

Minutes of the Regular Meeting of
STATEWIDE CHARTER SCHOOL BOARD
OKLAHOMA HISTORY CENTER
800 NAZIH ZUHDI DR.
OKLAHOMA CITY, OK
February 9, 2026

The Statewide Charter School Board met in regular session at 1:03 p.m. on Monday, February 9, 2026, at the Oklahoma History Center at 800 Nazih Zuhdi Dr., Oklahoma City, Oklahoma.

Members of the Statewide Charter School Board Present:

Brian Shellem
Bill Pearson
Damon Gardenhire
Jared Buswell
Britni Tomcho
Kitty Campbell, designee for State Auditor and Inspector, Cindy Byrd
Lindel Fields, State Superintendent of Public Instruction
David Rutkauskas

Others in Attendance:

Rebecca Wilkinson, Executive Director
Skyler Lusnia, Director of School Performance
Merin Gracey, Interim Secretary to the Board
Lecrecia Schmidt, Operations Officer
Shelly Hickman, Communications Director
Jaycie Smith, Academic Compliance Officer
Courtney Anderson, State Superintendent of Public Instruction designee
Thomas Schneider, Deputy General Counsel

Other general public in attendance are shown as an attachment.

1. Call to Order and Roll Call

Brian Shellem – Present
Bill Pearson – Present
Jared Buswell – Present
Britni Tomcho – Present
Anber Hidy - Absent
David Rutkauskas – Present
Damon Gardenhire – Present
Superintendent Fields- Present
Kitty Campbell - Present, designee for State Auditor and Inspector, Cindy Byrd

2. Invocation, Pledge of Allegiance, Salute to the Oklahoma State Flag, and Moment of Silence

3. (Action) Discussion and possible action regarding the minutes of the January 12, 2026, Regular

Board Meeting

Chairman Shellem requested a revision be read into the record to ensure the minutes accurately reflected summarization of public comments. Following discussion, Jared Buswell moved to approve the minutes. Damon Gardenhire moved to accept the amendment to the minutes of the January 12, 2026. Bill Pearson seconded the amendment motion.

Bill Pearson – Yes
Kitty Campbell – Yes
Superintendent Fields – Abstain
Jared Buswell – Yes
Brian Shellem – Yes
Britni Tomcho – Yes
David Rutkauskas – Yes
Amber Hidy - Absent
Damon Gardenhire – Yes

Jared Buswell made a motion to approve the minutes of the January 12, 2026, regular board meeting. Damon Gardenhire seconded the motion. The motion carried with the following votes:

Kitty Campbell – Abstain
Jared Buswell – Yes
Bill Pearson – Yes
Superintendent Fields – Abstain
Damon Gardenhire – Yes
Brian Shellem – Yes
Amber Hidy - Absent
Britni Tomcho – Yes
David Rutkauskas – Yes

4. (Action) Discussion and possible action regarding the minutes of the January 30, 2026, Special Board Meeting

Bill Pearson made a motion to approve the minutes of the January 30, 2026, special board meeting. Damon Gardenhire seconded the motion. The motion carried with the following votes:

Kitty Campbell – Abstain
Jared Buswell – Yes
Bill Pearson – Yes
Superintendent Fields – Abstain
Damon Gardenhire – Yes
Brian Shellem – Yes
Amber Hidy - Absent
Britni Tomcho – Yes
David Rutkauskas – Yes

5. Chairman's Opening Comments

Mr. Shellem emphasized the importance of innovation in education, describing the charter movement as the “tip of the spear.” Referencing a video of Dick Fosbury’s revolutionary high jump technique at the 1968 Olympics, Mr. Shellem highlighted how unconventional ideas can transform an entire field.

He encouraged the board to remain open to new and different concepts when considering charter applications, recognizing that while not all ideas succeed, some have the potential to significantly change the education landscape.

6. Public Comment

The Statewide Charter School Board shall hear public comment on any action item listed on the current board meeting agenda. Public comments will be limited to only those subject matters covered in the current meeting agenda. Public comment will not be taken on issues relating to: (1) pending litigation against SCSB or agency employees; (2) a pending grievance; (3) an employee complaint; (4) complaints against SCSB employees; (5) disciplinary action, suspension, or termination of an SCSB employee; or (6) any administrative proceeding initiated by the Board pursuant to the provisions of the Administrative Procedures Act. A sign-up sheet will be posted at least fifteen (15) minutes prior to the scheduled start time of the Board Meeting. Sign up must be completed prior to the scheduled start time of the meeting. Only individuals who have signed up to speak will be recognized during the Public Comment period and will be recognized in the order in which they have signed in. Each speaker will be allocated three (3) minutes for presentation. The Board Chairperson may interrupt and/or terminate any presentation during public comment which does not conform to the procedures outlined under this Section. The Board Chairperson reserves and retains the right to interrupt, terminate, or postpone public comment as necessary to effectuate the management of the public meeting.

Four individuals signed up to address the Board:

Dan Epstein, a member of the Jewish community, voiced opposition to the Ben Gamla Jewish Charter School application, expressing concerns about the use of public funds for sectarian education and citing state law and prior court decisions regarding church-state separation.

Christopher Johnston voiced opposition to publicly funding religious schools. He referenced the First Amendment and provisions of the Oklahoma Constitution prohibiting public funding for sectarian institutions and urged the Board to vote against the application.

Bill Hickman, an education attorney representing both schools on the agenda for charter contract approval, requested that the Board table action on the charter contracts for Southwest Academy Charter School and Tempo Montessori Charter School until March. He requested time to review the draft contracts with the respective schools and converse with SCSB staff prior to Board action.

Sean Cummings objected to initially being told he could not speak at the current meeting and disputed allegations that he had made antisemitic remarks, requesting specific details regarding that claim. He stated his intent to pursue legal action if the matter proceeds. Mr. Cummings argued that the charter school proposal concerns funding and contended that public school funds should not be redirected to private, charter, or virtual schools, asserting that doing so may bankrupt traditional public schools. He urged the Board to vote no.

7. Board Spotlight – Virtual Preparatory Academy STEM and Aviation Program

Shelly Hickman presented highlights on the partnership between Norman Public Schools, its Oklahoma Aviation Academy, and Virtual Preparatory Academy of Oklahoma (VPrep). Ms. Hickman invited Norman Superintendent Dr. Nick Migliorino and VPrep Superintendent Erin Robins to outline their two-year collaboration, providing virtual students statewide access to aviation and STEM career pathways.

Ms. Robins highlighted that over the past three years, VPrep has grown from approximately 30–40 students to nearly 500 and emphasizes individualized support and workforce pipeline connections. The collaborative aviation program with Norman Public Schools, offers coursework in Aviation I and II (expanding to Aviation III next year), exposure to many aviation-related career pathways, and hands-on experiences.

Dr. Migliorino outlined the history and development of the Oklahoma Aviation Academy program, noting that it serves not only Norman Public Schools students but provides opportunities for high school students across Oklahoma. He invited program partners Tinker Federal Credit Union and Boeing Aircraft to discuss their support of the initiative. Tinker funded discovery flights for participating students, while Boeing highlighted the program's critical role in strengthening Oklahoma's aviation workforce pipeline. Noting the program now includes its first senior class, with some students earning associate degrees, he concluded by highlighting collaboration, school choice, and public-private partnerships as key factors in the program's success.

8. Presentation and possible discussion regarding the Statewide Charter School Board Working Group reports: Budget, Communications, Governance, and Horizon: Digitally Enhanced Campus

Jared Buswell, Chair of the Budget Working Group, had no updates. Damon Gardenhire, Chair of the Communications Committee, had no updates. David Rutkauskas, Chair of the Governance Committee, announced the legislative session kicked off February 2, 2026, with approximately 500 bills being monitored for relevance to education, school choice, and the Statewide Charter School Board. Several key bills include SB2048, HB3372, HB2154, SB704, and HB3021 will be monitored. Brian Shellem noted that in the State of the State address, Governor Stitt referenced legislation eliminating the requirement for charter schools to seek approval from local school boards, signaling continued support for school choice initiatives. Dr. Wilkinson added that state legislation is aligning with national education policy trends. Britni Tomcho, Chair of the Horizon: Digitally Enhanced Campus Working Group, reported the inaugural Horizon Connect Conference will be held March 25, 2026, at the Embassy Suites Hotel and Conference Center in Norman. The conference will focus on sharing best practices, connecting with approved Horizon vendors, and supporting planning for the 2026–2027 school year. The Horizon committee includes representatives from Gordon Cooper Technology Center, Oklahoma Public Schools Resource Center (OPSRC), Jill Bowman, Dr. Lisa Daniels, and Britni Tomcho. The committee plans to gather feedback at the conference and meet in April.

9. Administration

- a. Presentation and possible discussion regarding the Curriculum Reviews for the following charter and virtual charter schools:
 - Insight School of Oklahoma
 - Oklahoma Virtual Charter Academy
 - Western Gateway

Dr. Jaycie Smith presented highlights from four recent academic program reviews. Reviews consisted of a document review and on-site interviews, focusing on governing board oversight, use of student achievement data, and curriculum alignment with Oklahoma academic standards.

Insight School of Oklahoma academic performance framework score for 2023-2024 was 62.5%. The school governing board maintains active oversight, including legislative review, EMO evaluation (Stride/K12), and alignment to the agency framework. Weekly PLCs analyze data, and tiered intervention supports for struggling students. High school offers Momentum and Flex pathways with a new CTE technology option forthcoming. Other additions to school

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programs include, expanded literacy initiatives, enrollment capacity, NCAA approval, career boot camps, required internships, middle school career exploration, night school, honor societies, band, and a new librarian.

Oklahoma Virtual Charter Academy academic performance framework score - 42%. The school governing board oversees strategic planning and compliance. Weekly PLCs, curriculum alignment reviews, literacy training (Science of Reading), and structured assessment protocols support instruction. Middle school restructuring improved engagement. The school provides regional family advisors, truancy and social work support, study hall interventions, and enhanced virtual platforms. New enrichment offerings include robotics, esports, FFA partnership, 4-H with OSU, and an artist-in-residence program.

Western Gateway Elementary School is in its first year of authorization under the Statewide Charter School Board and has no prior performance framework score. A new leadership team has just been implemented. The school has strengthened governance reporting, weekly data review, and curriculum alignment in ELA, math, and social studies, with vertical alignment planned for 2026–2027. Operational changes include a revised master schedule, a 4th–5th grade rotation model, and a structured attendance policy. Academic supports now include small-group math intervention, a structured writing program, regular progress monitoring, individualized MAP growth goals, and a dedicated intervention block.

- b. (Action) Review, discussion, and possible action regarding the approval of the Charter Contract for the Tempo Montessori Charter School

The Board addressed agenda items b. and c. simultaneously.

- c. (Action) Review, discussion, and possible action regarding the approval of the Charter Contract for the Southwest Academy Charter School

Dr. Wilkinson introduced the discussion by explaining that both contracts are largely standardized templates that primarily restate statutory requirements, with only limited school-specific and corrective provisions. She also referenced prior public comment expressing concern about delays in the approval process. In light of the full March agenda, she recommended moving forward with consideration rather than postponing and offered to meet with each school to review the contract and discuss any proposed amendments.

Damon Gardenhire questioned whether any material differences existed between the contracts. Thomas Schneider confirmed that the main differences included requirements for first-time superintendents to attend training and clarifications to reporting obligation timelines. Skyler Lusnia added that recent updates to the contracts contain no conditions. Superintendent Fields stated that tabling the contracts would be reasonable to allow additional review rather than proceeding solely to avoid delays. Jared Buswell inquired about the disadvantages of tabling, with Dr. Wilkinson noting that the primary drawback would be potential delays due to the March agenda and possible impacts on operations and grant eligibility.

Superintendent Fields made a motion to table both new school contracts to a future meeting. Jared Buswell seconded the motion. The motion carried with the following votes:

Kitty Campbell – Yes
Jared Buswell – Yes
Bill Pearson – Yes
Superintendent Fields– Yes
Damon Gardenhire – Yes
Brian Shellem – Yes
Amber Hidy - Absent
Britni Tomcho – Yes
David Rutkauskas – Yes

- d. (Action) Review, discussion, and possible action regarding approval or rejection of the Visionary Pathways Schools, Inc. Application for Initial Authorization

Skyler Lusnia presented the SCSB staff review of the Visionary Pathways Schools, Inc. application, highlighting strengths such as industry partnerships, a paid internship model, year-round scheduling, mentorship, and letters of support, including from the Oklahoma Department of Transportation. Concerns included governance and bylaw deficiencies, scheduling and graduation requirement gaps, lack of required assessments, Child Find compliance issues, financial and staffing uncertainties, internship pay structure, and the applicant concurrently seeking authorization from another sponsor.

Dr. Wilkinson stated that while the school presents a strong and innovative workforce-focused concept, it is not ready for approval at this time. Brian Shellem reiterated the Board’s duty to taxpayers to serve as responsible stewards of public funds and agreed the application is not ready in its current form.

Damon Gardenhire inquired about the applicable timeline, and Dr. Wilkinson explained the statutory requirements for Board action, with Thomas Schneider further clarifying the Board’s obligations under statute. Jared Buswell expressed concern about the applicant simultaneously seeking authorization from two districts and suggested amendments to strengthen the proposal. David Rutkauskas raised concerns about the short turnaround timeline for revisions.

Damon Gardenhire moved to deny the application for the reasons stated by Board staff and counsel. David Rutkauskas seconded the motion.

The motion carried with the following votes:

Kitty Campbell – Yes
Jared Buswell – Yes
Bill Pearson – Yes
Superintendent Fields– Yes
Damon Gardenhire – Yes
Brian Shellem – Yes
Amber Hidy - Absent
Britni Tomcho – Yes
David Rutkauskas – Yes

- e. (Action) Presentation, discussion, and possible action regarding approval or rejection of the National Ben Gamla Jewish Charter School Foundation, Inc. Application for Initial Authorization

Skyler Lusnia presented the SCSB staff review of the Ben Gamla Jewish Charter School application's and highlighting strengths including a strong academic program aligned with Oklahoma standards, differentiated instruction, progress monitoring, student engagement, and a clear operational and financial plan. Mr. Lusnia stated that the applicant demonstrated prior educational success and a capacity for potential expansion. However, concerns included compliance with the Oklahoma Open Meeting Act, board composition and residency requirements, lack of a formal discipline policy, unclear special education provisions, and issues related to the school's nonsectarian requirement under Oklahoma law and Supreme Court precedent. Additionally, he noted there were inconsistencies between the initial letter of intent and the submitted application regarding grade levels and projected enrollment.

Damon Gardenhire emphasized that the Board's decision is constrained by a writ of mandamus from the Oklahoma Supreme Court. While recognizing the school's strong reputation and academic model, he noted the Board is legally bound to uphold state law, including constitutional, statutory, and administrative requirements. Bill Pearson expressed concern over the lack of grassroots support from the local Jewish community and reaffirmed that, regardless of the school's strengths, the law prohibits approval of a sectarian charter school.

Damon Gardenhire moved to deny the application for the reasons stated by Board staff and counsel. Superintendent Fields seconded the motion.

The motion carried with the following votes:

David Rutkauskas – Yes
Brian Shellem – Yes
Superintendent Fields – Yes
Bill Pearson – Yes
Kitty Campbell – Yes
Jared Buswell – Yes
Britni Tomcho – Yes
Amber Hidy - Absent
Damon Gardenhire – Yes

- f. (Action) Discussion and possible action regarding legal counsel through 74 O.S. § 20i (Title 74. State Government §74-20i. Contracting for legal representation by private attorneys – Approval by Attorney General – Report)

The Board discussed pursuing independent legal counsel under Title 74 §20i in anticipation of potential litigation related to the Ben Gamla Jewish Charter School matter. Brian Shellem expressed concern about potential political conflicts with representation through the Attorney General's Office, emphasizing the request was not a reflection on current counsel. Dr. Wilkinson outlined the statutory process and Attorney General approval requirements, while Counsel Schneider highlighted proposal language, prior Board use of the process, and Open Meeting Act considerations. Jared Buswell, David Rutkauskas, and Bill Pearson voiced support for independent counsel, citing the likelihood of litigation and potential political complications. Mr. Shellem clarified the request would be limited to representation pertaining to the National Ben Gamla Jewish Charter School Foundation, Inc.

Damon Gardenhire moved to authorize the Board Chair and Executive Director to identify and present potential attorneys or firms for Board approval, and David Rutkauskas seconded the motion. Jared Buswell offered an amendment clarifying that the authorization would be limited to matters related to Ben Gamla Jewish Charter School and would not be open-ended, which Mr. Gardenhire accepted.

The motion carried with the following votes:

- David Rutkauskas – Yes
- Brian Shellem – Yes
- Superintendent Fields– Yes
- Bill Pearson – Yes
- Kitty Campbell – Yes
- Jared Buswell – Yes
- Britni Tomcho – Yes
- Amber Hidy - Absent
- Damon Gardenhire – Yes

10. New Business

Discussion and possible action of any item that could not have been known or reasonably foreseen prior to time of posting agenda (As defined in Oklahoma Statutes Title 25, Section 311 (A)(9)).

There was no new business.

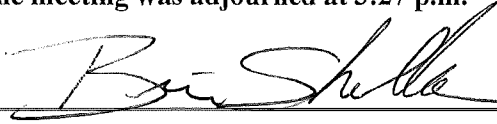
11. Adjournment

Jared Buswell made a motion to adjourn the meeting. Damon Gardenhire seconded the motion. The motion carried with the following votes:

- Amber Hidy - Absent
- Britni Tomcho – Yes
- Bill Pearson – Yes
- Superintendent Fields– Yes
- Damon Gardenhire – Yes
- Brian Shellem – Yes
- Kitty Campbell – Yes
- Jared Buswell – Yes
- David Rutkauskas – Yes

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The meeting was adjourned at 3:27 p.m.

A handwritten signature in cursive script, appearing to read "Brian Shellem", written over a horizontal line.

Brian Shellem, Chairman of the Board

A handwritten signature in cursive script, appearing to read "Merin Gracey", written over a horizontal line.

Merin Gracey, Interim Secretary of the Board

ATTACHMENT:

OTHER GENERAL PUBLIC IN ATTENDANCE

**STATEWIDE VIRTUAL CHARTER SCHOOL BOARD
 REGULAR MEETING - FEBRUARY 9, 2026**

Meeting Sign-In

Please PRINT Name	Business - School - Agency	Address
Tammy Shepherd	ESJCA	Battlesville
Dan Martin	self	OKC
Christopher Johnston	Self	OKC
Beth Wallis	State Impact Oklahoma	OKC
Nick Mykhalo	Norman	Norman
Audra Plummer	OVCA	MWC
Jennifer Pace	ISOK	MWC
LaTonia Mook	VPS	OKC
Eric Rehn	VPA	OKC
RARRY SCHMELZENBACH	OPCSA	OKC
ALISON GRIPPIN	TFCU	OKC
Jason Boyle	BETA	OKC
Courtney Colbert	BETA	OKC
Jennifer Wilkinson	ISOK	MWC
Samaya Williams	VPS	OKC
Brett Karmay	BETA	Karmay
Emre Ozturk	Dave Virtual Academy	Ward Acres