Greenville Public School employees out of the School Consolidation Assistance Fund. Board member Quebedeaux seconded the motion. The motion carried with the following votes: Ms. Lepak, yes; 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

Bryan Cleveland, General Counsel, State Department of Education (OSDE), advised no action required on agenda item 9.(a).

Mr. Cleveland recommended to convene into Executive Session for only 9(d) of the possible executive sessions listed 9(b) through 9(e). Advised 9(b) and (c) were similar requests from Cushing and Moore Public Schools to authorize changing gender or sex designation of students. The requests to change prior student records were based on Final Orders from Payne and Cleveland County District Courts. Both requests are unlawful based on the September 28, 2023, SBE emergency rule.

Request from Cushing Public Schools for the State Board of Education to authorize changing the gender or sex designation of the student currently in the district student information system pursuant Final Order, Case No. CV-2023-91, District Court of Payne County– Rejected

Request from Moore Public Schools for the State Board of Education to authorize changing the gender or sex designation of the student currently in the district student information system pursuant Final Order, Case No. CV-2023-91, District Court of Payne County– Rejected

Board member Wesson moved to reject Cushing Public Schools gender change request Agenda item 9(b). Board member Quebedeaux moved seconded the motion. The motion carried with the following votes: Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, yes; and Superintendent Walters, yes.

Board member Wesson moved to reject Moore Public Schools gender change request Agenda item 9(c). Board member Quebedeaux moved seconded the motion. The motion carried with the following votes: Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, yes; and Superintendent Walters, yes.

Resolve into Executive Session pursuant to 25 O.S. § 307 (B) (7), (8) for the purpose of engaging in deliberations on a particular student's record- Cushing Public Schools and Moore Public Schools

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

Board member Quebedeaux moved to convene into Executive Session at 12:23 p.m. Board member Wesson seconded the motion. The motion carried with the following votes: Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, yes; and Superintendent Walters, yes.

Return to Open Session

Board member Quebedeaux moved to return to Open Session at 12:56 p.m. Board member Lepak seconded the motion. The motion carried with the following votes: Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, yes; and Superintendent Walters, yes.

No decisions were made on the matters discussed in the Executive Session. Bryan Cleveland, General Counsel, and Bill Lunn, Attorney for Brent McGee did not remain in the entire Executive Session and Terrie Cheadle, Chief Executive Secretary, remained in the Executive Session.

Board member Wesson moved to issue emergency order to suspend the teacher certificate and teacher number of **Brent McGee** pending revocation. Board member Quebedeaux seconded the motion. The motion carried with the following votes: Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, yes; and Superintendent Walters, yes.

Contract and the 20i application to retain Cara S. Nicklas of McAlister, McAlister & Nicklas as Counsel for the State Board – Approved

Mr. Cleveland advised since former board attorney Travis Trent stepped away a search was conducted for another counsel for the Board when there are research matters where he is conflicted such as replication hearing and offers an option. Cara Nicklas is an attorney has worked comfortably with clients involving conservative issues and with the types of things the state board encounters.

Ms. Nicklas and board members asked questions and discussed becoming licensed attorney in 1990; her business, trust, appellate, district and Oklahoma Supreme Court litigation experience; work as former assistant general counsel-Oklahoma Tax Commission, and private practices. Ms. Nicklas said she felt confident in representing the State Board of Education and familiar with representing clients who are in the press, media.

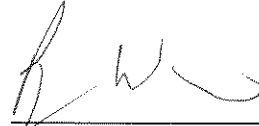
Mr. Cleveland recommended approval of Ms. Nicklas' firm contract and the Notice of Pros Contract to the State Board of Education, and she is on the approved Attorney's list for 20-I. A proposed start date is November 13, 2023, to be in place for the November 30, 2023, State Board meeting.

Board member Wesson moved to approve the firm contract and the Notice of Pros Contract for hiring Cara Nicklas as General Counsel to the State Board of Education. Board member Quebedeaux seconded the motion. The motion carried with the following votes: Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, yes; and Superintendent Walters, yes.

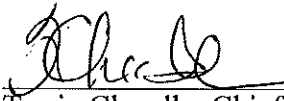
ADJOURNMENT

Board member Quebedeaux moved to adjourn the meeting at 1:06 p.m. Board member Wesson seconded the motion. The motion carried with the following votes: Ms. Lepak, yes; Ms. Quebedeaux, yes; Ms. Wesson, yes; Mr. Archer, yes; and Superintendent Walters, yes.

The next regular meeting of the State Board of Education will be held on Thursday, November 30, 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