APPROVED

KANSAS STATE BOARD OF EDUCATION

Meeting Minutes
August 13, 2013

8/13/2013
A.M. Session

CALL TO ORDER

Chairman Jana Shaver called the monthly meeting of the State Board of Education to order at 10 a.m. Tuesday, August 13, 2013 in the Board Room of the Kansas State Education Building, 120 SE 10th Ave., Topeka, Kansas.

ROLL CALL

Members present were:

John Bacon	Jim McNiece
Kathy Busch	Steve Roberts
Carolyn Wims-Campbell	Jana Shaver
Sally Cauble	Janet Waugh
Deena Horst	Ken Willard

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

Chairman Shaver read the Board Mission Statement. She then asked for a moment of silence after which the Pledge of Allegiance was recited.

APPROVAL OF AMENDED AGENDA

Chairman Shaver announced two additions for the day's agenda — a consent item (16 n-1) to approve a contract with Southwest Plains Regional Service Center for services to the Kansas Learning Network, and an executive session for attorney consultation. Mrs. Cauble moved to approve the amended agenda. Mrs. Busch seconded. Motion carried 10-0.

MOTION

APPROVAL OF THE JULY MEETING MINUTES

Mrs. Campbell moved to approve the minutes of the July Board Meeting. Mrs. Horst seconded. Motion carried 10-0.

MOTION

COMMISSIONER'S REPORT

Audio Began
(00:06:55)

Commissioner Diane DeBacker introduced Denise Kahler as the new KSDE Director of Communications and Recognition. As a follow-up to earlier requests, Dr. DeBacker provided Board members with a list of school districts randomly selected to participate in the Smarter Balanced Assessment Consortium's pilot testing in math and English Language Arts. She also presented them with a current state assessment schedule. In her report, Dr. DeBacker referenced the development of a topic toolkit that will be ready in September for Board members' use during the Legislative recess. The format was presented at the CCSSO summer conference and will be personalized for Kansas. She gave updates on recent meetings with five members of the House concerning College and Career Ready Standards, and with 20 constituents in the field discussing four summative assessment options. The group's suggestion was to explore a hybrid option that would give districts a choice of selecting either a state-offered default assessment or choosing another assessment that meets the required state criteria. It is expected that KSDE will present its recommendation for assessments in October, to be discussed in November and voted on in December. Lastly, Dr. DeBacker reported on a meeting concerning the ESEA waiver extension, plus the August staff retreat.

CITIZENS' OPEN FORUM

(00:38:44)

Chairman Shaver declared the Citizens' Forum open at 10:35 a.m. Those speaking were: Jack Sossoman, Topeka, suggesting that financial math be required for high school graduation; Renee

Slinkard, Parker, noting concerns about Common Core and data collection; Greg Beck, Leavenworth, noting concerns about Common Core; Shirley Koehn, Wichita, representing Kansans Against Common Core; Walt Chappell, Wichita, regarding data collection and standardized tests; Rep. John Bradford of the 40th District, Lansing, commending Board's support of Celebrate Freedom Week; Connie O'Brien, Tonganoxie, regarding books needed for classrooms; Catherine Johnson, Topeka, with the Disability Rights Center, concerning Emergency Safety Intervention regulations.

Chairman Shaver declared the Citizens' Open Forum closed at 11:16 a.m.

BREAK

The Board took a break until 11:20 a.m.

PROFESSIONAL PRACTICES COMMISSION

(01:19:39)

Calin Kendall, Chairman of the Professional Practices Commission, presented a summary of recommendations concerning 16 cases brought before the Commission. Mrs. Cauble moved to adopt the findings of fact and conclusions of the PPC. Mr. Bacon seconded. Discussion followed concerning County Attorney and District Attorney compliance with reporting requirements. Motion carried 10-0. The following cases were approved for teaching licenses: 13-PPC-13 Thomas Bachofer, 13-PPC-37 Thomas Auge, 13-PPC-34 Jarod Cearley, 13-PPC-29 Danielle Bailey, 13-PPC-36 Bryan Martin, 13-PPC-42 Ashley Gillett, 13-PPC-33 Amara Benskin, 13-PPC-27 Radley Carter; and Emergency Substitute Teaching License to 13-PPC-36 Michael Stratton. Other Case action included 13-PPC-28 Richard Kimball Emergency Substitute Teaching License denied; 13-PPC-23 Kurt Brundage and 13-PPC-21 Cathleen Balman, voluntary surrender of licenses; 13-PPC-25 Jacob Lull, 13-PPC-28 Annette Neises, 12-FC-07 Lyle Seitter, and 13-PPC-22 Calvin Andrews revocation of licenses .

REVIEW OF DATA COLLECTION/FERPA

(01:40:21)

Kathy Gosa, KSDE Director of Information Technology, described the data elements schools submit to KSDE, plus the reasons certain core data is collected (i.e. to calculate state and federal funding). Mrs. Gosa further explained that data is aggregated (summarized) rather than tied to individual students. She emphasized the safeguards in place at multiple levels to secure information. Cheryl Whelan, General Counsel, followed with an explanation of the federal privacy law known as FERPA — Family Education Rights and Privacy Act — which protects students and parents. She defined the term Personally Identifiable Information, reviewed rights of parents and eligible students, and discussed enforcement provisions.

LUNCH
(02:57:22)

The Chairman recessed the meeting for lunch at 1 p.m. The Board reconvened at 2 p.m.

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(00:00:34)

ASSESSMENT UPDATE

Scott Smith, Assessments Assistant Director, summarized recent meetings with the Kansas College and Career Ready Assessment Advisory Council and the Kansas Assessment Advisory Council. He reviewed survey responses regarding a large-scale assessment system in which responders agreed that improving instruction should be at the forefront. Board members discussed the ongoing question about Broadband availability for online testing in schools. They learned that a survey will be conducted this fall to inventory Internet speeds in Kansas schools and that Oct. 1 and 2 are days designated to try the new test engine among districts. Mr. McNiece asked for a comparison of advantages, disadvantages and costs to help with the assessment decision-making process. KSDE staff expect to provide an assessment recommendation to the Board in October.

PROPOSED AMENDMENTS TO REGULATIONS RELATED TO CELEBRATE FREEDOM WEEK

(00:47:35)

KSDE General Counsel Cheryl Whelan presented the next steps in amending Performance and Quality Criteria regulations related to Celebrate Freedom Week. The amendments enhance the history and

government requirements for grades kindergarten through eighth as required by the 2013 House Bill 2261. Mrs. Wims-Campbell moved to approve submission of the proposed amendments to regulation 91-31-32 to the Department of Administration and Attorney General for review. Mr. Roberts seconded. Motion carried 9 to 1 with Mrs. Cauble in opposition. Don Gifford, Education Program Consultant for History, Government and Social Studies, provided a list of online resources and useful lesson plans available to teachers as they prepare to observe Celebrate Freedom Week.

MOTION
(00:49:48)

CAREER AND TECHNICAL EDUCATION UPDATE

(00:58:09)

Jay Scott, Assistant Director of the Career, Standards and Assessment Services team, shared updates within the past year to Career and Technical Education (CTE) in the state. These included approving additional CTE pathways within the 16 career clusters and promoting tuition reimbursement through Senate Bill 155. He noted that the certification incentive program, also through SB 155, resulted in $711,000 given to districts with students earning incentivized certifications. Mr. Scott also previewed team goals for the next three to five years, such as a quality improvement plan for each Pathway and more professional development for CTE teachers. The presentation included information on CTE instructor licensure options by Susan Helbert and a list of Kansas Advisory Committee members who serve as business and industry partners.

The Board took a break from 4 to 4:10 p.m.

BREAK

ANNUAL LICENSED PERSONNEL REPORT

(02:01:10)

The annual Licensed Personnel Report included information about the professional and demographic characteristics of the 43,973 licensed personnel in Kansas' accredited schools. The information is gathered through the Educator Data Collection System and categorized by age groupings, years of experience and educator type. Teacher Licensure Accreditation staff Shane Carter, Lori Adams and Susan Helbert presented highlights from the summary report.

ESEA WAIVER UPDATE

(02:39:41)

Deputy Commissioner Brad Neuenswander reported that individual states may apply for two new flexibility options during the transitional years of the Elementary and Secondary Education Act (ESEA). These options are: 1) wait an additional year to collect student growth data which is used to inform personnel decisions. This option would move the use of Student Growth Data from the 2015-16 school year to 2016-17; and 2) Students would not be double tested if they participated in a field test during the 2013-14 school year. The recommendation is to seek both options. He commented that the state was awaiting more details about the conditional waiver associated with Principle 3 of the ESEA regarding teacher/leader evaluations. Kansas will receive a waiver monitoring visit from the U.S. Department of Education Sept. 11 and 12.

LEGISLATIVE MATTERS

(02:50:46)

Deputy Commissioner Dale Dennis asked the Board to consider any education issues, other than the budget, which members want to recommend to the 2014 Kansas Legislature.

CONSENT AGENDA

MOTION
(02:58:46)

Mrs. Cauble moved and Mr. McNiece seconded a motion to approve the amended Consent Agenda. Motion carried 10-0. In the Consent Agenda, the Board:

- Received the monthly Personnel Report for the month of July.
- Received written 4th quarter reports for the Fiscal Year 2013 period April 1 to June 30, 2013 from the Kansas State School for the Blind and the Kansas State School for the Deaf.
- Authorized a contract for dental services for students attending the Kansas State School for the Blind (KSSB) for the 2013-14 school year in an amount not to exceed $5,500.

- Authorized KSSB to renew a contract with Accessible Arts, Inc., for arts-related services for students in exchange for KSSB facility use and outreach services in an amount not to exceed $134,000.
- Approved a contract continuation between Kansas State School for the Deaf and the Kansas Department of Health and Environment for a Hearing Aid Loan Bank with the contract amount to be received by KSSD not to exceed $45,000.
- Approved an agreement to transfer territory from USD 467, Wichita County, to USD 215, Kearny County, to be effective July 1, 2014.
- Authorized the Commissioner of Education to enter into an agreement with the Office of Administrative Hearings for services provided during Professional Practices Commission hearings in an amount not to exceed $15,000.
- Approved the Educational Flexibility Partnership (Ed-Flex) waiver requests for USD 260 Derby Public Schools, USD 383 Manhattan Public Schools, USD 436 Caney Valley and USD 500 Kansas City Public Schools.
- Approved Visiting Scholar licenses for Khalil Mekkaoui (renewal) as Arabic language instructor for the Southeast Kansas Education Service Center at Greenbush, Naoko Takami Nadtochiy as a Japanese language instructor at Olathe East and Olathe South high schools; and William Allen Skeens as a CAPS law instructor for Blue Valley USD 229. These are for the 2013-14 school year.
- Approved the in-service education plans for USD 205 Bluestem, USD 232 DeSoto, USD 254 Barber County, USD 255 South Barber, USD 264 Clearwater, USD 268 Cheney, USD 303 Ness City, USD 339 Jefferson County North, USD 341 Oskaloosa Public Schools, USD 359 Argonia Public Schools, USD 382 Pratt, USD 412 Hoxie Community Schools, USD 423 Moundridge, USD 449 Easton, and USD 497 Lawrence.
- Authorized USD 202, Turner, Johnson County, to hold an election on the question of issuing bonds in excess of the district's general bond debt limitation..
- Approved recommendations for funding the 2013-14 McKinney-Vento Children/Youth Homeless grants for the following districts in the amounts listed: USD 233 Olathe $39,500, USD 259 Wichita $122,000, USD 261 Haysville $20,000, USD 290 Ottawa $13,145, USD 383 Manhattan-Ogden $18,155, USD 457 Garden City $11,200, USD 475 Geary County $17,000, USD 500 Kansas City $80,500, USD 501 Topeka $57,500.
- Approved the funding for Priority and Focus Schools for the 2013-14 school year to support the school improvement process. Funding is allocated as follows: USD 114 Riverside $22,163, USD 209 Moscow $22,163, USD 214 Ulysses $22,163, USD 234 Fort Scott $22,163, USD 250 Pittsburg $22,163, USD 259 Wichita $1,400,889, USD 290 Ottawa $22,163, USD 303 Ness City $22,163, USD 305 Salina $44,326, USD 308 Hutchinson $44,326, USD 326 Logan $22,163, USD 387 Altoona -Midway $22,163, USD 401 Chase $22,163, USD 443 Dodge City $44,326, USD 453 Leavenworth $88,652, USD 457 Garden City $44,326, USD 480 Liberal $88, 652, USD 500 Kansas City $1,578,963, USD 501 Topeka $310,667.

Authorized the Commissioner of Education to negotiate and

* enter into a contract with Southwest Plains Regional Service Center to provide services to the Kansas Learning Network for the 2013-14 school year in an amount not to exceed $665,391;
* continue an assessment development contract with the Center for Educational Testing and Evaluation in an amount not to exceed $125,000;
* amend a contract with Kansas Families and Schools Together for expanding the scope of its work with Priority and Focus schools by an additional $47,320 for a contract total not to exceed $197,320;

* enter into a contract with the Center for Educational Testing and Evaluation at the University of Kansas for the development of a teacher leader assessment in an amount not to exceed $50,000;
* enter into a contract with the News Media and Marketing Division of K-State Research and Extension for production services to develop videos and educational materials for child nutrition programs in an amount not to exceed $50,000;
* amend a contract with a vendor providing a teacher mentoring and induction model including the curriculum and training of mentors by an additional $7,000 for a contract amount not to exceed $95,000.

EXECUTIVE SESSION

MOTION
(02:59:28)

Mrs. Cauble and Mrs. Waugh jointly moved to enter into executive session at 5:15 p.m. for 20 minutes for the purpose of consultation with an attorney which would be deemed privileged in the Attorney-Client relationship, in order to protect the privilege and the Board's communications with its attorney on legal matters. The Board meeting would resume at 5:35 p.m. Dr. Diane DeBacker, Board Attorney Mark Ferguson and KSDE General Counsel Cheryl Whelan were invited to join the session. Mrs. Busch seconded. Motion carried 10-0.

RECESS

RECESS
(03:00:39)

The Board reconvened at 5:35 p.m. at which time Chairman Shaver recessed Tuesday's Board meeting until 9 a.m. Wednesday.

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Jana Shaver, Chairman

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Peggy Hill, Secretary

APPROVED

KANSAS STATE BOARD OF EDUCATION

Meeting Minutes
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CALL TO ORDER

Chairman Shaver called the Wednesday meeting of the State Board of Education to order at 9 a.m. on August 14, 2013 in the Board Room of the Kansas State Education Building, 120 SE 10th Ave., Topeka, Kansas. (00:00:20)

ROLL CALL

Members present were:

John Bacon	Jim McNiece
Kathy Busch	Steve Roberts
Carolyn Wims-Campbell	Jana Shaver
Sally Cauble	Janet Waugh
Deena Horst	Ken Willard

APPROVAL OF AGENDA

Mrs. Horst moved to approve the agenda as presented. Mrs. Cauble seconded. Motion carried 10-0. **MOTION** (00:00:36)

EMERGENCY SAFETY INTERVENTIONS UPDATE

In her overview of action concerning implementation of the Emergency Safety Interventions regulations, Special Education Services Director Colleen Riley noted that four key standards have been in place: communication, documentation, training and appropriateness. The focus continues to be on prevention and de-escalation of behavior through Positive Behavior Supports to help eliminate the need for Emergency Safety Interventions. She also noted efforts by KSDE and Kansas' Technical Assistance Systems Network (TASN) to provide training and guidance across the state. Board discussion included a request for more information on training, questions concerning wording of the regulations that went into effect April 2013, and Board member visits to private schools Heartspring in Wichita and Lake Mary Center in Paola. (00:01:00)

The Board took a break from 10:30 to 10:40 a.m. **BREAK**

COMMUNICATIONS COMMITTEE REPORT

Mr. McNiece represented the Board's Communications Committee and presented a Strategic Outline for accomplishing specific communications tasks. He focused on branding or building an identifiable image. Other suggestions included placing a link to the State Constitution on the Board's web pages, creating fact sheets and press packets for members' use, and ordering new name badges. Members also reviewed sample redesigns of the Board logo and stationery. (01:31:12)

NASBE MEMBERSHIP DUES

Mr. McNiece moved to approve payment of calendar 2014 membership dues for the National Association of State Boards of Education, the National Council of State Education Attorneys, and the annual subscription for NASBE's *Standard* at a total cost of $24,985. Mrs. Horst seconded. Motion carried 9-0 with Mr. Bacon absent during the vote. **MOTION** (02:02:17)

BOARD REPORTS

In her Chairman's Report, Mrs. Shaver reminded Board members that the October meeting would be held at the Statehouse, Room 112 North, during KSDE's transition to the Landon State Office Building. She reported on her attendance at the Superintendent's meeting at Greenbush, the TASN Conference **CHAIRMAN'S REPORT** (02:03:41)

in Wichita, and the STEAM meeting in Manhattan, which adds agriculture to the emphasis on science, technology, engineering and math.

LEGISLATIVE REPORT

None.

ATTORNEY'S REPORT

Board Attorney Mark Ferguson attended the education attorneys' conference held in conjunction with the NASBE annual convention in Arlington, Va.

OTHER BOARD MEMBER REPORTS (02:11:12)

In other reports — Mrs. Waugh reported that the Policy Committee will present its suggested changes to the Board's Policy Book at the September meeting. She also noted that she attended the convocation at Kansas City Kansas USD 500. Mrs. Busch attended the TASN Conference in Wichita, as did Mrs. Cauble, Mrs. Waugh and Mrs. Shaver. Mrs. Cauble also participated in three Common Core forums in her district. Mrs. Wims-Campbell attended a session on the Kansas Open Meetings Act and Kansas Open Records Act in Topeka hosted by the Attorney General's Office. She distributed information pamphlets to Board members.

Four Board members attended this year's National Association of State Boards of Education (NASBE) annual conference in Arlington, Va. — Mr. McNiece, Mrs. Horst, Mrs. Wims-Campbell and Mr. Willard. Mr. McNiece and Mrs. Horst also attended the NASBE New Member Institute which preceded the conference. Mrs. Campbell currently serves on the NASBE governmental affairs committee. Kansas will be represented on the Board of Directors by Mr. McNiece, who will be serving as the New State Board Member representative, and Mr. Willard, who was elected Secretary/Treasurer.

REQUESTS FOR FUTURE AGENDA ITEMS

Requests for future agenda items: Mrs. Campbell would like to hear more about the competitive food standards as well as information on pregnancy/dropout rates in Kansas; Mr. Willard suggested inviting the new NASBE Executive Director to Kansas as she makes her tour of states; Mrs. Waugh would like a full report of virtual schools; Mrs. Cauble would like to meet with the House and Senate Education Committees; Mr. Willard would like a report of Personal Finance classes in schools and to hear from math teachers regarding adequacy of standards; Mrs. Horst suggesting inviting educators, especially math teachers, to a meeting to describe how they are helping students prepare for their futures.

BOARD TRAVEL REQUESTS

MOTION (02:35:12)

Additions to the list for approved Board travel are as follows: Mrs. Wims-Campbell will attend the MTSS Conference Sept. 5 and 6 in Wichita and the Kansas Teacher of the Year regional banquet in Topeka on Sept. 8 . Mrs. Cauble moved to approve Board Travel requests with these additions. Mr. McNiece seconded. Motion carried 9-0 with Mr. Willard absent for the vote.

ADJOURN (02:50:50)

ADJOURNMENT

Chairman adjourned the meeting at 12:02 p.m.

POST-MEETING TOUR OF LANDON STATE OFFICE BUILDING

At 1:30 p.m., a tour of Landon State Office Building was offered for any Board member who wanted to see the space that will soon house KSDE and the Board room. Those participating were Mrs. Shaver, Mrs. Cauble, Mrs. Busch, Mr. McNiece, Mr. Roberts, Mrs. Horst, Mrs. Waugh and Mrs. Campbell.

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Jana Shaver, Chairman Peggy Hill, Secretary