



RYAN WALTERS
STATE SUPERINTENDENT *of* PUBLIC INSTRUCTION
OKLAHOMA STATE DEPARTMENT *of* EDUCATION

MEMORANDUM

TO: The Honorable Members of the State Board of Education

FROM: Ryan Walters

DATE: June 22, 2023

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 for the 2022-2023 school year. Approval is recommended.

County	District	Waiver Year (Total)
	3 Years	
Latimer	Moss	1 of 1
Latimer	Panola	1 of 1
Pittsburg	Frink-Chambers	1 of 1

* 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.

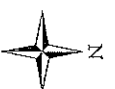
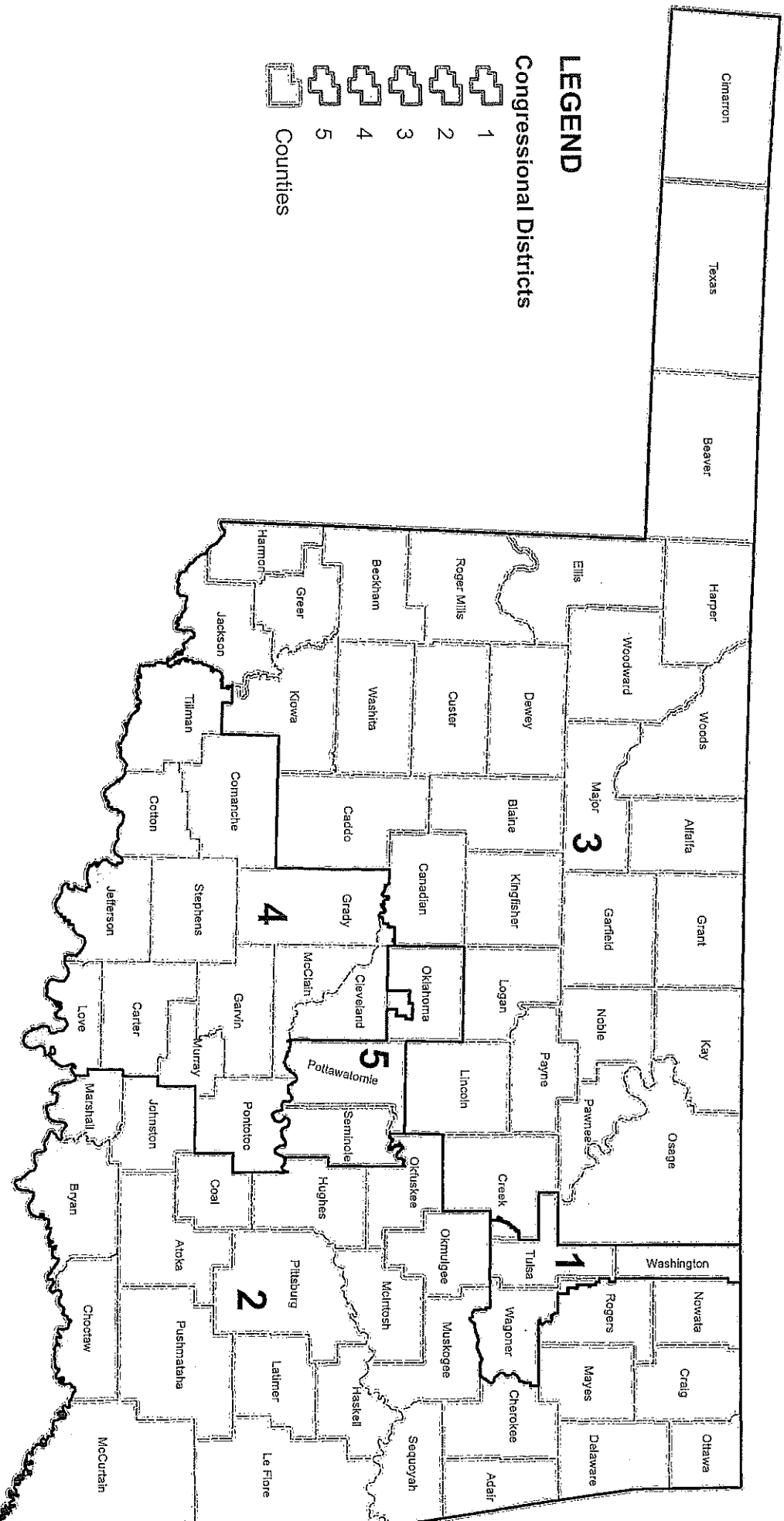
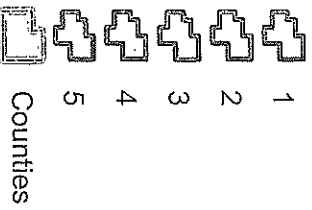
M. Implementation of subsections K and L of this section shall be delayed until the current expenditure per pupil in average daily attendance in public elementary and secondary schools in unadjusted dollars for the 1998-99 school year or any school year thereafter for Oklahoma, as reported by the National 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)

Oklahoma Congressional Districts Elections

LEGEND

Congressional Districts



SCHOOL SITE STATUTORY WAIVER/DEREGULATION APPLICATION

for 20 22 - 20 23 school year

Hughes COUNTY
Moss SCHOOL DISTRICT

8087 E 134 Rd SCHOOL DISTRICT MAILING ADDRESS
Holdenville CITY
74848 ZIP CODE

Moss High School (Moss Alternative Education Program)
NAME OF SITE

[Signature]
PRINCIPAL SIGNATURE*
5/4/2023
DATE

PRINCIPAL SIGNATURE*
DATE

PRINCIPAL SIGNATURE*
DATE

Robin Gann
SUPERINTENDENT NAME (PLEASE PRINT)

rgann@moss.k12.ok.us
SUPERINTENDENT E-MAIL ADDRESS

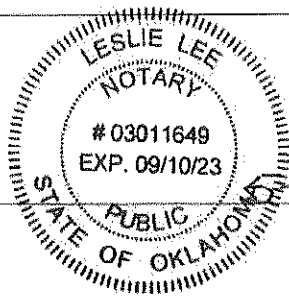
[Signature]
SUPERINTENDENT SIGNATURE*
5-8-23
DATE

I hereby certify that this waiver/deregulation application was approved by our local board of education at the meeting on May 8th, 2023

[Signature]
BOARD PRESIDENT SIGNATURE*

NOTARY SEAL →

[Signature]
NOTARY
9-10-23
COMMISSION EXPIRATION DATE



Statute/Oklahoma Administrative Code to be Waived:
(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

1 of 1

ENROLLMENT

High School
Jr./Middle High
Elementary

2576 District Total

5-12-2023
DATE RECEIVED

70 O.S. 1210.568

OAC

Coop Agreement
NAME OF WAIVER

- A. Reason for the Waiver request. Please include distance from your alternative education site to the closest possible district to coop with, what alternative means will have to be employed if your waiver was to be denied, and what percentage of your student population will benefit from the waiver if approved.

We are requesting a Waiver because we live 10 miles from another Alt Ed program and we have no students qualifying for Alt Ed currently. Both of those Alt Ed programs are not accepting other schools at this time

- 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, graduation rate if a waiver has been awarded prior to this year, and learning achievement.

Although we currently have no students in need of Alternative Education Services, we would benefit from a waiver because we do have fewer than 10 students. Having fewer students means more one on one help for our students which would in turn mean better understanding of the academic material, thus resulting in attainment of credits needed to graduate.

- C. Have you participated in an alternative education coop previously? Have you been awarded this waiver before and what was the educational impact to the district: Results of the Statutory Waiver, i.e., effect on student performance levels, impact of plan on other sites in the district. Yes, 2021-2022 we participated in a coop with Weleetka but that is not an option this year because it is housed 30 miles away. When we participated with them we did have student success and credits were attained for students

- D. Timeline: Please submit class schedule, calendars, assessment forms and other attachments as necessary.

If we had to implement our ALT Ed program, we would have it daily in the mornings from 8-12:12. It would be located in our library. We would use Exact Path to benchmark our students and set up a plan that is the best delivery for them individually. All forms required by the OSDE for ALT ED would be utilized,

- E. Any financial impact to the District (positive or negative) for the proposed waiver/deregulation? If positive please describe where the available would be reallocated.

The waiver would help because we are not having to find a coop and spend money on transportation. We did not have to spend money on transportation last year because the Alt Ed program we cooped with was housed at the Tech Ctr but that isn't the case this year. If we had students in need any financial support would go to ensuring we had the needed materials and personnel to serve our students.

- F. Describe method of assessment or evaluation of effectiveness of the plan both for staff and students, I.E., TLE, ACT scores, graduation rates, RSA, School Report Card, etc.

To assess the effectiveness of our plan we would rely on benchmarking data, ACT scores and graduation rates. We would rely on the TLE, benchmarking data, ACT scores to help assess the effectiveness of our staff.

** You will be contacted if more information is needed to process this request.

MOSS PUBLIC SCHOOL

ADMINISTRATION

Robin Gann, Superintendent
Amanda Spangler, ES Principal
Mark Turner, HS Principal

HOME OF THE PIRATES

8087 East 134 Road
Holdenville, Oklahoma 74848
405-379-2273 - Superintendent
405-379-7251 - Principal

SCHOOL BOARD

Kevin Nolen, President
Travis Huff, Vice-President
Jimmie Jett Jr., Clerk
Bryan Smith, Deputy Clerk
Justin O'Kelley, Member

May 30, 2023

We, Moss School District, are requesting a deregulation waiver for alternative education. Currently, the need for it is not there and we do not anticipate we will need it in the near future. The request is late because as a new superintendent I did not realize we were required to do this, especially since we did not utilize the program. I apologize for my lack of knowledge in this area.

Sincerely,



Robin Gann
Moss School Superintendent

SCHOOL SITE STATUTORY WAIVER/DEREGULATION APPLICATION

for 20 22 – 20 25 school year

Latimer

COUNTY

Panola Public School

SCHOOL DISTRICT

PO Box 6

SCHOOL DISTRICT MAILING ADDRESS

Panola

CITY

74559

ZIP CODE

Panola Elementary

NAME OF SITE

Bryan Deatherage

PRINCIPAL SIGNATURE*

5/8/23

DATE

PRINCIPAL SIGNATURE*

DATE

PRINCIPAL SIGNATURE*

DATE

Bryan Deatherage

SUPERINTENDENT NAME (PLEASE PRINT)

bdeatherage@redoak.k12.ok.us

SUPERINTENDENT E-MAIL ADDRESS

Bryan Deatherage

SUPERINTENDENT SIGNATURE*

5/8/23

DATE

I hereby certify that this waiver/deregulation application was approved by our local board of education at the meeting on May 08, 20 23

Doug Salmeron

BOARD PRESIDENT SIGNATURE*

NOTARY SEAL →

Daphne Loyd

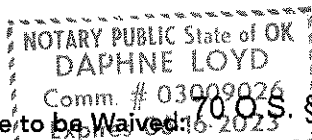
NOTARY

#03009026

DATE

6-16-23

COMMISSION EXPIRATION DATE



Statute/Oklahoma Administrative Code to be Waived: 70 O.S. § 1210.5
(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

1 of 1

ENROLLMENT

☐ High School

☐ Jr./Middle High

☐ Elementary

45 District Total

RECEIVED JUN 12 2023

DATE RECEIVED

70 O.S. 1210.568

OAC _____

Coop Agreement

NAME OF WAIVER

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

Panola Schools is requesting Statutory Waiver 70 O.S. § 1210.568 in order to provide alternative education programming of less than ten students on campus, rather than as part of a cooperative. It is our belief that students will be able to spend more time in alternative classes by receiving direct instruction on our campus than would be afforded in the cooperative setting. Students will benefit from the extra instruction time that would typically be spent in transport from home to the cooperative program site. Other benefits to providing an alternative education program in the district include better access to extracurricular programming at the district level as well as better access to onsite tutoring and one on one help.

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.

Students will arrive on campus and will check in to alternative education classes immediately without the need for transportation time to and from a cooperative school. This will allow for approximately sixty to ninety minutes additional class time. Therefor students will benefit from more direct instruction and access to materials than would typically be provided. Also with smaller students to teacher ratios, students will benefit from additional one to one assistance which will increase their educational achievement.

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.

Students will be able to complete a greater number of class credits with a higher level of proficiency as will be demonstrated on end of year testing and transcripts. A greater number will also participate in extracurricular and vocational programs.

The separation of this school district from the cooperative will allow space for other students that may be on the waiting list for alternative educational programs. It will also reduce the logistical difficulties that arise from differing school and break schedules and transportation issues.

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)

This Statutory Waiver is being requested for 2022-2023, 2023-2024, and 2024-2025 school years. Class schedule will follow the school calendar for Panola Schools.

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

The waiver will have a positive financial impact to the District by allowing monies spent with the cooperative program to be used within our district to provide alternative education.

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

A comparison study will be completed regarding student class completion, attendance, end of year testing, and grades to determine if students' educational progress was significantly improved due to changes implemented in the alternative education program.

** You will be contacted if more information is needed to process this request.

PANOLA PUBLIC SCHOOL

PO BOX6 PANOLA OK 74559

5558 NE 104th Road, Wilburton OK 74578

Phone 918-465-0011

Fax 918-465-3754

Bryan Deatherage

Superintendent

HOME OF THE BEARCATS

Dennis

Holly

Principal

Accreditation Division
Oklahoma State Department of Education
2500 N. Lincoln Blvd.
Oklahoma City, OK 73105-4599

To Whom It May Concern:

Please find attached a copy of the School Site Statutory Waiver/Deregulation Application for Panola Public School. This waiver is being requested to Oklahoma Statute 70 O.S. 1210.586—Coop Agreement.

Panola School is requesting a wavier to host an alternative education program on campus with less than ten students. It is the school's belief that students will receive increased direct instruction time if they are allowed to attend an alternative education program on our campus rather than being transported to a cooperative site.

The reason the School Site Statutory Waiver/Deregulation Application for Panola Public School is late, is due to Public School has never had to utilize these types of services. During the past three years of being a K-8 school, this has never been brought to our attention by auditors that this a requirement.

Please consider this application for approval.

Sincerely,



Bryan Deatherage, Superintendent
Panola Public School

SCHOOL SITE STATUTORY WAIVER/DEREGULATION APPLICATION
for 20 22 - 20 23 school year

Pittsburg Frink-Chambers 61C029
COUNTY SCHOOL DISTRICT

P.O Box 699 Mcalester 74502
SCHOOL DISTRICT MAILING ADDRESS CITY ZIP CODE

Frink Chambers
NAME OF SITE

Scott Burke 5-8-23
PRINCIPAL SIGNATURE* DATE

PRINCIPAL SIGNATURE* DATE

PRINCIPAL SIGNATURE* DATE

Charles R. Peckio
SUPERINTENDENT NAME (PLEASE PRINT)

rpeckio@frink.k12.ok.us
SUPERINTENDENT E-MAIL ADDRESS

Charles R. Peckio 5-8-23
SUPERINTENDENT SIGNATURE* DATE

I hereby certify that this waiver/deregulation application was approved by our local board of education at the meeting on May 18, 20 23

Dolores Hoffman
BOARD PRESIDENT SIGNATURE*

NOTARY SEAL → *Rochelle Buckner* 5-8-23
NOTARY DATE

04-21-2025
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
1 of 1

ENROLLMENT

 High School
 Jr./Middle High
 Elementary

389 District Total

6/13/2023
DATE RECEIVED

70 O.S. 1210.568

OAC

Coop Agreement
NAME OF WAIVER

- A. Reason for the Waiver request. Please include distance from your alternative education site to the closest possible district to coop with, what alternative means will have to be employed if your waiver was to be denied, and what percentage of your student population will benefit from the waiver if approved.

Frink Chambers feels confident that we can meet the needs of our students if there is a student that requires an alternative education setting. The nearest school that we could coop with is seven miles away. However we have not had a situation that would require an outside resource, when and if there is a need we have a resource teacher that can manage the situation.

- 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, graduation rate if a waiver has been awarded prior to this year, and learning achievement.

Frink-Chambers is a pk-8 school district that employs an amazing staff of teachers that go above and beyond to ensure all students have the best opportunity to learn and grow. We have a resource teacher that assist students that require any additional resources to be successful.

- C. Have you participated in an alternative education coop previously? Have you been awarded this waiver before and what was the educational impact to the district: Results of the Statutory Waiver, i.e., effect on student performance levels, impact of plan on other sites in the district.

No we have not been in a coop. We have not applied for a waiver. We achieved an A on last years report card. I do not feel that there is any negative affect on student performance levels.

- D. Timeline: Please submit class schedule, calendars, assessment forms and other attachments as necessary.

Class schedules for our 5th-8th grade students includes a school day that runs from 8:00-3:15. The school day includes core classes in addition to daily sports\ physical education, and the fine arts. Frink Chambers uses the STAR assessments to determine student progress and growth.

- E. Any financial impact to the District (positive or negative) for the proposed waiver/deregulation? If positive please describe where the available would be reallocated.

We do not feel there will be any financial impact to the district as we have not received funding for alternative education in the past.

- F. Describe method of assessment or evaluation of effectiveness of the plan both for staff and students, I.E., TLE, ACT scores, graduation rates, RSA, School Report Card, etc.

Student growth is continually being measured by STAR, Dibbles, State testing, ITBS for students that do not take state test. Teachers are evaluated using TLE. Graduation rates (8th grade is 100%).

** You will be contacted if more information is needed to process this request,

**FRINK-CHAMBERS
ELEMENTARY SCHOOL C-029**

485 FRINK ROAD
P.O. BOX 699
MCALESTER, OK 74502
PH 918-423-2434
FAX 918-423-4687

BOARD MEMBERS

RICHARD PECKIO, SUPERINTENDENT
SCOTT BURKE, PRINCIPAL

DEWANE HOFFMAN, PRESIDENT
BRIAN LOTT, VICE PRESIDENT
JON VICARS, CLERK

TO WHOM IT MAY CONCERN:

Frink-Chambers 61c029 is requesting a statutory waiver/deregulation for alternative education. Frink-Chambers currently does not have an alternative education program nor has it ever. We feel we can meet the needs of our families/community by utilizing a traditional classroom setting.

THANK YOU,
Charles R Peckio jr.



Superintendent
Frink Chambers Public School