

**KANSAS STATE BOARD OF EDUCATION  
MEETING MINUTES**

**August 8, 2006**

**CALL TO ORDER**

Chairman Abrams called the meeting to order at 10:00 a.m. on Tuesday, August 8, 2006, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.

**ROLL CALL**

Members present were:

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

Mrs. Morris arrived at 10:10 a.m.

The Board stood for recitation of the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Chairman Abrams asked for approval of the agenda. Dr. Wagnon and Mrs. Gamble asked why only a one day meeting had been scheduled. Dr. Wagnon expressed concern that several agenda items he had requested had not yet been addressed, particularly his request for a staff report on how the core principles of redesign and the related white papers have been brought to the attention of the field; how staff is using the content of both to provide technical assistance for the field; and the extent to which they are being used to measure the work of the field. Mrs. Gamble asked when her request for a discussion of recommendations Kansas might make regarding the reauthorization of NCLB would be scheduled. Chairman Abrams noted that it was his intention to accommodate all Board member requests and that he would look into the matter. Mr. Willard moved, with a second by Mr. Bacon, that the agenda be approved as presented. The motion carried 8-0-1 with Mrs. Morris absent and Dr. Wagnon abstaining.

**APPROVAL OF MINUTES**

Mr. Bacon moved, with a second by Mr. Willard, that the June minutes be approved. The motion carried 9-0, with Mrs. Morris absent.

**COMMISSIONER'S REPORT**

Commissioner Corkins provided information on a charter school symposium that would be held in Topeka on September 8<sup>th</sup>. He indicated the reorganization of the department was proceeding well and the requests for proposals for the student engagement project had been issued. Commissioner Corkins was asked about the status of the data warehouse project and Dr. Wagnon asked that the Board be regularly updated on it. Mrs. Gamble asked what the impact of Dr. Martinez's retirement would have on the project. Mr. Corkins indicated that in addition to the Department having received several good applications, Dr. Martinez would be working part-time under contract with the Department for several months. A regular report on progress made in finding a replacement was requested. A discussion of the data warehouse followed, including a discussion of when effective data would be available.

**LISTENING, SPEAKING AND VIEWING STANDARDS**

The Board received newly revised standards for Listening, Speaking and Viewing. The standards were developed to support other curricular areas. Forensics and media were added to the five standards which had been in the previous version. It was pointed out that the standards had been made more user friendly,

particularly for the earlier grades. In the discussion that followed the presentation, how the standards would be integrated into other curricular areas was explained, as well as how the standards and their use would be shared with the field. As a follow-up, Mrs. Gamble suggested that links to the Listening, Speaking Viewing Standards be added to the standards for each subject area for which curriculum standards have been developed.

### **CITIZENS' OPEN FORUM**

Chairman Abrams declared the Citizens' Open Forum open at 10:30 a.m. Sharon Zoellner, Superintendent of the De Soto District, addressed the Board. Chairman Abrams declared the open forum closed at 10:35 a.m.

### **LEGISLATIVE MATTERS**

#### **FY 2008 Budget**

Deputy Commissioner Dennis briefly reviewed the school finance plan that had been approved by the legislature. Dr. Wagon was interested in where estimated costs of state aid programs were represented in the legislature's funding plan for 2006-2009. Mr. Dennis stated that, besides special education which has already been based on actual costs, he believed the legislature made an effort in the area of at-risk funding to respond to the cost studies. Dr. Wagon was also interested how the Board could tell the legislature in its legislative proposals that the Board has a plan to study the way money is being used in order to get a handle on the concern about actual cost and that the new funds are going into meeting the objectives of the state school finance case. Mr. Dennis indicated that there was a provision in the statute which was passed that requires school districts to report at the end of the school year the number of at-risk, four-year-old at-risk and bilingual students served, the type of service provided, how the need for services was determined, and the results – which will include local assessment data, drop-out and graduation rates and the state assessment results. He explained that the report would be part of the local consolidated plan. He indicated the reporting mechanism will give the legislature a report on how the funding plan is doing. He pointed out that one problem with that plan was that it will take two to three years for the impact to be evident. Mr. Dennis reported that districts are being more diligent and focused on raising student achievement and how to wisely spend their dollars to get results. Mr. Biles indicated that there were a few states that have done an analysis of results after school finance lawsuits and he volunteered to contact a consultant who was doing that kind of analysis and ask him to outline for the Board what methodologies he uses. Dr. Wagon asked that the Board be kept updated on how the required reporting was working.

Also discussed was the information provided through the Standard and Poor's SchoolMatters website and the assistance given districts in improving administrative and academic efficiencies through the Center for Innovative School Leadership. Dr. Wagon expressed his hope that the Board would be able to pull together information from the three initiatives to come up with a clearer picture of the connection between appropriations for school improvement and actual results. To confirm the benefits of providing additional funding for education he felt the Board should take advantage of the opportunity to alert the legislature as the Board makes its budget and legislative proposals where more money is needed or when new laws should be considered.

Chairman Abrams noted that the funding plan included the flexibility of districts to spend at-risk dollars where they felt they were needed. He asked about the cost of funding all-day kindergarten (all-day K) choice for those whose districts don't make it available in the fall of 2008. Mr. Dennis indicated that it would cost approximately \$3-\$5 million, because most districts were rapidly moving toward making it available. He predicted that the number of districts not offering it in the 2008-2009 school year would be

quite small. Dr. Abrams moved that Board support funding all-day K choice in the fall of 2008 for those in districts which have not made all-day K available. Mrs. Rupe seconded the motion.

In the discussion that followed, it was clarified that Chairman Abrams' motion would be for the FY 2008 year, or the fall of 2007. Mr. Dennis noted that the price tag would be quite a bit higher in that case. Chairman Abrams also clarified that his motion would be directed at districts whose at-risk funds were not sufficient to fund all-day K. Dr. Abrams noted that many districts currently have the opportunity to offer all-day K and have decided to implement it or not, depending on local conditions. He added that some districts don't have the option for it because they do not have sufficient at-risk monies. He said his proposal would be to provide funding to pay for it in those instances. When asked, he also indicated that his motion was not for funding every student in the state currently in all-day K at 1 FTE, but only those districts without sufficient at-risk funds that wanted to implement it. He further clarified that the funding for his motion would come out of the \$149 million already earmarked for FY 2008 in the legislature's 3-year funding plan.

Opinions were split regarding the motion, with Mrs. Gamble, Mrs. Waugh and Mrs. Rupe supporting universal funding for all schools, those currently offering all-day K, as well as those that would like to implement it. The feeling was that districts were currently using Title I, at-risk funds, 21<sup>st</sup> Century grant funds or state general fund to support the extra half-day not funded through the state funding formula and those other funds should be freed up to support other necessary programs. There was the feeling that leaving them out of the funding proposal would punish the districts that already have all-day K. Mrs. Rupe also stated she didn't believe the Board should reward districts that hadn't made all-day K a priority. Reasons for districts not having implemented the program were also discussed. Mrs. Rupe withdrew her second.

Mrs. Van Meter seconded Dr. Abrams motion.

Mr. Bacon proposed that the Board use scholarships to parents who want their children to have the benefits of all-day K, as a means of driving its implementation in districts not currently offering it. Mr. Willard added that he felt the motion had merit. He also stated he would like a study of the benefits of all-day K before recommending universal funding.

Some of the other issues included in the discussion were how it would be determined which districts did not have sufficient at-risk funding for implementation of all-day K; how the funds would be dispersed; and which line item in the legislature's FY 2008 allocation the Board would recommend be reduced to fund it.

Because the Board needed to leave for its lunch and visit of the Kansas Historical Museum, Chairman Abrams suggested that the item be tabled until the end of the day.

#### **KANSAS STATE HISTORICAL SOCIETY VISIT AND PRESENTATION**

The State Board and several staff members visited the Kansas State Historical Society facilities where they had lunch, toured the facility and got a presentation on the Kansas History Project. All Board members were present with the exception of Mrs. Rupe.

### **CUT SCORES FOR NEW STATE ASSESSMENTS**

Scott Smith, Assistant Director of School Improvement and Accreditation, summarized for the Board activities that had taken place to arrive at the state assessment cut scores being recommended. He reviewed the standard setting methods used, giving an overview of the groups that had met, including the super panel which had arrived at the recommendations presented to the Board. Included in his presentation was a video of John Poggio, CETE, providing direction to the super panel regarding its work, explaining the process, and the role panelists were to play in the development of the recommendations.

Performance categories were given new titles for the assessments implemented in 2005-2006. Unsatisfactory was changed to “Academic Warning”, Basic changed to “Approaches Standard”, Proficient changed to “Meets Standard”, and Advanced changed to “Exceeds Standard”. Only Exemplary would remain the same. It was pointed out that the changes were to category titles only, not to any performance level definition. Mr. Smith noted that the changes were made to remove any ambiguity or confusion about what the performance level descriptors meant. Concern was voiced about the changes and lack of continuity with the terms that school personnel and parents were beginning to understand. Commissioner Corkins explained that the use of the new titles would eliminate the confusion that arose with use of the old, where other organizations may have had different definitions attached to them. Dr. Foster, Deputy Commissioner for Learning Services, pointed out that the new labels would separate the data for the new assessments from previous data and would help prevent the erroneous identification of trends between performance on the old and new assessments. He noted that the new labels were focusing attention where it should be – on performance related to the standards, themselves. He reported that this was consistent with the direction other states were going, as well.

Mrs. Gamble asked if any changes had been made to the super panel’s recommendations. Dr. Foster indicated that the scores were essentially the same as those the super panel had arrived at. Referring to the previous AYP targets, Mrs. Gamble asked when the new targets would be set and the impact of the recommended cut scores on them. Dr. Foster noted that the targets would have to be refigured, but he didn’t anticipate major differences. Mrs. Gamble indicated she would prefer to know the AYP targets and have cut score options to consider, before making a final decision. She pointed out that AYP impact information had been made available to the Board in the past and had been very helpful. Dr. Foster responded that he didn’t believe that the decision on cut scores should be based on how many students would meet or not meet established performance expectations for knowledge of the standards and the effect on AYP. As they discussed the issue further, Dr. Foster stated that he believed that the process used was valid and defensible, but Mrs. Gamble felt the Board had not been given adequate information to make a decision. Dr. Foster reported that, with the recommended cut points, across grade levels, approximately 70% of students would meet the standards and about 30% would not, similar to past results. He also explained how the Department intended to go about setting the AYP targets.

Mrs. Martin asked for more information about the standards and Dr. Foster explained further how the proficiency levels not only related to expectations defined by the cut scores, but were also connected to the academic standards and the indicators being tested. He pointed out that this year student level performance data for the indicators tested would be available for teachers’ instructional use. Mrs. Martin expressed the hope that people would understand that performance on the state assessments would only be one of several measures of student progress. Mr. Bacon expressed his appreciation for the explanations of changes in the definitions and how they were a reflection of what students should know and be able to do. He restated what he understood to have been reported about the cut scores being established independent of the effect on AYP and that the Board would revisit them if problems arose.

He was interested in when the AYP recommendations would be available. Dr. Foster indicated that the information would be available very soon.

Mrs. Morris moved that State Board of Education adopt the final cut scores as recommended for the six specified Kansas State Assessments and approve the new performance category labels. Mrs. Martin seconded the motion. Dr. Wagon asked why the cut scores were lower for those in the academic warning category at the middle school level. Dr. Foster explained that every grade level was considered individually regarding what was reasonable, acceptable and supportable. Dr. Foster also noted that the assessments were more challenging at the higher grade levels. Dr. Wagon indicated that he felt confident that the process used to establish the recommendations was rigorous and robust and that scores should be established independent of their effect on AYP. He noted that he would support the motion, but cautioned about challenges the Board would face in explaining to the public a negative impact on Kansas schools and students that resulted in many failing to make AYP. Mr. Willard discussed the issue of reevaluating AYP targets if there was a serious impact on schools. The effect on the reauthorization of NCLB was also discussed. Mrs. Gamble, again, discussed the issues she felt were unresolved and explained why she would be unable to support the motion because of the lack of AYP impact information. The motion carried 7-1-2, with Mrs. Gamble voting "no", and Dr. Abrams and Mrs. Waugh abstaining.

## **KSSB AND KSSD END OF YEAR REPORTS AND PROPOSED FY 2008 BUDGETS**

### **Kansas State School for the Blind**

#### ***Year-End Report***

Bill Daugherty, Superintendent of the Kansas State School for the Blind (KSSB), shared highlights of his written year-end report with the Board. He reported on a new partnership with the Emporia State University rehabilitation program whose students are working with KSSB in developing a comprehensive career development summer program that includes extensive work experience, as well as class time. He also reported that summer activities included a KSSB Foundation funded entrepreneurial biz camp that was well-received; and another pioneer trail experience, this year on the Cherokee Trail, with fourteen students participating. Mr. Daugherty also reported on activities over the past year associated with the four statewide goals the school has established: building local capacity; direct services to students; assistance and education for parents; and early intervention. In the questions that followed his report, Dr. Wagon was interested in knowing if the school had kept any data on the impact the campus experience had on a student's performance once he or she returned to the home school district. Mr. Daugherty noted that there was very specific student data on their progress while at KSSB, but no follow up data of the type Dr. Wagon was interested in. Mr. Daugherty reviewed several activities that were planned that would follow-up on the impact of specific activities students were involved in. Asked what the biggest problem faced by the school was, Mr. Daugherty reported that 50% of the school's experienced teachers would be eligible to retire over the next five years. Mrs. Gamble asked about the KIDS data system-- whether it would be helpful with data collection and tracking students and if there was some assistance in tracking students once they return to their home districts that could be provided by the Department. Mr. Daugherty indicated they were in the KIDS system, but he didn't have an immediate answer to her question. He said he would ask his staff.

#### ***FY 2008 Budget***

Mr. Daugherty reported that their enhancement budget would be used to maintain pay equity with area school districts. To implement a reduced-resource budget, they would eliminate two FTE statewide Orientation and Mobility instructors; eliminate one week of summer school; eliminate the statewide

summer vocational program (VIEWS II); and implement a 5-day rolling furlough of all staff except for contract teachers. Mr. Bacon moved, with a second by Mrs. Martin, that the State Board approve the FY 2008 budget as presented. The motion carried.

**Kansas State School for the Deaf**  
***Year-End Report***

Bob Maile, Superintendent of the Kansas State School for the Deaf (KSSD), reviewed highlights of his year-end report. Among the items he covered, Mr. Maile indicated that the school was busy installing a video conference center with a \$50,000 grant they had received from the Allstate Foundation. Mr. Maile reported that at the suggestion of the Commissioner and with the help of local legislators, they had requested an interim study on an early intervention program proposal. He noted that the FY 2008 budget reflected a \$400,000 enhancement for the program. He also reported that Sound Beginnings, a program for newborn hearing screening, had been working with KSSD personnel on a hearing aid loan bank. Mr. Maile noted that the year-end report contained reports from the different department within the school. A copy of the KSSD annual report was also handed out to the Board.

Mr. Maile was asked about the two positions at the school that had shown up on the Certified Personnel Report as unlicensed personnel. He indicated that one was a mistake in reporting that has been corrected. The other was a math teacher working with an emergency substitute license because the school had been unable to fill the position with a certified teacher. He indicated they would continue recruiting and have also been encouraging the individual now in place to pursue a provisional license while he acquired his education hours. He noted that the individual had a master's degree in meteorology, with enough undergraduate math course to qualify, but no pedagogy.

***Budget***

Mr. Maile reported that a reduced resources budget would be implemented by reducing the length of the school year; maintaining vacancies in five support positions and two additional professional positions; eliminating summer school; and reducing the overall operating budget. Enhancements included development and implementation of programming for severely multiply-disabled, funding for the Sound START Early Intervention Program; and the purchase of a Bobcat and a minivan. He also reviewed the State Institutions Building Fund request and pointed out that no further renovations could take place at the school until electrical distribution upgrades, which were included in the request, were implemented. Mrs. Morris moved, with a second by Mrs. Martin, that the State Board accept the KSSD year-end report and approve the proposed FY 2008 budget request. The motion carried.

The Board took a break from 3:25 until 3:39 p.m.

**PROPOSED REGULATIONS ON SECLUSION ROOMS AND RESTRAINT**

Department General Counsel Rod Bieker, reported that the regulations submitted to the Board for review at the July meeting were being presented for State Board approval to the begin the required adoption process, which starts by submitting the proposed regulations to the Department of Administration and Attorney General for their review. The proposed regulations came about at the direction of the Senate Education Committee to develop guidelines or regulations addressing seclusion rooms and restraint procedures for students with disabilities. He commented on the public input Board members had already received regarding the regulations and also reported on the cooperative effort of the groups that had worked on developing them. Mrs. Morris moved, with a second by Mrs. Van Meter, that the State Board approve the submission of the proposed seclusion rooms and restraint regulations 91-40-75, 91-40-76, 91-40-77, 91-40-78 and 91-40-79 to the Department of Administration and Attorney General for review.

In the discussion that followed, some Board members were in favor of adopting the proposals as guidelines instead of regulations. There was a concern about additional paperwork and an extra burden on teachers. The number of special education teachers leaving the practice because of existing reporting requirements was pointed out. It was suggested that student IEP's could address the issues that were included in the proposed regulations. There was also concern about emergency situations that might arise and school staff not being able to adequately respond because of restrictions imposed by the regulations. Local control was also mentioned as a reason to adopt guidelines instead of regulations.

Asked by Dr. Wagon, Mr. Bieker also reviewed possible timelines for adopting the regulations, indicating that it would take a minimum of four months if no changes were made and approval could be obtained quickly from the require agencies. He also indicated that the current proposed regulations would be before the Board a minimum of four more times: set a public hearing; hold a public hearing; make modifications in response to public comment; and adoption of the regulations. There was also the possibility that if modifications were made they would have to go through the Attorney General and Department of Administration review process again. It was suggested that it would not close any options to send them on for review and that guidelines could still be adopted any time prior to final action by the Board adopting them as regulations.

Mr. Bieker was asked what problem was being eliminated by the regulations. He responded that they were based on proposed legislation that would have established minimum standards for student safety. Testimony received during the legislative process indicated that a problem existed, at least in some schools. Mr. Bieker reported that he had been asked to do a survey and though results of the survey were not helpful, he didn't believe there was a widespread problem based on the absence of formal complaints received by the Department. He pointed out that most schools were probably already providing training to staff regarding appropriate restraint. Mrs. Martin pointed out that having regulations defining what is appropriate sometimes makes it simpler for parents and districts.

It was suggested that to address the case of abuse that had come out in legislative testimony, a minimum that the ceiling height of seclusion rooms should be added and it was also suggested that the restraint regulation might amended to address emergency situations. Mr. Bacon moved, with a second by Mr. Willard, that the motion be amended to address both concerns. It failed on a vote of 5-5, with Mrs. Martin, Dr. Wagon, Mrs. Rupe, Mrs. Gamble and Mrs. Waugh voting "no".

The motion carried on a voted of 6-4, with Mrs. Rupe, Mrs. Waugh, Mrs. Gamble and Dr. Abrams voting "no".

### **EARLY CHILDHOOD PROGRAM STANDARDS FOR LICENSURE**

Susan Helbert, Assistant Director of Teacher Education and Licensure (TEAL), presented early childhood program standards for licensure for State Board adoption. She noted that the Board had adopted a new early childhood endorsement for Birth-K in July and the program standards being proposed reflected an adaptation of the current standards that were included in the unified birth-grade 3 program, with the elementary curriculum pieces pulled out. She noted the standards had been approved by the Regulations Committee of the Professional Standards Board and the Standards Board. Asked how many schools would offer the endorsement, Mrs. Helbert indicated Wichita State, the University of Kansas, Kansas State and Washburn had been represented on the committee that developed the proposal and that many

more schools would probably offer it, since they had offered the earlier endorsement for birth-K that had been replaced by the birth-grade 3, and still had the faculty. Mrs. Martin, who represented the State Board on the Professional Standards Board (PSB), reported that the PSB had carefully considered the standards and their adoption would be helpful to the higher education institutions in moving forward with their programs.

Dr. Wagnon expressed his objection to the change, pointing out that the birth-grade 3 endorsement had been adopted in an attempt to upgrade the professionalism of early childhood education. He added that he saw the proposal as a step backwards and could not support it. Dr. Gage, Director of TEAL, indicated that the move was really a compromise until other states catch up with Kansas. She pointed out that Kansas currently was the only state that offered the birth-grade 3 endorsement, adding that the birth-K endorsement would allow Kansas to accept more teachers from out of state. She also pointed out that though some do, most universities don't have the faculty for the birth-grade 3 endorsement. Mrs. Gamble reported that she was aware that schools, especially in the rural areas, were beginning to have a problem with elementary staff and this additional endorsement would help address the issue.

#### **RECOMMENDATIONS REGARDING UNLICENSED PERSONNEL**

Mrs. Beth Fultz, Education Consultant with TEAL, reported that at the direction of the Board, staff had met with General Counsel Bieker regarding remedies the State Board could impose for the hiring of unlicensed teachers by districts in Kansas. She reported that without additional legislative authority, the State Board could not impose fines or reduce a district's budget. It did have the authority to send letters to superintendents and school boards indicating unlicensed personnel had been hired, but that any legal action would have to be taken by the district or county attorney or the State Attorney General. Mrs. Fultz reported that she had looked at how the problem was handled by other professions. In the case of the nursing profession, there was a statute prohibiting the hiring of unlicensed personnel and a statute with a penalty provision. In the case of the teaching profession, there was no penalty statute.

Commissioner Corkins reported that the response to the letters that had been sent out to superintendents had been very good and the number of unlicensed personnel dropped significantly. He reported he had also been told that the Department could make more frequent and earlier notifications to districts year-round, which is what he would recommend to the Board.

In the discussion that followed, Dr. Wagnon agreed that, at a minimum, the Commissioner's recommendation should be implemented, but he added that he would like staff to prepare a proposal to deal with districts and unlicensed personnel as part of the Board's legislative package. Mrs. Rupe expressed concern about districts unable to find licensed teachers and shared information about vacancies and examples of attempts to fill them in the Wichita district this year. She suggested that the Board study the issue further. She pointed out that the examples she had shared demonstrated that just because someone was unlicensed, didn't mean they were totally unqualified. Mrs. Helbert and Dr. Gage asked for further information about the problems encountered by Wichita and asked if the Department had been contacted. Dr. Gage reported that in one discussion with the district a misunderstanding of the regulations was clarified. She added that she believed Kansas is experiencing the worst teacher shortage ever this year. It was suggested by Mr. Bacon that more use of the Visiting Scholar license might be helpful.

## **BOARD REPORTS**

### **Chairman**

#### ***Designation of Board Delegates for the NASBE Annual Meeting***

Mr. Bacon moved, with a second by Mrs. Morris, that that the State Board appoint Mr. Willard as the State Board's delegate at the NASBE annual meeting, with Mrs. Gamble as alternate. The motion carried 9-1, with Mrs. Gamble voting "no". Mrs. Gamble indicated she would be leaving the convention the day of the business meeting.

#### ***Video Streaming of Board Meetings***

Kathy Gosa, Director of Information Technology, presented several options and the cost of each for the Board to consider regarding video streaming Board meetings. After discussing the issue, there was no apparent interest to pursue any of the options at the current time.

### **Policy Committee**

Mr. Willard reported that the Policy Committee, in its role as the Task Force, appointed under 2006 HB 2576 to assess the feasibility of requiring all Kansas school districts to adopt district policies mandating that all schools conduct a check of the internet site maintained by the Kansas Bureau of Investigation (KBI) concerning registered sex offenders prior to permitting any unescorted, noninstructional personnel on school grounds while students are present, had met again and developed a recommendation. The statute required the Task Force to present its findings and recommendations to the State Board and the Speaker of the Kansas House of Representatives and the President of the Kansas Senate on or before January 1, 2007. Fulfilling the requirement to make a report to the Board, the Task Force found that, under existing language, it was not feasible to impose such a requirement on schools. Further, the Task Force recommended that the legislature reconsider the matter and possibly adopt provisions requiring KBI internet site checks of all unclassified employees. It also should assure that students, while engaged in school activities, are provided appropriate supervision by school personnel, so they are safe from known—as well as unknown—predators. Mrs. Martin moved, with a second by Mr. Bacon, that the State Board acknowledge receipt of the Task Force's report. The motion carried.

### **Board Attorney's Report**

Mr. Biles reported that the focus was now on the federal court case regarding school finance litigation. He noted that a group was challenging the constitutionality of SB 549 under various federal law provisions. He reported that the State Board and the plaintiffs had filed objections and by the next Board meeting it would be known where the federal case was headed. Following up on an incident at KSSD, he noted that the Human Rights Commission had ruled that there was no probable cause in the case. Mr. Willard moved, with a second by Mrs. Bacon, that the Board pay Mr. Biles' fees for services and expenses for July as presented. The motion carried.

### **Other Board Member Reports**

Mrs. Gamble stated that as a result of the primary elections it would appear that changes would be made in the make up of the Board in January. She expressed the hope that in light of this fact, changes in the Department would slow down.

Dr. Wagon reported that he had not been at the July Board meeting because he had attended a meeting of the National Commission on Teaching and America's Future (NCTAF). He noted that Kansas has been an original partner to revisions and reforms in teacher education programs and standards, but had recently ceased to participate. He indicated the goal of the organization was to have a highly qualified teacher in every classroom. He reported that the theme of the conference had focused on the need to transform the

educational environment because of imminent teacher shortages. He reported on several of the sessions he had attended dealing with the teacher shortage and the ways to correct it. Dr. Wagnon also reported on the ECS annual meeting that he had attended following the NCTAF meeting. He reported that Governor Sibelius had been installed as the Chairman for 2007. Her initiative for her governing year will be the challenges of teacher retention.

### **Future Agenda Items**

Dr. Wagnon asked that staff make a presentation on a legislation proposal requiring a licensed teacher in every classroom. Mrs. Morris asked that there be a Board discussion of possible legislative funding for only one year English immersion programs for non-English speaking students. Mrs. Morris also requested that the Board pursue other alternatives to teacher licensure. Dr. Abrams asked for an update on the School Innovations Division. Mrs. Rupe asked for a presentation on the Bill and Melinda Gates Foundation report on drop-outs. Her request for a discussion of recommendations Kansas might make regarding the reauthorization of NCLB was mentioned by Mrs. Gamble. Dr. Wagnon reminded the Board of his request that staff report on how the core principles of redesign and the related white papers have been brought to the attention of the field; how staff is using the content of both to provide technical assistance for the field; and the extent to which they are being used to measure the work of the field. He indicated he is interested in learning how both are used to overcome obstacles to success. Mr. Bacon asked for a report on the possibility of a Board newsletter.

### **CONSENT AGENDA**

Mrs. Morris moved, with a second by Mr. Bacon, that the Board approve the consent agenda as presented. The motion carried.

In the consent agenda, the State Board:

- Received the monthly personnel report.
- Confirmed the appointments of: Jennifer Dick to the position of Application Developer I in the Information Technology team, effective July 10, 2006 at an annual salary of \$40,040.00; and Dawn Feldkamp to the position of Application Developer II in the Information Technology team, effective July 17, 2006 at an annual salary of \$54,932.80.
- Approved school construction plans for USD 101, Erie; USD 209, Moscow Public Schools; USD 258, Humboldt; USD 261, Haysville; USD 308, Hutchinson Public Schools; USD 321, Kaw Valley; USD 379, Clay Center; USD 385, Andover; USD 445, Coffeyville; USD 493, Columbus Campus; USD 499, Galena; USD 501, Topeka Public Schools; and St. John Vianney Church, Maple Hill.
- Found the plan to change the method of election and voting plan of USD 102, Cimarron-Ensign to be complete, sufficient and timely, and certified its findings to the persons specified in K.S.A. 72-8006.
- Approved the 2006-2007 McKinney-Vento Homeless Childre/Youth program grants for: USD 233, Olathe, \$35,080; USD 259, Wichita, \$132,081; USD 261, Hayville, \$20,000; USD 383, Manhattan, \$15,190; USD 475, Geary County, \$13,860; USD 500, Kansas City, \$72,045; USD 501, Topeka, \$64,182.

- Accepted the recommendations of the Commissioner to renew Visiting Scholar licenses valid July 1, 2006 to June 30, 2007 for Christy Carlisle who will be employed as a part-time elementary art teacher at Marion Springs Elementary, USD 348, Baldwin City; and for Kristine Born who will be employed full-time with an itinerant assignment in the USD 497, Lawrence School District, to work with special education and regular education teachers in order to meet the needs of student diagnosed with pervasive development disorders, including the autism spectrum disorders.
- Approved a request from USD 308, Hutchinson, granting it authority to hold an election on the question of issuing bonds in excess of the district's general bond debt limitation.

#### *Contracts Approved*

The State Board authorized the *Superintendent of the Kansas State School for the Blind* to negotiate and enter into a contract with:

- Dr. Jarrett Grosdidier, for Dental Services, in the amount of \$5,229;
- Dr. Joseph Maino, for Low Vision Consultation, in the amount of \$7,769;
- Providence Medical Center, for Occupational/ Physical Therapy Services, in the amount of \$41,000;
- Ron Wilson, LSCSW, for Counseling/Evaluation Services, in the amount of \$13,383; and
- Northeast Kansas Educational Service Center Membership in Kansas Teaching Consortium, in the amount of \$1,250.

and to receive payment from:

- Park Hill School District, Kansas City, Missouri, for out-of-state tuition for the 2006-07 school year, in the amount of \$9,880;
- R-VIII School District, Knob Knoster, Missouri for out-of-state tuition for the 2006 extended school year in the amount of \$1,332; and
- R-VII School District, Lee's Summit, Missouri for out-of-state tuition for two students for the 2006-2007 school year in amount of \$19,343; and for the 2006 extended school year in the amount of \$650.

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

- a contract with KU Center for Research, Inc., to continue to assist in the management of the 21st Century Community Learning Centers (CCLC) Program, with the contract amount not to exceed \$211,905; and
- a contract with Research & Training Associates, INC. (RTA) to evaluate the Reading First Programs for 2006-2009, with the contract amount not to exceed \$125,000 on an annual basis.

#### **BOARD TRAVEL**

Mrs. Morris asked that her attendance at the Policy Committee meeting on August 7<sup>th</sup> be added. Mrs. Gamble asked for salary for July 28<sup>th</sup> when she had attended the announcement of the Supreme Court decision in the school finance case. Mr. Bacon moved, with a second by Mrs. Morris, that the Board travel requests be approved as amended. The motion carried.

#### **FY 2008 BUDGET DISCUSSION (carried over from the morning session)**

Chairman Abrams withdrew his motion from the morning session. He indicated that he had been told it would not be necessary as a budget item if the all-day K funding was to come out of the \$149 million that had been proposed and approved by the legislature in SB 549. Dr. Abrams added that if the Board would like to pursue it, it should be included as one of its legislative recommendations. Mrs. Van Meter agreed to withdraw her second.

Mrs. Gamble reported that she had attended a school lunch conference where she discovered that there had been no increase in state reimbursement since 1983. In light of the current emphasis on wellness programs and healthy eating in schools, she moved that the Board include in its FY 2008 budget recommendation an increase of \$0.01, amounting to \$650,000, for reimbursement for the school lunch program. Dr. Wagnon seconded the motion. Mrs. Gamble indicated it would raise the state reimbursement to \$0.06 per meal. There was brief discussion, including where the funding would come from. It was indicated that it would be on top of the \$149 million in SB 549. The motion failed on a vote of 4-6, with Dr. Abrams, Mr. Bacon, Mrs. Martin, Mrs. Morris, Mrs. Van Meter and Mr. Willard voting "no".

Mrs. Waugh moved, with a second by Dr. Wagnon, that the Board include in its FY 2008 budget recommendation \$24 million for the first year of a three year phase-in of universal all-day-K for those schools wanting to offer it. Chairman Abrams asked if the \$24 million would be on top of the \$149 million included in SB 549. She indicated it would. The motion failed on a vote of 5-4-1, with Dr. Abrams, Mrs. Morris, Mrs. Van Meter and Mr. Willard voting "no" and Mr. Bacon abstaining.

Mr. Willard moved, with a second by Dr. Abrams, that the Board authorize the Department to fund an additional year of Kal-Tech, if the money could be found in the Department budget. Dr. Abrams seconded the motion. It was indicated that it would cost \$300,000. Mr. Dennis reported that there was no money earmarked for it and the Department would have to find a funding source. Dr. Abrams and Mr. Willard stressed that the motion was to fund it if the money was available. Mrs. Waugh and Mrs. Gamble indicated they couldn't vote for the motion if the money wasn't available. Mrs. Gamble added that there were many monetary pressures on the Department at the current time and didn't believe the Board should add to them. The motion carried on a vote of 7-3, with Mrs. Gamble, Dr. Wagnon and Mrs. Waugh voting "no"

Dr. Wagnon moved, with a second by Mrs. Rupe, that the Board increase the mentor teacher program by \$1 million to fund the second year for new teachers. Dr. Wagnon noted that in light of the problems with teacher attrition, it would be a minimum amount for a proven program. Chairman Abrams asked if the \$1 million would be on top of the \$149 million included in SB 549. Dr. Wagnon indicated it would. The motion failed on a vote of 5-4-1, with Dr. Abrams, Mrs. Morris, Mrs. Van Meter and Mr. Willard voting "no" and Mr. Bacon abstaining.

Mr. Willard moved, with a second by Mr. Bacon, that the Board submit a budget recommendation of \$149 million, reflecting the legislative proposal in SB 549.

Mrs. Waugh moved to amend the motion to include \$460,000 for Parents as Teachers to add 1,000 children. Dr. Wagnon seconded the motion. The motion to amend failed on a vote of 5-4-1, with Dr. Abrams, Mrs. Morris, Mrs. Van Meter and Mr. Willard voting "no" and Mr. Bacon abstaining.

Dr. Wagnon moved to amend the motion to increase the at-risk weighting by 1% to fund actual costs. Mrs. Waugh seconded the motion. Mr. Bacon asked if the money would be on top of the \$149 million included in SB 549. Dr. Wagnon and Mrs. Waugh indicated it would. The motion to amend failed on a vote of 4-5-1, with Dr. Abrams, Mrs. Martin, Mrs. Morris, Mrs. Van Meter and Mr. Willard voting "no" and Mr. Bacon abstaining.

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Mrs. Gamble asked for clarification of Mr. Willard's motion. Dr. Abrams indicated because the money had not yet been appropriated by the 2007 Legislature it was necessary for the Board to vote to recommend the \$149 million. Mr. Bacon clarified that KPERS funding would increase the \$149 million by an additional \$25 million. The motion carried 6-4, with Mrs. Gamble, Mrs. Rupe, Dr. Wagnon and Mrs. Waugh voting "no".

There being no further business, Mr. Willard moved, with a second by Mr. Bacon, that the meeting be adjourned. The motion carried and Chairman Abrams adjourned the meeting at 5.25 p.m.

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Steve Abrams, Chairman

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Penny Plamann, Secretary