KANSAS STATE BOARD OF EDUCATION Meeting Minutes

January 12, 2010

CALL TO ORDER

Chairman Waugh called the January meeting of the State Board of Education to order at 10:00 a.m., January 12, 2010 in the Board Room of the Kansas Education Building, 120 SE 10th Avenue, Topeka, Kansas.

1/12/10 a.m. session audio archive (00:06:34)

ROLL CALL

Members present were:

John Bacon Kathy Martin
Carolyn L. Wims-Campbell Jana Shaver
Sally Cauble Sue Storm
Walt Chappell Janet Waugh
David Dennis Ken Willard

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

Chairman Waugh read the Mission Statement of the Board and then called for a moment of silence. The moment of silence was followed by the recitation of the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Chairman Waugh indicated that members had a copy of revised item 15 c.., to which two additional school construction plans had been added. She also requested that an executive session to maintain attorney-client privilege be added prior to the NASBE conference call. The session would be to discuss pending litigation. Mrs. Martin moved, with a second by Ms. Storm that the agenda be approved as amended. The motion carried.

(00:08:59)

MOTION (00:10:25)

APPROVAL OF MINUTES

The Chair noted a correction that was needed in the minutes. The vote on the Doug Wright case incorrectly reported Mr. Bacon voting against the motion instead of Mr. Willard. Dr. Chappell asked that the sentence about board members agreeing to drop their subscriptions to **Ed Week** be cut. He stated he and Ms. Storm had both indicated they still wanted to receive the publication. Discussion followed.

(00:10:57)

Mrs. Shaver moved, with a seconds from Mr. Dennis and Mrs. Cauble, that the minutes be approved as corrected. Further discussion followed. The motion carried 9-1, with Chappell voting in opposition.

MOTION (00:15:45)

COMMISSIONER'S REPORT

Interim Commissioner DeBacker shared with the Board a publication produced by the P-20 Council which contained the Council's accomplishments to date. She also shared with the Board a draft of the 2008-2009 accountability report, "Kansas Education Summary". In addition to those reports, Dr. DeBacker handed out a brief summary and reviewed some of the key elements contained in the Kansas Race To The Top (RTTT) grant application. Dr. DeBacker answered questions and provided clarification about RTTT in the discussion that followed. She was asked for a list of the districts that had declined to participate in RTTT. There was a break in the discussion to allow the Citizens' Open Forum to proceed.

(00:16:22)



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MINUTES

CITIZENS' OPEN FORUM

(00:45:05)

Chairman Waugh declared the Citizen's Open Forum open at 10:38 a.m. Shari Wilson, Kansas City, representing the Kansas Association of Conservation and Environmental Education (KACEE) updated the Board on recent and upcoming events; inviting the Board to attend the Green Schools Conference in July; and announcing that applications are now open to schools for waste management grants, with a deadline of February 15, 2010. Sarabeth Farney, a retired educator from Wichita, spoke to the Board requesting it grant Terrance Vick's petition for reconsideration in his licensure case. Steve Iliff, Topeka, and a member of the 2010 Commission, presented the Board with his 2010 Commission Minority Report and shared his belief that there needs to be a comprehensive accounting system for public school districts. Mr. Vick, Grandview, Missouri, spoke on his own behalf requesting that the Board grant his petition for reconsideration. Gordon Schultz, Wichita, spoke on behalf of the Word of Life Traditional School's charter school petition and the charter school law.

Chairman Waugh declared the Open Forum closed at 10:56 a.m.

SPECIAL EDUCATION ADVISORY COUNCIL (SEAC) ANNUAL REPORT

(01:02:39)

Director of Special Education Services, Colleen Riley, asked members of SEAC who were present to introduce themselves. This was followed by SEAC Chairman, Dr. Sean Smith, who highlighted Council activities for 2009-2010. Questions from the Board followed.

BREAK

The Board took a break at 11:16 and the meeting resumed at 11:23 a.m.

(01:22:15)

RECOMMENDATIONS OF THE PROFESSIONAL PRACTICES COMMISSION

(01:30:22)

Mrs. Cauble moved, with a second by Mrs. Martin, that the State Board adopt the findings of fact and conclusions of the Professional Practices Commission and approve the recommendations of the Commission in cases 09-FC-05, Bradly S. Specht, 09-BR-06, USD 308 vs. Kimberly Hoffman, 09-FC-08, Stephen F. Forgy, and 09-FC-09, Darin M. Redeker. The motion carried.

COMMISSIONER'S REPORT (continued)

(01:31:00)

There were further Board comments regarding the RTTT to which Dr. DeBacker briefly responded.

KANSAS ASSOCIATION OF INDEPENDENT AND RELIGIOUS SCHOOLS

MOTION (01:38:39)

At the request of the State Board of Education, Dr. Nick Compagnone, Superintendent of Schools for the Diocese of Salina and President of the Kansas Association for Independent and Religious Schools, presented information to the State Board regarding Quality Performance Accreditation (QPA) and North Central Accreditation (NCA). Consideration of a dual accrediting system was discussed. Commissioner DeBacker indicated that the state would have to change its accountability plan and suggested that the best time to look at any changes would be after reauthorization of the Elementary and Secondary Education Act (ESEA).

LUNCH RECESS The Board recessed for lunch at 12:21 and returned at 1:30 p.m.

REORGANIZATION RECOMMENDATIONS FOR KSSD AND KSSB

1/12/10 p.m. session audio archive (00:00:06)

Commissioner DeBacker handed out copies of and reviewed the recommendations of the Kansas Facilities Closure and Realignment Commission regarding the Kansas State School for the Blind (KSSB) and the Kansas State School for the Deaf (KSSD). She then reviewed her recommendations for combing several administrative functions for the two schools.

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After brief discussion, Ms. Storm moved, with a second by Mrs. Cauble, that the State Board approve implementation of the Commissioner's recommendations regarding reorganization of KSSB and KSSD. They amended their motion to stipulate that the reorganization measures be reviewed at the end of FY 2012 to determine if the changes were working and if new efficiencies might be implemented. Board questions and discussion followed. Commissioner DeBacker, Superintendent Maile and Superintendent Burkindine provided clarification and further explanation regarding details of the plan. The motion carried 7-3, with Bacon, Willard and Chappell voting in opposition.

MOTION (00:11:54)

QUARTERLY UPDATE ON THE KANSAS LEARNING NETWORK

Dr. Julie Ford reported on how the Kansas Learning Network (KLN)has been providing support to the seventeen districts and 32 schools that are receiving KLN services. She was joined in the presentation of activities by Mr. Dean Katt, Ottawa USD 290, Superintendent, and Dr. Darren Dennis, Director of Learning Services, Garden City USD 457 — whose districts are both receiving asistance; Dr. Connie Wehmeyer and Dr. Willie Amison, Implementation Coachs, Cross and Joftus. Dr. Ray Daniels, Cross and Joftus, was also available to respond to questions. In the discussion that followed the presentations, staff was asked to examine the technical assessment reports of the participating schools and districts for any trend data that might be useful.

(00:48:17)

The State Board took a break from 3:42 until 3:52 p.m.

BREAK (02:12:27)

REQUEST FOR DISORGANIZATION OF A DISTRICT AND ATTACHMENT OF TERRITORY

Mrs. Cauble moved, with a second by Mr. Willard, that the State Board approve the petition to disorganize USD 213, West Solomon Valley, and attach its territory to USD 211, Norton Community Schools, effective July 1, 2010. Department Attorney Kevin Ireland explained the options available to districts in such instances. Greg Mann, Superintendent of Norton Community Schools, answered questions from the Board. The motion carried 10-0.

MOTION (02:22:34)

PETITION FOR RECONSIDERATION OF FINAL ORDER DENYING LICENSE

Mr. Ireland explained and answered questions about options for action required of the Board in response to Terrance Vick's petition for reconsideration of its final order denying him an educator license. He also stated he believed just cause existed for denial of the petition.

(02:29:34)

Ms. Storm moved, with a second by Mrs. Wims-Campbell, that the State Board grant Mr. Vick's Petition for Reconsideration. Discussion and additional questions followed. The motion failed on a vote of 4-6. Those voting in opposition were Dennis, Willard, Bacon, Shaver, Waugh and Martin.

MOTION (02:37:56)

Mr. Bacon moved, with a second by Mr. Willard, that the State Board deny Mr. Vick's Petition for Reconsideration. After further discussion of the issue, the motion carried 6-4, with Cauble, Storm, Wims-Campbell and Chappell voting in opposition.

MOTION (03:02:15)

CONSENT AGENDA

Mrs. Wims-Campbell moved, with a second by Mrs. Shaver, that the State Board approve the Consent Agenda, items a-j. The motion carried 9-1, with Chappell voting "no". In the Consent Agenda the State Board:

(03:07:54) **MOTION**

• Received the monthly personnel report.

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- Confirmed the appointments of Amanda Noll to the position of Senior Administrative Assistant on the Title Programs & Services team effective December 13, 2009, at an annual salary of \$28,308.80; Brian Cavner to the position of Applications Developer II on the Information Technology team effective December 14, 2009, at an annual salary of \$46,092.80; and Clydette Johnson to the part-time position of Application Developer II on the Information Technology team effective January 10, 2010, at an annual salary of \$13,988.
- Approved school construction plans for USD 432, Victoria; USD 232, De Soto (2); USD 473, Chapman (3); USD 210, Hugoton; USD 383, Manhattan-Ogden; USD 507, Satanta; USD 480, Liberal; USD 308, Hutchinson Public Schools; USD 235, Uniontown; Central Christian High School, Reno County; USD 262, Valley Center; USD 453, Leavenworth; USD 110, Thunder Ridge Schools; USD 446, Independence; and USD 475, Geary County Schools.
- Approved the in-service education plans for USD 407, Russell County and 602, Northwest Kansas Educational Service Center.
- Accepted the recommendations of the Licensure Review Committee in cases 2625, Tina Stucky; 2627, Tiffany Cole and USD 509 South Haven; 2629, Brandie Waldschmidt and USD 331 Kingman-Norwich; 2630, Mandy Vilchis; 2631, Bobby Waldschmidt and USD 331 Kingman-Norwich; 2632, Vicki Barton and USD 261; 2634, Patrick Talbert; and 2636, Scott Pithan.
- Approved requests for waivers for individuals to serve outside their area of endorsement in districts as follows: Adaptive Special Education: Karl Shklar Jr, D0 605; and Patricia Welborn, D0 608; Adaptive Special Education Extension on the number of days under an emergency substitute license: Wendy Benning, D0 607; and Stanley Seba, D0 713; Agriculture Extension on the number of days under an emergency substitute license: Bradley Weiss, USD 497; Early Childhood Special Education: Heather Cline, D0 605; Functional Special Education Extension on the number of days under an emergency substitute license: Jeffrey Wolfington, USD 453; Gifted: Brenda Cornitius, USD 381; and Debbie Fink, D0 605; and Math: Michelle Werner, USD 307.
- Issued 2010 licenses (from January 1, 2010 to December 31, 2010) to the following recommended commercial driver training schools: A+ Driving School, Inc, Iola; Harder Performance Driving School, Overland Park; NEET Motorcycle Institute, Lawrence; Northeast Kansas Driving School, LLC, Atchison; and Horizon's Driving Academy, Salina.
- Approved an Education Flexibility Partnership waiver for USD 448 Inman for Inman Elementary School.

Contracts Approved:

The State Board authorized the Commissioner of Education to negotiate and:

- amend the contract with Santa Cruz New Teacher Center for the Leadership Mentor/Mentee Training
 Program and support from November 1, 2009 through June 30, 2010 in an amount not to exceed \$15,900;
 and
- enter into a one-year contract with the Southeast Kansas Education Service Center (Greenbush), to serve as the evaluator of the Advanced Placement Incentive Program (APIP) grant, in an amount not to exceed \$25,000.

CONFERENCE CALL CONCERNING THE SEARCH FOR A COMMISSIONER

(03:08:45)

Chairman Waugh informed the Board that Brenda Welburn's plane had been delayed and there might a problem with contacting her for the scheduled conference call with NASBE. Mrs. Welburn was to update the Board on the search for a new Commissioner and discuss next steps. It was decided that the Board would take a break while the Board Secretary attempted to reach Mrs. Welburn. After brief discussion about the search contract, the Board took a break from 4:41 until 5:00 p.m. Attempts to reach Mrs. Welburn made over the next hour before, during and after the scheduled executive session were unsuccessful.



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EXECUTIVE SESSION

Chairman Waugh suggested that the Board go into executive session at 5:05 for 30 minutes and come back into open session at 5:35 p.m. The Board Attorney requested that the Commissioner, Mr. Ireland and Rod Bieker be invited to participate in the discussion. The purpose of the executive session would be for Board consultation with its attorney which would be deemed privileged in the attorney-client relationship in order to protect the privilege in the Board's communication with its attorney on legal matters. Mrs. Cauble so moved, with a second by Ms. Storm. The motion carried 9-0, with Dr. Chappell out of the room. The open meeting resumed in the Board Room at 5:35 p.m. Mrs. Shaver, with a second by Mr. Willard moved to extend the executive session for an additional 10 minutes. The motion carried. The open meeting resumed at 5:45 p.m.

MOTION (03:29:13)

There being no further business, Chairman Wa	RECESS	
Janet Waugh, Chairman	Penny Plamann, Secretary	-



KANSAS STATE BOARD OF EDUCATION MEETING MINUTES JANUARY 13, 2010

CALL TO ORDER

1/13/10 a.m. session audio archive (00:01:45)

Chairman Waugh called the meeting to order at 9:01 a.m. on Wednesday, January 13, 2010, in the Board Room of the Kansas Education Building, 120 SE 10th Avenue, Topeka, Kansas.

ROLL CALL

All members were present:

John Bacon Kathy Martin
Carolyn L. Wims-Campbell Jana Shaver
Sally Cauble Sue Storm
Walt Chappell Janet Waugh
David Dennis Ken Willard

APPROVAL OF THE AGENDA

(00:01:56) **MOTION**

Ms. Storm moved, with a second by Mrs. Cauble that the Board approve the substance of the agenda with the addition of the conference call with NASBE, but that the order be left flexible to accommodate the NASBE call when Mrs. Welburn called in. The motion carried.

BOARD MATTERS - BOARD REPORTS

(00:03:42)

Chairman Waugh shared some information with the Board from a previous commissioner search to give members some idea of what they might want to include in packets sent to applicants.

Legislative Coordinator

(0:05:17)

Ms. Storm reported that she and Mrs. Cauble had met with Senate leadership on Monday and that she and Mr. Willard would be meeting with the Speaker of the House later in the day. These contacts were in addition to the ones Ms. Storm reported on in December. She reported that she had been told that if the revenue levels stay the same as they currently are they would consider it a victory for schools. Board members were also urged to continue to advocate for schools.

COMMISSIONER SEARCH UPDATE FROM NASBE

(00:08:06)

Brenda Welburn, Executive Director of the National Association of State Boards of Education (NASBE) met with the Board via conference call to discuss the current status of the search for a new commissioner of education and to plan the next steps of the process. Concern was expressed that because the focus groups for western Kansas and Wichita were cancelled because of the weather, those parts of the state had not been adequately represented. The Board Secretary was directed to set up focus groups conference calls composed of those who were invited to attend the cancelled Wichita meetings. In addition, all service centers in the state should be asked to participate to share the opinions of their constituencies.

MOTION

(00:45:04)

A discussion of the cost of advertising the position and which media sources to use followed. It was moved by Mrs. Martin, with a second by Ms. Storm, that NASBE advertise the position online in *Education Week* as well as online with the American Association of School Administrators and on the Kansas State Department of Education website and other websites to which NASBE has access. The motion carried 10-0. In addition, NASBE will conduct outreach to all chief state school officers, deputies, all Kansas school districts, national education organizations and state organizations representing superintendents.

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A discussion followed about the questions the Board would like included in the packet sent to those interested in applying for the position. It was agreed that Chairman Waugh would appoint a committee to work with NASBE on the wording of the questions as well as the advertising. Mrs. Martin requested that the Board be given the names of all who apply for the commissioner position.

It was agreed that NASBE would begin advertising for the commissioner position January 25th; application review will take place in a special meeting in executive session on March 8th with interviews conducted the week of March 15th. It was the Board's intent to have a commissioner selected by March 31st. There was discussion about logistics for the March 8th meeting, with several Board members requesting that NASBE provide a set of the applications to be reviewed for each Board member.

CAREER AND TECHNICAL STUDENT ORGANIZATIONS (CTSOS) PRESENTATION

As part of the Annual CTSO Citizenship Day activities, state officers from eight Kansas Career and Technical Student Organizations (CTSOs) met with the State Board. Ashley Shahan, Kansas Health Occupation Students of America State President, and Beck Johnson, Kansas DECA State President, spoke to the Board about leadership and skill development experiences as members of a CTSO.

(01:20:17)

The Board took a break from 10:30 to 10:36 a.m.

BREAK (01:32:15)

Recognition of the Superintendent and Principals of the Year:

The Kansas State Board of Education had the pleasure of hearing from four Kansas administrators who recently received prestigious awards. Dr. Rob Winter, Superintendent of Salina USD 305 had been named the 2010 Superintendent of the Year by the Kansas Association of School Administrators; Mr. Steve Jameson, Principal at Columbus High School, Columbus USD 493, had been named the 2009 MetLife Principal of the Year by the Kansas Association of Secondary School Principals; Mr. Jerry Meier, Principal at Washburn Rural Middle School, Auburn-Washburn USD 437, had been named the 2009 Principal of the Year by the Kansas Association of Middle School Administrators; and Mr. Patrick Duffy, Principal at Hesston Elementary School, Hesston USD 460, had been named the 2009 Kansas Distinguished Principal by the Kansas Association of Elementary School Principals. Each administrator shared initiatives that have made a difference in student achievement in his district or school.

(01:37:59)

BOARD REPORTS

Ad Hoc Committee to Work with NASBE

Chairman Waugh appointed Jana Shaver, as Chair, and Kathy Martin, Ken Willard, Sue Storm and Dave Dennis to an ad hoc committee to work with NASBE on the wording of the questions for applicants, as well as the wording of the online advertising.

Chairman

(02:16:27)

2010 Calendar of Meetings

Mr. Willard moved that the Board dispense with any further discussion of one-day meetings and proceed with approval of the 2010 Calendar a presented, with the addition of the March 8th meeting for commissioner application review. The motion carried.

MOTION (02:18:25)

Board Attorney Ferguson noted that Board members had been provided with his report prior to the meeting. Mrs. Cauble moved, with a second by Mrs. Shaver, that the Board approve payment of the attorney's fees for service and expenses for December as presented. The motion carried after brief discussion.

BOARD ATTORNEY (02:21:38)

APPROVED

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ACT ON BOARD MEMBER TRAVEL REQUESTS

(02:28:54) **MOTION**

MINUTES

Mrs. Shaver asked that her request for attendance at the upcoming KACCTE meeting be corrected to reflect that the meeting was to be in Topeka. Mr. Dennis moved, with a second by Mrs. Martin, that Board member travel requests be approved as corrected. The motion carried.

BOARD REPORTS (CONTINUED)

Other Board Member Reports (02:29:47) Kathy Martin presented information on Religious Freedom Day to be held January 16, 2010. Dave Dennis shared information regarding the RFP for *Project Pass*. Walt Chappell shared information put together by the Kansas Policy Institute, *A Kansas Primer on Education Funding*, with Board members.

Requests for Future Agenda Items There were no requests for future agenda items.

LEGISLATIVE MATTERS

(02:38:44)

Dale M. Dennis, Deputy Commissioner for Fiscal Services, shared a list of committee assignments for the 2010 legislative session which included the House and Senate Education Committees. Mr. Dennis shared a summary of the Governor's education budget recommendations for the Board's review and discussion.

Board member Dennis asked the Deputy Commissioner for his opinion about the accuracy of the conclusions regarding school finance published by the Kansas Policy Institute in the document

which was handed out by Dr. Chappell.

AD]	JOU	JRN	ME	NT
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(02:59:45)

There being no further business, Chairman Waugh declared the meeting adjourned at 11:59 a.m.

Janet Waugh, Chairman	Penny Plamann, Secretary