

**KANSAS STATE BOARD OF EDUCATION  
Pre-Meeting Activities  
February 10, 2003**

An orientation session for new Board members was held from 1:00 ? 5:00 p.m. in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.? An opportunity was also provided for questions about items on the agenda for the upcoming meeting.? In attendance were Mrs. Waugh, Mrs. Gamble, Mrs. Morris, Mrs. Van Meter, and Mr. Willard.

**MEETING MINUTES  
February 11, 2003**

**CALL TO ORDER**

Chairman Waugh called the meeting to order at 10:00 a.m. on Tuesday, February 11, 2003, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.

**ROLL CALL**

Board members stood for the recitation of the Pledge of Allegiance.? Present were:

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

Mr. Willard had a long-standing prior commitment and was not able to be present until after lunch.

**APPROVAL OF THE AGENDA**

Chairman Waugh asked for approval of the agenda.? Mr. Wyatt indicated he would like additional information regarding several items on the Consent Agenda and asked that they be pulled.? They included? items 15 e., recommendations of the Evaluation Review Committee; 15 f., a contract with Mid-Continent Regional Educational Laboratory (McREL) for the review of the Kansas Communication Arts and Mathematics Standards; 15 g., concerning Ed-Flex waivers for USD 500, Kansas City; 15 h., a contract with Families Together, Inc. for coordination of a consortium of disability advocacy organizations and operation of a statewide family-school partnership training network; and 15 k., Enhancing Education Through Technology Grant Awards for the 2003-2004 school year.? Dr. Abrams moved, with a second by Carol Rupe, that the agenda be approved as amended.? The motion carried.

**APPROVAL OF THE JANUARY 2003 MINUTES**

Chairman Waugh asked if there were any corrections to be made to the January 2003 minutes.? Mr. Wyatt indicated the minutes should be corrected to reflect that instead of Carol Rupe, he had nominated Mrs. Gamble for Chairman.? There being no further changes, Dr. Abrams moved, with a second by Carol Rupe, that the minutes for January be approved as corrected.? The motion carried.

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### COMMISSIONER'S REPORT

Commissioner Tompkins asked for comments on his summary of issues to be addressed as a result of the Board's planning retreat. Regarding meeting with the Board of Regents, it was decided that a meeting would be arranged between Janet Waugh, Jack Wempe, Chair of the Board of Regents, the Regent's Executive Director, and the Commissioner to develop an agenda for a joint meeting of both boards. Also discussed were the Board's goals. Dr. Wagnon indicated that he had understood that the Board's goal for redesign of Kansas educational delivery systems would be restated to incorporate the seven core principles for redesign adopted by the Board. Dr. Tompkins responded that he would have a draft of a two-year plan based on Board retreat goals for the March meeting and it would include incorporation of the core principles.

Dr. Tompkins gave an update on the Business/Ed Coalition and changes that will be made to make a newly reformed committee more effective. He also asked Assistant Commissioner Pochowski to review for the Board activity regarding the reading and mathematics standards.

### UPDATE ON READING AND MATHEMATICS STANDARDS

Dr. Pochowski reported that the No Child Left Behind Act (NCLB) requires that each state adopt challenging academic content standards that specify grade level expectations. She reported that to comply with the federal law, standards review committees had been meeting over the past six months to review Kansas' existing content standards in reading and mathematics and to designate grade level indicators. She noted that the overall content of the standards had changed very little, except the designation of grade level indicators, which had been made much more specific, and changes in the format. She indicated the contract for the external review of the standards was on the day's agenda for the Board's approval. Dr. Pochowski also reviewed a sample of the user-friendlier format changes that had been made. She reported that the Board was scheduled to receive a full set of the standards in April, with final approval scheduled for June. Mrs. Morris suggested that a numbering system for easy reference be included in the "Scope and Sequence of Standards" section of the curriculum standards.

In the discussion of the standards, Dr. Wagnon stated his belief that the grade level standards were regressive and not reflective of the Board's desire for students to progress at their own rate regardless of grade level. Dr. Abrams suggested that an explanation of what was intended by setting grade level expectations be included in the preface to the new reading and math standards. Dr. Wagnon also expressed the concern that grade level expectations would result in standardized curricula, which would focus on assessment goals and discourage good teaching. He asked that it be communicated to the field that the grade level expectations presented a clearer statement of minimal expectations and should be a foundation upon which to build. End of course, rather than grade level assessments for high school were also discussed, as well as incentives to encourage students to take the assessments seriously.

### CITIZENS' OPEN FORUM

Chairman Waugh opened the Citizens' Open Forum at 10:35 a.m. Those addressing the Board were: Mary Ralston and Kathy Cook, Shawnee, representing Kansas Families United for Public Education, Christy Levings, Osawatomie, representing Kansas NEA; Larry Geil, Axtell, representing USD 488; and John Strickler, Manhattan, representing the Kansas Natural Resource Legacy Alliance. Chairman Waugh declared the open forum closed at 10:49 a.m. The Board took a break until 11:00 a.m.

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## **RECOGNITION OF 2003 KANSAS TEACHER OF THE YEAR TEAM**

The Board had the opportunity to hear from the 2003 Teacher of the Year Team about their views on some of the obstacles they have experienced in the system that have prevented them from helping all students learn. They included 2003 Kansas Teacher of the Year, Ruth Ann Gharst, fifth-grade teacher at Cedar Creek Elementary School, Olathe USD 233; and 2003 Regional Teachers of the Year: Juliann Bliese, kindergarten teacher at O'Loughlin Elementary School, Hays USD 489; Barbara Fowler, social studies teacher at Emporia Middle School, Emporia USD 253; Nils Gabrielson, third-grade teacher at Pray-Woodman Elementary School, Maize USD 266; Trey Harrison, biological sciences teacher at El Dorado High School, El Dorado USD 490; Jada Kohlmeier, social studies teacher at Mill Valley High School, DeSoto USD 232; Diane M. Liebsch, reading and language arts teacher at Atchison Middle School, Atchison USD 409; and Pamela A. Tipton, language arts and mathematics teacher in the Directed Studies program at Seaman High School in Topeka, Seaman USD 345. Issues raised included the lack of time for planning, collaboration, networking, covering all that needs to be taught, assessing appropriately, and meeting the learning needs of all students. Included in the causes cited were an increase in paperwork for struggling students which prevents enough one-on-one teaching time. Mentioned as well, was the increased load teachers must handle because of more inclusive classrooms, which might have several students with Individualized Education Plans (IEPs), with the added demands of paraprofessional training and supervision, more meetings with IEP teams, and the lack of enough paraprofessionals and support staff. More time required for QPA related requirements, such as curriculum alignment and development of improvement strategies, was also cited as placing an additional demand on teachers' time. Several, as a solution to alleviate some of the problems, suggested smaller classes.

Concerns were expressed about NCLB and increased accountability, particularly the problem with raising the achievement level of all students. It was noted that early childhood education and preventative interventions, including parent education, as well as extended learning opportunities for students who learn at a different rate, were essential for schools to help all students achieve the NCLB proficiency goals. Variables that affect student performance beyond the control of the teacher or the school, such as student mobility, the differences in ability that teachers see in their classes from one year to the next, and the non-academic needs that students bring with them to school, were concerns also mentioned. It was noted that because Kansas has set the standards' bar higher than many other states, Kansas assessment performance levels don't adequately reflect how well Kansas students are doing, particularly in mathematics.

Several suggestions were made including continued support of teacher mentoring programs and National Board Certification; reestablishment of the performance part of the state assessments; and adequate funding to provide education materials that are up-to-date and hands-on learning experiences. Providing alternative educational settings for at-risk middle school students, similar to what has been offered in many districts for high school, was also suggested.

Chairman Waugh, with her comments echoed by several other Board members, commended the teachers for the contributions they were making to Kansas education. Brief questions followed. At the close of the discussion, the teachers were presented with certificates of recognition and stood for photographs with the Chairman and the Commissioner.

The Board recessed for lunch at 12:05 p.m. and returned at 1:30 p.m. Mr. Willard and Mrs. Rupe were not present until later in the afternoon.

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### INTRODUCTIONS

Before the Board continued with its agenda for the afternoon, Chairman Waugh introduced Sylvia Robinson, recently appointed as Governor Sebelius' Education Representative, and a class of education students from Baker University, accompanied by their professor, Peggy Harris.

### KACEE PRESENTATION

Assistant Commissioner Pochowski introduced Brad Loveless, of Westar Energy and President of the Kansas Association for Conservation and Environmental Education (KACEE). KACEE had asked for the opportunity to make a presentation to the Board to report on its Environmental Education Standards for Kansas, developed to help teachers and administrators use environmental education activities which are correlated to the Kansas curriculum standards. Mr. Loveless introduced the individuals who would be addressing the Board. Jennifer Williams, teacher at the John Dewey Learning Academy (JDLA), a charter school serving disaffected and at-risk high school students from six rural counties in northeast Kansas, explained that the mission of the school was to provide an authentic, nurturing and academically challenging learning environment that is grounded philosophically in service-learning. She indicated that much of the service-learning revolves around an environmental education theme. Ms. Williams shared student demographics, noting among other things, that of the 34 students currently enrolled, 20 of them qualify for free and reduced lunch, 50 % have IEP's addressing social and emotional adjustment and cognitive goals; and two-thirds of the students display moderate to severe behavior disorders with many having been diagnosed with clinically significant levels of depression and/or personality disorders and bipolar disorders. A high truancy rate, with attendance rates of 30-40%, by JDLA students in their previous schools, was also noted. Ms. Terri Driscoll, JDLA science and math teacher, reported on how the school has incorporated environmental and ecological literacy into classroom activities using KACEE curriculum. Three of the JDLA students, Gary Bingham, Crystallynn Quigley, and Brandon Ward, spoke about their experiences and the positive impact the school had made on their outlook and school success. ?

Ms. Laura Downey, KACEE Executive Director, reviewed the KACEE mission to promote and provide quality, non-biased and science-based environmental education for all Kansans. She reported that KACEE was a non-profit association of public and private agencies, organizations, businesses, and individuals committed to supporting and enhancing effective conservation and environmental education in Kansas through various programs, workshops, meetings, and printed/electronic resources. Ms. Downey described the professional development opportunities for educators to become familiar with programs such as Project Learning Tree, Project WET, Project WILD or Project WILD Aquatic and how to incorporate them into activities that address state core curricular standards. Mr. John Strickler, member of the KACEE Board of Directors, followed Ms. Downey, and stated that KACEE hopes to educate the public about increasingly complex environmental problems and provide them with the critical thinking and problem-solving skills necessary to address them.

### INSERVICE OPTIONS FOR HIGHER EDUCATION

Dr. Martha Gage, Team Leader for Certification and Teacher Education, reported that the Regulations Committee of the Professional Standards Board had been charged by the State Board with the task of making sure that the inservice guidelines and/or regulations ensure that higher education faculty are included in local Professional Development Council (PDC) makeup and decision making. She reported that a subcommittee drafted three options that institutions of higher education (IHE's) can utilize. She also reported that the regulations have already provided for all three options and authorize who can form a PDC and submit inservice plans. Dr. Gage indicated that IHE's would be able to choose which option

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they will pursue and that individual faculty members will also have the option of working on an individual basis with a local PDC.? The three options would be: 1) *Combined PDC* which would be a district level PDC with IHE representation, or a district level PDC with IHE representation divided into two sub-committees. The district PDC would establish policies and procedures, and an IHE subcommittee and a K-12 subcommittee would implement the process for awarding points assigned and would come up with approved activities for their own groups.? 2) *IHE PDC*, which would mirror district level PDC?s but would be formed at an IHE level, with policies and procedures established for the institution and a five-year plan developed for approval as outlined in regulations.? Approval of activities for licensure renewal using inservice points would be reviewed by the IHE PDC.? 3) *Regional Consortium of IHE?s*, within a self-defined region, in which participating colleges/universities in the region would form a representative PDC and file a five-year inservice plan for their personnel.?

Dr. Wagnon stated his objections to the options provided, indicating that he would have IHE faculty renew their licenses through local PDC?s so that the people who teach teachers have the same experience as those in the field and that an element of the disconnect between preparation programs and the field would no longer be perpetuated.? Mrs. Gamble stated she felt the options provided a way of addressing those concerns.

### **APPROVAL OF PROPOSED REVISIONS TO SCHOOL BUS SAFETY REGULATIONS**

Mr. Veryl Peter, Team Leader for School Finance, and Larry Bluthardt, School Bus Safety Unit, were on hand to answer any questions about the regulations as proposed.? Mrs. Gamble moved, with a second by Mr. Wyatt, that the State Board adopt amended school bus safety regulations K.A.R. 91-38-1, 91-38-2, 91-38-3, 91-38-5, 91-38-6 and 91-38-7.? The motion carried 8-0 on a roll call vote as follows:

Iris Van Meter	?yes?	Janet Waugh	?yes?
Steve Abrams	?yes?	Bruce Wyatt	?yes?
Carol Rupe	?absent?	John Bacon	?yes?
Bill Wagnon	?yes?	Kenneth Willard	?absent?
Sue Gamble	?yes?	Connie Morris	?yes?

### **AGREEMENT TO CONSOLIDATE USD 317 AND USD 318, RAWLINS COUNTY**

Department of Education Attorney Kevin Ireland reported that the law specifies that local boards of school districts desiring to consolidate must submit their agreement to consolidate for approval by the State Board. He indicated that if the agreement meets the requirements of the law and is approved, an election on consolidation can be held in the area to be consolidated.? Dr. Abrams moved, with second by Mrs. Gamble, that the Kansas State Board of Education approve the Agreement for Consolidation submitted by USD 317 (Herndon) and USD 318 (Atwood) and that the citizens of the area be allowed to vote on the issue.? Dr. Wagnon asked if all the statutory requirements had been addressed.? Mr. Ireland confirmed that the districts had provided the necessary information and had signed off on the agreement.? Mrs. Morris indicated that she felt it was very discouraging that the economy had taken districts to the point of consolidating and closing schools.? She stated she would like each district affected by a consolidation to be able to vote on the issue separately, rather than as part of the whole consolidated district under consideration.? She expressed the hope that the legislature would look at the law or have it interpreted in a different way.? The motion carried on a vote of 8-0, with Mrs. Rupe and Mr. Willard absent.

The Board took a break from 2:20 to 2:30 p.m.? Mr. Willard and Mrs. Rupe were present for the balance of the meeting.

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**PRESENTATION ON REGIONALIZATION CONCEPT FOR REORGANIZATION OF KANSAS SCHOOL DISTRICTS**

Mr. Ken Kennedy, Superintendent from Pratt, and Dr. Sherol Little, Superintendent from Manhattan, developed a new approach for looking at school boundaries and the issue of school consolidation. They were joined in their work by Dr. Gary Norris, Superintendent from Salina, and Dr. Morris Reeves, former administrator in Dodge City and now a member of the Dodge City Community College Board of Trustees. Mr. Kennedy, Dr. Little and Dr. Norris outlined their concept for the Board, stressing that it was only one idea for transforming and improving the educational delivery system in Kansas. The plan would transform the 303 school districts in the state, which they believe have unaffordable and duplicated instructional policy, administrative, and support service costs, into a system of as few as forty regional education districts (RED) of approximately 11,000 students each, with the same services delivered efficiently. The savings could go into the classroom and ensure a suitable Regents education for all students, help meet KSBE performance goals and NCLB adequate yearly progress (AYP), increase student activities opportunities, increase teacher salaries to the national average, and provide state of the art technical education opportunities in each district. Acknowledging that consolidation was a sensitive and contentious issue in many communities, they explained that financial incentive packages would have to be offered to communities losing their schools to help them convert the sites to meet other community needs or to help with other development options following the loss.

They traced the history of school consolidation in Kansas and reviewed the highlights of two recent studies by Augenblick and Myers, Inc. on the organization of Kansas school districts and the cost of a suitable education. They explained that the purpose of their study was to apply sound business theories and educational research to development of a reorganization model that might determine an education structure that is more cost effective and would continue to provide appropriate and equitable education to all Kansas students; and restructure districts, with the possibility of allowing many small communities to retain their schools, if enrollment and other factors were adequate to make it practical.

After presenting their methodology and recommendations, Mr. Kennedy, Dr. Little and Dr. Norris answered questions from the Board. In the discussion that followed, several of the Board members expressed their appreciation for the study and agreed that it raised many issues that needed to be discussed and pursued further. Mr. Willard also indicated his appreciation of the fact that the study changed the tone of public discussion about school funding, with a shift to look at better ways to use money. Asked about public concern over the possible loss of community input and local control regarding school issues, Dr. Norris suggested that, among other options, site councils could be better used. It was also noted that semi-autonomous school principals providing administration and instructional leadership were included in the criteria for K-12 satellite education centers. Mr. Kennedy indicated that the issue was difficult for some of those local communities which may be affected but that the report had received a good reaction from parents and students and people in business, as well as a response from the legislature that the idea was worthy of further study. The validity of the cost savings of between \$240- \$480 million was questioned by Mrs. Gamble who suggested that the estimates could be unrealistic because the finance formula is severely under funded. Dr. Little reported that they appreciated the fact that business interest had generated monetary contributions and the request for a task force to study the proposal.

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## **LEGISLATIVE MATTERS**

### **Review of Governor's FY 2003 and FY 2004 Budget Recommendations**

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

Mr. Bill Daugherty, Superintendent, Kansas State School for the Blind (KSSB), shared with Board members information from KSSB's appeal of the Governor's FY 2004 budget recommendation. He indicated the school would be appealing approximately \$165,000 of the recommended \$224,244, or 5%, reduction. Items being appealed included funding to retain two teaching positions and two dormitory positions targeted for layoff and restoring one week of summer school. Mr. Daugherty told the Board that the subcommittee that heard the appeal was very sympathetic to the needs of KSSB and defended them before the whole Senate Ways and Means Committee. He reported that the subcommittee had also recommended an interim legislative study of funding sources. Mr. Daugherty explained his desire for KSSB to continue to be considered as a state agency, but as an educational one that is adequately funded. He expressed concern that an interim study would recommend that the school be subject to the same funding formula as all other schools in the state and would not take into consideration the very expensive nature of the services the school provides. Brief discussion of the issue followed, with Mr. Wyatt pointing out that schools had been held harmless in the recent budget cuts, but not state agencies.

#### ***Kansas State School for the Deaf***

Mr. Robert Maile, Superintendent of the Kansas State School for the Deaf (KSSD), reviewed KSSD's budget appeal for the Board. He noted that in his appeal of the FY 2004 budget recommendations he had asked that KSSD be recognized as a school and be provided with the same consideration as other accredited K-12 schools in the state, noting that with that recognition, the budget reductions the school would have to make in FY 2004 would not be necessary. Mr. Maile reported that a 5% budget reduction would, among other reductions, require the school to increase positions currently held vacant to accommodate budget deficits by an additional four positions, leaving the school with 26 vacancies. He noted that the elimination of the positions would seriously impair the school's ability to provide an appropriate level of supervision to assure a safe environment and necessary instruction. Mr. Maile also reported that the school year would have to be reduced, which could have a detrimental impact on accreditation requirements for staff development, and that staff pay, already below that of area public schools, would have to absorb additional reduction. He also indicated that summer school would have to be eliminated and that many school districts which rely on the service would be forced into non-compliance with IDEA requirements. Mr. Maile also discussed a possible 5% enhancement budget package that would address salary disparity for teachers and would add staff and program funding to address the special needs of multiply-disabled deaf children.

#### ***Kansas State Board of Education***

Deputy Commissioner Dennis briefly reviewed the appeal presented to the House Appropriations subcommittee on the Governor's FY 2003 and FY 2004 budget recommendations. He reported that because of state funding difficulties, the Governor's recommendations had not be appealed. Several documents were provided to the subcommittee, including information about Kansas educational successes; district budget concerns requiring additional funding and information on cuts already made by districts across the state; and information on Kansas teacher salaries and teacher vacancies. He also discussed the challenges of aiding students who don't meet proficiency. Mr. Dennis reported that Mr. Wyatt, the Board's Legislative Coordinator, had addressed the subcommittee on the Board's educational plan and the need for a financial plan to support it. Mr. Dennis also reviewed projected FY 2003 and FY 2004 state general fund cash balances.

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### **Out-of-State Students Attending Kansas Schools**

Information had been provided to the Board in materials sent prior to the meeting. Mr. Dennis reported it was not known how many Kansas students attended schools in surrounding states. He noted that the Department had contacted the states surrounding Kansas and of the four only Nebraska collects data on out-of-state students. He provided anecdotal information on why some of the 614 students might be attending schools in Kansas while living in neighboring states. Reasons included the location of the state line dividing ownership of land and residences; work locale of parents, family tradition, close proximity to the Kansas school, and the quality of the schools in Kansas. He indicated that a \$2.5 million savings could be realized after the second year if Kansas were to prohibit out of state students who were not paying tuition. Mr. Dennis also reported that several bills had been introduced in the current session to address the issue.

### **Education Legislation**

Mr. Dennis handed out and reviewed an up-to-date summary of Senate and House bills in the 2003 session that could have an effect on Kansas education.

Dr. Wagnon left at 3:50 during the presentations on legislative matters.

### **CONSENT AGENDA**

Mr. Wyatt, who had earlier pulled several items from the consent agenda, reported that he had received the additional information he needed. Dr. Abrams moved, with a second by Mr. Wyatt, that the consent agenda be approved as presented. The motion carried 8-0, with Dr. Wagnon having left the meeting and Mrs. Gamble temporarily out of the room.

In the consent agenda, the State Board:

- ? Received the monthly personnel report.
- ? Approved school construction plans for Bishop Seabury Academy, Lawrence; Sugar Creek School, Galva; Gary County Schools, USD 475; Olathe, USD 233; Chautauqua County Community Schools, USD 286; and Coffeyville, USD 445.

Approved accredited status for USD 259 Wichita - Price Harris Communications Magnet, Bldg # 1686 and Price Harris Communications Magnet, Bldg # 1764; USD 260 Derby -Tanglewood Elementary School; USD 264 Clearwater - Clearwater Elementary East, Clearwater Middle School, Clearwater High School, Clearwater Elementary West; USD 306 Southeast of Saline - Southeast of Saline High School, Southeast of Saline Elementary School; USD 322 Onaga - Onaga Elementary School, Onaga Senior High School; USD 329 Mill Creek Valley - Mill Creek Valley Junior High School, Paxico Grade School; USD 330 Wabaunsee East - Mission Valley East Elementary School, Mission Valley High School, Mission Valley Middle School, Mission Valley West Elementary School; USD 353 Wellington - Lincoln Elementary School; USD 356 Conway Springs - Conway Springs High School, Conway Springs Kyle Trueblood, Conway Springs Middle School; USD 359 Argonia - Argonia Elementary School; USD 506 Labette County - Altamont Elementary School, Barlett Elementary School, Edna Elementary School, Meadowview Elementary School, Mound Valley Elementary School; Z0006 Brookridge Day School.

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? Approved requests for waivers for individuals to serve outside their area of endorsement in districts as follows: *Behavior Disorders*: Becky Hill, USD 465; *Business Education*: Darren Crumrine, USD 439; *Chemistry and Physics*: George Griffith, USD 212, *Early Childhood Special Education*: Joelle Good, USD 259; Carrie Newell, USD 269; and Brenda Marr, Bldg 9494; *Family and Consumer Science (extend days on an emergency sub)*: Mauri Ann Domer, USD 345; *Geography*: Sheri Eilert, Z0030; *Gifted Education*: Philip Phillips, USD 490; *Interrelated Special Education*: Thelma Woerz, USD 259; Amy Ricker, USD 315; Sarah Zaricor, USD 320; Gale Anderson, USD 368; Jeffrey Warner, USD 379; Jeanine Lytton, USD 407; Andrew Brenn, Marcia Callaway, Linda Gardner, Cami Gibson, Buffi Hernandez, Jill Hutchinson, and Christen Rierison, USD 465; William Waldorf, USD 480; Sandi Vono, USD 490; Frederick Staff, Interlocal (IL) 609; and Gonda Lilly, IL 620; *Learning Disabilities*: Michelle Toon, USD 202; and Karen Wynia, USD 453; *Library Media Specialist*: Pamela Lamborn, USD 398; and Jeff Friesen, USD 481; *Reading* Betty Beam, USD 335; and *Supervisor/Coordinator of Special Education*: Kathryn Lackey, USD 500.

? Accepted the recommendations from the Evaluation Review Committee for:

? *Haskell Indian Nations University* granted ?Approved? status through May 31, 2007 for Elementary (I, K-6);

? *Southwestern College*: granted ?Approved? status through May 31, 2007 for Elementary (I, K-6), English (I, 6-12), Music (I, PreK-12); Instrumental Music (I, PreK-12), Vocal Music (I, PreK-12) Physical Education (I, PreK-12), Chemistry (I, 6-12); Physics (I, 6-12), US History and Government and Work History (I, 6-12), Speech/Theater (I, 6-12), Mathematics, (I, 5-8) and (I, 6-12); Biology (I, 6-12), Business (I, 6-12), and Special Education (U, K-9, 5-9, 7-12);

? *Sterling College*: granted ?Approved ? status through May 31, 2005 for: Elementary (I, K-6), Music (I, PreK-12); Art (I, PreK-12), Physical Education (I, Pre-K-120, Health (I, PreK-12); Psychology (I, 6-12), and English Language Arts (I, 6-12); and ?Approved with Stipulation: through May 31, 2004 for Biology (I, 6-12), Chemistry (I, 6-12), and US History, Government and World History (I, 6-12); and

? *Newman University*: Accredited status through May 31, 2005.

? Granted three Ed-Flex waiver requests submitted by USD 500, Kansas City.

? Approved Enhancing Education Through Technology Competitive Grants 2003 - *Technology Rich Classrooms* in the amount of \$150,000 for USD 259 Wichita: Cloud Elementary School and Linwood Elementary School; USD 336 Holton: Central Elementary (USD 336) and Atchison Elementary (USD 409); USD 367 Osawatomie: for Trojan Elementary (USD 367) and Solomon Elementary (USD 393); USD 435 Abilene: ? Garfield Elementary (USD 435) and Oberlin Elementary (USD 294); USD 474 Haviland: Haviland Elementary (USD 474) and Mullinville Elementary (USD 424); ? #609 Southeast Kansas Education Service Center: Marmaton Valley Elementary (USD 256) and Yates Center Elementary (USD 366); #629 Smoky Hill/ Central Kansas Education Service Center: Enterprise Elementary (USD 473) Hope Elementary (USD 481); #622 Education Services and Staff Development Association of Central Kansas: ? Andale Elementary-Middle (USD 267) and Cheney Elementary; #626: Southwest Plains Regional Service Center: Copeland Elementary (USD 476) and Hugoton Elementary (USD 210); #633 Fort Hays Educational Development Center: Hanston Elementary (USD 228) and Washington Elementary (USD 388); #633 Fort Hays Educational Development Center: Kinsley-Offerle Elementary (USD 347) and Victoria Elementary (USD 432); and #633 Fort Hays Educational Development Center: Phillipsburg Elementary (USD 325) and Cheylin Elementary (USD 103).

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? Approved Enhancing Education Through Technology Competitive Grants 2003 ? *Student Technology Leadership* in the amount of \$15,000 for McCune Elementary and Weir Elementary, USD 247; Harper Elementary, USD 361; Prairie View Middle School, USD 362; Eby Learning Center I, USD 373; Sterling Jr High School, USD 376; Roosevelt Middle School, USD 445; Cherryvale Sr/Middle School, USD 447; Winfield Middle School, USD 465; Northwest Middle School, USD 500; Oswego Middle School, USD 504; Altamont Elementary School, USD 506; Baxter Springs Middle School, USD 508; Puls Elementary, USD 511; and for \$30,000 for USD 259 - Pleasant Valley Middle School and John Marshall Middle School.

? Approved requests from USD 288, Central Heights, USD 409 Atchison, USD 465, Winfield, and USD 467, Leoti to hold elections on the question of issuing bonds in excess of the districts? general bond debt limitation.

**Contracts Approved:**

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

- ? a contract with Mid-Continent Regional Educational Laboratory (McRel) for the review of the Kansas Communications Arts and Mathematics Standards, with the contract amount not to exceed? \$30,000;
- ? a contract with Families Together, Inc., for coordination of a consortium of disability advocacy organizations and operation of a statewide family-school partnership training network, with the contract amount not to exceed \$64,800; and
- ? a contract with the Kansas Department of Health and Environment to inspect up to 123 Summer Food Service Program food preparation facilities and food service sites between May 15, 2003 and September 15, 2003, with the contract amount not to exceed \$12,320.

The Board took a break from 5:10 to 5:15 p.m.

**EXECUTIVE SESSION**

Dr. Abrams moved, with a second by Mr. Willard, that the Kansas State Board of Education recess into Executive Session for a period of 25 minutes for the purpose of consultation with the Board attorney so that the attorney-client privilege could be preserved, and that the open meeting of the Board resume in the Board room at 5:40 p.m.? The motion carried 8-0, with Dr. Wagnon absent and Mr. Wyatt temporarily out of the room.? At 5:40 p.m. the open meeting resumed.? Mrs. Gamble moved, with a second by Carol Rupe, that the Kansas State Board of Education recess into Executive Session for an additional 20 minutes to continue with consultation with the Board attorney so that the attorney-client privilege could be preserved, and that the open meeting of the Board resume in the Board Room at 6:00 p.m.? The motion carried 9-0.? The open meeting resumed at 6:00 p.m.

**RECESS**

The being no further business, Chairman Waugh recessed the meeting at 6:00 p.m.

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Janet Waugh, Chairman?? Penny Plamann, Secretary

**KANSAS STATE BOARD OF EDUCATION  
MEETING MINUTES**

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**CALL TO ORDER**

Chairman Waugh called the meeting to order in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas, at 9:00 a.m.

**ROLL CALL**

All members were present as follows:

Steve Abrams  
John Bacon  
Sue Gamble  
Connie Morris  
Carol Rupe

Iris Van Meter  
Bill Wagnon  
Janet Waugh  
Bruce Wyatt  
Kenneth Willard

**APPROVAL OF THE AGENDA**

Mrs. Waugh asked that an executive session be added at the end of Board business, as item 8 a.? Dr. Abrams moved, with a second by Mr. Bacon, that the agenda be approved with the amendment proposed.? The motion carried.

**BOARD REPORTS**

**Board Chairman**

Chairman Waugh indicated that she had attended a Confidence in Public Education Task Force meeting and that the Challenge Awards ceremony, held in Topeka in 2002, was scheduled to be held for 2003 on November 10<sup>th</sup> in Goddard.?

***Request for Nominations for NASBE Officers***

Chairman Waugh asked if there were any nominations for 2004 NASBE officers.? Mrs. Gamble moved, with a second by Mr. Wyatt, that the Board nominate Paula Spring from Missouri for a second term as a? NASBE Central States Director.? The motion carried 10-0.

***Designation of Board Members for KSSB and KSSD Graduation Ceremonies***

Chairman Waugh asked for two Board volunteer to hand out diplomas at the 2003 graduation ceremonies at the State School for the Blind and the State School for the Deaf.? Dr. Abrams urged new Board member participation.? Mrs. Morris and Mrs. Van Meter volunteered to represent the Board at graduation ceremonies for Kansas State School for the Blind (KSSB) and Kansas State School for the Deaf (KSSD), respectively, with members Waugh and Bacon as alternates.? KSSB graduation is scheduled for Friday, May 23rd at 1:00 p.m. in the Johnson Building Gymnasium at the school.? KSSD graduation is scheduled for Wednesday, May 28th at 6:00 p.m. in the Olathe

North High School Auditorium.

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### **Legislative Coordinator**

Mr. Wyatt reported on testifying before the Senate Education Committee on the cost of meeting the No Child Left Behind (NCLB) requirements. He asked Board members for any information they would like to communicate to the legislature. He also reported that he would be making comments before the Senate Ways and Means Committee on the budget. During discussion that followed on a Senate resolution that there be a public vote on a constitutional amendment to have a 9-member appointed State Board of Education, there was Board consensus in opposition to the resolution. Mr. Willard suggested that it might not be advisable for the Board to become involved in the debate of the issue and that the Board should focus on the work before it. the Carol Rupe noted that a bill to fund only a core curriculum had been introduced and that the arts community was concerned and would offer their help in opposing it. Mr. Wyatt indicated that federal special education funding was pending, but didn't have a feeling for any movement in Congress on the issue. Mrs. Gamble noted that issues such as full funding of special education, para educator funding, IDEA and how it relates to NCLB, and discipline were several of the issues being explored.

A discussion followed about education funding. Mr. Willard made the suggestion that the Board look at other ways besides funding increases to address education needs and that perhaps a proposal that would reallocate funds could be developed. Dr. Wagon spoke about the need to provide adequate funding so that Kansas schools could continue to improve. He stated that some would withhold funding until existing problems are corrected, while others think additional funding is necessary so that Kansas education can continue to accomplish at the high level it has to date. He pointed out that schools are stretched to the limit and teacher morale is very low, noting that all possible improvement has been squeezed from the dollars that have provided a good education to 70% of Kansas students. He stated his belief that additional funding would be necessary to provide the alternative strategies needed to educate all Kansas students to the proficient level required by NCLB. Mrs. Gamble suggested that the Board needed to better communicate in a factual way what is being accomplished by strategies that don't cost a lot of money, as well as identify and make available best practices. A forum to freely discuss alternatives was suggested by Mrs. Morris. Mr. Willard cautioned that the Board should be careful to not make the impression that the only variable to being successful was more money because there was no guarantee that additional funds would provide the progress needed to be demonstrated. Mr. Wyatt suggested that an agenda item to illustrate the connection between quality teachers, extended learning time, and progress with low performing students could be helpful.

### **Board Attorney**

Mr. Biles reviewed his written report on activities on behalf of the Board for the month of January 2003. Mr. Bacon moved, with a second by Mr. Wyatt, that the Board accept Mr. Biles' report and that his fees for services and expenses for January be paid as presented. The motion carried.

### **Board Policy Committee**

Dr. Abrams reported that the Policy Committee would be meeting in March and would bring revised KSSB and KSSD policies to the Board in March.

Mrs. Gamble stated that, because of her new Board responsibilities as Vice Chairman and Assistant Legislative

Coordinator, she was resigning her position on the Board Policy Committee.? Mrs. Gamble nominated Mr. Willard to serve on the Policy Committee.? Carol Rupe seconded the nomination.? There being no further nominations, Mr. Willard was elected on a vote of 9-0-1, with Mr. Willard abstaining.

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### **BOARD MEMBERS REQUESTS FOR FUTURE AGENDA ITEMS**

Study sessions on no-cost or low-cost strategies that could be employed to further the Board?s goals for improving Kansas education, educational funding designs to include information on how other states allocate resources for and organize school districts, and how teacher quality and more time spent with students result in academic progress were requested.? Dr. Abrams suggested that the study sessions requested could be incorporated into the Board?s continuing work on the redesign of the Kansas educational delivery system.

### **UPDATE ON NO CHILD LEFT BEHIND (NCLB) ACCOUNTABILITY PLAN**

Assistant Commissioner Pochowski, reviewed key components of the Kansas NCLB Accountability Plan, noting that a U.S. Department of Education peer review of the plan was scheduled for the following Friday, February 14<sup>th</sup>, in the Department.? She stated that each state?s plan was required to show how every child in the stated would be provided the opportunity to learn and reach proficiency in reading and mathematics.? The federal regulations require that each state include not only how all students are to included, but how all schools are to be held to the same academic achievement standards.? As she reviewed each of the federal requirements, Dr. Pochowski reported on how Kansas was already addressing them or the steps that were being taken to meet them.? Regarding how Kansas would handle Adequate Yearly Progress, (AYP), Dr. Pochowski explained that the starting point for Kansas was determined by looking at the number of students who scored at proficient and above on the current state assessments in the school that ranked at the 20<sup>th</sup> percentile of all public schools.? Two starting points will be used in each subject area: grades K-8 and grades 9-12.? As had been discussed by the Board previously, the problem with assessments at the 9-12 grade level involved when the material is learned and when the assessment is given.? She noted that Kansas could recalculate the starting points for grades 3-8 in 2005-2006 when new assessments would be in use.

Dr. Pochowski also explained subgroup accountability and a safe harbor provision when any disaggregated group in a school does not meet the AYP objective.? Measures other than assessment scores to be considered for determining AYP under the safe harbor provision would include whether the students in the disaggregated group met the graduation, attendance, and participation rates, and whether the percent of students not proficient on assessments in the disaggregated group had decreased by at least 10% from the previous year.? Explaining that the privacy of individual students or subgroups was required by federal law, a minimum group size must be determined by States.? Dr. Pochowski reported that the minimum group size for Kansas for AYP determination had been set at 30, with a minimum group size of 10 for reporting purposes.? Group size would be determined across grade levels in a school, as well as all schools in a district, and across all districts for the state?s AYP.?

Chairman Waugh asked that the presentation on the Accountability Plan be concluded after the Board had a presentation by a guest invited from eInstruction.? The Board took a break from 11:00 to 11:10 a.m. to allow set-up time for the presentation.

### **PRESENTATION BY eINSTRUCTION**

Because of technical difficulties at the December meeting when the Board had demonstrations of educational technology, Darrell Ward, President and CEO of eInstruction, was invited back to demonstrate the eInstruction Classroom Performance System.? Allowing each Board member to have a hands-on experience with the interactive

wireless system, Mr. Ward demonstrated how the system would be able to create an active classroom environment involving all students with immediate feedback, and how it could be used to provide tracking of student performance and benchmark testing.

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#### **UPDATE ON NO CHILD LEFT BEHIND (NCLB) ACCOUNTABILITY PLAN (*continued*)**

Dr. Pochowski reported that the additional indicators that had been chosen for the Kansas Accountability Plan included graduation rate and attendance rate. She explained that graduation rate would not include GED completers, though dropouts and transfers would be. The expected rate for schools to meet or exceed was set at 75% and, if not at that rate, demonstration of an increase from the previous year's graduation rate. Attendance rate would be calculated by dividing the average daily attendance by the average daily membership, based on the September 20<sup>th</sup> enrollment count. The rate expected for schools to meet or exceed was 90%. Dr. Abrams objected to the use of an attendance indicator, stating that the Board was moving toward a performance-based system that would not count seat time. He asked what other type of indicator could be used. Dr. Pochowski agreed attendance would need to be redefined in the future and Commissioner Tompkins indicated that the Accountability Plan could be modified in the future. Mr. Wyatt addressed earlier consensus reached by the Board when developing revised QPA regulations, noting that there had been agreement to focus on assessments and not add other indicators that would be difficult for schools to track. He indicated that graduation rates and attendance rates had been agreed upon because they were currently feasible for schools. Discussion followed about other indicators that might be used that would demonstrate performance. Staff was asked to provide further discussion of the accountability performance indicators.

Commissioner Tompkins discussed problems with grade level assessments at the high school level, indicating that options included end-of-course testing or assessments of individual students that would depend on what subjects they had taken. He also reported on difficulties with computerized testing which he believed would be a great help in reducing turnaround time for results. Discussion of the issues relating to computerized testing followed, with several suggestions made, including mobile testing units and providing the option for computerized testing and paper-based assessments at the same time. It was suggested that staff examine additional ways to assist districts with online state assessments.

#### **UPDATE ON THE REAUTHORIZATION OF IDEA**

Because the meeting had run longer than expected, the update on the reauthorization of IDEA was postponed until the March meeting. Dr. Wagnon shared his concern that, if the Board waits until reauthorization of IDEA starts moving in Congress, it would be too late to explore and communicate its position on issues with the Kansas congressional delegation. Dr. Pochowski reported that correspondence had been received from members of the congressional delegation in support of funding the full 40% federal share of IDEA costs. Mrs. Gamble noted that it would be the larger states that drive the solutions to the major IDEA issues and that Kansas issues mirror those.

#### **APPROVAL OF BOARD TRAVEL**

Mr. Wyatt moved, with a second by Carol Rupe, that the travel requests be approved as submitted. The motion carried.

Dr. Wagnon left the meeting because of a prior commitment.

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**EXECUTIVE SESSION**

Dr. Abrams moved, with a second by Mr. Willard, that the Kansas State Board of Education recess into Executive Session for a period of 30 minutes for the purpose of consultation with the Board attorney so that the attorney-client privilege could be preserved, and that the open meeting of the Board resume in the Board room at 12:54 p.m.? The motion carried 9-0, with Dr. Wagnon temporarily absent.? Dr. Wagnon returned and was present for the executive session.? The open meeting resumed at 12:54 p.m.?

**ADJOURNMENT**

There being no further business, Chairman Waugh adjourned the meeting at 12:54 p.m.

\_\_\_\_\_ ???

\_\_\_\_\_ Janet Waugh, Chairman?? Penny Plamann,  
Secretary