

KANSAS STATE BOARD OF EDUCATION
Pre-Meeting Activities
October 10, 2005

State Board members spent the afternoon at the University of Kansas School of Education and were presented with an overview of the School's offerings. Participating were Dr. Abrams, Mrs. Gamble, Mrs. Martin, Mrs. Morris, Mrs. Rupe, Mrs. Van Meter, Dr. Wagnon, and Mrs. Waugh. After a bus tour of the campus, the School of Education hosted a dinner for the State Board at the Dole Institute.

Pre-Meeting Activities
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State Board members toured Hillcrest Elementary School. Those who participated were Dr. Abrams, Mrs. Gamble, Mrs. Martin, Mrs. Morris, Mrs. Rupe, Dr. Wagnon and Mrs. Waugh.

MEETING MINUTES
October 11, 2005

CALL TO ORDER

Chairman Abrams called the meeting to order at 10:11 a.m. on Tuesday, October 11, 2005, in the Interactive Technology Center, USD 497 Educational Support & Distribution Center, 110 McDonald Drive, Lawrence, Kansas.

ROLL CALL

Members present were:

Steve Abrams	Carol Rupe
John Bacon	Iris Van Meter
Sue Gamble	Bill Wagnon
Kathy Martin	Janet Waugh
Connie Morris	

Mr. Willard was present by telephone for the first part of the meeting. The Board stood for recitation of the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Chairman Abrams indicated that two items had been added to the agenda: item 3 b., Ratification of the appointment of the Commissioner and the establishment of his salary; and 13 n., Appointment of the Human Resources Director. Mr. Bacon moved, with a second by Mrs. Martin, that the agenda be approved as amended. The motion carried.

RATIFICATION OF THE APPOINTMENT OF THE COMMISSIONER OF EDUCATION

Mr. Bacon moved, with a second by Mrs. Van Meter, that the State Board ratify the appointment of Bob L. Corkins as Commissioner of Education effective October 10, 2005 and establish an annual salary of \$140,000 plus the benefits which were allotted to the previous Commissioner.

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Dr. Wagnon stated that he had wanted to support the Board selection of a commissioner in a display of bipartisanship but was not able to, primarily because of the salary designated for the position. He said he felt Mr. Corkins lacked the experience and qualifications for the job with a salary of \$140,000, which had taken the former Commissioner over a decade to reach. Dr. Wagnon stated he felt it was not justified and a waste of public funds and that he strongly opposed the motion. Mrs. Gamble said she hadn't supported the selection of the commissioner and, therefore, could not approve the salary. Mrs. Waugh indicated she would oppose the motion, because of Mr. Corkins' lack of a background in education which should be a number one priority of the Board. Chairman Abrams responded that the salary range was one the Board had previously agreed to and that it was a difficult job, and the Board expected good performance. The motion carried 6-4, with Mrs. Gamble, Mrs. Rupe, Dr. Wagnon and Mrs. Waugh voting "no".

?APPROVAL OF THE MINUTES

Dr. Wagnon asked that the minutes be corrected to reflect that the education summit he had attended had been in Massachusetts and had been coordinated, not sponsored, by the U.S. Department of Education. Dr. Wagnon moved, with a second by Mr. Bacon, that the minutes of the September meeting be approved as corrected. The motion carried 9-0. Mr. Willard was no longer present by telephone.

COMMISSIONER'S REPORT

Commissioner Corkins thanked Board members for their vote of confidence in ratifying his appointment and establishing his salary and spoke about his intent to work with all members of the Board, even those who had voted in the negative. He briefly reviewed plans for his transition into the position, noting that a transition team would soon be named and provided a few details about its composition. He added that he hoped to make a smooth transition into the position and that he looked forward to serving the children of the State of Kansas. Dr. Wagnon asked for an early report on Mr. Corkins' plans for his transition into the position of Commissioner. Mrs. Gamble indicated she hoped Mr. Corkins would work with all the Board members. She expressed concern about comments she had heard from both Board leadership and Mr. Corkins about a different focus for the Board. She stated that the Board had not voted on a different focus and expressed her hope that no Board members would be kept in the dark.

CITIZENS' OPEN FORUM

Chairman Abrams declared the Citizens' Open Forum open at 10:28 a.m. Those addressing the Board were: Superintendent Sharon Zoellner, representing USD 232, De Soto; Barry Speert, Overland Park; Cindi Tedder, representing the Kansas School Nurses Organization, Olathe; Dr. Joy Koesten, and Dr. Eleanor Lisbon, representing the KU Medical Center Department of Family Medicine, Kansas City; Matthew Buechner, Hume Feldman, and Philip Baringer, Lawrence; Dr. Gregory Mansfield, Leawood; and Kirk Fast, Ozawie. Mrs. Waugh and Dr. Abrams asked for the charts used by Dr. Koesten and Dr. Lisbon and a

summary of their comments. Chairman Abrams declared the citizens' forum closed at 11:02 a.m.

The presentation on the National Governors' Association grant proposal was postponed until after lunch.

The Board took a break from 11:02 to 11:07 a.m.

PRESENTATION BY USD 497, LAWRENCE

Mr. Randy Weseman, Superintendent of the Lawrence School District, thanked the Board for the opportunity to tell them about the district. He shared the district's mission statement which is "Learning for all, whatever it takes!" and what that would mean in the face of the student demographics. He reported that 29% of the students in the district were economically disadvantaged; 15% were students with disabilities; 74% were white; 26% were minority and diverse ethnically; and 4% of students had

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limited English proficiency. To achieve its mission, the district has established a commitment to professional learning communities and ends the school day 90 minutes early on Wednesday to allow for teacher collaboration around four key questions: "What do we expect all students to learn?" "How will we know when they have learned it?" "How will we respond if they haven't learned it?" and "What is our response if they already know it?" A focus on research related to effective instructional strategies and the collection of performance data, and the documentation of interventions and results are an important part of the work done to ensure student success. Dr. Weseman shared some of the successes USD 497 had experienced in reading and math at the elementary level, but noted that challenges remain at the junior and senior high level. He shared some of the strategies that had been implemented in response. Some of them included training of K-8 staff in strategies for educating at-risk students; the addition of reading and math coaches; implementation of a program for struggling readers; addition of after-school and extended learning opportunities; expansion of on-line learning opportunities, implementation of a mentoring program at the high school level, and the implementation of a community discussion of vocational/technical education needs.

In response to a question from Dr. Wagon, Mr. Weseman described the Lawrence business community's involvement in USD 497 schools. He indicated that every school had 1-5 business partnerships and each high school had nearly 20. He also explained the building leadership teams, noting that it was important that the whole building provide an institutional response to students who are not performing. Asked what he thought the Board's expectations should be regarding student performance, Mr. Weseman indicated he would be disappointed if the Board did not have high expectations because they make schools better. He added that the consequences for not achieving the Board's expectations shouldn't be punitive, but should be supportive in helping districts address the needs of struggling students.

REPORT ON NATIONAL GOVERNORS' ASSOCIATION (NGA) GRANT APPLICATION

Deputy Commissioner Posny reviewed the background for the Department's involvement in Phase I and Phase II of National Governors' Association grants for Redesigning the American High School. The grant requests were for a total of \$825,000--\$475,000 for Phase I activities and \$350,000 for Phase II. Dr. Posny reported that the Kansas Department of Education had been asked by the Governor's Office to apply for the

NGA grants which would make funds available to help address the Board's focus on improving high school performance in Kansas.

Because research indicates the importance of school and district leadership in creating a culture for student and faculty success, ongoing, systematic leadership development programs for those currently practicing can be extremely important. In Kansas, Dr. Posny reported, there has been little effort at making sure the preparation programs are informed by the needs of those currently practicing in the field and support the move away from a traditional managerial role to one that focuses on the improvement of student learning. With funds from the grants forums would be established where practicing school and district leaders will work with faculty from the university preparation programs as well as those responsible for the licensing of leaders to recommend changes in the standards used for accrediting preparation programs as well the structure for delivery of effective preparation programs.

Activities under the grant would also address improving Kansas secondary schools to create a 21st century infrastructure to ensure increased student success. Dr. Posny pointed out that postsecondary education providers frequently report that students are unprepared when they enter college or vocational/technical programs, but no statistical profile of students needing remedial coursework is available. By developing an integrated student data system, in cooperation with the higher education

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system in the state, schools, districts, and the state will be provided with student level information which can be used to make better informed decisions, creating a preK-16 student data infrastructure.

Dr. Posny stated that another component of the grants would help with information about the working conditions of high school faculty so that issues of preparation, induction, and support that will lead to improved retention can be addressed.

Part of the grant would fund activities to develop leadership capacity and improve leadership preparation programs. Dr. Posny reported that summer leadership academies would be developed for school and district leaders to ensure their ongoing professional development. Additionally, a group of selected secondary schools will be used as a laboratory for specifically looking at the development of school leadership teams that can change the culture of secondary schools to ensure learning for all.

Dr. Posny reviewed statistics on education attainment, the rigor of the high school curriculum, on-time graduation, and postsecondary attainment, which compared Kansas to the best in the nation. Discussion followed about why only five percent of Kansas students were taking Advanced Placement (AP) exams. Dr. Posny pointed out that rural areas have difficulty offering AP courses. Additionally, she indicated that the strict criteria for participation in Kansas was also a factor. She noted that other states, often through state mandates, were loosening restrictions. The expense associated with AP exams and the need for highly qualified staff were also mentioned as deterrents. Dr. Posny pointed out that information on dual enrollment or automatic early college enrollment had not been considered in the data. Mrs. Gamble remarked that some states, to pay for AP courses, Maryland in particular, were entering into partnerships with businesses who recognized the importance of a highly educated workforce and some even provide mentors to students.

Mr. Bacon asked for more information on states that were loosening their restrictions.? Dr. Abrams asked Dr. Posny, considering the fact that Kansas does well on national achievement measures, if AP courses were needed in Kansas.? She pointed out that Massachusetts, with high AP participation, surpassed Kansas on national tests, and that Texas was making gains.? Dr. Abrams asked for more data on states with higher AP participation and their ranking on national achievement measures.

At noon the Board traveled by bus to West Junior High where they had lunch with student government officers and heard a presentation by Principal Myron Melton about interventions that have been implemented to help students who are not performing well academically.? The Board returned at 1:40 and continued its discussion of the NGA grant.

When the discussion resumed, Mrs. Morris had several questions about why vocational/technical programs were not included. She also asked if there was data anywhere in the grant blueprint that supported the need for coursework in entrepreneurship at the high school level.?? Dr. Posny explained that Phase I and Phase II grants required that college readiness be examined.? She also added that the blueprint only addressed specific questions that were asked in the grant application.? She noted, though, Kansas would not be precluded from pursuing vocational/technical programs or entrepreneurship programs in conjunction with the grant.

In response to a question from Mrs. Rupe, Dr. Posny indicated that additional funds might be available from the Kauffman Foundation for some of the leadership activities under Phase I.? She added that one of the requirements of the NGA grant dealing with the student data system was that the Department of

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Education apply for a \$1.8 million U.S. Department of Education grant.? She noted that if the U.S. DOE grant was unsuccessful, Kansas would not be able to do what was in the NGA grant within any reasonable amount of time.? Mrs. Gamble asked about the relationship between the Kansas K-12 KIDS data system and the longitudinal data system to be developed.? Dr. Posny explained that it would link the KIDS system with postsecondary data systems and that Board of Regents and the Transition Council were fully supportive of the grant.? In further discussion of the pre-K-16 system, Mrs. Morris expressed discomfort with following students over 18 years of age and questioned who owned the information after that age.? How the information would be used to determine the effectiveness of a Kansas secondary education in postsecondary success was discussed.? It was noted that several other states with such systems were able to do follow-up studies to see how well students were performing after high school.

Mrs. Morris also asked about the relationship between the Board and the Governor's Office in relationship to the grant, questioning whether the Governor's Office named as monitor of the grant would circumvent the Board's constitutional authority.? In the discussion about the issue, Dr. Posny explained that the grant had been prepared because it was felt that the activities proposed were part of and would help further implement the Board's strategic directions.? Mr. Bacon explained that he believed the grant went through the Governor's Office because of convenience because of the varied education governance structures across the country.?

Chairman Abrams was concerned that the data appeared to only address students who enrolled in college and neglected other postsecondary options.? Dr. Posny explained that the Kansas proposal was designed to address secondary readiness for postsecondary success, whether in college, vocational/technical programs, or the workforce, but one of the requirements in preparation of the grant application was that, for comparison purposes, states must use Achieve data, which only reflected college enrollment and completion.? Mrs. Gamble asked if the Department wouldn't be using the money for the Board's strategic goal of making secondary education more efficient and responsive to student needs.? She added, with agreement from Mrs. Waugh, that she felt it was important to let the Department know if the Board did not want it to continue with the grant activity.? Dr. Abrams indicated that he felt individual Board members had been given the opportunity to express their opinions and he did not think a motion was necessary to gauge Board support for the grant.

STATE ASSESSMENT RESULTS AND REVIEW OF THE STATE REPORT CARD

2005 Assessment Results

Deputy Commissioner Posny reviewed highlights of the 2005 state assessment results for reading, mathematics, history/government and science.? Annual assessments were given in reading at the 5th, 8th, and 11th grades and mathematics at the 4th, 7th, and 10th grades; biennial assessments in history/ government and science were given at the 6th, 8th, and 11th and 4th, 7th and 10th grades, respectively.? Participation rates, the growth in the percent of students scoring in the top three performance levels by disaggregated groups, growth in assessment scores over the past five years and its effect on the achievement gap were reviewed. ? Dr. Posny reported that the participation rate was still very high and that performance results have continued to increase.? The achievement gap has narrowed significantly at the elementary and middle school levels, but not at the high school level.? The number of highly qualified teachers remains high, but this year, Dr. Posny noted, statistics on classes taught by highly qualified teachers were also reported.?

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Dr. Posny reported that the 2004-2005 year would be the last year that only Title I school improvement status would be reported and that all schools would be added in the future.? She also indicated that because this is the last year of the current form of state assessments, data will not be compatible with next year's assessments.? Dr. Posny reported that because new assessments will be given and new cut scores will have to be established, reports will not be available until December.? Asked what would happen to schools ?on improvement?, Dr. Posny indicated that the status of all schools would carryover to the next year.? Mrs. Gamble asked if enough had been built into the assessment system to move away from a concentration on assessment performance to judging how well teaching strategies are doing.? Dr. Posny said that those taking the computerized assessments will have scores available in the spring, in time to use the data to make such determinations.

In response to statistics showing little growth in math performance by English as a Second Language (ESL) students, particularly at 10th grade, Chairman Abrams asked if there were some schools or districts that were showing better results.? He added that a study profiling schools that are demonstrating successful growth in math performance with ESL students would be helpful.? Mrs. Morris asked that the study also include

information from schools with only one ESL student.

Dr. Posny reviewed AYP (Adequate Yearly Progress) data, noting that assessment results and AYP were not exactly comparable because AYP also included graduation rate and attendance rate. Demonstrating the state report card, Dr. Posny pointed out the forty indicators used to determine AYP. She also reviewed the AYP profile for districts and schools. Chairman Abrams asked that information be added to the State Report Card on schools that had been on improvement who had made AYP for two years and Mrs. Gamble asked for a list that included schools on improvement that were new this year as well as those who had dropped off this year. In addition to reporting on the number of schools meeting the Standard of Excellence, Dr. Posny reviewed assessment plans for 2005-2006. In the discussion that followed Dr. Posny's presentation, Mr. Bacon noted that it might eventually be feasible to use high school assessments as an exit requirement if schools move to a model of learning as the constant with time as a variable. It was requested that Dr. Posny's PowerPoint presentation be sent to Board members.

The Board took a break from 3:21 to 3:30 p.m.

DISCUSSION OF NCLB/QPA STANDARDS IN THE CONTEXT OF SCHOOL FINANCE

As a result of an August presentation to the Board by Senator John Vratil and Attorney General Kline that suggested some issues with NCLB and its integration with QPA in the context of school finance, the Board had requested that Board Attorney Dan Biles, Department General Counsel Rod Bieker, and Deputy Commissioner Alexa Posny study a little more closely what the concerns were and make a presentation to the Board. Mr. Biles reviewed the perceived problems arising from the June 3rd Supreme Court order that had been articulated in August: 1) if the current court-ordered cost study proceeds with the existing accreditation regulations, QPA will become the Constitutional standard and the State Board will be unable to adjust its standards in the future without the blessing of the Court; and 2) any school building's failure to meet the proficiency requirement set by QPA and NCLB would automatically mean that the State would be liable for failing to make suitable provision for financing the educational interests of the state. Mr. Biles reviewed suggested solutions presented by Senator Vratil and Attorney General Kline to 1) establish proficiency percentages as a performance "goal" instead of a performance "standard" to allow more flexibility; or 2) make the proficiency percentage more realistic if requiring mandatory performance standards.

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Mr. Biles reviewed the State Board's constitutional and statutory accreditation authority and pertinent school finance court decisions. Regarding the concern about the current cost study proceeding with the existing accreditation regulations making QPA the constitutional standard and prohibiting future adjustments by the State Board without the blessing of the Court, Mr. Biles referred to the State Board's constitutional self-executing power to establish the means to accredit schools.

His conclusions, based on his review, were that the Board's accreditation standards, while not irrelevant, would not be just one of the determinant factors in any future lawsuit regarding suitable funding; and

outputs, the achievement of measurable performance, would be considered separate and distinct from the State Board's accreditation standards.?

Dr. Posny discussed the lack of commonality in definitions of terms that are used in federal and state law and the state QPA regulations, particularly: performance; performance levels; performance criteria; achievement; achievement standards; academic standards; curriculum standards; content standards; goals; objectives; and outcomes. She pointed out that many of the terms were used to describe different things and agreed, when asked, that consistency at least within the state would be very helpful. Dr. Posny reviewed the requirements of NCLB and QPA, pointing out the commonalities and the differences. She noted the yearly targets the state had established for reaching 100 percent proficiency in NCLB-required content areas by 2014, reiterating that because of new assessments next year and the accompanying need to set new cut scores, there could be no comparison between achievement levels to date and those beginning next year. She also reviewed the sanctions under both NCLB and QPA for schools deemed low performing by the different criteria of each. She pointed out that under QPA no school would be conditionally accredited or loss accreditation based on the performance of any subgroup, as is the case under NCLB.???

The discussion that followed included the suggestion to change the word "standard" in the QPA regulations to "goals" and the potential impact that would have on future court cases. Mr. Biles stated it would not make a difference which term was used if either was a measure of satisfactory or non-satisfactory performance. ??Mr. Biles was also asked about the impact of opting out of NCLB and its potential effect. Mr. Biles stated the Court would look at the incremental improvement required under QPA and other factors. Dr. Wagon stated that he felt that the important factor to consider in the discussion was that Kansas needed to maintain a system of accountability where continuous improvement occurs. Mrs. Martin stated she felt the legislature's concern was that more and more funding will be needed year after year to satisfy the court and that would create an enormous burden on the taxpayers of the state at the expense of other necessary state programs. Mr. Biles was asked about the impact of changing the QPA regulations by eliminating assessments and accrediting schools on inputs. Mr. Biles indicated that if the Board decided to accredit schools based on a method that did not consider performance, the court would look at other performance measures, such as ACT scores.

Mr. Biles concluded by stating that the court will use the criteria of the legislature and the State Board as long as that criteria is seen as legitimately evidencing measures to achieve continuous improvement required by the Constitution. If the criteria are not seen as legitimate evidence of improvement, the Court will look for a measuring stick of improvement from other sources.

Several side issues were also discussed, one of which was the public's perception of what the Board was intending when it sets new cut scores for the standards next year, particularly if it looks like a move

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downward in what is required to be proficient.?? Dr. Posny replied that every time the assessments have been changed a complete break from previous years' performance was required because the data is not comparable. Next year, she noted, would be even more complicated because of the testing that will be

given at every grade from 3rd through 8th.? Assessments are currently based on a grade span, since only three assessments are given in a subject from 3rd to 8th grade.?? Mrs. Martin stated that she felt the current way AYP is determined was impractical and she hoped in the future there would be a way to use a longitudinal growth model which would measure every student, instead of comparing grade levels year to year.? Dr. Posny noted that information regarding the use of the longitudinal growth model, which would be more doable with the full implementation of the KIDS system, was due from the U.S. Department of Education in late November.?

Chairman Abrams recommended that because of the time, the Board skip items 11, presentation on the results of the Principals? Professional Development Survey, and 12, Board Communications Committee recommendations, and proceed directly to the Consent Agenda.? Mrs. Gamble stated ?that because the individual who had staffed the Board Communications Committee would be leaving the agency, she would like to have item 12 on the Wednesday agenda if there was time. ??

CONSENT AGENDA

Mr. Bacon moved, with a second by Mrs. Rupe, that the consent agenda be approved as amended to include item 13 n., Appointment of Human Resources Director. ?The motion carried. In the consent agenda, the State Board:

? Received the monthly personnel report.

? Approved school construction plans for USD 343, Perry Public Schools; St. Patrick's Catholic School, Perry; USD 247, Cherokee; USD 446, Independence; USD 464, Tonganoxie; USD 378, Riley County Schools; USD 465, Winfield; ANW Education Cooperative, Humboldt; Grace Christian Academy, Shawnee; USD 399, Paradise; and USD 440, Halstead.

? Approved renewal of the South Central Kansas Education Service Center Interlocal Agreement (Clearwater).

? Approved requests for waivers for individuals to serve outside their area of endorsement in districts as follows: *Adaptive Special Education*:? Lisa Wolfe, USD 453, Leavenworth; Adrian Bogard, USD 480, Liberal; Jennifer Spencer and Shelley Hewett, USD 490, El Dorado; Don Kossler, USD 437, Auburn Washburn; Sally Hoffsommer-Brecheisen, USD 512, Shawnee Mission; Crista Havey, USD 243, Lebo-Waverly; DeAnna Carter, USD 407, Russell County; *English as a Second Language*: Rodney Gutsch, USD 253, Emporia; *Gifted*: Pamela Snow, USD 497, Lawrence; Susan Nichols, USD 460, Hesston; Joyce Tuckwood and Karen Olsen, USD 262, Valley Center; Marcia Neal, USD 373, Newton; Diana Endicott, USD 234, Fort Scott; and Angela Rietcheck, USD 428, Great Bend; *Interrelated*: John Purvis, Rose Daffron, Lori Minnihan and Tatyana Wilkinson, USD 490, El Dorado; Nancy Hardman, Nancy Deleau and Lisa Goans, USD 497, Lawrence; and Susan Barnes, USD 372, Silver Lake; *Library Media Specialist*: Rajean Stelfox, USD 436, Caney Valley; *Physics*: Amanda Pfeil, USD 325, Phillipsburg; and *Visual Impaired*: Rachel Haydon, USD 497, Lawrence.

? Approved accredited status for USD 231 - Gardner Elementary School.

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? Approved accredited status for schools that piloted the revised QPA system in 2004-2005, as follows: Independence Bible School and Independence Bible School Elementary, Brookridge Day School; USD 105: Atwood Grade School and Atwood High; USD 205: Bluestem High, Bluestem Middle, Bluestem-Leon Elementary, and Bluestem-Haverhill Elementary; USD 208: Keeny Elementary and Trego Community High School; USD 220: Ashland Elementary, Ashland Upper, and Ashland High; USD 229: Leawood Elementary, Oxford Middle School, Leawood Middle School, Lakewood Middle School, Harmony Elementary, Prairie Star Elementary, Overland Trail Elementary, Lakewood Elementary, Mission Trail Elementary, Stilwell Elementary,? Harmony Middle, Prairie Star Middle, Cedar Hills Elementary, Overland Trail Middle, and Sunset Ridge Elementary; USD 233: Heritage Elementary, Briarwood Elementary, Arbor Creek Elementary, Havencroft Elementary, Walnut Grove Elementary, Ridgeview Elementary, Central Elementary, Fairview Elementary, Northview Elementary, Rolling Ridge Elementary, Washington Elementary, Westview Elementary, Heatherstone Elementary, Scarborough Elementary, Regency Place Elementary, Pioneer Trail Jr High, Oregon Trail Jr High, and Santa Fe Trail Jr High; USD 239: Minneapolis Grade School and Minneapolis Jr/Sr High; USD 240: Tescott Elementary, Tescott High, Bennington Elementary, and Bennington High; USD 251: Americas Elementary, Reading Elementary, and Northern Heights; USD 253: Emporia Middle, Emporia High, Lowther North Intermediate, and Lowther South Intermediate; USD 255: South Barber Elementary and South Barber High; USD 257: Jefferson Elementary, LaHarpe Elementary, Lincoln Elementary, McKinley Elementary, and Iola Middle; USD 258: Humboldt Elementary, Humboldt Middle School, and Humboldt High; USD 259: Bryant Core Knowledge Magnet, Earhart Environmental Magnet Elementary, Emerson Open Magnet Elementary, Lewis Open Magnet Elementary, McCollom Elementary, McLean Science & Tech Magnet, O K Elementary, Peterson Elementary, and Riverside Cultural Arts/History Magnet Elem; USD 263: Munson Primary, Mulvane Grade, Mulvane Intermediate, Mulvane Middle, and Mulvane High; USD 267: Colwich Grade, Garden Plain Elementary, Andale High, St. Mark's Elementary, and Garden Plain High; USD 268: Cheney Elementary, Cheney Middle, and Cheney High; USD 270: Plainville High and Plainville Elementary; USD 273: Beloit Jr/Sr High and Beloit Elementary; USD 298: Lincoln Jr/Sr High and Lincoln Elementary; USD 306: Southeast of Salne Elementary and Southeast of Saline High; USD 312: Haven Middle, Haven High and Haven Grade; USD 321: Rossville Jr/Sr High; USD 322: Onaga High and Onaga Grade; USD 327: Ellsworth Elementary, Kanopolis Middle, and Ellsworth High; USD 328: Quivira Heights Elem/Jr High, Wilson High School, and Wilson Jr High School; USD 328: Wilson Elementary and Quivira Heights High School; USD 329: Mill Creek Valley Jr High; USD 335: Jackson Heights Elementary and Jackson Heights High; USD 337: Royal Valley Elementary, Royal Valley Middle, and Royal Valley High; USD 338: Valley Falls Elementary; USD 346: Jayhawk-Linn High, Blue Mound Elementary,? Prescott Elementary, and Mound City Elementary; USD 349: Stafford Elementary and? Stafford Middle/High; USD 350: St. John High, St. John Elementary, and Hudson Middle; USD 353: Kennedy Elementary; USD 356: Kyle Trueblood Elementary, Conway Springs Middle, and Conway Springs High; USD 357: Belle Plaine Elementary; USD 362: Prairie View Middle School, Prairie View High School, Fontana Elementary, LaCygne Elementary, and Parker Elementary; USD 364: Marysville Elementary and Marysville Jr/Sr High; USD 367: Osawatomie High, Trojan Elementary, Osawatomie Middle, and Swenson Early Childhood Education Center; USD 368: Cottonwood Elementary, Hillsdale Elementary, and Sunflower Elementary; USD 372: Silver Lake Jr/Sr High and? Silver Lake Elementary; and USD 373: Eby Learning Center I,

Eby Learning Center II, Newton Elementary, Slate Creek Elementary, South Breeze Elementary, Sunset Elementary, Walton Elementary, Chisholm Middle.

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- ? Approved waiver of K.A.R. 91-31-34(g) - Athletic practice for USD 102, Cimarron-Ensign, to allow Cimarron Jr/Sr High to utilize the physical education curriculum for athletic practice for the 2005-2006 school year, and for USD 488, Axtell, to allow it to utilize the physical education curriculum for junior high athletic practice during the 2005-2006 school year.
- ? Approved the Inservice education plans for USD 207 Fort Leavenworth and USD 444 Little River.
- ? Approved two Ed-Flex waiver requests from USD 273 Beloit and one Ed-Flex waiver request from the Juvenile Justice Authority.
- ? Approved out-of-state hardship applications for the 2005-06 school year for the following students: Sarah Ledesma, Benjamin Alvarado, Cheyenne Ledesma, David Ledesma, Miguel Coronado, Samuel Coronado, and Jonathan Garza (USD 373-Newton); and Breanna Turner (USD 250-Pittsburg).
- ? Approved requests from USD 202, Turner, and USD 258, Humboldt, granting them authority to hold elections on the question of issuing bonds in excess of the districts' general bond debt limitation.
- ? Confirmed the appointment of Karen Watney to the position of Human Resources Director in the State Department of Education, effective August 29, 2005 at an annual salary of \$70,000.

Contracts Approved

Authorized the Commissioner of Education to:

- ? negotiate and continue to contract with RMC Research Corporation to provide technical assistance for Even Start programs in an amount not to exceed \$36,637; and
- ? negotiate and enter into contracts for Reading First facilitators to provide technical assistance to the local grantees in the implementation of the Reading First Grants, to reimburse each facilitator at the rate of \$500 per day, plus travel expenses, with each contract amount not to exceed \$15,000.

RECESS

There being no further business, the meeting recessed at 4:55 p.m. At 6 p.m., Board members, with the exception of Mr. Bacon, and several staff met for dinner with area superintendents.

BOARD REPORTS

Board Chairman

Chairman Abrams reported that he had been invited by the Southern Regional Education Board to join a team from Kansas and attend a meeting on academic vo-tech programs.

Legislative Coordinator

Assistant Legislative Coordinator Martin reported that she had met with two legislators recently who sent their best wishes to the new Commissioner.

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Board Attorney

Mr. Biles reviewed his written report of activity for the month of September, noting that the Supreme Court had denied a motion filed by the State of Kansas to lift a stay imposed on local funding measures contained in HB 2247. He also reported that he would be attending the meeting of the National Council of State Education Attorneys (NCOSEA) held in conjunction with the NASBE conference and would be making a presentation on Kansas school finance to a session of both NASBE and NCOSEA. Mr. Bacon moved that the Board accept Mr. Biles' report and pay his fees for services and expenses for September as presented. The motion was seconded by Mrs. Van Meter and carried 9-0.

Other Board Member Reports

Several Board members reported on their recent activities. Dr. Wagnon invited the Board to attend a meeting of the Topeka Downtown Rotary at noon on October 27th, and a meeting with area superintendents to follow, where Susan Wally, of the Greater Kansas City Community Foundation, would be speaking on recruiting business collaborators and partnerships for education.

Requests for Future Agenda Items

Noting that the Board had fallen behind on its work plan for its 2004-2006 goals, Dr. Wagnon asked that Commissioner Corkins review it and recommend revisions. Mrs. Martin asked that the Department be proactive with the US Department of Education and look at the opportunities for using a longitudinal growth model to measure individual student performance using the KIDS system and data gathering elements associated with the National Governors' Association grant. Chairman Abrams agreed.

REVIEW OF KDHE REGULATIONS AND PROCEDURES SCHOOLS FOLLOW REGARDING HEAD LICE

Dr. Gail Hansen, Director of Epidemiologic Services of the Kansas Department of Health and Environment, reviewed state regulations to be followed regarding the elimination of head lice in Kansas schools. Dr. Wagnon asked what the Board could do to repeal the requirement that children be nit-free before returning to the classroom. Dr. Hansen reported that KDHE had tried to repeal it in 2000, but had been unsuccessful. Chairman Abrams concluded, after lengthy discussion by Board members, that it appeared it was not the will of the Board to request a change.

RECOMMENDATIONS OF THE PROFESSIONAL PRACTICES COMMISSION

Mrs. Rupe moved, with a second by Mrs. Martin, that the Kansas State Board of Education adopt the findings of fact and conclusions of the Professional Practices Commission and approve the recommendations of the Commission in cases 05-O-13, 05-FC-16, 05-FC-17, 05-O-20 and 05-FC-21.? The motion carried 9-0.

THREE-MONTH PILOT OF AUDIO STREAMING BOARD MEETINGS

The Board discussed the plan for a three-month pilot to audio stream Board meetings by KAN-Ed through the Kansas Board of Regents.? Mrs. Morris moved, with a second by Mr. Bacon, that the Board approve a three-month pilot program for audio streaming State Board meetings beginning in December 2005. The motion carried 7-2-0, with Dr. Wagon and Mrs. Waugh voting ?no? and Mr. Willard absent.

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MINUTES

October 12, 2005

REVIEW AND COMPARISON OF CAMPAIGN FINANCE AND ETHICS LAWS FOR STATE BOARD MEMBERS AND LEGISLATORS

At the request of Dr. Wagon, Mrs. Carol Williams, Executive Director of the Governmental Ethics Commission, had been invited to provide a comparison of state campaign finance and ethics laws that apply to the Legislature and to the State Board of Education.? Mrs. Williams handed out and explained a comparison of the how the rules on meals, recreation, entertainment, gifts and travel were applied to the different branches of government.? She also handed out a comparison of the limitations of the Campaign Finance Act on the State Board of Education, the Kansas Senate, the Kansas House, and Statewide offices.? In the discussion that followed, Dr. Wagon expressed the opinion that it was not appropriate that the State Board have a limit of \$500 per person per election and the Senate a \$1000 limit, when the State Board represented four senate districts.

APPROVAL OF BOARD TRAVEL

Dr. Wagon, Mr. Bacon, and Mrs. Morris requested that salary, per diem and mileage to the Kansas Teacher of the Year banquet in Wichita on November 19th be added to their travel.? Mrs. Waugh asked that salary and mileage for a Board District 1 superintendents meeting in Oskaloosa on October 21st be added to her request.? Dr. Wagon asked that per diem be deleted from his request for airport mileage and parking on October 19th.? Mrs. Waugh asked for mileage to attend the Susan Wally Rotary presentation on October 27th and salary and mileage to attend the opening of the exhibit at the KU Natural History Museum on the same date.? Mrs. Morris asked that salary and mileage for attendance at an FCCLA meeting in Colby on October 19th be added to her request.?? Mrs. Waugh moved, with a second by Mr. Bacon, that the Board travel requests be approved as amended.? The motion carried.

ADJOURNMENT

There being no further business, Chairman Abrams adjourned the meeting at 11:07 a.m.?

