

## MINUTES



Kansas State Board of Education

Tuesday, June 14, 2022

**CALL TO ORDER**

Chairman Jim Porter called the monthly meeting of the Kansas State Board of Education to order at 10:00 a.m. Tuesday, June 14, 2022, in the Board Room of the Landon State Office Building, 900 SW Jackson St., Topeka, Kansas.

(00:09:09)

**ROLL CALL**

All Board members were present:

Betty Arnold	Ben Jones
Jean Clifford	Ann Mah
Michelle Dombrosky	Jim McNiece
Melanie Haas	Jim Porter
Deena Horst	Janet Waugh

**STATE BOARD MISSION STATEMENT, MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**

Chairman Porter read both the Board's Mission Statement and Kansans Can Vision Statement. He then asked for a moment of silence after which the Pledge of Allegiance was recited.

**APPROVAL OF AGENDA**

Chairman Porter asked to vote on consent agenda items c, d, e, f, g, i, j, and k separately. Dr. Horst moved to approve the day's agenda as amended. Mrs. Haas seconded. Motion carried 9-0. Ben Jones was not present in the meeting at this time.

**MOTION**  
(00:10:53)**APPROVAL OF THE MAY 10 AND 11 MEETING MINUTES**

Mrs. Clifford moved to approve the minutes of the May 10 and 11 regular Board meeting. Dr. Horst seconded. Motion carried 9-0. Ben Jones was not present in the meeting at this time.

**MOTION**  
(00:12:09)**COMMISSIONER'S REPORT**

Dr. Randy Watson started his monthly presentation by informing Board members that thirty-three new superintendents will plan to meet them on June 15. The new superintendents have never served in a superintendency position previously. Dr. Watson then discussed the identified keys to a success district which consisted of having knowledge of the eight outcomes the State Board outlined, planning and implementing the process, execution of your plan and lastly, the measurement **against** the outcomes. He then focused on raising the academic rigor. This led into a discussion for the Kansans CAN Star Recognition program, which is a program that recognizes the quantitative and qualitative measures (for recognition in the qualitative measures—districts must apply).

(00:12:35)

Dr. Watson then covered the current success we are seeing with the 2022 Sunflower Summer program. As of June 14, the program has served 28,726 individuals (15,985 children and 12,741 adults; this is a duplicate count, some families may have visited multiple sites). 95 out of 105 counties in our state have participated in the program (90 percent). 89 percent of statewide participating venue sites have seen visitors from the 2022 Sunflower Summer program.

Dr. Watson wrapped up his monthly presentation by covering information on the current educator shortage; we may see the most severe the educator shortage in our history in the fall of 2022. Permanent solutions may be recommended to the State Board by the Teacher Vacancy and Supply committee and the Profession Standards Board in December 2022.

**CITIZENS' OPEN FORUM**

Chairman Porter declared the Citizens' Forum open at 10:29 a.m. There were no speakers this month. Chairman Porter declared the Citizens' Forum closed at 10:31 a.m.

(00:38:58)

**ACTION ON ESSER EXPENDITURE PLANS FOR USE OF FEDERAL COVID-19 RELIEF FUNDS**

Assistant Director Tate Toedman reported on the most recent ESSER Task Force recommendations, which included 16 ESSER II change requests. Chairman Porter recommended to the State Board that they vote on the ESSER II change requests separately from the ESSER III applications. Mr. Jones moved to accept the recommendations of the Commissioner's Task Force on ESSER and EANS Distribution of Money and approve the public school district ESSER II change requests as presented for use of federal COVID-19 relief funds. Dr. Horst seconded. Motion carried 9-0-1 with Mrs. Dombrosky abstaining. Mr. Toedman noted that seven district applications conditionally approved in previous State Board meetings have been resubmitted with complete narratives. The KSDE review team is waiting for ten districts to complete their district narratives. The ESSER III expenditure plans for consideration this month were from a variety of small and large school districts but their primarily needs were identified as teaching and learning. Mr. Jones moved to accept the recommendations of the Commissioner's Task Force on ESSER and EANS Distribution of Money and approve the public school district ESSER III expenditure plans as presented for use of federal COVID-19 relief funds. Mr. McNiece seconded. Motion carried 9-0-1 with Mrs. Dombrosky abstaining.

(00:41:15)

**MOTION**  
(00:48:06)

**MOTION**  
(01:05:55)

**UPDATE ON MENTAL HEALTH INTERVENTION TEAM PROGRAM**

John Calvert, Director of Safe and Secure Schools unit, provided a brief update to the Board for the Mental Health Intervention Team (MHIT) Pilot Program since it started in 2018, and highlight the accomplishments and hurdles that have been faced. The program is now is 55 school districts, with 126 liaisons. The legislature recently passed HB 2567 to provide \$10.5 million to school districts for Mental Health grants in FY2023. An additional \$3 million was set aside for a third-party entity to conduct a study of effectiveness of the MHIT pilot program and suggest improvements, as well as expand the program.

(01:06:44)

Members took a break until 11:43 a.m.

**BREAK**

**RECEIVE RECOMMENDATIONS ON FINANCIAL LITERACY STANDARDS**

Helen Swanson, an Education Program Consultant and Nathan McAlister, Humanities Program Manager both from the Career Standards and Assessments Services team at the department, provided an update to the Board on the Financial Literacy Standards that are in place. Ms. Swanson and Mr. McAlister reviewed the previous standards and gave a brief summary for the recommended updated financial literacy standards. The data shown throughout their presentation focused on grades K-8. The 2021 standards replace previous separate standards from both organizations, including National Standards in K-12 Personal Finance Education which were adopted by the Kansas State Department of Education. A group of Kansas teachers, higher education specialists, and professional organizations from across the state came together to create a new crosswalk document, teacher resources and plan for future professional development opportunities. Grade band crosswalk and teacher resource guide will be shared.

(01:52:50)

Chair Porter recessed the meeting for lunch at 12:03 a.m.

**LUNCH**

**DISCUSSION OF GRADUATION REQUIREMENTS TASK FORCE RECOMMENDATIONS**

Mr. McNiece provided a brief overview of the recommendations from the Graduation Requirements Task Force received by the Board in May. Board members then had an in-depth discussion regarding the recommendations. Their discussions focused on the individual plans of study (IPS), math requirements, the arts and financial literacy. Commissioner Watson noted the next steps for the task force recommendations to the board, which will include a formal recommendation from the task force, review and adopt language for regulations.

**P.M. SESSION**  
(03:39:17)

**ACT ON ACCREDITATION REVIEW COUNCIL'S KANSAS EDUCATION SYSTEM ACCREDITATION (KESA) RECOMMENDATIONS**

During the State Board meeting in May, Jay Scott presented information on twenty-two (2) systems that were ready for review of an accredited status recommendation. The twenty-two systems presented to the Board for accredited status were USD 108 Washington County, USD 207 Ft. Leavenworth, USD 212 Northern Valley, USD 227 Hodgeman County Schools, USD 268 Cheney, USD 272 Waconda, USD 320 Wamego, USD 348 Baldwin City, USD 380 Vermillion, USD 395 La-Crosse, USD 417 Morris County, USD 430 South Brown County, USD 434 Santa Fe Trail, USD 440 Halstead, USD 452 Stanton County, USD 457 Garden City, USD 458 Basehor-Linwood, USD 459 Bucklin, USD 498 Valley Heights, Z0029-9897 Resurrection Catholic School, Z0029-8999 St. James Academy and Holy Spirit Catholic School. Jay Scott brought these twenty-two systems back to the Board for action. Mr. Jones made a motion to accept the recommendations of the Accreditation Review Council and award the status of accredited to the twenty-two systems as presented. Dr. Horst seconded. Motion carried 10-0.

(04:41:59)

**MOTION**  
(04:47:53)

Z0029-8999 St. James Academy was included in the original motion made by Mr. Jones, but was later found to be a clerical error. Mr. Jones made a motion to modify the previous motion, to remove Z0029-8999 St. James Academy from his original motion due to a clerical error. Dr. Horst seconded. Motion carried 10-0.

**MOTION**  
(05:34:08)

**RECEIVE ACCREDITATION REVIEW COUNCIL RECOMMENDATIONS FOR KANSAS EDUCATION SYSTEM ACCREDITATION (KESA)**

The Accreditation Review Council (ARC) has recommended an accreditation status for the next twenty-nine systems awaiting recommendation. Executive summaries, accountability reports and other narratives were provided to Board members for the twenty-eight public systems and two private systems. The ARC considers compliance and foundational structures to support a five-year process of continuous improvement. Board members will act on the ARC recommendations in July. The systems that were received by the Board in June were USD 217 Rolla, USD 218 Elkhart, USD 225 Fowler, USD 251 North Lyon County, USD 254 Barber County North, USD 257 Iola, USD 281 Graham County, USD 285 Cedar Vale, USD 286 Chautauqua County Community, USD 321 Kaw Valley, USD 325 Phillipsburg, USD 352 Goodland, USD 357 Belle Plaine, USD 371 Montezuma, USD 372 Silver Lake, USD 374 Sublette, USD 384 Blue Valley, USD 394 Rose Hill, USD 404 Riverton, USD 405 Lyons, USD 411 Goessel, USD 415 Hiawatha, USD 421 Lyndon, USD 426 Pike Valley, USD 429 Troy, USD 461 Neodesha, USD 493 Columbus, Hayden Z0029-8572 and Wichita Diocese Z0031.

(04:49:46)

The Board may also receive two systems that are recommended for conditional accreditation.

**CYBERSECURITY UPDATE**

As requested by the State Board, Kathi Grossenbacher, Director, and Kyle Lord, Assistant Director of Information Technology at the Kansas State Department of Education provided a cybersecurity

(04:52:27)

update. The information consisted of providing the results of a recent K-12 District Technology Survey of USDs that was collected in May 2022 to identify their most critical information technology needs. Survey data assists IT staff in determining current activities and the next steps to prioritize professional development opportunities as the launch for the Kansas K-12 Technology Council begins. Immediately following the presentation on cybersecurity, Board members asked a series of questions. An in-depth discussion took place.

Members took a 10-minute break until 3:25 p.m.

**ACTION ON RECOMMENDATIONS OF THE PROFESSIONAL PRACTICES COMMISSION**

(05:35:35)

Professional Practices Commission Chair Jennifer Holt attended the meeting virtually to review current cases presented for action. She summarized the situations and answered questions. Dr. Horst moved to adopt the findings of fact and conclusions of law of the Professional Practices Commission and follow all recommendations in the issuance of the license in case 22-PPC-05. Mrs. Haas seconded. Motion carried 10-0.  
Next, Chairman Porter moved to deny the licensure application in case 22-PPC-01. Mrs. Haas seconded. Motion carried 10-0.

**MOTION**  
(05:36:20)

**MOTION**  
(05:37:50)

**RECEIVE PROPOSED AMENDMENTS TO EMERGENCY SAFETY INTERVENTION REGULATIONS**

(05:38:24)

Scott Gordon, General Counsel of the Kansas State Department of Education, In November, 2018, the Special Education Advisory Counsel (SEAC) requested that the Kansas State Board of Education clarify and, if necessary, amend the definition of "seclusion" within the current ESI regulations. A group of stakeholders agreed upon proposed changes to the definition of seclusion, and SEAC approved those changes at its January, 2019 meeting. Kansas State Department of Education presented proposed changes to the listed regulations in 2019 and the State Board approved the submission of those amendments to the Department of Administration and the Office of the Attorney General for review.

During the formal review process, enough significant changes to those proposed amendments have been made to warrant additional approval by the State Board to continue the regulatory adoption process with the revised language. Department staff believe the revised language better accomplishes the goals of the original amendments. KSDE's General Counsel has been involved with the amendment process since 2019 and will be available to explain the proposed language as well as answer any questions. Information regarding specific proposed amendments can be found in this month's meeting materials found on the KSDE website.

**ACTION ON CONSENT AGENDA**

**MOTION**  
(05:48:14)

Mr. Jones moved to approve Consent Agenda items 19 a, b, h, l, m, n, o, p, q and with the addition of naming Barbara Hughes as the Board Secretary. Dr. Horst seconded. Motion carried 10-0. In this action, the Board:

- received the monthly Personnel Report for May.
- confirmed the unclassified personnel appointments of Tristen Cook to the position of Technology Support Consultant on the Information Technology team, effective May 1, 2022, at an annual salary of \$41,475.20; Meg Gammage to the position of Accountant on the Fiscal Services and Operations team, effective May 1, 2022, at an annual salary of \$46,636.20; Kristy Cotton to the position of Education Program Consultant on the Early Childhood team, effective May 1, 2022, at an annual salary of \$56,118.40; Andy Ewing to the position of Education Program Consultant on the Career, Standards and Assessment Services team, effective May 18, 2022, at an annual salary of \$56,118.40; Peggy Hill to the position of Administrative Spe-

- cialist on the Fiscal Auditing team, effective May 29, 2022, at an annual salary of \$36,504.00.
- approved the educator licensure fees for 2022-23.
- authorized USD 394 Rose Hill to hold an election on the question of issuing bonds in excess of the district's general bond debt limitation.
- authorized USD 394 Rose Hill to receive capital improvement (bond and interest) state aid as authorized by law.
- authorized USD 368 Paola to hold an election on the question of issuing bonds in excess of the district's general bond debt limitation.
- authorized USD 368 Paola to receive capital improvement (bond and interest) state aid as authorized by law.
- authorized USD 293 Quinter to hold an election on the question of issuing bonds in excess of the district's general bond debt limitation.
- authorized USD 293 Quinter to receive capital improvement (bond and interest) state aid as authorized by law.
- appointed Barbara Hughes as Board Secretary.

**SEPARATE ACTION ON CONSENT AGENDA**

At the beginning of the meeting, Chairman Porter asked to vote consent items 19 c, d, e, f, g, i, j, k, r and s as one group, but separate from the other submissions. As Makayla Auldridge was listing off the items to be voted on in this motion, it was stated that h was included into this motion. Consent agenda item h was included in the last motion, and was a clerical error. Dr. Horst moved to approve consent agenda items 19 c, d, e, f, g, i, j, k, r and s. Mrs. Haas seconded. Motion carried 9-1 with Mrs. Dombrosky in opposition. In this action, the Board:

- authorized the Commissioner of Education to enter into a contract amendment with the Achievement and Assessment Institute at the University of Kansas to administer, score, and report a voluntary reading assessment for grade 2 students. The contract amendment will be effective from July 1, 2022 through June 30, 2025. The amount of the contract amendment shall not exceed \$500,000.
- authorize the Commissioner of Education to enter into a contract with the recommended vendor resulting from the bidding process required by the Department of Administration and Division of Purchasing for the purpose of providing a proposal to develop focused interim assessment blocks that will measure mastery of specific content immediately following instruction in grades 3 – 8 in math and English language arts. The contract amount shall not to exceed two million dollars through June 30, 2025.
- approved USD 106 Western Plains and USD 297 St. Francis to operate Preschool-Aged At-Risk programs for 2022-2023. In districts operating approved programs, 3 and 4-year-old students who meet an at-risk criterion for the Preschool Aged At-Risk program and who are enrolled and attending a program that meets all of the Preschool-Aged At-Risk program requirements on Count Day will automatically count as a ½ student (0.5 FTE) in calculating a district's enrollment and accompanying weightings.

**MOTION**  
(05:49:40)

- approved the change of the fiscal agent for the 2022-2023 USD 352 Goodland Kansas Pre-school Pilot grant to D0602 Northwest Kansas Educational Service Center.
- authorized the Commissioner of Education to enter into a contract with the Kansas Association of Independent and Religious Schools for the reimbursement of funds for professional development of non-public school teachers and leaders, in an amount not to exceed \$50,000.00.
- approved the recommendations for continued funding of Kansas 21st Century Community Learning Centers Grants for 2022-2023.
- approved the recommendations for funding New Kansas 21st Century Community Learning Centers Grants for 2022-2023.
- authorized the Commissioner of Education to enter into a contract with the recommended vendor resulting from the bidding process required by the Department of Administration and Division of Purchasing for the purpose of providing a math program required in HB 2567.
- authorize the Commissioner of Education to publish a Request for Proposal and enter into a contract with chosen vendor (s) for the purpose of upgrading KSDE student data collection, database and reporting infrastructure, and processes. The contract would be from date of award through December 31, 2027, in an amount not to exceed \$5,575,000.
- approve the proposed IDEA Title VI-B Special Education Targeted Improvement Plan grants.

After this motion was made and approved by the Board (9-1), further discussion took place regarding consent agenda item k.

**REVIEW OF THE KANSAS SAFE AND SECURE SCHOOLS PROGRAM**

(06:00:17)

John Calvert, Director and Jim Green, School Safety Specialist of the Safe and Secure Schools Unit at KSDE provided a brief overview of how their unit assists school districts to ensure the safety of students and staff. The legislature recently passed HB 2567 to provide a total of \$5 million to school districts for School Safety and Security grants in FY2023 [\$4 million (state funds) plus \$1 million (Federal COVID Relief Funds)]. These grant funds are a \$1 to \$1 match and project oriented. It will allow school districts to use these grant funds for wages and salaries for newly created school resource officer positions, in addition to existing allowable purposes. As of June 14, 2022, 139 school districts have applied for this grant with over \$10 million requested.

Board members asked questions during this time.

**DISCUSSION OF BUDGET RECOMMENDATIONS TO THE GOVERNOR**

(06:23:08)

Dr. Neuenswander reviewed the process for the Board to consider possible options for education state aid programs. He provided historical timelines of money budgeted in various categories, including past changes in the BASE (Base Aid for Student Excellence). The current discussions would affect Fiscal Year 2024. Some categories are addressed in Kansas Statute, such as capital outlay state aid and special education state aid. He answered questions throughout the presentation. Dr. Neuenswander continued to give specifics on each category and various budget options. Board action on final budget recommendations is anticipated at the July meeting. This will allow KSDE staff adequate time to prepare the FY 2024 agency budget for submission to the Division of the Budget in September.

**CHAIRMAN'S REPORT**

**Action on Board Travel —**

Mrs. Clifford, Dr. Horst and Mrs. Haas had additional travel requests to submit during this time. Mrs. Clifford moved to approve the travel requests and updates. Mr. Jones seconded. Motion carried 10-0.

(06:59:30)

**Committee Reports —**

Updates were given on the following:

- Policy Committee (Mrs. Clifford) — The Board's Policy Committee met during the lunch break at the June meeting to confirm the changes from the April meeting and review the next section.
- Student Voice Committee (Mrs. Mah) - Barbara Hughes sent out a list of upcoming students events to the Board and Ann Mah encouraged Board members to attend if they are available.
- Kansas Advisory Council for Indigenous Education Working Group (KACIE-WG) (Mrs. Mah) - The working group is scheduled to have their first meeting on Wednesday, June 29. Most of the members have been selected and have accepted their appointments to the group. Mrs. Mah will have additional information to share during the July Board meeting.

**Board Attorney's Report —**

Board Attorney Mark Ferguson indicated that he has been approached to discuss a particular bill and Mark Ferguson recommended an executive session for the Board in the near future to discuss pending litigation.

**Requests for Future Agenda Items —**

- Mr. Porter would like to hear more information on a recent study of the postsecondary success of students (referenced the Shawnee Mission School District, USD 512) who scored a level 2 on the state assessments; potentially reevaluating where cut scores are.

**REVIEW AND APPROVE THE NEGOTIATED AGREEMENT FOR THE KANSAS SCHOOL FOR THE DEAF**

(07:10:14)

Mark Ferguson, Board Attorney for the Kansas State Board of Education asked the State Board to review and approve the Negotiated Agreement for the Kansas School for the Deaf. The professional agreement will be from August 1, 2022 through July 31, 2024. Mrs. Haas made a motion to suspend board policy (Section Governance Policy, 1003; page 3 of Board Policy booklet). Mrs. Dombrosky seconded. Motion carried 10-0.

**MOTION**

Mrs. Dombrosky then made a motion to approve the Negotiated Agreement for the Kansas School for the Deaf. Motion carried 10-0.

(07:12:19)

**MOTION**

(07:12:40)

**RECESS**

The meeting recessed at 5:15 p.m. until 9 a.m. Wednesday.

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Jim Porter, Chair

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Barbara Hughes, Secretary

## MINUTES



Kansas State Board of Education

Wednesday, June 15, 2022

### CALL TO ORDER

Chairman Jim Porter called the Wednesday meeting of the State Board of Education to order at 9 a.m. on June 15, 2022.

(00:09:59)

### ROLL CALL

All Board members were present:

Betty Arnold	Ben Jones
Jean Clifford	Ann Mah
Michelle Dombrosky	Jim McNiece
Melanie Haas	Jim Porter
Deena Horst	Janet Waugh

### APPROVAL OF AGENDA

Mrs. Haas moved to approve the day's agenda as presented. Mrs. Clifford seconded. Motion carried 10-0.

**MOTION**  
(00:10:22)

### PRESENTATION FROM THE KANSAS MUSIC EDUCATORS ASSOCIATION (KMEA)

KMEA members Kelly Knedler, Gae Phillips, John Taylor and Mark Gard educated Board members about who the group is and why they exist as well as their 2021-2023 Strategic Plan. The Strategic Plan includes ensuring access to music education, student involvement opportunities, professional development, and advocacy. They also shared the importance of the providing All-State ensembles and provided examples of their organization's work over the past year. As part of their advocacy efforts, they stressed their opinion that Arts/Music Education requirements should not be reduced or changed and that school redesign efforts are negatively impacting their ability to form large ensembles within the schools.

(00:10:55)

After the presentation, Chairman Porter and Mr. Jones both expressed their appreciation for the All-State ensembles. Mrs. Dombrosky and Mrs. Haas thanked the KMEA members for their insightful presentation. Mrs. Clifford expressed her support of music education and the lifelong skills she believes it teaches.

### ACT ON EDUCATOR SHORTAGE INFORMATION AND TEACHER LICENSURE DISCUSSION ITEMS

During the April and May State Board of Education meetings, licensure discussed substitute teacher shortage issues and made a recommendations to waive the number of days a substitute teacher may serve in a substitute position. The Kansas State Board of Education waived the number of days a substitute could serve in a substitute position during the 2020-2021 school year and the 2021-2022 school year.

(00:51:54)

It was recommended by the Teacher Licensure and Accreditation team that the Kansas State Board of Education, pursuant to K.A.R. 91-31-34(b)(5)(B), declare a time of emergency whereby any person holding a five-year substitute teaching license OR an emergency substitute teaching license or certifi-

**MOTION**  
(02:15:13)



cate with a baccalaureate degree may teach through June 30, 2023. After being moved by Dr. Horst and seconded by Mrs. Haas, the motion on the table was discussed and clarifications made before the vote. Motion carried 8-2.

Additionally, During the January State Board of Education meeting, the Temporary Emergency Authorized License (TEAL) was approved to allow school district more flexibility to hire substitute teachers. The TEAL license expires on June 1, 2022 and will not be available for use again. The licensure team led discussions during the April and May State Board of Education meetings, which focused on expanding the requirements to qualify for the emergency substitute license. The licensure team recommended the expansion of requirements to include completion of an online substitute training component and verification of hire with a state accredited local education agency.

Mrs. Mah moved that the Kansas State Board of Education modify the qualifications of the emergency substitute license to include high school diploma, completion of an online substitute training component, and verification of hire in a state accredited local education agency and be limited to no more than 15 consecutive days in the same assignment. This provision expires, December 31, 2022. Mrs. Arnold seconded. Motion passed 7-3.

**MOTION**  
(02:21:36)

Mrs. Mah brought forth a third motion to require the Professional Standards Board and Teacher Vacancy and Supply Committee present recommendations for permanent solutions to the substitute supply issues to the October board meeting. Mrs. Haas seconded the motion and the motion carried 9-1.

**MOTION**  
(02:36:01)

There was a break at 11:45 a.m.

**ADJOURNMENT**

Chairman Porter adjourned the meeting at 12:33 p.m.

The next regular meeting for the State Board of Education is July 12 and 13, 2022.

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Jim Porter, Chair

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Barbara Hughes, Secretary