



JOY HOFMEISTER
STATE SUPERINTENDENT *of* PUBLIC INSTRUCTION
OKLAHOMA STATE DEPARTMENT *of* EDUCATION

MEMORANDUM

TO: The Honorable Members of the State Board of Education

FROM: Joy Hofmeister

DATE: February 24, 2022

SUBJECT: Statutory Waiver Concerning Cooperative Agreements for Alternative Education

The following schools are requesting a statutory waiver of 70 O.S. 1210.568, which requires them to enter into a cooperative agreement with another school district if enrollment in their alternative education program is less than ten (10) students. Approval is recommended.

County	District	Waiver Year (Total)
Grady	Middleberg	6 of 6

* The number in the County category represents the Congressional District.
See the attached map.

ab
Attachments

Section 915. Alternative Education Programs - Statewide System.

A. Beginning with the first semester of the 1996-1997 school year, the State Board of Education shall implement a statewide system of alternative education programs which shall be phased-in within seven (7) years. The statewide system shall include but not be limited to Alternative Approaches grant programs, funded pursuant to Section 1210.561 of this title, and alternative academies or alternative programs implemented pursuant to this section.

B. Beginning with the first semester of the 2002-2003 school year, all school districts of this state shall provide alternative education programs that conform to the requirements of statutes and rules applicable to alternative education. A program shall:

1. Allow class sizes and student/teacher ratios which are conducive to effective learning for at-risk students;
2. Incorporate appropriate structure, curriculum, and interaction and reinforcement strategies designed to provide effective instruction;
3. Include an intake and screening process to determine eligibility of students;
4. Demonstrate that teaching faculty are appropriately licensed or certified teachers;
5. Demonstrate that teaching faculty have been selected on the basis of a record of successful work with at-risk students or personal and educational factors that qualify them for work with at-risk students;
6. Reflect appropriate collaborative efforts with state agencies and local agencies serving youth;
7. Provide courses that meet the academic curricula standards adopted by the State Board of Education and additional remedial courses;
8. Offer individualized instruction;
9. State clear and measurable program goals and objectives;
10. Include counseling and social services components with the provision that providers of services are not required to be certified as school counselors;
11. Require a plan leading to graduation be developed for each student in the program which will allow the student to participate in graduation exercises for the school district after meeting the requirements of the school district as specified in the individual graduation plan for that student; provided, for students who enter the ninth grade in or prior to the 2007-08 school year, the plan shall specifically address whether the student is required to meet the graduation requirements established in Section 11-103.6 of this title;
12. Offer life skills instruction;
13. Provide opportunities for arts education to students, including Artists in Residence programs coordinated with the Oklahoma Arts Council;
14. Provide a proposed annual budget;
15. Include an evaluation component including an annual written self-evaluation;
16. Be appropriately designed to serve middle school, junior high school and secondary school students in grades six through twelve who are most at risk of not completing a high school education for a reason other than that identified in Section 13-101 of this title; and
17. Allow students in the alternative education program, who otherwise meet all of the participation requirements, to participate in vocational programs and extracurricular activities, including but not limited to athletics, band, and clubs.

C. The alternative education program of a school district shall be operational and serving students by September 15 of each school year.

D. Each alternative education program of a school district shall receive funding based on the combined number of dropouts and students within the district who have been referred to a county juvenile service unit, a county juvenile bureau or who have been committed to the custody of the Office of Juvenile Affairs. Each alternative education program shall receive incentive funding as follows:

1. For the first year of operation, One Thousand Dollars (\$1,000.00) per student;

2. For the second year of operation, Seven Hundred Fifty Dollars (\$750.00) per student; and
3. For the third year of operation and each year thereafter, Seven Hundred Dollars (\$700.00) per student.

Statewide alternative education funding shall not be used to supplant existing school district resources or to support programs that do not meet all the criteria for the statewide alternative education system. No alternative education program shall receive less than a total of Ten Thousand Dollars (\$10,000.00) per school year.

E. By September 15 of each school year, all statewide alternative education funds received and expended for students participating in an alternative education program shall be reported to the State Department of Education by major object codes and by program classifications pursuant to the Oklahoma Cost Accounting System as adopted by the State Board of Education pursuant to Section 5-135 of this title.

F. Elementary school districts, as defined in Section 5-103 of this title, may request a waiver from the State Board of Education from the requirements of this section to implement and provide an alternative education program. Any elementary school district that has not received funding pursuant to the provisions of subsection D of this section shall be automatically granted a waiver. If a school district is granted a waiver, no statewide alternative education funding shall be allocated to the district.

G. 1. The State Board of Education shall contract for technical assistance for operation of an Alternative Education Technical Assistance Center. The technical assistance provider shall be an entity located in Oklahoma that has been officially recognized by the United States Department of Education to assess and facilitate dissemination of validated educational programs in Oklahoma. The technical assistance provider shall have priority, if its operations are deemed satisfactory by the State Board of Education and if funds are available, for annual renewal of the contract.

2. The duties of the technical assistance provider shall include, but shall not be limited to:
 - a. providing initial and ongoing training of personnel who will educate at-risk populations through alternative education programs,
 - b. providing technical assistance to school districts to enhance the probability of success of their alternative education programs,
 - c. evaluating state-funded alternative education programs,
 - d. reporting to the State Board of Education the evaluation results of state-funded alternative education programs, and
 - e. providing in-depth program analysis and evaluation of state-funded alternative education programs.

3. The State Board of Education shall not provide funding to an alternative education program that does not receive a recommendation for continued funding in the evaluation provided for in this subsection. Provided, any school district not receiving such a recommendation for continued funding may request a hearing before the Board with a review of the evaluation prior to the Board's final determination.

H. All alternative education programs shall be subject to statutes and rules applicable to alternative education, including any exemptions from statutory or regulatory requirements authorized by statutes or rule.

I. An alternative education program may be offered by an individual school district or may be offered jointly by school districts that have formed interlocal cooperative agreements pursuant to Section 5-117b of this title. Any school district submitting a plan for an alternative education program serving fewer than ten students shall enter into a cooperative agreement with another school district to jointly provide the program unless the program has been granted a waiver from this requirement by the State Board of Education.

J. Any materials or equipment purchased by a school district with revenue received for students participating in an alternative education program shall be used only in or directly for the alternative education program offered by the district or any subsequent alternative education program offered to students enrolled in that district. Such materials and equipment shall be made available exclusively to alternative education students during the hours that the alternative education program is operating; provided, the material or equipment may be used for other purposes when the alternative education program is not operating.

K. Upon implementation of this subsection as provided for in subsection M of this section and contingent upon the provision of appropriated funds designated for such purpose, all school districts in the state providing alternative education programs as required in subsection B of this section shall expand the programs to include middle-school-grade students. The program shall conform to the requirements of subsection B of this section.

L. Upon implementation of this subsection as provided for in subsection M of this section and contingent upon the provision of appropriated funds designated for such purpose, each urban school district identified by the State Department of Education as having a high population of elementary grade students who are at-risk and in need of alternative education shall provide elementary level alternative education programs. The State Department of Education shall establish requirements for the programs. For purposes of this section, "urban school district" means a school district with an average daily membership of thirty thousand (30,000) or more.

M. Implementation of subsections K and L of this section shall be delayed until the current expenditure per pupil in average daily attendance in public elementary and secondary schools in unadjusted dollars for the 1998-99 school year or any school year thereafter for Oklahoma, as reported by the National Center for Education Statistics annually in the Digest of Education Statistics, reaches at least ninety percent (90%) of the regional average expenditure for that same year, and funds are provided. For purposes of this subsection, the regional average expenditure shall consist of the current expenditure per pupil in average daily attendance in public elementary and secondary schools in unadjusted dollars for each of the following states: Arkansas, Colorado, Kansas, Missouri, New Mexico, Oklahoma, and Texas, averaged together. By January 1 of each year, the State Board of Education shall report whether or not the ninety-percent expenditure level has been reached based on information reported annually in the Digest of Education Statistics by the National Center for Education Statistics. Subsections K and L of this section shall be implemented on July 1 after the first January 1 report verifies that the ninety-percent expenditure level has been reached and funds have been provided for the specific purposes of this section.

(70-1210.568)

SCHOOL SITE STATUTORY WAIVER/DEREGULATION APPLICATION

for 20 21 - 20 22 school year

Grady (26) _____ Middleberg (C096) _____
 COUNTY SCHOOL DISTRICT

2130 County Road 1317 _____ Blanchard _____ 73010 _____
 SCHOOL DISTRICT MAILING ADDRESS CITY ZIP CODE

Middleberg Public School _____
 NAME OF SITE

 PRINCIPAL SIGNATURE* DATE 04/12/2021

 PRINCIPAL SIGNATURE* DATE


 PRINCIPAL SIGNATURE* DATE

Joel Read _____
 SUPERINTENDENT NAME (PLEASE PRINT)

jread@middleberg.k12.ok.us _____
 SUPERINTENDENT E-MAIL ADDRESS



 SUPERINTENDENT SIGNATURE* DATE 04/12/2021

I hereby certify that this waiver/deregulation application was approved by our local board of education at the meeting on April 14, 20 21


 BOARD PRESIDENT SIGNATURE*

NOTARY SEAL →

Liz Wittenbach
 NOTARY PUBLIC - STATE OF OKLAHOMA
 MY COMMISSION EXPIRES July 09, 2024
 COMMISSION #20008307


 NOTARY DATE 4-14-21

7-9-24
 COMMISSION EXPIRATION DATE

Statute/Oklahoma Administrative Code to be Waived: 70 O.S.1210.568
 (specify statute or OAC (deregulation) number: (see instructions)

*Original signatures are required. The attached questionnaire must be answered to process.**

THE WAIVER/DEREGULATION IS REQUESTED FOR:

One Year Only
 Three Years*

*Please see instruction page for additional requirements for a three year request

SDE USE ONLY

PROJECT YEARS
6 of 6

ENROLLMENT

High School
 Jr./Middle High
 Elementary

223 District Total

1-31-2022
 DATE RECEIVED

70 O.S. 1210.568

OAC _____

Coop Agreement
 NAME OF WAIVER

A. Reason for the waiver/deregulation request (be specific).

The number of students currently enrolled who qualify for Alt. Ed. Services is zero. Therefore, the cost of "COOPing" with another district would not be financially beneficial for the students in our district.

B. List alternate strategies/plans which the district/site proposes, and how this plan will best serve the students of your district, i.e., a description of the educational benefits to the students and learning achievement.

Alternative strategies/plans include:

Distance Learning--this provides students with the option of using a computer based curriculum to enable them to learn off-campus.

Tutoring--students are provided a teacher for tutoring on regularly scheduled days depending on the individual student's needs.

Individual instruction--students are provided with individualized instruction that is designed to meet their unique needs.

Life skills--included in the instruction plans for all Alt. Ed. students.

C. Educational impact to the district: Results of the Statutory Waiver/Deregulation, i.e., effect on student performance levels, impact of plan on other sites in the district.

There will be minimal impact on our current students' performance levels due to the low enrollment size of the school and the number of students that qualify for Alt. Ed. services (zero.)

D. Timeline: Please submit class schedule, calendars, assessment forms and other attachments as necessary, or described in instructions.
A waiver/deregulation can be granted for up to 3 years. (Please see instructions for additional requirements)

See attached

E. Any financial impact to the District (positive or negative) for the proposed waiver/deregulation.

By keeping the money allocated for Alt. Ed. within the district, we can provide services that are beneficial to all of our students, not just those enrolled in Alt Ed. An example of a service provided is counseling services, which are provided through a collaborative agency.

F. Describe method of assessment or evaluation of effectiveness of the plan.

Our Alt. Ed. plan is designed to the specific needs of each individual who qualifies for the program. Students are recommended for the program through referral and are monitored throughout and re-assessed each semester to determine progress and make changes or adjustments if needed.

M/W/F	1st Hour	2nd Hour	3rd Hour	4th Hour	Lunch	Flex	5th Hour	6th Hour	7th Hour
Franklin	8:00 - 8:50	8:55 - 9:45	9:50 - 10:40	10:45 - 11:35	11:40 - 12:05	12:05 - 12:25	12:30 - 1:20	1:25 - 2:15	2:20 - 3:10
Bearden	5th ELA	6th Geog	7th Read	8th ELA		Flex	8th ELA	8th Read	PLAN
Lee	9th Science	8th Science	8th Amer Hist	5th Science		Flex	5th SIS	PLAN	7th Science
Weinrich	PLAN	7th Math (Pre-Al)	5th Math	8th Math (Pre-Al)		Flex	6th Math	5/6 G Elective	VIRTUAL
Cook	7/8 B&G Health	7th Math	PLAN	8th Math (Asg 1)		Flex	7th Computers	7th Geog	8th Computers

Adkins	10:45 - 11:10	11:15 - 11:40	11:45 - 12:30	12:35 - 1:20	5/6 B Music/Art	5/6 G Music/Art
Mitchell	7/8 B&G Athletic	PLAN	VIRTUAL	PK/K PE	PK/K PE	5/6 B Athletics

T/TH	1st Hour	2nd Hour	3rd Hour	4th Hour	Lunch	Flex	5th Hour	6th Hour	7th Hour
Weinrich	8:00 - 8:50	8:55 - 9:45	9:50 - 10:40	10:45 - 11:35	11:40 - 12:05	12:05 - 12:25	12:30 - 1:20	1:25 - 2:15	2:20 - 3:10
	PLAN	7th Math (Pre-Al)	5th Math	8th Math (Pre-Al)		Flex	6th Math	5/6 B Computers	5/6 G Computers

Adkins	7/8 Music/Art - A/B Split	10:45 - 11:10	11:15 - 11:40	11:45 - 12:30	12:35 - 1:20	5/6 G Music/PE (morning)
Mitchell	7/8 B&G Athletic	PLAN	PK/K PE	PK/K Music/Art	PK/K PE	5/6 G Athletics

*All other teacher schedules are the same each day of the week.

Johnson - 4th	Lunch 1	Lunch 2	Lunch 3
Harless - 3rd	11:10 - 11:35	11:40 - 12:05	12:10 - 12:35
Adkins - 2nd			
Gillispie - 1st	1/2/3/4 Lunch		
Anglin - K			
Miller - PreK	Breakfast 8:10-8:35	5/6/7/8 Lunch	PK/K Lunch



Middleberg Public Schools

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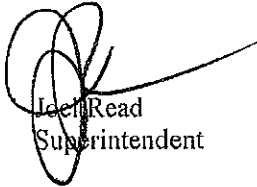


April 14, 2021 .

Dear State Board of Education,

The purpose of this letter is to request a waiver/deregulation for Statute/Oklahoma Administrative Code 70 O.S 1210.568. Our reason for requesting this waiver is that the number of students currently enrolled who qualify for Alt. Ed Services is zero. Therefore, the cost of "COOPing" with another district would not be financially beneficial for the students in our district. We have developed alternate strategies such as distance learning, tutoring and individual instruction to best serve the student in our district.

Sincerely,

A handwritten signature in black ink, appearing to read "Joel Read". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Joel Read
Superintendent

A Tradition of Excellence and Pride



Middleberg Public Schools

Joel Read Superintendent
2130 County Road 1317
Blanchard, Oklahoma 73010
Ph 405.485.3612 Fax 405.485.3204
jread@middleberg.k12.ok.us



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