

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

**June 25, 2020**

The State Board of Education met in special session at 9:30 a.m. on Thursday, June 25, 2020, by teleconferencing, videoconferencing and there were parties present at the Oliver Hodge Building, 2500 N. Lincoln Blvd., Oklahoma City, OK 73105 Suite 1-20. The final agenda was posted at 9:30 a.m. on Wednesday, June 24, 2020.

The following were present at the meeting site and remote locations:

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

Member of the State Board of Education present at meeting site via Zoom videoconference:

State Superintendent Joy Hofmeister, Chairperson of the Board  
Mr. Brian Bobek, Oklahoma City

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

Mrs. Estela Hernandez, Oklahoma City  
Mrs. Jennifer Monies, Oklahoma City  
Mr. Barry “Kurt” Bollenbach, Kingfisher  
Mrs. Carlisha Williams Bradley, Tulsa  
Mr. William “Bill” Flanagan, Claremore

**CALL TO ORDER  
AND  
ROLL CALL**

State Superintendent Joy Hofmeister called the State Board of Education special meeting to order at 9:30 a.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 June**

Superintendent Hofmeister recognized Christine Koerner, Director of Secondary Mathematics as the Employee for the month of June.

**End of year update from Becky Oglesby, 2019 Teacher of the Year (TOY)**

Superintendent Hofmeister recognized Becky Oglesby, 2019 Teacher of the Year (TOY) for her outstanding leadership and professionalism and update on her TOY activities in 2019.

Ms. Oglesby said the TOY opportunity has made her a stronger educator and a better leader. Her statewide travels provided time to speak to various academia, encourage student careers, present sustainable projects in the classrooms; attend OSDE 2019 Trauma Summit and February 2020 Google Summit. She looks forward to return to the classroom 2021 school year at Yukon Public Schools, teaching 1<sup>st</sup> grade, and spending time with the newest family member, 3 week old baby boy. Ms. Oglesby's advice to the 2020 TOY was to dig in and search ways to reach out to people due to COVID-19 restrictions; and become proactive in seeking newer options and avenues.

Board members thanked Ms. Oglesby for her Ambassadorship and congratulation on her return to the classroom.

**Information from the State Superintendent**

Superintendent Hofmeister updated on the "Return to Learn Oklahoma: A Framework for Reopening Schools," reviews on SDE website; \$16 million Incentives Grants (ESSA), Governor Stitt's CARES Act funds, available July-June 2022; Online tools for school district to "catch up" learning loss, "*Edmentum Exit Path*" for K-12 students; EngageOK in the cloud, July 15-17; Letters to district administrators on Racism being inclusive promoting positive changes.

**Minutes of the May 28, 2020 Special  
State Board of Education meeting - Approved**

Board member Hernandez motioned to approve the May 28, 2020, State Board of Education special meeting minutes. Board member Williams Bradley seconded the motion.

The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan, yes; Ms. Hernandez, yes; Ms. Monies, yes; Mr. Bobek, 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) Request approval on exceptions to State Board of Education teacher certification regulations to permit issuance of emergency (provisional) certificates - **70 O.S. § 6-187**
- (b) Request approval on flexibility to use textbook funds – **70 O.S. 16-114a(B)**

**Norman Public Schools, Cleveland County**  
**Bartlesville Public Schools, Washington County**  
**Colbert Public Schools, Bryan County**

Board members discussed and asked questions on **Consent Docket 5. (b) flexibility waiver to use textbook funds** regarding Colbert Public Schools inadequate application, state statutes, and reallocation of resources; and on **Consent Docket 5 (a)** the significance of numbering on certificate requests.

Board member Bollenbach moved to deny the waiver request of Colbert Public Schools and approve the remaining Consent Docket items. Board member Bobek seconded the motion. The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan, yes; Ms. Hernandez, yes; Ms. Monies, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

### **STUDENT LEARNING & ACHIEVEMENT**

#### **Oklahoma Advisory Council on Indian Education Annual Report**

Ms. Lucyann Harjo, Chairperson, Oklahoma Advisory Council on Indian Education (OACIE) presented the 2019 OAICE annual report evaluation the Oklahoma public education system meeting the needs of American Indian students in Oklahoma. The annual report review included academic achievement AP, NAEP scores, tribal education collaborations; 1017 contributions, demonstration and community project grants; native language revitalization, course offerings and enrollment; and four (4) Advisory Council recommendations.

Board members discussed and asked questions regarding student performance, ACT scores, new academic standards impact; OAICE recommendations, ongoing cultural awareness professional development (PD), additional Indian Education focused curriculum resources, tools/frameworks, tribal participation, promote new standards teacher resource, add similar focused curricular framework to Oklahoma Indian Education Resources/website; Indian Education fund sources; and tribal schools PD needs, tribal consultation and ESSA opportunities.

Jacob Tsothigh, Sovereign Community School, said the Kiowa language taught at Anadarko Public Schools is not on the list, and has 30 students enrolled.

Ms. Harjo encouraged teachers and Indian educators to take advantage of tribal education department's state events/offering opportunities (counselors, Title VI Directors, school districts, etc.) and access resources for students, educators, tribes in finding ways to work together.

Julian Guerrero, Executive Director of American Indian Education, said traditionally, three PD opportunities are offered during the EngageOK conferences at various regional locations. The OACIA recommendation is to increase/offer local PD opportunities. Currently, a series of college and career ready PD is offered through Native Youth Community project grants and Native Leaders grant during the Indian Education Conference. Unfortunately, 4 yr. grants are time limited and expire therefore, the recommendation is critical to ensure sustainability. Indian formula federal grants are provided by ESSA-Title VI (United States Department of Education-Office of Indian Education); and Johnson O'Malley PD grants are offered by the Department of Interior-Bureau of Indian Education.

## **LEGAL SERVICES/STATE BOARD OF EDUCATION OFFICE**

### **Emergency Rule Adoption – Tabled to present at a later time**

Lori Murphy, Assistant General Counsel presented a request to adopt the following **emergency rules** pursuant to the Oklahoma Administrative Procedures Act, **75 O.S. § 253**:

- (1) Title 210. 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 7. Standard IV: Curriculum, Instruction, Assessment, and Climate  
**210:35-3-67. Instruction [AMENDED]**  
Subchapter 21. Alternative Instructional Delivery Systems  
**210:35-21-2. Alternative instructional delivery systems  
[AMENDED]**

### **Presentation on Sovereign Charter School including financial, operational, and governance of the school – Approved**

Brad Clark, General Counsel said in 2018 upon two denials from Oklahoma City Public Schools the State Board of Education (SBE) approved to sponsor and contracted with Sovereign Community School (SCS). Their first year of operation was the 2019-2020 school year. Charter schools are autonomous in operation and management and are obligated, statutorily and contractually, to provide change notices regarding board composition, facility location, school records and audits to the governing sponsor. At this time, SCS has not provided the school audit due to first school year timeline. During the June 2020 SBE meeting, SCS representatives presented a proposed merger and acquisition with Santa Fe Charter Schools sponsored by Oklahoma City Public Schools and SCS financial status. The SBE deemed the proposal not legally feasible or allowable at that time, and today SCS presents a different proposal request.

Representatives for SCS Charter School included Matt Wilson, Superintendent, SCS; Joseph Tsothigh, School Board Secretary-Treasurer, Kyla Molina, School Board Member and Stacy Thrasher, Finance/Encumbrance Clerk. Chris Brewster, Superintendent, represented Santa Fe South.

Mr. Wilson said the SCS presentation provides clarity regarding school board actions, finance plans and plans to move SCS forward without co-mingling of funds, etc., first year academic successes/scope of learning, proposed budget/needs; and a request to add 5<sup>th</sup> grade aligned with Oklahoma City Public Schools.

Representatives overviewed SCS financial plan that included growth summary/mid-year percentages, enrollment growth/expansion; budget shortfalls/Teacher Retirement Service (TRS) contribution oversight, corrections, membership approval and \$170,803 current TRS debt liability; charter school startup reimbursable grants/requirements/balances; SCS board approved debt consolidation loan 2019-20 school year, repayment timeline January-June 2021; state aid cuts and school network assistance.

Mr. Brewster said, in response to Superintendent Hofmeister questions regarding an anticipated \$700,000 debt discussed at the June 2020 SBE meeting, the amount was a cash flow issue that included all funds to close out the current year, survival funds until the midyear adjustment and coming school year increased enrollment. The debt would remain but a pending solution is available.

Board members asked questions and discussed enrollment, academic growth measures/MAPS test, math and reading grade level (6<sup>th</sup> and 9<sup>th</sup>), NWA benchmark test, comparisons, academic performance frameworks; finance projections \$700,000 deficit, debt repayment and restructured budget; school audit request, requirements, timeline and expense, appropriate time to conduct and report audit; charter school one-year debt limit, Santa Fe South Development Corporation Bridge Loan (A) charter school loan contract/parameters, repayment versus school growth ratios; SCS board fund raising and partnerships, \$3000 year-to-date raised funds, effects of pandemic disruption; legislative roll over restrictions, governing sponsor void of liability; SCS board reorganization, restructure and leadership, Santa Fe South Development, Inc. guidelines/support and oversight; gaps in fundraising, probable general revenue failure, funding formula cuts, new COVID-19 added expenses; expenditures, exceeding appropriations, loan securities; charter school system time, resource challenges and successes.

Mr. Brewer said if cash flow needed, Santa Fe South Development Corporation could extend the SCS loan contract to a multiyear contract with pay down over two years. The SBE approved 5<sup>th</sup> grade expansion will improve SCS financial stability and the Santa Fe capital will help. Limited security is offered since no real property is owned by SCS. The SCS building is owned by the Walton Family Foundation and if SCS no longer uses the building with no purchase agreement in place it could be sold. SCS only has physical property as collateral, nor any agreement the foundation would fully support financially. Santa Fe Development Corporation could disperse funds needed to close out current fiscal year. The systemic budgeting shortcomings of SCS would be set up in the Terah System to help the school survive.

Board member Hernandez motioned to approve expanding 5<sup>th</sup> grade, provide financial audit, and monthly financial reporting. Board member Williams Bradley seconded the motion.

Mr. Clark clarified concerns the SBE would not incur any liabilities, however, claims could be filed.

Board members thanked Sante Fe South for support, and discussed and asked question regarding audit requirements, timelines and expense; public charter school funding disparity, financial forecast/goals; critical/effective student engagement, effective/qualified teacher representation

Board member Flanagan asked if the required annual school audit was due June 30 end of the fiscal year. The SCS report did reflect any fraud or misuse of funds, and the annual audit would include financial testing, balance sheet and income statements. At this point no evidence is indicated.

Mr. Clark clarified the motion is requesting a State Auditor in-depth audit, as the Seeworth Academy audit, and not the annual school audit. The question or thoughts is SCS last month indicated a \$130,000 debt and the debt amount today is \$170,000. The debt amounts continue to fluctuate and cannot definitively know the financial situation what has occurred or accuracies and SBE should consider an independent audit.

Board member Flanagan amended the motion to conduct the required annual June 30 school audit and if needed conduct a special audit. Board member Bobek seconded the motion. The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Bollenbach, abstain; Mr. Flanagan, yes; Ms. Hernandez, yes; Ms. Monies, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

Board member Hernandez and Williams Bradley agreed to the amended motion to require the annual June 30 school audit be conducted. The motion carried with the following votes: Mr. Flanagan, yes; Mr. Bollenbach, nay; Ms. Williams yes; Ms. Hernandez, yes; Ms. Monies, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

Board member Hernandez and Williams Bradley motion to approve expanding 5<sup>th</sup> grade, provide financial audit and monthly financial reporting carried with the following votes: Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan, yes; Ms. Hernandez, yes; Ms. Monies, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

**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)**

Board member Flanagan moved to convene into Executive Session at 12:21 p.m. Board member Bollenbach seconded the motion: The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan, yes; Ms. Hernandez, yes; Ms. Monies, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

(Board member Hernandez left during the Executive Session)

## **Return to Open Session**

Board member Flanagan moved to return to Open Session at 3:19 p.m. Board member Monies seconded the motion. The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan, yes; Ms. Hernandez, absent; Ms. Monies, yes; Mr. Bobek, 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 change **Oolagah-Talala Public Schools** accreditation status from fully accredited to probation the remainder of the 2019-2020 school year; probation continued through the 2020-2021 school year; Direct SDE legal counsel to draft a public reprimand to Oolagah-Talala Board of Directors and Superintendent outlining the deficiencies leading to the change in accreditation status; Require Oolagah-Talala Board of Directors make quarterly reports to the SBE showing updates on what they are doing in this response; and a first quarterly (Q3) report/appearance at the July 2020 SBE meeting.

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

## **ADJOURNMENT**

Board member Williams Bradley moved to adjourn the meeting at 3:23 p.m. Board member Bobek seconded the motion. The motion carried with the following votes: Ms. Williams Bradley, yes; Mr. Bollenbach, yes; Mr. Flanagan, yes; Ms. Monies, yes; Mr. Bobek, yes; and Superintendent Hofmeister, yes.

The next regular meeting of the State Board of Education will be held on Thursday, July 23, 2020, 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