APPROVED

KANSAS STATE BOARD OF EDUCATION
Meeting Minutes
July 13, 2010

CALL TO ORDER

Chairman Waugh called the June meeting of the State Board of Education to order at 10:01 a.m., July 13, 2010 in the Board Room of the Kansas Education Building, 120 SE 10th Avenue, Topeka, Kansas.

7/13/10 a.m. session audio archive (00:00:02)

ROLL CALL

All members were present:

John Bacon	Kathy Martin
Carolyn L. Wims-Campbell	Jana Shaver
Sally Cauble	Sue Storm
Walt Chappell	Janet Waugh
David Dennis	Ken Willard

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

Chairman Waugh read the Mission Statement of the Board and then called for a moment of silence. The moment of silence was followed by the recitation of the Pledge of Allegiance.

APPROVAL OF THE AGENDA

(00:03:00)

MOTION

Chairman Waugh asked to add consideration of a resolution dealing with adult services provided by the Kansas State School for the Blind be added prior to the Consent Agenda. She noted that a revised item 14 s., Title I School Improvement grants 1003 (g) was being handed out to the Board. She also reviewed items that had been placed in Board member's folders prior to the meeting. Mrs. Martin moved, with a second by Mrs. Wims-Campbell, that the agenda be approved as amended, including the addition of the executive session. Dr. Chappell asked to pull items 14c., l., m., n., o. r. and s. from the Consent Agenda. The additions to the amendment were accepted by Mrs. Martin and Mrs. Wims-Campbell. The motion carried 9-0, with Mr. Willard absent.

APPROVAL OF MINUTES

(00:5:14)

MOTION

Ms. Storm moved, with a second by Mrs. Martin, that the minutes of the June meeting be approved as presented. The motion carried.

EXECUTIVE SESSION

Mrs. Martin moved, with a second by Mrs. Shaver, that the Board recess into executive session a 10:10 a.m. for 10 minutes in order to consult with the Board Attorney and maintain the attorney-client privilege regarding the communication. The motion carried. Commissioner DeBacker was asked to remain for the executive session. The Board recessed into executive session and the open meeting resumed at 10:20 a.m.

COMMISSIONER'S REPORT

(00:07:37)

Interim Commissioner DeBacker handed out copies of a document that included the purpose, objectives, scope of work and structure of the Kansas Education Commission. She also reported on the first meeting of the Commission which had been held on July 6th. In order to allow for the Open Forum to proceed as scheduled, questions were held until later.

CITIZENS' OPEN FORUM

(00:16:29) Chairman Waugh declared the Open Forum open at 10:30 a.m. Steve Coen, Wichita, Chair of the Governor's Council on Fitness, Rod Bremby, Secretary of the Kansas Department of Health and Environment, Topeka, and Dr. Rick Werling, Superintended of USD 234, Fort Scott, spoke in support of the Board's policy on school vending. Peg Dunlap. Topeka, Kansas NEA also spoke in support of the policy, but indicated many teachers were unhappy because the policy extended to vending machines in teachers' lounges. Joe Hemmelgarn and Gordon Long, Wichita, of Wichita Vending, and Ron Hein, Topeka, representing the Kansas Beverage Association, asked the Board to reconsider the school vending policy. Chairman Waugh declared the Open Forum closed at 10:52 a.m.

BREAK The Board took a break at 10:52 and the meeting resumed at 11:01 a.m.
(00:39:07)

COMMISSIONER'S REPORT (continued)

(00:48:34) During the discussion and questions that followed her report, Commissioner DeBacker explained the differences between the Governor's commission on drop-out prevention and the Kansas Education Commission (KEC). Several concerns were shared by Board members requiring follow-up by staff. It was requested that information regarding the KEC be more readily accessible on the KSDE website. It was also suggested that a press release be put out announcing the formation of the KEC with information about how to contact members with ideas for consideration. Board members were also encouraged to contact the representatives they had appointed with their suggestions and concerns. Additionally, it was requested that the importance of active participation be stressed with KEC members.

UPDATE ON COMMON CORE STANDARDS

(01:08:01) Tom Foster, Director of Career Standards and Assessment Services, brought the Board up to date on the development and adoption by states of the Common Core Standards for English Language Arts (ELA) and Mathematics. In particular, he addressed the work done in Kansas reviewing the standards, alignment with college and career expectations, standards comparability and Kansas additions to the standards. Additionally, he briefly reviewed how to read the standards and the ways teachers would be helped to use the new standards once adopted. During the discussion that followed, Dr. Foster also updated the Board on activity of the SMARTER Balanced Assessment Consortium grant application. He indicated the notice of grant awards could come out in late August or September. Commissioner DeBacker noted that the department hoped to bring the standards to the Board in September for review and, hopefully, approval in October.

LUNCH RECESS The Board recessed for lunch at 12:11 and returned at 1:30 p.m. Mr. Bacon left the meeting early, at noon. When the Board returned, Commissioner DeBacker introduced the department's new General Counsel, Cheryl Whelan. Chairman Waugh also thanked Attorney Kevin Ireland for doing double duty in the Legal Department since last July.

RECOMMENDATIONS OF THE PROFESSIONAL PRACTICES COMMISSION

7/13/10 p.m. session audio archive (00:01:33) Mrs. Cauble moved, with a second by Mr. Dennis, that the Kansas State Board of Education adopt the findings of fact and conclusions of the Professional Practices Commission and approve the recommendations of the Commission in cases 09-FC-12, Nina Urban, 10-FC-01, Scott A. Neil, 10-S-02, Ashley M. Evenson, and 10-FC-03, Jeb A. Clements. The motion carried.

SURRENDER OF EDUCATOR'S LICENSE

After a brief explanation of the issue by Mr. Ireland, Mrs. Cauble moved, with a second by Mrs. Martin, that the State Board of Education accept the surrender and revoke the professional educator's license issued to Kevin A. Vincent. The motion carried. (00:02:30) **MOTION**

TRANSFER OF TERRITORY FROM USD 336 (HOLTON) TO USD 337 (ROYAL VALLEY)

Mrs. Cauble moved, with a second by Mrs. Martin, that the State Board of Education issue an Order returning the territory to USD No. 337 (Royal Valley), Jackson County, Kansas that was transferred to USD No. 336 (Holton), Jackson County, Kansas by agreement between the two boards of education on June 13, 2007. The motion carried. (00:04:10) **MOTION**

PRESENTATION ON THE IES SLDS ARRA GRANT

Kathy Gosa, Director of Information Technology, presented an overview of the $9.1million SLDS IES ARRA grant, "Unifying Data Systems to Support Systemic Change in Education", that KSDE was recently awarded by the U.S. Department of Education (U.S. DOE) for enhancements to the state longitudinal data system. (00:06:30)

During the subsequent discussion, the perceived burden for private and small schools of inputting the data was brought up. Providing funds to assist them was suggested. Concern about counting homeschooled students was also voiced. It was stated that the data system is something that the KEC should be informed of and understand. Asked if there would be access through the system for drop-outs who may want to return to school, Dr. DeBacker indicated she would be asking permission from U.S. DOE to use a five- and six-year graduation rate that could include returning drop-outs.

DISCUSSION AND ACTION ON FY 2012 BUDGET

After a review by Deputy Commissioner Dennis of funding options for the Board to consider in its budget recommendation, Mrs. Cauble moved, with a second by Ms. Storm, that the State Board approve an FY 2012 enhanced budget recommendation to fund programs at the level established in current law. Discussion centered on the cost of the recommendation in light of the state budget crisis and the tension between the role of the State Board to be an advocate for education and the role of the legislature in funding education. Mrs. Cauble called the question. Mrs. Shaver seconded the motion which passed on a vote of 6-3, with Dennis, Chappell and Bacon voting in opposition. The motion to approve an FY 2012 budget carried on a vote of 7-1-1, with Chappell voting in opposition and Martin abstaining. The recommended budget included General State Aid, $314,400,000; Supplemental General State Aid, $37,788,000; Special Education, $80,684,370; Mentor Teacher, $2,050,000; Professional Development, $8,500,000; School Lunch, $1,043,647; Capital Outlay, $27,000,000; and National Board Certification, $295,000; for a total of $471,761,017 in new funding. (00:57:45) (01:21:14) **MOTION** (01:46:42) **MOTION**

After additional discussion, Mrs. Wims-Campbell moved that the State Board's FY 2012 budget recommendation include discretionary grants in the amount of $35,000 each for the Kansas Association for Conservation and Environmental Education, the Kansas Foundation for Agriculture in the Classroom, the Kansas Historical Society and Communities in Schools. Dr. Chappell seconded the motion which carried on a vote of 9-0. (01:51:15) **MOTION**

Mrs. Wims-Campbell moved that the State Board's FY 2012 budget recommendation include funding at the FY 2011 level for additional discretionary programs - After School Programs, Middle School After School Programs and Kansas Teacher of the Year. Mrs. Shaver seconded the motion. Discussion followed about the match that was required to be eligible to receive the funds. (01:54:49) **MOTION**

(01:58:25)
MOTION

Dr. Chappell moved to amend the motion and increase the level of funding for the after schools programs to $1 million each, with the match requirement left up to the legislature to decide. The motion failed for lack of a second. After additional discussion about the match requirement, the motion to fund the additional discretionary programs at the FY 2011 level carried 9-0.

Additional discussion included questions about funding for attorney fees for pending litigation. Also discussed was the Commissioner's responsibility for agency operations and the agency budget.

BREAK
(02:12:53)

The Board took a break at 3:43 and the meeting resumed at 3:51 p.m.

RESOLUTION TO ALLOW KSSB TO OFFER ADULT SERVICES

(02:21:31)

Commissioner DeBacker explained a request for a resolution received from the Kansas State School for the Blind. It would request that the Governor issue an executive order that would allow the Kansas State School for the Blind to provide adult services through a grant from SRS until the legislature has the opportunity to address the issue in the FY 2011 session. Brief discussion followed. Mr. Bacon moved, with a second by Ms. Storm, that the resolution be adopted as presented. The motion carried. A copy of the resolution is attached to these minutes.

MOTION
(02:27:26)

CONSENT AGENDA

(02:28:04)
MOTION

Dr. Chappell indicated that he had received the information he needed on establishing a salary for the Director of Communications and Recognitions Programs, but would like to vote on the other items he had pulled from the Consent Agenda separately. Mrs. Martin moved, with a second by Mrs. Shaver that the Board approve the Consent Agenda, with items l., m., n., o., r. and s. voted on separately. The motion carried 8-0-1, with Chappell abstaining. In the Consent Agenda the State Board:

- Received the monthly personnel report.
- Confirmed the appointment of Catherine Rinehart to the position of Information Technology Project Management Supervisor on the Information Technology team effective May 30, 2010, at an annual salary of $66,518.40; Sandra Guidry to the position of Education Program Consultant on the Title Programs and Services team effective July 6, 2010, at an annual salary of $49,649.60; and Harold Tosh to the position of Quality Assurance Technician on the Information Technology team effective July 6, 2010, at an annual salary of $46,092.80.
- Established the salary for Kathy Toelkes in the position of Director of the Communications and Recognition Programs team effective August 2, 2010, at an annual salary of $82,000.
- Approved school construction plans for USD 418, McPherson, and USD 487, Herington.
- Approved the renewal of the Interlocal Cooperation Agreement for the South Central Kansas Education Service Center.
- Issued an Order establishing the new, consolidated Unified School District No. 113, Nemaha County, State of Kansas.
- Issued an Order establishing the new, consolidated Unified School District No. 114, Doniphan County, State of Kansas.
- Accepted the recommendations of the Licensure Review Committee as follows: Denied - Cases 2651, Whitney Bowen, 2652, Terry Azamber, 2653, Randy Buggs, and 2656, Audrey Neuschafer; and Approved - Cases 2558, Loretta Craig, 2659, Jenifer Pierce-Butt, 2665, Anthony Brantley and USD 470, and 2672, Aaron Harring.

- Approved recommendations for funding a new 2010-2011 21st Century Community Learning Centers Grant for Catholic Charities, Inc., Wichita Diocese, in the amount of $100,000.
- Approved funding Kansas 21st Century Community Learning Centers Sustainability Project grants in the amount of $12,000 each for Elkhart USD 218; Wellington USD 353; Abilene USD 435; and Kansas City USD 500.
- Approved 2010-2011 AmeriCorps Kansas funding for Boys and Girls Clubs of Greater Kansas City, $40,842; Boys & Girls Club of Lawrence, $65,000; Catholic Charities of Salina, Inc., $38,775; Communities In Schools of Kansas, $77,999; Harvesters - The Community Food Network, $77,999; Heartland Medical Center, $117,000; Inter-Faith Ministries, Inc., $52,000; Kansas Department of Wildlife and Parks, $491,487; Kansas State University, Kansas Campus Compact, $70,400; United Way of Douglas County, $90,855; United Way of Wyandotte County, $46,162; and Wichita Public Schools $341,121.
- Approved 2010-2011 Learn and Serve America School-based funding for Burlington, USD 244; Coffeyville, USD 445; Emporia, USD 253; Jackson Heights, USD 335; Kansas City Kansas Public Schools, USD 500, Lawrence Arts Center (in partnership with Lawrence USD 497); Manhattan, USD 383; Keystone Learning Services, D0 608; Spring Hill, USD 230; and Ulysses USD 214; in the amount of $10,000 each; and $2,500 for Flint Hills Special Education Coop.

Contracts Approved:

The State Board authorized the *Superintendent of the Kansas State School for the Blind* to enter into contracts with:

- Linda Ray, Assistive Technology Consultant, in an amount not to exceed $17,000;
- Ron W ilson, LSCSW, for Counseling/Evaluation Services, in an amount not to exceed $15,000;
- USD 500 School District, for Speech Therapy Services, in an amount not to exceed $32,000.
- the Smithville, Missouri School District to receive from it out-of-state tuition of $17,000 for a day student to attend the 2010-2011 KSSB Regular School Year; and
- the Liberty, Missouri School District to receive from it out-of-state tuition of $17,000 for a day student to attend the 2010-2011 KSSB Regular School Year.

The State Board authorized the *Superintendent of the Kansas State School for the Deaf* to enter into contracts with:

- the Center School District\Kansas City, Missouri to receive from it out-of-state tuition of $36,002 for two students ($18,001 each) to attend the 2010-2011 KSSD Regular School Year; and
- the Raytown School District Raytown, Missouri to receive from it out-of-state tuition of $21,540 for a day student to attend the 2010-2011 KSSD Regular School Year.

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

- continue a contract with the Southern Regional Education Board (SREB) for High Schools That Work (HSTW) membership fees and consortium activities through Carl D. Perkins Leadership Grant Activities, in a contract amount not to exceed $25,000.

ACTION ON REMAINING CONSENT AGENDA ITEMS

Contract with Coyote* Consulting, *LLC (02:29:27)

Ms. Storm moved, with a second by Mrs. Shaver, that the State Board of Education authorize the Commissioner of Education to continue a contract with Coyote Consulting, LLC to provide statewide coordination services for the Partnership in Character Education grant at the rate of $44 per hour (not to exceed $5,000 per month) with the total amount payable not to exceed $45,000; plus reimbursement for expenses in an amount not to exceed $23,000 for both in-state and out-of-state travel. Dr. Chappell indicated that his concerns were with both item l., the Coyote Consulting, LLC contract, and item m., the contract with the Topeka City of Character. The second item was added to the motion. Dr. Chappell asked for evaluation data for both contracts. Action on both was delayed until the data was available.

IDEA Title VI-B Special Education Targeted Improvement Grants (02:36:30)

Mrs. Shaver moved, with second by Ms. Storm, that the State Board approve the proposed IDEA Title VI-B Special Education Targeted Improvement Grants. Questioned followed and the impact of the grant on assessment performance of students with disabilities was questioned. The motion carried 8-1, with Chappell voting in opposition. Funded were USD 202, Turner School District, $31,443; USD 229, Blue Valley, $121,200; USD 230, Spring Hill School District, $14,761; USD 231, Gardner-Edgerton-Antioch School District, $23,887; USD 232, De Soto, $29,134; USD 233, Olathe School District,$145,814; USD 234, Ft Scott, $18,986; USD 244, Coffey County SpEd Coop - Burlington, KS, $17,741; USD 253, Flint Hills SpEd Coop - Emporia, KS, $59,213; USD 259, Wichita Public Schools, $351,381; USD 260, Derby Public Schools, $50,609; USD 261, Haysville Public Schools, $36,813; USD 263, Mulvane Special Education, $18,094; USD 273, Beloit SpEd Coop, $22,801; USD 282, West Elk, $17,225; USD 290, Ottawa Public Schools, $21,229; USD 305, Central Kansas Coop - Salina, KS, $111,383; USD 308, Hutchinson Public Schools, $44,846; USD 320, Special Svs Coop WamegoSpecial Svs Coop Wamego, $25,870; USD 321, Kaw Valley Schools, $12,978; USD 330, Wabaunsee East, $10,865; USD 333, Learning Coop North Central KS, $35,407; USD 336, Holton SpEd Coop, $30,728; USD 345, Seaman Public Schools, $27,035; USD 353, Wellington Public Schools, $18,708; USD 364, Marshall County Coop - Marysville, KS, $14,402; USD 368, East Central Ks SpEd Coop - Paola, KS *(incl. Lakemary)*, $66,962; USD 372, Silver Lake, $9,420; USD 373, Harvey County SpEd Coop - Newton, KS, $39,845; USD 379, Twin Lakes Coop - Clay Center, KS, $26,142; USD 383, Manhattan-Ogden School District, $43,550; USD 389, Eureka, $12,315; USD 405, Rice County Sp Svc Coop - Lyons, KS, $22,084; USD 407, Russell County, $13,693; USD 409, Atchison Public Schools *(Incl. Atchison Juven. Facil.*, *)* $24,499; USD 418, McPherson Co SpEd Coop - McPherson, KS, $36,785; USD 428, Barton County SpEd Coop - Great Bend, KS, $39,231; USD 437, Auburn-Washburn, $40,066; USD 442, Marshall/Nemaha, $16,834; USD 450, Shawnee Heights, $27,193; USD 453, Leavenworth Co SpEd Coop - Lansing, KS, $89,495; USD 457, Garden City, $61,864;DO465, Cowley County Sp Svc Coop - Winfield, KS, $52,477; USD 475, Junction City/Geary County, $51,398; USD 480, Liberal, $33,084; USD 489, Hays West Central Ks SpEd Coop - Hays, KS, $34,343; USD 490, Butler Co SpEd - El Dorado, KS, $95,827; USD 495, Tri County Sp Svc - Larned, KS *(Incl. Larned Juven. Facil.)*, $22,228; USD 497, Lawrence, $79,744; USD 500, Wyandotte County SpEd Coop, $170,158; USD 501, Topeka Public Schools, $116,195; USD 512, Shawnee Mission, $216,822; USD 602, NW KS Svc Cntr - Oakley, KS, $56,958; DO 603, ANW Coop - Humboldt, KS, $54,520; DO605, South Central Ks SpEd Coop - Pratt, KS, $63,064; DO607, Tri County SpEd Coop - Independence, KS, $70,872; DO608, NE KS Svc Cntr - Lecompton, KS, $39,236; DO610, Reno County Coop - Hutchinson, KS, $39,548; DO611, High Plains Coop - Ulysses, KS, $83,680; DO613, SW Area Coop - Ensign, KS, $77,120; DO614, East Central Ks Coop - Baldwin City, KS, $27,097; DO615, Brown County SpEd - Hiawatha, KS, $20,703; DO616, Doniphan County SpEd Coop Bendena KS, $16,093; DO617, Marion County SpEd Coop - Florence, KS, $24,637; DO618, Sedgwick County - Goddard, KS, $118,456; DO619, Sumner County Interlocal - Wellington, KS, $19,012; DO620, Three Lakes Coop - Lyndon, KS, $33,019; DO636, NCK Special Ed Coop - Glade, KS, $37,736; DO637, SEK Interlocal - Pittsburg, KS, $95,795; S0319/8574, Kansas Juvenile Correctional Complex, $10,342; S0604/8428-8432, KS School for the Blind, $4,300; SO610/884-886, KS School for the Deaf, $9,235; 3140-8567, Department of Corrections, $2,006; and 8614, Parsons State Hospital, $2,705.

Education Flexibility Partnership waiver requests (02:45:34)

Mrs. Shaver moved, with a second by Ms. Storm that the State Board approve the Education Flexibility Partnership waiver requests from USD 262 Valley Center for Wheatland Elementary, USD 289 Wellsville for Wellsville Elementary School and USD 450 Shawnee Heights for Shawnee Heights Middle School. Discussion followed. Objections were raised about how the waivers were being applied in Kansas. The motion carried 9-0.

Migrant Family Literacy Grants (02:53:30)

Mrs. Cauble moved, with a second by Mr. Dennis, that the Kansas State Board approve Migrant Family Literacy Grants. In the discussion that followed objections were raised about the efficacy of the program and the amount of money that was being spent and had been spent. The motion carried 8-1, with Chappell voting in opposition. Migrant Family Literacy grants were approved for USD 102, Cimarron Public Schools, $176,100; USD 209, Moscow Public Schools, $80,000; USD 214, Ulysses Public Schools, $87,105; USD 216, Deerfield Public Schools, $88,000; USD 218,

Elkhart Public Schools, $5,000; USD 233, Johnson County Community College, $250,000; USD 443, Dodge City Public Schools, $200,000; USD 457, Garden City Public Schools, $239,596; USD 470, Arkansas City Public Schools, $87,430; and D0 606, SE Kansas Education Service Center, $73,382.

Title I School Improvement Grants 1003 (g) (03:02:12)
Mrs. Wims-Campbell moved, with a second by Mrs. Cauble, that the State Board approve funding the proposed Title I School Improvement Grants 1003(g). Objections were raised about the usefulness of the programs being funded, the amount of money involved and whether the item should have appeared on the consent agenda. The role of the State Board and the role of the Department were briefly discussed. It was proposed that the Board Policy Committee look at what should be included on the consent agenda.

Mrs. Wims-Campbell called for the question (03:26:20). Mrs. Cauble seconded the motion which carried on a vote of 7-2, with Bacon and Chappell voting in opposition. The motion to approve the Title I School Improvement 1003(g) grants carried on a vote of 8-1, with Chappell voting in opposition. Grants were funded for *Curtis Middle School (Wichita Public Schools)* Year 1 - $1,997,004, Year 2 - $1,999,645, and Year 3 - 1,999,856, for a total of $5,996,505; *Highland Park High School (Topeka Public Schools)* Year 1, $1,970,180, Year 2 - $1,927,122, and Year 3 - $1,970,356, for a total of $5,867,658; *South Middle School (Liberal Public Schools)* Year 1- $1,803,784; Year 2 - $1,362,554, and Year 3 - $1,174,409, for a total of $4,340,747; *South East High School (Cherokee School District)* Year 1 - $764,280, Year 2 - $371,317, and Year 3 - $328,153, for a total of $1,463,750; and *Emerson Elementary School (Kansas City Kansas School District)* Year 1 - $1,080,029, Year 2 - $938,829, and Year 3 - $963,029, for a total of $2,981,887.

Contract with Coyote* Consulting*, LLC (Item l.) and Contract with Topeka City of Character (Item m.) (03:26:58)
Commissioner DeBacker reported that she would not be able to have additional data on the two items that had been delayed until August. Mr. Dennis called for the question on items l. and m. Mrs. Shaver seconded the motion which carried 7-2, with Chappell and Bacon voting in opposition. The motion to authorize the Commissioner of Education to continue a contract with Coyote Consulting, LLC to provide statewide coordination services for the Partnership in Character Education grant at the rate of $44 per hour (not to exceed $5,000 per month) for the total amount payable not to exceed $45,000; plus reimbursement for expenses in an amount not to exceed $23,000 for both in-state and out-of-state travel; and continue a contract with Topeka City of Character to provide support services for the Character Education Program grant to provide evaluation and support services at the rate of $29,200; plus reimbursement for expenses in an amount not to exceed $5,000 for a total of $34,200, passed on a vote of 8-1, with Chappell voting in opposition

There being no further business, Chairman Waugh recessed the meeting at 4:58 p.m. **RECESS**
(03:38:20)

_____ _____
Janet Waugh, Chairman Penny Plamann, Secretary

APPROVED

RESOLUTION

WHEREAS, all Kansans who experience low-vision/blindness deserve the opportunity to enjoy full employment and independence; and

WHEREAS, ensuring the success of our low-vision/blind citizens impacts all Kansans, resulting in stronger communities, a viable and diverse workforce and a civically engaged population; and

WHEREAS, a 2009 Kansas Health Statistics Research Report indicates that 1/3 of all adult Kansans reported low-vision/blindness as a challenge in their daily lives; and

WHEREAS, Kansans who experience blindness or low vision require specialized support services to be fully employed and live independently; and

WHEREAS, the Kansas Department of Social and Rehabilitation Services (SRS) has asked Kansas State School for the Blind (KSSB) to compete to provide community based programs and services to serve the employment and independent living needs of Kansans who are low-vision/blind; and

WHEREAS, KSSB has submitted a bid to provide community based programs and services to serve the employment and independent living needs of Kansans ages 18 and above who are low-vision/blind in SRS Regions 2, 5, and 6 which includes approximately ½ of the total population of Kansas; and

WHEREAS, KSSB will have the growth capacity to accomplish these new services initially through the SRS Capacity Building Grant and then sustained with Fee for Service Contracts issued by Vision Rehabilitation networks located throughout the counties encompassed in the identified SRS Regions, and

WHEREAS, KSSB will not allow adult services to supplant any services currently provided to P-12 students across the state nor will the two populations be co-mingled and no State General Funds committed to P-12 will be spent on Adult Services; and

WHEREAS, the State Board of Education supports expanding the mission of KSSB to include services for adults 18 and older but lacks the statutory authority to include Adult Services into the mission of KSSB we respectively request that,

APPROVED

NOW, THEREFORE, the Governor issue an Executive Order allowing KSSB to proceed with Adult Services if selected by SRS until such time as the authorizing statute, 76-1102a, can be changed to include this important population in the mission of KSSB.

CERTIFICATE

This is to certify that the above Resolution was duly adopted by the Kansas State Board of Education on the 13th day of July 2010.

KANSAS STATE BOARD OF EDUCATION

By: _____s/_____
Janet Waugh, Chairman

APPROVED

KANSAS STATE BOARD OF EDUCATION
MEETING MINUTES
JULY 14, 2010

CALL TO ORDER
7/14/10 a.m. session audio archive (00:00:06)

Chairman Waugh called the meeting to order at 9:01 a.m. on Wednesday, July 14, 2010, in the Board Room of the Kansas Education Building, 120 SE 10th Avenue, Topeka, Kansas.

ROLL CALL

Members present were:

John Bacon	Kathy Martin
Carolyn L. Wims-Campbell	Jana Shaver
Sally Cauble	Sue Storm
Walt Chappell	Janet Waugh
David Dennis	

Mr. Willard was absent because of a business conflict.

APPROVAL OF THE AGENDA
(00:00:20)
MOTION

Mrs. Shaver moved, with a second by Mrs. Wims-Campbell, that the agenda be approved as presented. Ms. Storm indicated she would like to add an item to the agenda after requests for future agenda items so that she could make a motion on the School Vending Policy. Mrs. Shaver did not agree to amend her motion. Mr. Dennis moved to adopt the agenda with the Ms. Storm's additional item. It was ruled that Mrs. Shaver's motion would have to be voted on first. The motion to approve the agenda as presented carried on a vote of 7-2, with Storm and Dennis voting in opposition.

BOARD MATTERS – BOARD REPORTS
(00:02:07)
Chairman

Chairman Waugh shared an editorial from the Alliance for a Healthier Generation that applauded the Board's adoption of the School Vending Policy.

Board Attorney

Mr. Ferguson updated Board members on the status of the Doug Wright, Terrance Vick and school finance litigation. Mr. Dennis moved that Mr. Ferguson's bill for services for the month of June be approved for payment as presented. Mrs. Shaver seconded the motion. The motion carried.

Other Board member Reports

Mr. Dennis handed out and reviewed a written report of recent NASBE and Kansas State High School Activity Association activities. Ms. Storm made a statement outlining her reasons for her intended motion to rescind the Board's School Vending Policy. Mrs. Cauble reported on activities of the NASBE Governmental Affairs Committee and NASBE Rural Task Force. Dr. Chappell reported on attendance at the KSDE/KU Summer Conference and KASB Education Update meeting. Mrs. Shaver and Mrs. Wims-Campbell presented different perspectives from their attendance at the Kansas School Readiness Data Initiative meeting. Mrs. Wims-Campbell also reported on attendance at the National NAACP meeting attended by the First Lady and negotiation meetings on the KSSD classified personnel contract.

Future Agenda Items
(00:39:32)

Mr. Dennis would like the Board to look at all aspects of the school wellness guidelines. Dr. Chappell requested several items. Regarding bullying prevention, he would like to know what the State Board can do to help schools provide a safe place for all students. He would also like the Board to consider adopting standards for behavior; make financial literacy a graduation requirement; discuss how to get more physical activity in to the school day; work with the Post Secondary Technical Authority to coordinate between high schools and

technical colleges; have a Board discussion on what should go on the Consent Agenda and decide what should be included and what should not – and not leave it to the Policy Committee to decide; address discrepancies in state data; have a department budget overview with a description of the responsibilities of the various department teams; and have a presentation on the cost to the state for varsity sports and how many injuries are sustained per year. During the requests for agenda items, there was discussion about what kind of comments were inappropriate to be included with a request. It was requested that Board members follow policy and limit their remarks to the request only and not include discussion of it.

ACT ON BOARD MEMBER TRAVEL REQUESTS

Mrs. Shaver, Mr. Dennis and Dr. Chappell asked to have the KACTE meeting August 1-4 in Overland Park and the KSDE annual conference in Wichita October 26-27 added to their requests. Mrs. Waugh asked that the retirement reception at KSSD for Superintendent Maile be added to her request if she had not already requested it. (01:03:55)

Mrs. Cauble stated that she believed it was inappropriate for Dr. Chappell to request salary and mileage for attendance at meetings on 7/8, a Kansas Week interview, and 7/9, a presentation at the Pachyderm Club, where he presented his personal views as opposed to those of the Board. Mrs. Cauble moved, with a second by Ms. Storm, that the travel requests be approved as amended, with the exception of Dr. Chappell's requests for 7/8 and 7/9. Discussion followed. The motion carried on a vote of 6-3, with Dennis, Chappell and Bacon voting "no".

EXECUTIVE SESSION

Mrs. Shaver moved that the State Board recess into executive session for the purpose of consultation with the Board attorney which would be deemed privileged in the Attorney-Client relationship and for consultation with the Board's bargaining representation in employer-employee negotiations to protect the public interest in negotiating a fair and equitable contract at 10:30 a.m. for 30 minutes and that the open meeting of the Board resume in the Board Room at 11:00 a.m. Commissioner DeBacker, General Counsel Whelan and Kevin Ireland were invited to remain in the room for portions of the session. Ms. Storm seconded the motion which carried 9-0. The open meeting resumed at 11:00. (01:16:43)

Mrs. Shaver moved, with a second by Mrs. Martin, that the executive session be extended for an additional 30 minutes for the purpose of consultation with the Board attorney which would be deemed privileged in the Attorney-Client relationship and that the open meeting resume at 11:30 a.m. Again, DeBacker, Whelan and Ireland were invited to remain. The motion carried. The open meeting resumed at 11:30 a.m.

At 11:32, Mrs. Shaver moved, with a second by Mrs. Martin, that the executive session be extended for an additional 15 minutes for the purpose of consultation with the Board's bargaining representation in employer-employee negotiations to protect the public interest in negotiating a fair and equitable contract and that the open meeting resume at 11:47 a.m. DeBacker, Whelan and Ireland were invited to remain. The motion carried 8-1, with Wims-Campbell voting in opposition. No action was taken when the open meeting resumed at 11:47.

ADJOURNMENT

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

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Janet Waugh, Chairman Penny Plamann, Secretary