

**KANSAS STATE BOARD OF EDUCATION
Meeting Minutes**

March 8, 2011

CALL TO ORDER

Chairman Dennis called the March meeting of the State Board of Education to order at 10:01 a.m., March 8, 2011 in the Board Room of the Kansas Education Building, 120 SE 10th Avenue, Topeka, Kansas.

3/8/11 a.m.
session audio
archive
(00:00:02)

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

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

Chairman Dennis 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

Mrs. Wims-Campbell moved, with a second by Chairman Dennis, that the agenda be approved as presented. Dr. Chappell asked to add clarification on a Career and Tech Ed information deadline of March 15th that he indicated was problematic for several school districts, particularly regarding journalism classes. In the discussion that followed, Ms. Storm moved to add the item to the agenda at the end of the day. It was suggested that the motion to approve the agenda be changed to include the request for the information. Mrs. Wims-Campbell did not accept the friendly amendment. After further discussion the motion was seconded by Dr. Chappell. Additional discussion followed and the question to approve the agenda as presented carried on a vote of 8-2, with Storm and Chappell voting in opposition.

MOTION
(00:02:06)

MOTION
(00:05:25)

APPROVAL OF MINUTES

Mrs. Wims-Campbell moved, with a second by Chairman Dennis, that the minutes of the February meeting be approved as presented. After discussion in which an objection was voiced by Dr. Chappell about the characterization of contents of letter from the Hutchinson superintendent during Board reports at the February meeting, the motion carried 9-1. Chappell voted in opposition.

(00:12:08)
MOTION

COMMISSIONER'S REPORT - PRESENTATION ON ASSESSMENT WAIVER GRANTED TO USD 418

Superintendent of the McPherson school district, Randy Watson, reported on the district's experience in obtaining an AYP waiver from the U.S. Department of Education (US DOE). As Mr. Watson had shared with the Board in June of 2009, the district was implementing a system redesign - Citizenship, College and Career Readiness (C³) – that would incorporate citizenship and character education with college and career preparation. The district would work with ACT assessments in order to reach a higher level of achievement among students. Mr. Watson, had, at that time sought the Board's endorsement of a district request to US DOE for a waiver allowing it to use the ACT and Work Keys in lieu of the state assessments in sixth through 12th grade. Notification of their successful request came to them on February 24th. Board member congratulations and questions followed.

(00:15:58)

CITIZENS' OPEN FORUM

(00:57:04)

Chairman Dennis declared the Citizen's Open Forum open at 10:57 a.m. Karen Godfrey, Topeka, KNEA, presented information to the Board about the KNEA Reading Circle that provides books and reading recommendations to schools. Linda Craighead, Topeka, Kansas Department of Wildlife and Parks, spoke as an advocate of the Kansans for Children and Nature (KCN) Plan. Also speaking as proponents of the KCN plan were Charlie Black, Wichita, representing the Kansas Wildscape Foundation, Susan Fowler, Topeka, representing Shawnee County Parks and Recreation, and John McGrew, Lawrence, representing Outside for a Better Inside. Shari Wilson, KACEE, Kansas City, reported that the Green Schools Conference would be July 29th at Goddard High School and KACEE awards celebration would be April 1st in Topeka. Chairman Dennis declared the Open Forum closed at 11:18 a.m.

BREAK

(01:17:45)

The Board took a short break from 11:18 to 11:28 a.m.

RECEIVE PLAN FROM KANSANS FOR CHILDREN IN NATURE

(01:17:53)

Board member Janet Waugh who serves on the board of the Kansas Association for Conservation and Environmental Education (KACEE) and is a member of Kansans for Children in Nature (KCN), introduced Shari L. Wilson, KACEE's Statewide Partnerships and Planning Director, who in turn introduced Laura Downing, KACEE Executive Director. Mrs. Downing presented the KCN plan for increasing the number of children spending time outdoors. KCN was created through Executive Order in 2009 to address the growing disconnect of children with nature. The disconnect has come to the forefront of the health, education, and natural resources communities as increasing numbers of children have been diagnosed with behavioral issues and illnesses resulting from overweight and obesity. The Plan takes a community approach focused primarily on utilizing or building on existing resources. KCN is gathering endorsements for the plan and will come back to the Board in April seeking endorsement from Kansas State Board of Education. Discussion and Board comments followed.

LUNCH RECESS

(01:51:56)

Because the meeting was running behind schedule, Mrs. Shaver moved, with a second by Mr. Willard, that the report on the National Governors' Association Policy Academy be moved to the end of the day, if time allowed. The motion carried. The Board recessed for lunch at 12:04 and the meeting reconvened at 1:32 p.m. Dr. Chappell was not present when the meeting reconvened.

CLARIFICATION OF ISSUE REGARDING CTE DEADLINE

3/8/11 p.m. session I
audio archive
(00:00:06)

Chairman Dennis provided information to the Board which clarified the issue raised by Dr. Chappell during approval of the agenda regarding a Career and Tech Ed information deadline of March 15th. He indicated it was part of the Career Pathways Program of Studies application. He indicated the application period runs from November 15th to March 15th and extensions of time were being granted to those districts requesting them.

UPDATE ON THE BOARD MEMBER RETREAT

(0:01:33)

Chairman Dennis reviewed the time spent to date reviewing the Board's mission, goals and objectives, including recommendations of the Kansas Education Commission, the Governor's Graduation and Dropout Prevention Task Force and recommendations from individual Board members. He encouraged Board members to review their work from the last two sessions in order to be ready for finalizing the goals and objectives for 2011-2012. Mrs. Martin moved, with a second by Mrs. Shaver, that the Board meet to do that on Wednesday afternoon, April 13th, after the conclusion of the Board meeting. The motion carried 9-0, with Chappell absent.

MOTION

(00:06:16)

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ACT ON RECOMMENDATIONS OF THE PROFESSIONAL PRACTICES COMMISSION

Mrs. Waugh moved, with a second by Mrs. Cauble, that the Board adopt the findings of fact and conclusions of the Professional Practices Commission and approve the recommendations of the Commission in cases 10-FC-05, Shannon K. Young, 10-FC-07, Jason S. Brown, and 10-FC-19, Stacy M. Main. The motion carried 9-0, with Chappell absent.

MOTION
(00:07:48)

DISCUSSION OF NASBE RECOMMENDATIONS REGARDING THE REAUTHORIZATION OF ESEA

Before the Board began its discussion of the NASBE core principles and recommendations regarding the reauthorization of ESEA, Mrs. Cauble asked that it be noted for the record that Dr. Chappell was out of the room. She indicated that on several occasions he had questions about how the Board's position on the reauthorization had developed. Dr. Chappell returned to the meeting at 1:44 p.m.

(00:08:30)

Chairman Dennis reported that the discussion was on the agenda because he, along Mrs. Cauble, Ms. Storm, Commissioner DeBacker, and Deputy Commissioner Neuenswander, would be attending a NASBE/CCSSO legislative forum and visiting members of the Kansas Congressional Delegation at the end of March in Washington D.C. Consensus was reached in the following areas: limit the federal role in state education policy to allow more flexibility for states; formula grants not competitive, especially for Title money; no unfunded mandates (and full funding for IDEA); eliminate 2014 AYP targets – hold targets at 2009-2010 levels; ensure comparability and capability between PARCC and SMARTER Balanced Consortium assessments; include assessments that are more classroom-based to inform instruction and meet student's needs; reauthorization should take place this year - if that's not possible, remove 2014 AYP target; allow a growth model to measure student performance; and the use of multiple measures throughout the year to assess student growth.

The Board took a break from 3:16 until 3:26 p.m.

BREAK
(01:44:19)

LEGISLATIVE MATTERS

Deputy Commissioner of Education Dale Dennis told Board members that a rescission bill, which would make additional cuts in the current fiscal year, had still not passed. He also updated the Board on funding recommendations to meet federal maintenance of effort requirements for special education.

(01:44:56)

Mr. Dennis also reviewed a number of bills of interest, including two concurrent resolutions that originated in the House Education Committee. Discussion followed. Ms. Storm moved, with a second by Mrs. Wims-Campbell, that State Board of Education take a position in opposition to HCR 5018. HCR 5018 would abolish the State Board of Education and the Kansas Board of Regents. A Commissioner of Education would be appointed by the Governor. No system of governance or guide for higher education was included except the statement that "the legislature shall provide for the supervision of public institutions of higher education." After discussion of the motion, the State Board approved it on a vote of 9-1, with Chappell voting in opposition.

MOTION
(02:39:36)

CONSENT AGENDA

Mrs. Wims-Campbell moved, with a second by Chairman Dennis, that the State Board approve the Consent Agenda. A brief discussion followed about the inclusion of the ESOL standards on the Consent Agenda. The motion carried 9-1, with Chappell voting in opposition. In the Consent Agenda the State Board:

(02:49:14)
MOTION

- Received the monthly personnel report.

- Confirmed the appointments of Tyler Pyle to the position of System Software Staff Consultant on the Information Technology team effective January 23, 2011, at an annual salary of \$56,118.40; Grant Chesbro to the position of Program Consultant on the Child Nutrition and Wellness team effective February 14, 2011, at an annual salary of \$50,918.40; Franny Eastwood to the position of Part-Time Registered Dietician on the Child Nutrition and Wellness team effective February 20, 2011, at an annual salary of \$26,707.20; Pam Rosebaugh to the position of Program Consultant II on the Child Nutrition and Wellness team effective February 20, 2011, at an annual salary of \$41,870.40; Kent Barnes to the position of Accountant I on the Research and Evaluation team effective February 21, 2011, at an annual salary of \$36,171.20 and Vincent Omni to the position of Public Service Executive I on the Research and Evaluation team effective February 21, 2011, at an annual salary of \$46,092.80.
- Issued a CY 2011 license to Commercial Driving Training School, McPherson Driving School, LLC, McPherson, Kansas effective from March 8, 2011 to December 31, 2011.
- Approved requests for waivers for individuals to serve outside their area of endorsement in districts as follows: *Adaptive Special Education*: Megan Gieringer, USD 231; Denise Kline, USD 253; Paul Myers, USD 259; Patrici Dixon, USD 260; Jennifer Campbell, USD 261; Yolanda Drake and Melanie Lee, USD 475; Michele Shimer, DO 619; Teresa Satchell and Maggie Scanlon, DO 711; *Early Childhood Special Education*: Alisa Self, USD 368; Suzette Ramos, USD 457; Kimberly Clinesmith, DO 603; Nola Smith and Kimberly Chaussee, DO 613; *Early Childhood/Pre-School*: Maricela Cerenil, USD 501; *English as a Second Language*: Mellaina Johnson, USD 457; Laura Sengchan, USD 497; *English Language Arts - extension on number of days under a substitute license*: Anthony Marshall, USD 294; *Functional Special Education*: Andrea Burgos, USD 259; Cori Duffus, USD 321; *Gifted*: MeLinda Gray, USD 102; Shannon Gray, USD 475; *Math*: Lakeshia Brooks and Crystal Propps, USD 259; and *Music - extension on number of days under a substitute license*: Meghan Wells, USD 487.
- Approved the recommendations of the Licensure Review Committee (to approve) in cases 2691, Cynthia Jones, 2696, Terryll Gloden, 2699, Allison Tignon, 2700, Mary McCabe, 2705, Donald Schoening, 2709, Victoria Hamilton; and (to deny) in cases 2669, Nicole McGinnis, 2687, Donna Johnston, and 2697, Colleen Milolashek.
- Adopted the revised Kansas Curricular Standards for English for Speakers of Other Languages (ESOL).

Contracts Approved:

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

- enter into a contract for Kuder, Inc. for Career Development Facilitator certification training for participating school staff in the Career Ready Kansas (OVAE - RPOS) Grant in an amount not to exceed \$35,000; and
- enter into a contract with James Swan for designing and implementing ETL procedures and data marts, with the contract amounts not to exceed \$30,000 yearly and an hourly rate of \$28.

ACT ON BOARD MEMBER TRAVEL REQUESTS

(02:51:56)

Chairman Dennis asked that a correction be made to the date of his attendance at a meeting with educational organizations and the Kansas Policy Institute. Mrs. Shaver asked to add a superintendents meeting in Greenbush on March 24th. Dr. Chappell asked to add the FCLA conference in Wichita the first week in April to his request. Mrs. W-Campbell moved, with a second by Chairman Dennis, that the travel requests be approved with the additions requested. The motion carried 8-2, with Waugh and Cauble voting in opposition.

BOARD REPORTS**Chairman**

(02:57:58)

Chairman Dennis reported on two meetings he, Board Vice Chairman Wims-Campbell and Commissioner DeBacker had with representatives of the Kansas Policy Institute (KPI), the Kansas National Education Association, the Kansas Association of School Boards and the Kansas Association of School Administrators. The meetings were to discuss an invitation from KPI to

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participate in a public forum to discuss education issues in the state. Though the meetings were cordial the group had been unable to reach consensus on three major points: the purpose of the forum, conditions of participation and topics to be discussed. It was suggested that if any of the individual organizations were to conduct public meetings they invite representatives from the other organizations to take part. Board discussion followed.

Chairman Dennis also reported on an offer from KPI to bring the former education commissioner from Florida to Topeka to address the Board regarding the various education reform measures that had been implemented in Florida and the results of those efforts. Board members discussed whether to include such a presentation on a future agenda. A discussion of the offer followed, with some member suggesting it would be more appropriate to invite former commissioner Winn after finalizing the Board's goals and objectives in order to see how his message might align with them. Dr. Chappell moved that the Board accept KPI's offer and have Mr. Winn address the Board in April. Mr. Willard seconded the motion. Mrs. Waugh offered an amendment to the motion, to add that the Board would receive information in April regarding the nature of Mr. Winn's presentation and, if agreeable to the Board, that the month be changed to May. Mrs. Shaver seconded the amendment. Discussion followed.

MOTION
(03:26:10)
AMENDMENT

The amendment to the motion carried 9-1. The amended motion carried 8-1-1, with Wims-Campbell voting in opposition and Martin abstaining. The Board action would have the Board receive information in April regarding the type of presentation that would be made, with a vote at that time on whether to include the presentation on the May agenda.

The Board took a break at 5:17 and returned at 5:27 p.m., after which they returned to Board reports.

BREAK
(03:35:37)

Board Attorney Ferguson gave the Board a brief update on the pending school finance case.

Board Attorney
(03:36:29)
**Legislative
Coordinator**

Neither Ms. Storm nor Mr. Willard had anything to report that had not be provided earlier or previously discussed.

Mrs. Shaver mentioned two initiatives funded by the Kansas Health Foundation that are underway to get children more active: the K-Fit program, and Let's Move in Schools in Kansas. Mrs. Waugh reported on a recent visit to the Lansing Correctional Facility.

**Other Board
Member
Reports**

Mrs. Cauble reiterated the message Board members would like her and the others who would be going, to carry to Washington D.C. regarding ESEA. She indicated she and the others would also ask for a complete revision of ESEA. Mrs. Cauble reported that she had decided not to attend the upcoming Interstate Migrant Education Council (IMEC) meeting. She added that she would have no problem if Kansas quit paying its dues to belong to the Council – the money could be better used elsewhere. One of the activities the council was charged to do many years ago was to develop a data system to track migrant students across state lines. Mrs. Cauble reported that the system that was developed did not work as well as it should and suggested that the Kansas Department of Education had the expertise to develop one that would be much better and could, perhaps, be leased or sold to the other participating IMEC states for a small fee. Mrs. Cauble also mentioned her concern for keeping track of foster and other transient children in Kansas school.

Dr. Chappell reported on public comments received at town hall meetings he had held on education issues. He also reported that the Wichita Area Technical College was granting welding certifications to high school students.

Dr. Chappell requested a presentation on the cost of MTSS. Mrs. Campbell asked for data on homeless students and those in foster placements and what districts were doing to address their

**FUTURE
AGENDA ITEMS**
(04:02:11)

needs. She also asked for information on social promotion and retention. Mrs. Waugh was interested in the four-year cohort graduation rate and how it would impact virtual schools. (As a follow up from the Board's visit to the Kansas School for the Blind on March 9th, Dr. Chappell asked for information on the number of visually-impaired students in Kansas.)

EXECUTIVE SESSION**MOTION**

(04:09:00)

Mrs. Wims-Campbell moved, with a second by Chairman Dennis, that the Board recess into Executive Session for 30 minutes, at 6:05 p.m., for the purpose of consultation with the Board attorney in order to preserve the attorney-client privilege, with the open meeting of the Board to resume in the Board room at 6:35 p.m. Possible Board action could take place when the open meeting resumed. Department Attorney Ireland and General Counsel Whelan, in addition to the Commissioner were invited to stay. The motion passed 10-0. The open meeting resumed at 6:35. Mrs. Wims-Campbell, with a second by Chairman Dennis, moved to extend the executive session an additional 30 minutes until 7:05 p.m. The motion carried. The meeting resumed early at 6:55 p.m.

BREAK

(not recorded)

The Board took a break until 7:05 p.m. Mr. Bacon was absent for the remainder of the meeting.

ACTION ON BOARD MEMBER COMMUNICATIONS

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(00:00:02)

Following the executive session, Board members conducted a discussion regarding concerns on the part of some members with statements and correspondence being disseminated by a member of the Board. The concerns centered on whether the information being provided by Board member Chappell was misleading and if it was being presented in a way that caused confusion as to whether it represented the position of the full Board or only Dr. Chappell's personal opinion. After some discussion and debate, Chappell agreed to adjust settings on his e-mail account that identified him as a Kansas State Board of Education member in an effort to avoid confusion as to whether he was speaking on behalf of himself or the Board.

MOTION

(00:28:39)

Mrs. Waugh moved, with a second by Mrs. Wims-Campbell, that a press release be issued to the news media, education groups and legislators reporting that statements from Dr. Chappell did not represent State Board positions. The press release should indicate that though this may have been a problem in the past, it was not anticipated that it would continue to be in the future. In the discussion that followed, the fact that Dr. Chappell had agreed to changes in his e-mail account was mentioned as a reason the motion was not needed. The motion failed on a vote of 5-3-1-0, with Willard, Dennis and Chappell voting in opposition, Martin abstaining and Bacon absent

ADJOURNMENT

(00:36:39)

There being no further business, Chairman Dennis declared the meeting adjourned at 7:40 p.m.

 David Dennis, Chairman

 Penny Plamann, Secretary

KANSAS STATE BOARD OF EDUCATION ANNUAL VISITS TO KSSD AND KSSB

March 11, 2010

The Board met on Wednesday March 11th at the Kansas State School for the Deaf (KSSD) and the Kansas State School for the Blind (KSSB) for their annual visit to the campuses. All Board members were in attendance.

KANSAS STATE SCHOOL FOR THE DEAF

Board members met with members of KSSD staff at 9 a.m. in the Library of the Roberts Building on the KSSD campus in Olathe. KSSD Staff, Luanne Barron, Assistant Superintendent – Outreach, Joan Macy, Related Services/Admissions Coordinator, and Erin Schuweiler, Birth to 3 Coordinator, presented the quarterly update. The Board also had an opportunity for student presentations. Kenneth Milner, KSDAA President, spoke about the celebration of the School's 150th anniversary; Larry Finn presented a NCA/AdvancED Accreditation Report; and John Martello gave a report on Operations. At the conclusion of the presentations, Board members had lunch with KSSD staff in the Lamm Dining Room. They left for their visit at the Kansas State School for Blind at 12:15 p.m.

KANSAS STATE SCHOOL FOR THE BLIND

After a welcome and overview of the agenda, Board members had presentations on KSSB's Short Courses, the Transition Program, the Braille Challenge; student forensics performances, and the KSSB Outreach Program.

The Board was joined by Accessible Arts Inc. (AAI), their board, honorees and guests for their Annual Arts Awards Ceremony. The recipient of the *2010 Distinguished Service Award in Arts and Disabilities* was Eleanor Craig. The *recipient of the Educator of the Year in Arts and Disabilities* was Katherine Holmes.

The ceremony was followed by a reception for the honorees and their guests.