

**Minutes of the Special Meeting of the  
STATE BOARD OF EDUCATION  
2500 NORTH LINCOLN BOULEVARD  
STATE BOARD ROOM, SUITE 1-20  
OKLAHOMA CITY, OKLAHOMA**

March 25, 2021

The State Board of Education met in special session at 1:00 p.m. on Thursday, March 25, 2021 agenda was posted at 1:00 p.m. on Wednesday, March 24, 2021.

The following were present at remote locations:

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

Members of the State Board of Education present at remote locations via Zoom videoconference:

State Superintendent Joy Hofmeister, Chairperson of the Board  
Mrs. Estela Hernandez, Oklahoma City  
Mr. Trent Smith, Yukon  
Mrs. Carlisha Williams Bradley, Tulsa  
Mr. William "Bill" Flanagan, Claremore  
Mr. Brian Bobek, Oklahoma City  
Mrs. Jennifer Monies, Oklahoma City

**CALL TO ORDER  
AND  
ROLL CALL**

State Superintendent Joy Hofmeister called the State Board of Education special meeting to order at 1:00 p.m. Ms. Cheadle called the roll and ascertained there was a quorum.

Superintendent Hofmeister welcomed everyone to the virtual meeting of the State Board of Education.

**STATE SUPERINTENDENT**

**Recognition of Department Employee for the month of March**

Superintendent Hofmeister recognized Alyssa Griggs, Assistant Executive Director, Accountability for outstanding leadership, professionalism and going above and beyond in meeting the needs of children, school districts and OSDE.

**Information from the State Superintendent**

Superintendent Hofmeister announced Jessica Eschbach an Innovative Learning Coach was selected as the 2021 Teacher for the Year (TOY) on March 4, 2021. Ms. Eschbach teaches technology integration at Norman Public Schools. News and updates included N95 masks gifted by anonymous donor were distributed to all Oklahoma public schools. Oklahoma State Department of Education (OSDE) and Oklahoma Department of Emergency Management and Homeland Security partnered with school safety officers and local emergency managers in the distribution. The OSDE allocated \$49 million in federal relief dollars to 88 school districts who received limited funding of the second round Elementary and Secondary Schools Emergency Relief (ESSER) allocations based on Title I funds. Districts that received less than \$550 per student in federal funds were awarded a portion of the \$49 million in additional funding; Elevate video highlight introducing “OpenSciEd” a free Kohler cam resource and OSDE participating in a nine states pilot program for middle school science, and a high school version coming in the fall.

**Minutes of the February 25, 2021 Special  
State Board of Education meeting - Approved**

Board member Bobek moved to approve the February 25, 2021, State Board of Education special meeting minutes. Board member Monies seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Ms. Williams Bradley, yes; Mr. Flanagan, yes; Ms. Monies, yes; Mr. Bobek, yes; Mr. Smith, yes; and Superintendent Hofmeister, yes.

## CONSENT DOCKET – Approved

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2020-2021 school year – 70 O.S. § 3-104; OAC 210: 35-1-4:

- (a) **Abbreviated School Day - OAC 210:35-29-2 and 210:35-3-46  
3 Years**  
Bethel Public Schools, Pottawatomie County
- (b) **Cooperative Agreements for Alternative Education Programs – 70 O.S. § [1210.568](#)**  
Balko Public Schools, Beaver County  
Goodwell Public Schools, Texas County
- (b) **Library Media Services – OAC 210:35-5-71 and 210:35-9-71**  
Fox Public Schools, Carter County  
Arapaho-Butler Public Schools, Custer County
- (d) **Library Media Specialist Certificate Exemption - 70 O.S. § 3-126**  
Enid Public Schools, Garfield 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 **Keystone Adventure School & Farm** 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 Consent Docket items 4

- (a) **Abbreviated School Day Bethel Public Schools waiver request.** Ryan Piefer, Executive Director, Accreditation, confirmed students were provided equipment to participate in the online program per Alternative Education program requirement,
- (b) **Cooperative Agreements for Alternative Education Programs** - commended on thoroughness of the Goodwell Public Schools waiver application,
- (c) **Library Media Services - Central Public Schools** waiver requests to use one paraprofessional for two library locations. Library media center open all day and two paraprofessionals will be assigned, and
- (e) **Exceptions-emergency certificates** - Cameron University degree verification provided for applicant Taylor Morrison, Cache Public Schools

Board member Monies moved to approve the Consent Docket. Board member Flanagan seconded the motion. The motion carried with the following votes: Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Flanagan, yes; Mr. Bobek, yes; Ms. Monies, yes; Mr. Smith, yes; and Superintendent Hofmeister, yes.

## LEGAL SERVICES/STATE BOARD OF EDUCATION OFFICE

### Amended Rule Adoption

Brad Clark, General Counsel presented a request to adopt the following proposed rules pursuant to the Oklahoma Administrative Procedures Act, **75 O.S. § 253**:

- (1) Title 210. State Department of Education  
Chapter 15. Curriculum and Instruction  
Subchapter 3. Oklahoma Academic Standards  
Part 21. Information Literacy  
**210:15-3-172. Overview [REVOKED]**  
**210:15-3-172.1 Definitions [REVOKED]**
- (2) Title 210. State Department of Education  
Chapter 15. Curriculum and Instruction  
Subchapter 3. Oklahoma Academic Standards  
Part 23. Instructional Technology  
210:15-3-183. Overview **[REVOKED]**  
210:15-3-183.1 Definitions **[REVOKED]**  
210:15-3-184. Standards **[AMENDED]**  
210:15-3-185. Intermediate level prior to completion of grade 8  
**[REVOKED]**  
210:15-3-186. Advanced level prior to completion of grade 12  
**[REVOKED]**
- (3) Title 210. State Department of Education  
Chapter 20. Staff  
Subchapter 9. Professional Standards: Teacher Education and  
Certification  
Part 9. Teacher Certification  
210:20-9-110. Alternative placement teaching certificates  
**[AMENDED]**  
210:15-3-173. Information Literacy **[AMENDED]**

Board member Hernandez moved to approve the amended rules. Board member Monies seconded the motion. The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Flanagan, yes; Ms. Hernandez, yes; Ms. Monies, yes; Mr. Bobek, yes; Mr. Smith, yes; and Superintendent Hofmeister, yes.

### Oologah-Talala Publics Quarterly report

Tony Pennington, Assistant Superintendent and Title IX Coordinator, and Board President Don Tice, recapped and updated SBE March 25, 2021 directives and reporting actions to Dr. Robyn Miller.

Board members asked questions and discussed correction action process, community engagements, accreditation status change timeline; July 1 start date for new Superintendent and appear at the July or August SBE meeting. School district was requested to provide community engagement involvement in the next quarterly report.

**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 **1) Lester Young** and **2) Roland Butler** 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) and (7)** to discuss confidential communications with legal counsel concerning a pending investigation, claim, or action, concerning **Oolagah-Talala Public Schools**, when advised by legal counsel that disclosure of any additional information could seriously impair the ability to process or conduct the pending investigation and/or claim in the public interest –**25 O.S. §§ 307 (B) (4) and (7)**

**Resolve into Executive Session**

**pursuant to 25 O.S. §§ 307 (B) (4) and (7)** to discuss confidential communications with legal counsel concerning a pending investigation, claim, or action, concerning **Epic Charter Schools (Epic One-on-One and Epic-Blended)**, when advised by legal counsel that disclosure of any additional information could seriously impair the ability to process or conduct the pending investigation and/or claim in the public interest –**25 O.S. §§ 307 (B) (4) and (7)**

**Resolve into Executive Session**

**pursuant to 25 O.S. §§ 307 (B) (4) and (7)** to discuss confidential communications with legal counsel concerning a pending investigation, claim, or action, concerning **Western Heights Public Schools**, when advised by legal counsel that disclosure of any additional information could seriously impair the ability to process or conduct the pending investigation and/or claim in the public interest –**25 O.S. §§ 307 (B) (4) and (7)**

**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**

Board member Bobek moved to convene into Executive Session at 1:40 p.m. Board member Flanagan seconded the motion: The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Flanagan, yes; Ms. Hernandez, yes; Ms. Monies, yes; Mr. Bobek, yes; Mr. Smith, yes; and Superintendent Hofmeister, yes.

**Return to Open Session**

Board member Flanagan moved to return to Open Session at 5:40 p.m. Board member Monies seconded the motion. The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Flanagan, yes; Ms. Hernandez, yes; Ms. Monies, yes; Mr. Bobek, yes; Mr. Smith, yes; and Superintendent Hofmeister, yes.

Superintendent Hofmeister said no decisions were made on the matters discussed in the Executive Session. Brad Clark, General Counsel, remained in the Executive Session.

Board member Bobek moved to suspend the teacher certificates and teacher numbers of **Lester Young** and **Roland Butler**. Board member Smith seconded the motion. The motion carried with the following votes: Ms. Williams Bradley, yes; Ms. Hernandez, yes; Mr. Flanagan, yes; Mr. Bobek yes; Ms. Monies, yes; Mr. Smith, yes; and Superintendent Hofmeister, yes.

### **Oklahoma Public Charter Schools Association v. State Board of Education**

Board member Smith said I would like to make a motion regarding Item 5G, as in golf, to adopt a board resolution with all public schools and charter schools by settling the lawsuit of Oklahoma Charter School Association.

Superintendent Hofmeister said and before we have a vote, it is open for discussion or questions. I would like to say at this point, based on legal advice, this violates Oklahoma statute, Oklahoma Constitution, and the oath that I swore to uphold when I took office, and I do not support this, nor do I think the Board should vote to approve the settlement which came in yesterday. Are there any other questions or comments? Seeing none, please call the roll.

The motion carried with the following votes: Ms. Hernandez, yes; Ms. Williams Bradley, nay; Mr. Flanagan, nay; Mr. Bobek yes; Ms. Monies, yes; Mr. Smith, yes; and Superintendent Hofmeister, nay.

### **Western Heights Public Schools**

Board member Monies moved that the State Board of Education hereby expresses the utmost concern of the operation decisions and outcomes at Western Heights Public Schools, including but not limited to the following failure to provide in-person instructional services to students since the March 2020 determination in the spring of 2020 to not provide nutritional food to students.

The Audit report reflected violations of state law, including the use of 2018 bond proceeds voted by the taxpayers for the purposes of constructing and repairing facilities to repay debt in 2009 and 2013 Board Member consuming alcohol during a public meeting.

The majority of school sites are federally designated as in need of increased student support and school improvement, significant student loss of student enrollment from 3003 had to 65 students to 2597 students in the last year. A loss of more than 100 school personnel in the last two years and disharmony in the school environment and community.

As such, the State Board of Education finds orders and determines the Western Heights Public Schools administration be put on notice that it shall appear at a special meeting of the State Board of Education on April 9, 2021, whereby it may be subject to action on its accreditation status including, but not limited to a warning, probation or not accreditation.

The State Department of Education shall conduct a compliance and performance review of the school's operation, performance and outcomes, and the district is strongly encouraged to offer in-person instructional delivery option for families on or before April 1, 2021.

Board member Flanagan seconded the motion.

Board member Hernandez I have a comment. I would request, if at all possible, for Ms. Monies to be able to rephrase everything I agreed with what you just read, including all of those complaints that have been done by parents and other administrators. However, at this point, when we were sworn in as Board Members, we were given to abide by the also to uphold the Constitution. According to that law book, when there is an accreditation or a possible compliant of a school that may lose the accreditation, there has to be an investigation of the complaints first and then be presented to the Board.

And if anyone wants to look that up, that's on section 35. I agree that we need to go ahead and come to an agreement on this, but until SDE goes about it the right way and doing a full investigation because you have not given the school district the ability to come before us to be able to bring evidence against or for we have not done our due diligence either. If we can keep everything in that motion but just putting a period and asking them to come on April 9, 2021.

Board members Monies said I will just say I definitely respect that Estela, I will press the motion knowing that it says may, there accreditation may, I want to emphasize we have a long list of things that we find very troubling that are happening in the school district. We want to hear from them, so that is definitely what we are asking for here today. And I want to emphasize in the motion that all it is saying is that we may consider their accreditation at the special meeting where they appear April 9. I will press the motion as is.

The motion carried with the following votes: Ms. Hernandez, yes; Ms. Williams Bradley, yes; Mr. Flanagan, yes; Mr. Bobek yes; Ms. Monies, yes; Mr. Smith, yes; and Superintendent Hofmeister, yes.

## **ADJOURNMENT**

Board member Monies moved to adjourn the meeting at 5:55 p.m. Board member Bobek seconded the motion. The motion carried with the following votes: Ms. Hernandez, yes; Ms. Williams Bradley, yes; Mr. Flanagan, yes; Ms. Monies, yes; Mr. Bobek, yes; Mr. Smith, yes; and Superintendent Hofmeister, yes.

The next regular meeting of the State Board of Education will be held on Thursday, April 22, 2021, at 9:30 p.m. The meeting will convene at the State Department of Education-State Board Room, 2500 North Lincoln Blvd., Oklahoma City, Oklahoma.

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Joy Hofmeister, Chairperson of the Board

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Terrie Cheadle, Chief Executive Secretary