

**KANSAS STATE BOARD OF EDUCATION
Meeting Minutes**

May 10, 2011

CALL TO ORDER

Chairman Dennis called the May meeting of the State Board of Education to order at 10:00 a.m., May 10, 2011 in the Board Room of the Kansas Education Building, 120 SE 10th Avenue, Topeka, Kansas.

5/10/11 a.m.
session audio
archive
(00:00:04)

ROLL CALL

Members present were:

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

Mrs. Martin and Mrs. Shaver were representing the Board at a NASBE meeting in Chicago.

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

Chairman Dennis read the new Mission Statement of the Board that was on the agenda to be adopted later in the day. He then called for a moment of silence. The moment of silence was followed by the recitation of the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Mrs. Wims-Campbell moved, with a second by Chairman Dennis, that the agenda be approved as presented. Dr. Chappell asked to pull from the Consent Agenda items 15 m., p., q., t., and v. Mrs. Wims-Campbell and Chairman Dennis agreed to the change in the motion and the motion carried 6-2-0, with Cauble and Waugh voting in opposition and Martin and Shaver absent.

(00:03:01)
MOTION

APPROVAL OF MINUTES

Ms. Storm moved, with a second by Mrs. Wims-Campbell, that the April minutes be approved as distributed. Discussion followed about what should be included in the State Board of Education minutes.

(00:4:19)
MOTION

Mrs. Wims-Campbell noted that the name of a writer of a letter she had handed out at the end of the April Open Forum needed to be corrected. Member Chappell proposed several amendments to the motion, two of which were accepted by Ms. Storm and Mrs. Wims-Campbell. After discussion the amended motion failed on a vote of 4-3-1, with Willard, Waugh and Dennis voting in opposition and Bacon abstaining.

**MOTION TO
AMEND
VOTE**
(00:14:40)
(00:32:00)

Mrs. Waugh moved that the minutes be approved as presented. Chairman Dennis seconded the motion. After brief discussion it carried on a vote of 7-1, with Chappell voting in opposition.

MOTION
(00:32:45)

CITIZENS' OPEN FORUM

Chairman Dennis declared the Citizen's Open Forum open at 10:35 a.m. Kirk Fast, of Ozawkie, representing himself and his children, Kansas public school students, and Glenda Overstreet, Otto Vaughn, and Rev. Ben Scott, members of the Topeka NAACP, Topeka, spoke of the need for fuller inclusion of Black History in the Kansas history, government and social studies standards. Steve Roberts, Overland Park, echoed their concerns. Terry Leatherman and Malissa Martin-Wilke, representing Communities in Schools (CIS), Lawrence, presented the results of an evaluation of the CIS program and its impact on drop-out prevention and improved graduation rates. Dr. Chappell had questions concerning drop-out prevention strategies used in CIS programs and Mrs. Wims-Campbell asked that there be a longer presentation to the Board on a future agenda. Chairman Dennis closed the Forum at 10:58 a.m.

(00:34:39)

May 10, 2011

Page 2

MINUTES

BREAK

(00:58:04)

The Board took a break at 10:59 and returned at 11:07 a.m. To keep the meeting on schedule, it was decided to move ahead with the agenda and have the Commissioner's Report later in the day.

SPECIAL EDUCATION ADVISORY COUNCIL UPDATE: SECLUSION AND RESTRAINT

(01:58:45)

Kathy Kersenbrock-Ostmeyer, Chairman of the Special Education Advisory Council (SEAC) presented to the Board SEAC's five recommendations regarding the Seclusion and Restraint Guidelines adopted in 2007. The five recommendations were: 1) that KSDE collect data concerning what types of training is conducted by schools using seclusion and restraint; 2) additional data should also be collected on various types of Positive Behavioral Interventions in schools; 3) data collections concerning seclusion and restraint should be collected on all students involved (general and special education students); 4) incidents of restraint should undergo the same data collection procedures required of seclusion; and 5) that KSDE monitor the discussions concerning legislation on seclusion and restraint at the federal level to ensure that Kansas regulations mirror the federal position.

Board questions followed. Director of Special Education Services Colleen Riley participated in the question and answer session. Included in the questions were three asked by Mrs. Wims-Campbell on behalf of the Kansas Disability Rights Commission. As a follow-up for staff, expulsion and suspension data for all students was requested by Dr. Chappell.

HISTORY/GOVERNMENT STANDARDS REVIEW PROCESS

(01:28:25)

KSDE History Consultant Don Gifford provided additional information and clarification to the timeline for the revision of the History/Government standards. Questions from the Board included several about Board member standards writing committee appointments; what considerations the writing committee would include in its approach to revisions; and the budget for the process. Additionally, several questions were asked about development of a KSDE website module on Black History. Though the addition of a module was possible, it was recommended that Black History be incorporated into the standards and not addressed as an add-on.

LUNCH RECESS

The Board recessed for lunch at 11:58 and the meeting reconvened at 1:30 p.m.

INFORMATIONAL UPDATE ON THE NEW SUPERINTENDENT MENTOR PROGRAM IN KANSAS

5/10/11 p.m.

session audio
archive

(00:00:01)

State Board members received an update on the state's superintendent mentor program. Funding for the program was approved by the State Board in March 2010 and five superintendents were selected from a field of 30 applicants to attend a Harvard University Leadership Institute for Superintendents to become trained on Systemic Reform. The superintendents selected were: Destry Brown USD 250, Pittsburg, Nancy Crowell, USD 218, Elkhart, Steve Pegram, USD 434, Santa Fe Trail, Mary Treaster, USD 310, Fairfield, and Tom Trigg, USD 229, Blue Valley. Addressing the Board on their experience at the Leadership Institute and subsequent activities developing a Kansas new superintendents leadership program were Superintendents Brown, Treaster and Pegram. The outgrowth of that activity was the development of the Kansas Educational Leaders Institute (KELI) at Kansas State University. Dr. Mary Devin, the Executive Director of KELI, provided the Board with an overview of KELI's goals to support new superintendents with onsite mentors and other activities of the institute that will be driven by the needs arising from the field.

Three of the new superintendents mentored during the last year, Doug Sumner, De Soto, Lance Rodd, Cedarvale, and Mike Gower, Philipsburg, spoke about how the program had benefited them. Brief Board questions and comments followed the presentations.

May 10, 2011

Page 3

MINUTES

Chairman Dennis declared a brief break, from 2:04 to 2:20 p.m.

BREAK
(00:34:10)

ACT ON RECOMMENDATIONS OF THE PROFESSIONAL PRACTICES COMMISSION

Mrs. Wims-Campbell moved, with a second by Chairman Dennis, that the State Board adopt the findings of fact and conclusions of the Professional Practices Commission and approve the recommendations of the Commission in cases 10-FC-08, Nina S. Allen; 10-FC-10, LaDonna J. Fortune; 10-FC-14, Craig D. Butler; 11-O-01, Karen M. Vondenkamp; 11-O-02, Daniel E. Cavender; and 11-FC-03, Dean L. Baum. The motion carried 8-0.

(00:34:20)

APPROVE STATE BOARD MISSION, MOTTO, GOALS AND OBJECTIVES

Chairman Dennis gave a brief overview of the process the Board had undertaken in developing its new mission statement, motto and goals and objectives for the next two year. Brief comments followed. Mrs. Cauble moved, with a second by Mrs. Waugh, that the State Board adopt the mission, motto, goals and objectives as agreed to by consensus at the April 13th meeting. An objection was raised that the work of the Kansas Education Commission (KEC) had not been sufficiently included in the goals and objectives. Further, the goals and objectives were not measurable and would not provide adequate focus for staff. Dr. Chappell moved that the motion be tabled until all Board members were present; Mr. Bacon, who had been absent at the last planning session, had been given the opportunity to give input; and measurable objectives were developed. The motion died for lack of a second.

(00:35:03)

MOTION
(00:41:20)

In further discussion, clarification was given on how the priorities for the remainder of 2011 were developed and would be implemented; how the Board had addressed each of the recommendations of the KEC; and the staff's development of strategies to implement the Board's goals. The motion carried 7-1, with Chappell voting in opposition. The mission, motto, goals and objectives adopted are as follows:

Mission

To prepare Kansas students for lifelong success through rigorous academic instruction, 21st century career training, and character development according to each student's gifts and talents.

Motto

Great students. Great teachers. Great leaders. Great citizens.

Goals and Objectives

Goal 1: Provide a flexible delivery system to meet our students' changing needs

- 1.1 Support statewide implementation of Multi-Tier System of Supports (MTSS)
- 1.2 Review the accreditation system for Kansas schools
- 1.3 Review graduation requirements, improve graduation rates, and reduce dropout rates
- 1.4 Implement the Career and Technical Education policy initiatives approved by the Kansas State Board of Education
- 1.5 Adopt a growth model that includes four levels of accountability (state, district, school, student) with multiple assessment opportunities (opportunity to learn), including both formative and summative data

Goals 2: Provide an effective educator in every classroom

- 2.1 Review barriers to teacher licensure and renewal
- 2.2 Continue to develop strategies for teacher recruitment, support, and retention
- 2.3 Develop strategies for educator evaluation and compensation
- 2.4 Review and revise teacher preparation programs to respond to the diverse student needs in Kansas

May 10, 2011
MINUTES

Goal 3: Ensure effective, visionary leaders in every school

- 3.1 Review and revise leader preparation programs to respond to the diverse educational needs in Kansas
- 3.2 Continue to develop strategies for leader recruitment, support, and retention
- 3.3 Develop strategies for leader evaluation and compensation

Goal 4: Collaborate with families, communities, constituent groups, and policy partners

- 4.1 Align PreK- 20 systems of support in collaboration with identified partners
- 4.2 Communicate effectively with the public regarding education issues
- 4.3 Develop strategic partnerships with stakeholders

Commissioner DeBacker noted that in anticipation of a positive vote, staff had developed two separate hand-outs members could use when making presentations on the Boards goals. Copies were distributed to Board members for their review. Communications Director Toelkes explained the difference in the two documents, as well a new logo incorporating the Board's new motto.

BREAK
(00:51:42)

The Board took a break at 2:45 and returned at 2:55 p.m.

APPOINT KSBE REPRESENTATIVES TO HEAR GRIEVANCE

(00:51:54)

Chairman Dennis appointed Mr. Bacon, Vice-Chairman Campbell and Mrs. Waugh to hear a grievance submitted by a tenured teacher at the Kansas State School for the Deaf.

LEGISLATIVE MATTERS

(00:52:13)

Deputy Commissioner of Education Dale Dennis provided Board members with an update on education legislation. A bill to allow the Kansas State School for the Blind to conduct training programs year round rather than only in the summer months had been adopted. In addition, a resolution requested by the State Board designating the first full week of October as Anti-Bullying Awareness Week in Kansas had been adopted. He also reviewed other education legislation that had been agreed to in conference committee. Included were a bill that teacher tenure; and a bill that would provide an avenue for high school graduation based on minimum high school requirements adopted by the State Board for children who had been in foster care or within the juvenile justice system. He reported that there were several other education bills still pending in conference committees. Summaries and a bill locator noting the status of several bills were distributed to Board members.

Deputy Commissioner Dennis also reported on a conference committee report under review regarding the Base State Aid Per Pupil (BSAPP) for the current fiscal year as well as the status of education funding recommendations for FY 2012 for which there had as yet been no agreement. All proposals would produce a drop in BSAPP from current levels.

Among the questions that followed were several about special education expenditure increases since FY 2005 and the federal maintenance of effort requirement and its impact on state funding requirements. There were also questions about the Byrd Scholarships for which federal funding had not been appropriated.

CONSENT AGENDA

(01:40:20)

MOTION

There was brief discussion after a question was raised about the third quarter reports included on the Consent Agenda and the timing for future budget presentations by the Kansas State School for the Blind and the Kansas State School for the Deaf. Mrs. Cauble moved, with a second by Ms. Storm, that the Board approve the Consent Agenda with the exception of items 15 m., p., q., t., and v. which Dr. Chappell pulled earlier. The motion carried 7-1, with Chappell voting in opposition. In the Consent Agenda the Board :

May 10, 2011

MINUTES

- Received the monthly personnel report.
- Confirmed the appointments of Raymond Williams to the position of Applications Developer II on the Information Technology team effective April 4, 2011, at an annual salary of \$46,092.80; Martin Kollman to the position of Education Program Consultant on the Career, Standards and Assessment Services team effective May 9, 2011, at an annual salary of \$56,118.40; and Jana Bradfield to the position of Education Program Consultant on the Special Education Services team effective May 31, 2011, at an annual salary of \$56,118.40.
- Approved the amended agreement for the Marshall-Nemaha County Educational Services Cooperative.
- Approved the partial termination of the USD No. 495 (Ft. Larned) Tri-County Special Services Cooperative to allow USD No. 502 (Lewis) to withdraw from the special education cooperative, effective June 30, 2011.
- Received the FY 2011 KSSD and KSSB third quarter reports.
- Approved the Kansas State School for the Blind's (KSSB) Teacher and Supplemental Salary Schedules for the 2011-2012 school year.
- Reappointed Laura Kaiser, Sharon Klose and Lory Mills to their second three-year term of office on the Professional Standards Board to run from July 1, 2011 through June 30, 2014.
- Reappointed Suzanne Bangert to her second three-year term of office on the Professional Practices Commission to run from July 1, 2011 through June 30, 2014.
- Reappointed Ruth Goff to her second three-year term of office on the Licensure Review Committee to run from July 1, 2011 through June 30, 2014.
- Accepted the recommendations of the Licensure Review Committee as follows: *To approve* in cases 2693, Mary Patry; 2701, Brianna Boulanger; 2694, Lauren Elkin; 2704, Diana Sloan; 2708, Veronica Christiansen; 2710, Jennifer Burrios; and 2712, Angela Cook; *To deny* in cases cases 2702, Shelley Cavin; and 2703, Denise Wharton.
- Accepted the recommendation for a licensure waiver in *Gifted Education* for Joni Reed, USD 368.
- Approved Enhancing Education Through Technology (EETT)/ARRA grant awards for **Phase 9 Year 1**: USD 501, Topeka Public Schools, French Middle School, \$85,000; USD 470, Arkansas City, Ark City Middle School, \$49,700; USD 457, Garden City Schools, Elementary; /Elementary; \$85,000; USD 450, Shawnee Heights, Shawnee Heights Middle School, \$85,000; USD 435, Abilene Public Schools, \$80,100; USD 308, Hutchinson; \$79,182; USD 260, Derby Public Schools in partnership with USD 460, Hesston, \$85,000; USD 259, Wichita Public Schools, Franklin Elementary; \$67,250; USD 480 Liberal, \$85,000; and alternate awardees, Buhler, USD 313 (\$66,774); Newton, USD 373 (\$85,000); and Sublette, USD 374 (\$55,000); **Phase 8 Year 2** in the amount of \$25,500: USD 253, Emporia Public Schools, Lowther South Elementary; USD 308, Hutchinson Public Schools, Avenue A Elementary; USD 331–Kingman, Norwich, Kingman Elementary; USD 343 Perry, Lecompton, USD 252, Southern Lyon County, Neosho Rapids Elementary and Olpe Elementary; USD 259, Wichita Public Schools, Enterprise Elementary; USD 313, Buhler Public Schools, Prairie Hills Middle School; USD 244, Burlington Schools, Burlington Middle School; USD 505, Chetopa, St. Paul, Chetopa Junior High; USD 315, Colby Public Schools, Colby Middle School; USD 258, Humboldt Public Schools, Humboldt Middle School; USD 309, Nickerson South Hutchinson, Reno Valley Middle School in partnership with USD 495 Larned Middle School; USD 358–Oxford, Oxford Middle School and USD 335 Jackson Heights Middle School; USD 349–Stafford Public Schools; and USD 214, Ulysses Public Schools, Kepley Middle School; and for the **Phase 8 TRC Grant Teams (teachers/facilitators) who are interested in sharing the expertise they've developed this year in providing summer professional learning opportunities for other staff in their school/district**: USD 253, Emporia Public Schools, Lowther South Elementary, \$1,443; USD 331, Kingman-Norwich, Kingman Elementary; \$1,400; USD 343, Perry, Lecompton, \$2,317.50; USD 345, Seaman, Elmont Elementary, \$1,443; USD 252, Southern Lyon County, Neosho Rapids Elementary; /Olpe Elementary; \$1,443; USD 259, Wichita Public Schools, Enterprise Elementary, \$2,317.50; USD 313, Buhler Public Schools, Prairie Hills Middle School, \$1,443; USD 244, Burlington Schools, Burlington Middle School, \$1,443; USD 505, Chetopa, St. Paul, Chetopa

Junior High, \$ 1,443; USD 315, Colby Public Schools, Colby Middle School, \$2,317.50; USD 258, Humboldt Public Schools, Humboldt Middle School, \$1,443; USD 309, Nickerson South Hutchinson, Reno Valley Middle School in partnership with USD 495, Larned Middle School, \$2,317.50; USD 358, Oxford, Oxford Middle School in partnership with USD 335 Jackson Heights Middle School, \$1,443; and USD 214, Ulysses Public Schools, Kepley Middle School; \$2,317.50.

- Approved additional funding of Title II Part B Math and Science Partnership Grants for 2011-2012 contingent upon demonstration that applicants are meeting grant requirements for Coffeyville USD 445 in partnership with USD 234, USD 247, USD 257, USD 436, USD 503, USD 504, Pittsburg State University and SEKESC (Service Center #609) in the amount of \$8,816.50; Emporia State University in partnership with: USD 253 & Sacred Heart & St. Joseph Catholic Schools (Emporia) in the amount of \$8,536.00; Hutchinson USD 308 in partnership with USD 349, Holy Cross Catholic Elementary (Hutchinson), Wichita State University, Tabor College, and ESSDACK (Service Center #622) in the amount of \$11,727.00; Salina USD 305 in partnership with Kansas Wesleyan University and Kansas State University at Salina in the amount of \$4,216.00; Emporia State University in partnership with USD 243, USD 244, USD 251, USD 252, USD 287, USD 288, USD 390, and USD 456 in the amount of \$7,597.00; Kansas State University in partnership with USD 320, USD 378, USD 379, USD 383, USD 475; and USD 500 in the amount of \$8,004.96; and Wichita USD 259 in partnership with Wichita State University in the amount of \$4,800.00.

Contracts Approved:

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

- modify the existing contract agreement with Goffin Strategy Group, LLC and amend it to increase days of service and therefore the total amount to not exceed \$45,500;
- enter into a contract with the Kansas Center for Safe and Prepared Schools (KC-SPS), to provide emergency operation training services for Kansas schools in an amount not to exceed \$50,000;
- enter into a one year contract with Bethel College (Newton, Ks.), as part of the Safe and Supportive Schools Grant, to provide professional development opportunities related to student management models, in an amount not to exceed \$50,000; and
- enter into a contract with the University of Wisconsin, Madison for the Survey of Enacted Curriculum, in an amount not to exceed \$30,000.

ACTION ON REMAINDER OF THE CONSENT AGENDA

Chairman Dennis inquired of Dr. Chappell whether he had contacted staff to get his questions clarified. During the discussion, Dr. Chappell indicated he would like the Board to discuss his issues before a vote. Mrs. Waugh moved, with a second by Ms. Storm, that the Board approve items 15 m., p., q., t., and v. Discussion followed, including between Dr. Chappell and staff. After Chairman Dennis had determined that Dr. Chappell had spoken with staff and received answers to his questions during the day, he polled the rest of the Board members on their desire to discuss any of the issues. With no one else expressing interest, the motion carried 7-1, with Chappell voting in opposition. By its action the State Board:

(01:42:06)
MOTION
(01:43:17)

- Adopted and set cut scores as follows for regenerated Praxis II licensure assessments: Principles of Learning and Teaching: Early Childhood (Test #0621) recommended score 160; Principles of Learning and Teaching: K-6 (Test #0622) recommended score 160; Principles of Learning and Teaching: 5-9 (Test #0623) recommended score 160; Principles of Learning and Teaching: 7-12 (Test #0624) recommended score 160; Art: Content Knowledge (Test #0134) recommended score 160; Technology Education (Test #0051) recommended score 160.

Contracts Approved:

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

- continue an assessment development contract with the Center for Educational Testing and Evaluation (CETE) with the contract amount not to exceed \$4,325,829;

May 10, 2011

Page 7

MINUTES

- enter into a revised contract with The University of Kansas Research, Inc. to develop Focal Point assessments for districts in Kansas Learning Network (KLN) in the area of mathematics not to exceed \$54,364 which includes \$4,364 of indirect costs not included in the original contract request;
- enter into a four-year contract with the Institute for Excellence & Ethics, as part of the Safe and Supportive Schools (S3) grant to support statewide measurement of a "Conditions for Learning" (CFL) Index, in an amount not to exceed \$260,000 over the four years of the grant period; and
- enter into a contract with the selected vendor for the Character Education Partnership Evaluation in an amount not to exceed \$108,000.

BOARD REPORTS**Attorney**
(01:58:22)

Stephen Smith, who was acting as Board Counsel in the absence of Mark Ferguson, reported on a response from the Shawnee County District Attorney regarding the self-reported possibility of a violation of the Kansas Open Meetings Act (KOMA) by the Board. The district attorney ruled that a technical violation had occurred and that KOMA training should be set up for all Board members to attend.

Chairman
(02:00:18)

Chairman Dennis reported that the Kansas State High School Activities Association (KSHSAA) has asked for nominations from the Board to fill two at-large positions on the KSHSAA Board of Directors. The organization would like to receive the nominations prior to June 8th. He also reported on other meetings of interest.

**Legislative
Coordinators
And Other
Board Member
Reports**
(02:06:29)

Neither Ms. Storm nor Mr. Willard had anything of significance to report on the activities of the state legislature.

Board members shared information about recent meetings they had attended. Mrs. Cauble indicated she would like the Board to explore the possibility of raising money from private organizations for funding one year of the Bryd Scholarships that would have been awarded in 2011, if federal funding had been available. Mrs. Wims-Campbell reported that she would be attending the national organization of high school activities associations' annual meeting in Philadelphia at the end of June.

COMMISSIONER'S REPORT

(02:19:20)

Commissioner DeBacker reported on her activities and meetings attended that were of a collaborative nature with other agencies and organizations at the state and national level. Brief discussion followed. She was asked about the results in Kansas Learning Network districts and reported that there would be an update at the June meeting.

REQUESTS FOR FUTURE AGENDA ITEMS

(02:31:31)

A KOMA training for board members would be scheduled for the June meeting. Mr. Dennis asked for a status report on Fine Arts in the state. Dr. Chappell would like the opportunity to discuss the KSSD and KSSB budgets. Dr. Chappell requested expulsion and suspension data for all students. Mrs. Wims-Campbell asked that Communities in Schools be invited to present to the board about the organization. She also requested a presentation on the development of the new assessments associated with the Common Core Standards.

ACT ON BOARD MEMBER TRAVEL REQUESTS**MOTION**
(02:33:39)

Mrs. Wims-Campbell moved, with a second by Mr. Bacon, that the Board approve travel requests. Mr. Bacon and Mrs. Waugh asked that the KSSD graduation May 25th be added to their requests and Mr. Bacon asked to add the NASBE Finance Committee meeting on June 9th. Mrs. Waugh also asked to add a financial literacy panel presentation and the KSSB graduation on May 19th. She indicated she would attend one of the two, based on her schedule. The motion carried 7-1, with Cauble voting in opposition.

May 10, 2011
MINUTES

Page 8

ADJOURNMENT

There being no further business, Chairman Dennis declared the meeting adjourned at 4:25 p.m.

David Dennis, Chairman

Penny Plamann, Secretary