

MARK MCBRIDE

State Representative
District 53

State Capitol, Room 452.1
2300 N. Lincoln Blvd.

Oklahoma City, OK 73105

405-557-7346

mark.mcbride@okhouse.gov



HOUSE of REPRESENTATIVES

State of Oklahoma

COMMITTEES

Chair, Appropriations and Budget on Education
Appropriations and Budget
Business and Commerce
Energy and Natural Resources
Common Education

MEMBER

Capitol Restoration Oversight

ASSISTANT MAJORITY FLOOR LEADER

August 13, 2024

The Honorable Charles McCall
Speaker of the House
2300 North Lincoln Boulevard
Oklahoma City, Oklahoma 73105

Dear Speaker McCall,

I am writing you to express my concerns about the current actions of State Superintendent Ryan Walters and the Oklahoma State Department of Education.

Serving as the Chairman of the Appropriations and Budget Subcommittee on Education has been truly one of the greatest honors of my life. I am grateful for the confidence you have placed in me as I have served in this position. I have taken the responsibility that comes with my Chairmanship very seriously. I believe that if you were to ask any of the agencies whose budget and performance fall under the jurisdiction of my Committee, they would tell you I try my utmost to be fair, accommodating, and always perform my duties with the best interests of the people of the State of Oklahoma in mind. In return that is all I have asked from those agencies.

Since Superintendent Walters took office 18 months ago, I have grown increasingly concerned about the budget performance, spending priorities, and transparency surrounding the Department. Conditions at the Department, the manner in which the Superintendent and the Board of Education have treated members of the Legislature from both parties and from both the House of Representatives and the State Senate has been, to say the least, unprofessional, beneath the dignity of a statewide elected official, and most importantly, contrary to the best interest of the taxpayers and students of the State of Oklahoma.

Below is a non-exhaustive list of *recent* actions from the Superintendent and the State Board of Education that I find alarming:

1. He/They have denied entry to Executive Sessions of the Board of Education to members of my Committee, as well as members from my companion Committee in the State Senate. This denial is in direct violation of Section 310 of Title 25.
<https://nondoc.com/2024/07/31/disappointing-state-board-of-education-denies-3-lawmakers-attendance-in-executive-session/>
2. Refusal or significant delays in answering inquiries from this Committee and from Senator Pugh, who chairs the companion Committee in the State Senate. You are well aware of the long-

standing issues of responsiveness by Superintendent Walters and the Department – this unresponsiveness required the issuance of *two* legislative subpoenas under your signature. (<https://kfor.com/news/osde-attempts-to-deprive-schools-of-rollover-funds-for-safety-security-enhancements-despite-previously-promising-them/>)

3. Failure to comply with legislative budgetary directives as set forth in policy and in the General Appropriations Bill regarding the administration of School Security Dollars.

(<https://kfor.com/news/osde-attempts-to-deprive-schools-of-rollover-funds-for-safety-security-enhancements-despite-previously-promising-them/>)

4. Failure to turn over complete information surrounding the expenditure of state funds for travel. Members of the press have received more complete information from the Office of Management and Enterprise Services than members of the House Appropriations and Budget Subcommittee on Education. (<https://kfor.com/news/local/lawmaker-calls-for-ag-to-investigate-whether-osde-violated-open-records-act/>)

5. Failed to fill in a timely manner numerous requests for records as required by the Open Records Act, which resulted in the Attorney General threatening civil and criminal action for such failure. (<https://nondoc.com/2024/08/12/ryan-walters-open-records-issues-draw-gentner-drummond-letter/>)

6. Defied the Legislature's appropriations authority by refusing to execute required funding for critical asthma inhalers. Such defiance has resulted in the Superintendent blaming legislative leaders, including Senate Appropriations Committee Chairman Senator Chuck Hall.

(<https://www.oklahoman.com/story/news/politics/government/2024/08/12/oklahoma-state-department-education-asthma-inhaler-funds/74721783007/>)

These are issues that have arisen since the Legislature adjourned *Sine Die* on May 30 of this year and are in addition to the ongoing concerns I have regarding the application and distribution of federal grant money, violations of the Administrative Procedures Act by promulgating administrative rules absent explicit statutory authority. The latter resulted in a *unanimous* opinion by the State Supreme Court, finding that Superintendent Walters and the State Board of Education “*is attempting to exercise unauthorized quasi-judicial authority in enforcement proceedings before the Board that involve the Edmond School District...*”. The High Court's ruling resulted in administrative actions of the Board of Education being invalidated.

This pattern of overreach, disregard for legislative oversight and policy making, and lack of concern for student safety and budgetary stability led me to write this letter asking you to establish a *Special Investigative Committee on the State Department of Education*, whose responsibility is to investigate to the fullest the internal and external failures of the Superintendent and State Board of Education to follow the law, to address budgetary concerns of the Constitutionally established appropriators, and to make recommendations to the Legislature for the upcoming session regarding safeguards, reforms, and additionally, investigate any possible willful neglect of duty or incompetency on the part of Superintendent Walters as described in Article 8 Section 1 of the Oklahoma Constitution.

It saddens me that I must make such a request of you. However, I believe that all other remedies have been exhausted. I hear daily from constituents from my district and taxpayers from across the state pleading for this body to take action and hold the Superintendent and the State Board of Education accountable for their rogue behavior.

I have repeatedly met one-on-one with the Superintendent, where I pled with him to please focus on the responsibilities and duties of his office, and work *with* the Legislature to improve and advance the cause of Public Education in Oklahoma. These pleas have fallen on deaf ears and the Superintendent has chosen to pursue an aggressively opposite path, one filled with name-calling, obstruction, defiance, and secrecy.

Thank you for your time and consideration of my request. I look forward to hearing your response and am available for further discussion should you believe it necessary.

Sincerely,



Representative Mark McBride
DISTRICT 53
Chair, A & B Subcommittee on Education

Representative Rhonda Baker, Chair, Common Education Committee and Member, A & B Subcommittee on Education
Representative Mark Vancuren, Vice Chair, Common Education Committee and Member, Higher Education and Career Tech
Representative Ronny Johns, Member, A & B Subcommittee on Education, & Higher Education & Career Tech Committees
Representative Tammy West, Member, Common Education Committee
Representative Danny Sterling, Member, Common Education Committee
Representative Jeff Boatman, Member, A & B Subcommittee on Education
Representative Mike Osburn, Member, A & B Subcommittee on Education
Representative Daniel Pae, Member, Higher Education & Career Tech Committee
Representative John Talley, Member, Higher Education and Career Tech Committee
Representative Marcus McEntire
Representative Ty Burn
Representative Eddy Dempsey
Representative Nick Archer
Representative John George
Representative Preston Stinson
Representative T.J. Marti

P.S. I have provided the opportunity for other members of *our* Republican Caucus to add their names to this letter as a demonstration of the broad-based support that exists among our members to commence immediately with a formal investigation.