

## **KANSAS STATE BOARD OF EDUCATION**

### **Special Meeting to Review Board Goals February 13, 2006**

#### **CALL TO ORDER**

Chairman Abrams called the meeting to order at 1:00 p.m. on Monday, February 13, 2006, in the Board Room of the State Education Building, 120 SE 10<sup>th</sup> Avenue, Topeka, Kansas.

#### **ROLL CALL**

Members present were:

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

Mrs. Morris was present by telephone. Mr. Bacon arrived at 1:03 p.m. Also present was Mrs. Deb Haneke, of ESSDACK, to assist the Board in its review of the goals it adopted in February of 2005.

The meeting began with a presentation by Dr. John Morton and Dr. Brenda Dietrich, of the Special Superintendents' Committee which had been charged with identifying barriers to innovation and system redesign in the Kansas public education system, and suggesting possible solutions for overcoming the barriers identified. They passed out an executive summary of work done to date and a report of the committee's tentative findings. Of the thirteen areas identified, their presentation and the discussion that followed concentrated on the five barriers for which there had been the most common agreement by committee members. Those included: 1) time; 2) tradition; 3) the funding system; 4) lack of equitable access; and 5) assessment and NCLB issues.

The Board took a break from 2:15 to 2:23 p.m.

Following the break, Dr. Steve Wyckoff, of ESSDACK, gave a demonstration of how interactive technology, through the Kan-Ed network, was being used to provide access to instruction and professional development opportunities.

Dr. Wyckoff's demonstration was followed by an update by Deputy Commissioner Alexa Posny on progress that had been made in carrying out the action plan for implementing the Board's goals.

After the update, Mrs. Haneke began work with the Board to help it revisit the underlying assumptions, facts, trends or concerns that had lead to the creation of its goals. Progress was made in the discussion of Goal 1, Redesigning the delivery system to meet the state's changing needs. Mrs. Waugh brought up her concerns with actions taken by the Board that she felt had taken it off the course established in the action plan it had adopted. A lengthy discussion followed and Mrs. Haneke proposed that discussion be tabled for the day. She stated she believed, from the issues that had been brought up, the Board needed to direct the focus of its discussion to its action plan. She suggested that she meet with the Commissioner to develop a proposal for how the Board might move forward. She also suggested that there might be other goals that needed to be included.

**EXECUTIVE SESSION**

Mr. Willard moved, with a second by Mrs. Van Meter, that after a ten minute break the Board go into executive session at 6:00 p.m. for a period of twenty minutes, for the purpose of discussing personnel matters of nonelected personnel so that the privacy, confidentiality and other rights of such personnel would not be not violated, and that the open meeting of the Board resume in Board Room at 6:20 p.m. The motion carried. The Board went into executive session at 6:00 p.m. and the open meeting resumed at 6:20 p.m. Mrs. Waugh moved, with a second by Mr. Bacon, that the executive session be extended for twenty minutes and that the open meeting resume at 6:40 p.m. The motion carried. The open meeting resumed a little early at 6:30 p.m.

**ADJOURNMENT**

The special meeting to revisit the Board's goals was adjourned by Chairman Abrams at 6:30 p.m.

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Steve Abrams, Chairman

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Penny Plamann, Secretary

**KANSAS STATE BOARD OF EDUCATION  
MEETING MINUTES**

**February 14, 2006**

**CALL TO ORDER**

Chairman Abrams called the meeting to order at 10:02 a.m. on Tuesday, February 14, 2006, in the Board Room of the State Education Building, 120 SE 10<sup>th</sup> Avenue, Topeka, Kansas. Chairman Abrams announced that the Board meeting was being broadcast over Kan-Ed Live! and expressed his appreciation to the Board of Regents for making it possible.

**ROLL CALL**

Members present were:

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

Because of a death in the family, Mrs. Morris was unable to attend in person but was present by telephone.

**APPROVAL OF THE AGENDA**

Chairman Abrams stated that Deputy Commissioner Posny had been called to a legislative meeting and he asked that her update on autism issues, item 6, be switched with item 11, the Accountability Report. Mr. Bacon asked that item 14 g., action to continue the audio streaming of the monthly Board meetings through KAN-ED, be pulled from the consent agenda for discussion. There being no further changes, Mrs. Martin moved, with a second by Mr. Bacon, that the agenda be approved as amended. The motion carried.

**APPROVAL OF THE MINUTES**

Mrs. Martin pointed out several corrections to be made to the minutes. She noted that in the discussion following the Open Forum on January 10<sup>th</sup>, Mr. Johnson had been referred to as Mr. Gardner. She pointed out that in the discussion of the changes for processing the approval and funding of charter schools on January 10<sup>th</sup>, an extra "would" should be deleted. She also noted that the addition of "if" would clarify the first sentence of the next to last paragraph of the state assessment update on January 11<sup>th</sup>, so that it would read, "*Dr. Wagnon asked if the Board could be confident...*". There were no additional corrections and Mr. Bacon moved, with a second by Mrs. Rupe, that the minutes of the January meeting be approved as corrected. The motion carried.

**COMMISSIONER'S REPORT**

Commissioner Corkins indicated he was pleased with the strong Board consensus on major policy issues such as the proposal for a growth model and the longitudinal database and the other additional budget proposals the Board had agreed to. He reported the legislative committee hearing dates for the Board's budget proposals and the charter school proposal. He also addressed the response to the alternative licensure proposal and indicated that its presentation by the Transition Team was all part of a prelude to the regulatory process which would provide a lot of opportunities for input over an extended period.

Mrs. Rupe indicated she was not certain that there had been Board consensus on adoption of a student growth model for determining school improvement. She pointed out that it would be very difficult to implement and that the independent and religious schools in her district had a real problem with it. She also asked if, in light of the Legislative Post Audit cost studies, the Board should spend much time defending the budget it had proposed last August. She noted that even with the addition of the request for all-day kindergarten, the Board's request was much less than what had been recommended by either study, or what the legislature was currently considering. She suggested the Board might want to have another discussion of the budget prior to any legislative hearings. In response to Mrs. Rupe's concerns about the budget, Mr. Willard stated that he felt the Kansas Supreme Court had taken the State Board out of the funding discussion. Mrs. Rupe suggested that Mr. Willard, as the Legislative Coordinator, and the Department, in their discussions with the legislature and in legislative budget hearings, speak in favor of the proposal for all-day kindergarten, but stay out of the rest of the discussion on school funding. Mrs. Waugh spoke in favor of the Board having another discussion of its budget proposal.

Mrs. Gamble stated that if the legislature did not approve funding for the longitudinal database, she would not be in favor of having the cost of its development come out of the Department of Education budget. She also said she would like additional information on the use of a student growth model and brought up issues related to assessments that its implementation would create. Mr. Willard agreed that the Board had not approved proceeding with student growth modeling when it approved the proposal to request funding for the longitudinal database. He pointed out, though, that Kansas had been unable to participate in a federal pilot because it did not have capacity to use longitudinal data for individual students. He indicated he wanted the legislature to fund the longitudinal database to speed the process along, noting that NCLB would be up for reauthorization in 2007.

Regarding the alternative licensure proposal, Mrs. Gamble pointed out that there had been consternation from the field because its introduction to the field had deviated from the normal process of going through the Regulations Committee and the Professional Standards Board. She added that she hoped the Commissioner would take that route with proposed changes. She indicated that she, as well as the rest of the Board, had received a copy of letter from Dr. Dale Rawson, Superintendent of USD 244, to the Commissioner, which she felt offered good counsel to the Commissioner and the Board and would like to have it included with the official minutes of the February Board meeting. She provided a copy of the letter to the Board secretary. Both Mr. Willard and Mrs. Martin responded to Mrs. Gamble about the reaction from the field to the alternative licensure proposal, noting that Board members had been deluged with communications on it because of an action alert sent out by KNEA.

#### **2004-2005 ACCOUNTABILITY REPORT**

David Awbrey, Director of Communications, answered questions about the 2004-2005 Accountability Report which provides an overview of education in the state, including national and state assessment results, data on graduation and attendance rates, school violence information and a profile of the state's teaching force. He noted the document is used primarily with the Legislature, but is also provided to schools and to education organizations. Mrs. Martin pointed out a statement that might need additional clarification regarding reading results and an error in the section on science assessment results where history/government assessments were mentioned instead of science. Mr. Bacon asked if the report was on the KSDE website. Mr. Awbrey indicated that it should have been posted and also gave a brief explanation about changes that would be made to the website over the next few months.

### **CITIZENS' OPEN FORUM**

Chairman Abrams declared the Citizens' Open Forum open at 10:28 a.m. Those addressing the Board were: Steve Scott, representing the Council of Education Deans, Pittsburg; Cindy Garwick, representing the Professional Standards Board, Manhattan; Peggy Harris, representing the Private Colleges of Kansas, Baldwin City; Janet Harmon, Overland Park; Elaine Talbert, Olathe; Heidi Harper, Overland Park; Katie Oharah, Uniontown; Phillip Cosby, representing Operation Prairie Wind, Abilene; Margret Minea, Leawood; Nancy Hanahan, Overland Park; Kirk Fast, Ozawkie; Lisa Friedrichsen, Overland Park; Doug Friedrichsen, Overland Park; Dr. Byan Feller, Overland Park; Eric Johnson, Prairie Village; Peg Dunlap, representing Kansas NEA, Topeka; and Celtie Johnson, Prairie Village. Dr. Posny was asked to follow up with Miss Oharah on her comments about a zero tolerance bullying policy. Mrs. Gamble had books that had been mailed to her from a group that was requesting a parental consent option for literature that was considered obscene by some parents and was required reading in Advance Placement English classes. Several individuals had spoken to the Board about the issue in the Open Forum. Because of laws restricting gifts to Board members, Mr. Bacon indicated he had asked Mr. Biles to look into a way the books could be paid for instead of returned to those who had sent them. Chairman Abrams declared the citizens' forum closed at 11:24 a.m.

The Board took a break from 11:24 until 11:31 a.m.

### **RECOGNITION OF THE 2006 KANSAS TEACHER OF THE YEAR TEAM**

Commissioner Corkins introduced the 2006 Kansas Teacher of the Year, Ron Poplau, community service teacher at Shawnee Mission Northwest High School, Shawnee Mission USD 512, who was also one of four finalists for the 2006 National Teacher of the Year. He also introduced 2006 Regional Teachers of the Year: Laurie Mercer, fourth- and fifth-grade teacher at Samuel E. Spaght Accelerated Magnet Academy, Wichita USD 259; Betty Peterson, mathematics and computer technology teacher at Nemaha Valley Jr. High School, Nemaha Valley USD 442; Betsy Leonard Wiens, mathematics teacher at Washburn Rural Middle School, Auburn Washburn USD 437; Tana Priddy, reading specialist at Starside Elementary School, DeSoto USD 232; Pam Olson, mathematics teacher at Campus High School, Haysville USD 261; Letitia Petitjean, kindergarten teacher at Obee Elementary School, Buhler USD 313; and Roxie Peterson, kindergarten teacher at Central Elementary School, Wamego USD 320. Each teacher briefly shared with the Board an issue they were concerned about as a classroom teacher and then answered questions. Additional information at a future Board meeting was requested regarding community service classes. Each received a certificate of recognition and stood for pictures with the Chairman and the Commissioner.

The Board recessed for lunch at 12:14 and reconvened at 1:32 p.m.

### **STATE ASSESSMENT UPDATE**

Deputy Commissioner Posny continued with her update on state assessments that was begun at the January Board meeting. In addition to addressing questions that had been raised recently in a letter to Mrs. Martin from the superintendent of the Concordia district, she discussed student growth modeling and federal requirements, and how the KIDS system fits into the development of the longitudinal database. She also gave an update and answered questions about the assessment schedule through 2009-2010 and explained changes in high school assessments which will be given every year beginning with the 2007-2008 school year in order to allow students to take the assessments after they have had the opportunity to take the appropriate classes. She noted that the high school history/government and science assessments would be broken down into two assessments each, for the same reason. The modified assessment, the Kansas Assessment of Multiple Measures, which will include the addition of a performance part, was

discussed and Dr. Posny answered questions about the difference between making accommodations for a student and the modified assessment. She noted that the Kansas accommodations and modifications will be peer-reviewed by the U.S. Department of Education, which will make the determination about what is acceptable under NCLB and IDEA.

Dr. Posny reviewed the timeline for the release of assessment results and explained there would be a delay in the release of 2006 student results, building reports, AYP information, the list of schools and districts on improvement and the report card because of the new assessments which will be given at more grade levels. This will require more time to combine and process the data from those using the Kansas Computerized Assessment (KCA) and those taking a paper and pencil assessment, to analyze and equate items and establish cut scores. Final AYP, report cards and assessment data will be released in December instead of October as is the normal practice. Board members indicated their concern about the lack of capacity in some districts to take advantage of the KCA and issues contributing to the problem were discussed. Dr. Posny also discussed the student indicator report and the instructional data planning report which will be available August 1<sup>st</sup> for the first time with the 2006 assessments. In future years, she added, the reports will be available with the release of preliminary student raw score assessment results in May. Those schools participating in the KCA will receive the reports as soon the assessments are taken.

Dr. Posny also updated the Board on the Kansas English Language Proficiency Assessment (KELPA), required by NCLB to be given to English language learners, and performance assessments, aligned with state standards, for students with disabilities. The performance assessments will also be available for all students for those districts wanting to use additional measures of proficiency for QPA. Mr. Willard expressed concern about the length of time required for the KELPA assessment. The need for portions of KELPA to be administered one-on-one and other issues related to the assessment were also discussed.

Dr. Posny gave an update and answered questions about the formative test builders, the Empowered Desktop, available through Kan-Ed, and another one developed by the Center for Educational Testing and Evaluation at the University of Kansas. Both used test items developed by KSDE through West-Ed that are aligned to state reading and math standards for grades three through high school. She reported that they had both been accessed extensively by teachers across the state to develop customized practice tests in preparation for the state assessments. Dr. Posny demonstrated the Empowered Desktop for the Board. She noted that the CETE test builder produced a computerized test that could give immediate feedback to the student and the teacher.

Dr. Posny also handed out a copy of the Not Tested codes that are used by the field, to give Board members an idea how complicated the assessment program is. Dr. Wagon asked if the KIDS system was complete and currently being used. Dr. Posny indicated that it was through the KIDS system that schools register for the assessment and receive the KCA. Dr. Wagon wanted to know how that related to the longitudinal database for which the Board was requesting funds from the legislature. Dr. Posny responded that KIDS was only one piece of the data warehouse that would be developed if the funding is made available. Dr. Wagon asked if it was being communicated to the legislature that the funding being sought was to help move the Department to the next level of effective data collection and generation and to build on what it has already done. Mr. Willard indicated he was attempting to share that message with individual legislators with whom he had spoken and Commissioner Corkins added that the Department would make the case when it testified at hearings on it February 21<sup>st</sup> and March 1<sup>st</sup>.

### **CHALLENGE AND COMPARISON SCHOOL SURVEY RESULTS**

Dr. Sherrill Martinez, Director of Planning and Research, shared the results of a survey that had been conducted to study different aspects of two sets of schools: Challenge Award Winner schools and a set of Comparison schools. To receive a Challenge Award, a school's state assessment results in mathematics or reading must be significantly higher than would be expected, given the demographic make-up of the school's student population (percent lower socioeconomic status, percent minority, and percent with disabilities), she explained. The selection of Comparison schools for the study was based on the same criteria used for selection of the Challenge Award schools with the exception that the achievement of students in the Comparison schools was significantly lower than would be expected, given the demographic make-up of the school's student population. The purpose of the study was to try to determine the factors that contributed to the success in the Challenge Award Schools. Dr. Martinez reported that the response rate was lower than had been hoped for but that some trends could be identified. Areas examined included: 1) funding and use of resources; 2) staff education, experience, and skills; 3) alignment of curriculum, instruction, and assessment; 4) decision making and leadership control; 5) accountability; 6) professional development; 7) school climate; and 8) parent/community involvement.

Mrs. Gamble asked Dr. Martinez how she would recommend the Board use the survey results in making policy. Dr. Martinez responded that the trends she saw were that Challenge Award schools were doing some things that the Comparison schools were not doing in the areas of sharing leadership; looking at data and research and applying what was learned, and alignment of curriculum for school improvement. Dr. Wagnon wondered how much of the information found through the survey was already part of what the Board had considered in its core principles of redesign and the white papers it had received. Dr. Martinez said that the survey was designed to address the areas covered in the white papers and the results were very consistent with their conclusions. She added that she was disappointed in the response rate and would like to do the survey again in a year or two with the hope of a better response. Dr. Wagnon said he felt the survey results showed that investment in professional development was productive and that there was a need for more funding for it and more emphasis on its benefits. Mr. Willard said he felt the study showed that leadership was the key factor to establishing a school climate that produces the willingness to accept strategies for success. Dr. Martinez agreed, adding that shared leadership was also a factor for success. In the discussion that followed, Chairman Abrams indicated he was surprised by several of the findings and noted as an example that more staff in the Comparison schools felt they worked in collaborative teams. Dr. Martinez pointed out that respondents were to rank things they thought were important and that Comparison schools had put collaboration in the top three, which, she noted, did not indicate that the Challenge schools thought it was unimportant—just not in their top three. Dr. Abrams also noted the high number of Challenge school compared to Comparison school respondents, who had indicated that staff had high expectations for all students. Dr. Martinez noted that she felt the sample size in the survey was too small to make any generalizations beyond showing trends. In discussing some of the other results, she indicated that she hoped another survey with a better response rate would provide answers to some of the questions that seemed to arise from this study.

The Board took a break from 3:20 until 3:27 p.m.

### **LEGISLATIVE MATTERS**

Deputy Commissioner Dennis reported on recent consensus estimates for the state general fund and noted that they exceeded by \$71 million the historic high projected in November. He spoke briefly about the House and Senate leadership working with the Governor on a school funding plan, but indicated he had no specific details on a funding package, other than a multi-year package might be proposed. Mr. Dennis also updated the Board on the status of education-related bills.

### **UPDATE ON ACTIVITIES RELATED TO AUTISM ISSUES.**

Dr. Posny reported that in response to information presented to the State Board regarding services for students identified as autistic, KSDE staff members and an autism specialist had met with Mr. Johnson, one of the parents who had spoken at recent Citizen Open Forums. She indicated that his major concern was schools do not have appropriately trained staff to meet the needs of students with autism, especially those who are deemed more severe. She reported that statewide needs and suggestions for KSDE activity had been discussed. In response to the Board's request that the Special Education Advisory Council meet to address the issues that had been raised, she reported that they would be meeting with Mr. Johnson and two other parents, an autism specialist, a KU professor and appropriate KSDE Student Support Services staff. They planned to have a report for the Board at the March Board meeting. Other issues discussed by Dr. Posny included background information regarding what was required by IDEA and the courts regarding the level, type and location of services.

### **BOARD REPORTS**

#### **Board Chairman**

#### *Extension of the Charge to the Special Superintendents' Committee*

Chairman Abrams brought up the idea of extending the charge to the Special Superintendents' Committee. He explained that in the report made by the Committee at the Board's goal setting session, it had been brought up that the committee had been charged with finding barriers to innovation and there had also been some discussion with the committee leadership that they had not looked for solutions. Additionally, it had been mentioned that some solutions might already be in place or might be the responsibility of some entity other than the State Board. For that reason, Chairman Abrams suggested that the committee be asked to consider possible solutions to the barriers that had been identified and that the committee designate who would be responsible for addressing them. In the discussion that followed, Mr. Willard expressed his support for the proposal, stating he felt it was necessary because he thought it had been clear at the outset that the committee would also be looking at recommendations to address barriers it identified. He added that without proposed solutions, the Board would not have learned anything it had not already known. He also liked the idea of identifying who had the responsibility for implementing proposed solutions. Dr. Wagnon was also supportive, noting that the committee had only met twice and that he felt its report was incomplete. He added he felt further time and encouragement was needed to develop recommendations to address the issues more clearly. Dr. Wagnon also indicated he felt it was up to the committee to determine if it wished to address all thirteen of the barriers it had identified, but that he felt it was extremely important that it address the top three on which all committee members seemed to have reached a consensus regarding importance. He stated that he believed the committee needed to consider the white papers that had been presented to the Board and the core principles for redesign the Board had adopted and use them as a framework in order to come up with a much more integrated set of solutions upon which the whole Board could agree.

Also discussed was an issue raised by Mrs. Gamble about Board members' appointments to the committee based on their understanding of a narrow scope and duration of activity. Mrs. Gamble felt if the committee's charge was broadened, the demographics of the state needed to be considered in the make-up of the committee, including district size, ethnicity, and socio-economic challenges. She added that several members of the committee had mentioned to her that they had questions about the committee's purpose and how it was to be used. Chairman Abrams responded that if there had been any misunderstanding about the charge to the committee he hoped that his proposal would clarify it. Mrs. Rupe stated that she agreed with Mrs. Gamble that if the intent was for a long-term superintendents' committee, the make-up of it should be reconsidered. She added, though, that she felt what Chairman Abrams was proposing could be addressed by the committee in one or two additional meetings and

would, as suggested by Mr. Willard, bring some closure to what the committee had already begun. She also agreed with Dr. Wagnon's proposal that the work already done by the Board with the white papers based on the core principles should be considered and incorporated in anything further the committee did.

Mr. Willard moved that the State Board extend the scope and authority of the Special Superintendents' Committee and allow it enough time to bring recommendations to the Board regarding possible solutions to barriers to innovation in public schools, incorporating ideas from the white papers the Board had received that were developed from the Board's Core Principles of Redesign, with assignment of the entity responsible for implementing any solutions to be included. Mr. Bacon seconded the motion.

In the discussion of the motion, Mrs. Morris asked that if any Board member's representative was unwilling or unable to continue on the committee, that that Board member would have the opportunity to appoint someone else. Chairman Abrams said he felt that was understood. Mrs. Waugh asked if the committee would also be addressing the Transition Team recommendations that Commissioner Corkins had forwarded to it. She referred to the report the committee had presented the day before where it had been noted the committee needed sufficient time to examine the Transition Team's proposals. She stated that she didn't feel the committee's consideration of those issues fell within their original charge or was a part of the work that had already been done that the Board was being asked to grant time to the committee to finish. Chairman Abrams stated that he did not want to limit what the committee chose to consider. He added that if it felt those recommendations fell within the realm of what it identified as barriers, he would not want to prevent it from considering them, nor would he want to direct the committee to address something it didn't feel relevant to its work. Mr. Willard agreed and said he didn't believe anything from the Transition Team would have any effect on what the committee decided unless it saw it as a solution to some barrier. The vote on the motion carried 8-2, with Mrs. Gamble and Mrs. Waugh voting "no".

#### ***Designation of Board Members to Read Byrd Scholarships***

Chairman Abrams indicated that Board members were needed to read Byrd Scholarships and suggested Mrs. Martin for Congressional District 1, Mrs. Van Meter for Congressional District 2, Mrs. Waugh for Congressional District 3, and himself for Congressional District 4. All agreed.

#### ***Options for Receiving News Clippings***

Because of the rising cost of using the services of the Kansas Press Association for news clips of statewide papers, Mr. Ron Nitcher, Director of Fiscal Services, prepared and presented several alternatives for the Board to consider. One option was to rebid the services and redefine the search, as well as reducing duplicate clippings; another suggestion was to use department staff to use a computer search engine on key words and provide internet links to articles for Board members; the third option was to use the service of Tony White, a UniServe Director in southeast Kansas, who daily searches a number of state papers and sends out articles of interest in Word format to a large list of individuals. Chairman Abrams suggested that Board members take the options under advisement and that Mr. Nitcher bring the proposals back in March for the Board to vote on.

#### ***Designation of Board Members to Participate in Graduations Ceremonies at KSSB and KSSD***

Chairman Abrams asked for volunteers to hand out diplomas at graduation ceremonies at the Kansas State School for the Deaf (KSSD) on May 24<sup>th</sup>, 6 p.m., and at the Kansas State School for the Blind on May 19<sup>th</sup>, at 1 p.m. Mrs. Martin volunteered for KSSD and Dr. Wagnon volunteered for KSSB.

***Continuation of Audio Streaming State Board Meetings over Kan-Ed Live!***

Item 14 g., on the Consent Agenda was to approve continuing audio streaming monthly Board meetings via KAN-ED Live! Mr. Bacon indicated he would like to see if some sort of indexing of the audio files could be done. Denise Gerhart, from ESSDACK, who monitors the Board Kan-Ed broadcast, discussed some possibilities. The length of time the sessions are archived on Kan-Ed was also discussed. It was decided that a DVD of each meeting should be prepared be kept in the Board office as well as having the sessions archived on the Kan-Ed website for a year.

**Legislative Coordinator**

***NASBE Nominations for 2007 Officers***

Mr. Willard reported that NASBE was accepting nominations for 2007 officers. The only one relevant to Kansas would be for President-elect. During the discussion, Mr. Bacon asked Mr. Willard if he would be interested in being nominated. Though Mr. Willard said he was very strapped for time, if it was the will of the Board, he would accept the nomination. Mr. Bacon moved, with a second by Mrs. Van Meter, that the State Board nominate Mr. Willard for the NASBE position of 2007 President-elect. The motion carried 9-0-1, with Mr. Willard abstaining. Dr. Wagnon moved, with a second by Mr. Willard, that the State Board nominate the Security Benefit Group of Companies for the NASBE Friend of Education award. The motion carried. Staff was directed to develop letters of recommendation to accompany the nominations.

***Legislative Report***

Mr. Willard reported on recent hearings at which he had testified, including HB 2711, regarding qualifications of the commissioner, and HB 2652, the charter school bill. He also reported he had received a letter from Representative McKinney regarding the restrictions on the use of at-risk funds. Rep. McKinney had indicated that there was interest in removing those restrictions to allow districts to use their own discretion on how the funds should be used. Mr. Willard also answered questions about legislative activities.

**Board Attorney**

Mr. Biles reported that he had reviewed the Legislative Post Audit Cost Study. He also reported that the copyright review of the science standards had been completed and revisions had been made. The standards were now ready for release. He also noted the letter on obscenity law that he had sent to the Board. Mr. Bacon indicated that Mr. Biles had suggested that Board members who had been sent books by concerned parents donate them to the Board office and borrow them back if they were interested in them. Mr. Bacon moved, with a seconded by Mr. Willard, that the Board accept Mr. Biles' report and pay his fees for services and expenses for January as presented. The motion carried.

**Other Board Member Reports**

Several Board members reported on their recent activities. Mrs. Rupe reported on her attendance at the first meeting of the NASBE Financial Literacy Commission. Mrs. Morris read from a letter she had received from a St. Paul patron thanking the Board for its action in the land transfer of the St. Paul portion of USD 101 to USD 505. Dr. Wagnon reported that Doug Reeves would be doing an in-service for Lawrence teachers at the Free State High School on February 27<sup>th</sup> from 8.am. to noon and that State Board members were invited. Mrs. Waugh reported on several meetings she had attended in her district, including a meeting with Hispanic leaders. One program being used with students was called Zap the Gap and she indicated she would like to have a presentation to the Board on it. Mr. Willard discussed the NASBE controversy with the Texas State Board and steps that were being taken to address it.

### **Requests for Future Agenda Items**

Mr. Bacon and Mrs. Morris asked that the Board explore options it might pursue regarding districts and teachers using literature in the classroom that may be inappropriate for students. Mrs. Gamble asked for a presentation by Department Nutrition staff on funding of school nutrition programs, with the possibility that state matching funds required by the federal government might become part of the Board's budget request. A Policy Committee Meeting was scheduled for 5:00 p.m. on Monday, March 13<sup>th</sup>, prior to the March meeting.

### **CONSENT AGENDA**

Mrs. Rupe moved, with a second by Mrs. Martin, that the consent agenda be approved as presented. Dr. Wagnon stated he would vote against it because he was not in favor of continuing with Kan-Ed for webcasting Board meetings. The motion carried 9-1, with Dr. Wagnon voting "no". In the consent agenda, the State Board:

- Received the monthly personnel report.
- **Approved school construction plans for USD 512, Shawnee Mission (3), and USD 473, Chapman.**
- **Approved the Agreement for Consolidation submitted by USD 427, Belleville, and USD 455, Hillcrest Rural Schools (Cuba), both in Republic County, Kansas, which will allow an election to be held on the proposed consolidation.**
- **Accepted the surrender and revoked the teacher's license issued to Mr. Denzil D. Hutchison as a consequence of his inappropriate conduct with a student.**
- **Approved requests for waivers for individuals to serve outside their area of endorsement in districts as follows: *Adaptive Special Education*: Samantha Reinking, and Elizabeth Butler, USD 233 Olathe; Rhonda Crabtree and Mark Jamison, USD 259 Wichita; Jodie Ackerman, USD 308 Hutchinson Public Schools; Susan Woods, USD 320 Wamego; Lesa Peitz, USD 457 Garden City; Dawna Pate, USD 465 Winfield; Debra Miller, USD 480 Liberal; Stephanie Duethman, USD 490 El Dorado; Pete Cirrintano, and Donna Shubkagel, USD 500 Kansas City; Lisa Stumpf and Tabatha Goering, USD 501 Topeka Public Schools; Rhonda Dixon and Kendy Johnson, D0 605 South Central Kansas Special Education Cooperative; and Sondra Chauza, D0 615, Brown County Kansas Special Education Cooperative; *Early Childhood Special Education*: Laura Evins, USD 253 Emporia; Robin Pfannenstiel, USD 308 Hutchinson Public Schools; Lisa Kuchar, Kylee Ward Brenn and Ashley Maloney, USD 465 Winfield; and Jackie Hays, D0 605 South Central Kansas Special Education Cooperative; *English as a Second Language*: Heather Stauffer, Tammi Garriott and Dinanath Ramcharan, USD 253 Emporia; and Donald Halbgewachs, USD 402 Augusta; *Family and Consumer Science - extension of days*: Kelli Brahler, USD 497 Lawrence; *Functional Special Education*: Joy Bircher, D0 610 Reno County Education Cooperative; *Gifted*: Christy Fritz, USD 305 Salina; *History and Government - extension of days*: Ramon Crux III, USD 497 Lawrence; *Interrelated*: Kimberly Price, USD 259 Wichita; George Lowe and Adam Barrier, USD 465 Winfield; Kimberly Creswell, USD 480 Liberal; Amy Turner, USD 501 Topeka Public Schools; Connie Jacobs, Rozanne Holmes and Jeffery Henry, D0 605 South Central Kansas Special Education Cooperative; Christine Green, D0 609 Southeast Kansas Education Service Center; Dawn Flax, Debra Glass, Barbara Rhaesa and Shannon Mosier, D0 610 Reno County Education Cooperative; Cayla Fraley, Seth Schwieterman, Joy Jacquart, Rochelle Blackwelder, Heather Holstein and Jesse Drew, D0 611 High Plains Educational Cooperative; Robert Moran, D0 616 Doniphan County Education Cooperative; and Kenneth Swart and Christy Meiers, D0 620 Three Lakes Educational Cooperative; *Math*: Cheryl Tate, USD 259 Wichita; *Physical Education*: Myron**

Flax; USD 208 Wakeeney; *Physics* Teresa Pistora, USD 400 Smoky Valley; and *Speech/Speech Communications*: Jason Newman, USD 396 Douglass Public Schools.

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MINUTES

February 14, 2006

- Approved the submission of the proposed revised licensure regulations 91-1-201, 91-1-202 and 91-1-205 to the Department of Administration and Attorney General for review.
- Approved continuing the audio streaming of monthly State Board meetings through KAN-ED.
- Approved the recommendation of the Mathematics Partnership Review Committee for new and continued funding for the Title II Part B Mathematics and Science Partnership Grants for 2006-2007 for: *Third Year Grant Funding*: USD 253 Emporia, \$99,719; USD 259 Wichita, \$100,000; USD 409 Atchison, \$99,456; USD 470 Arkansas City, \$82,000; USD 501 Topeka, \$100,000; Midwest Associated Colleges Consortium, \$96,000; and Kansas State University, \$100,000; *New Grants for First Year Funding*: USD 259 Wichita, \$100,000; USD 361 Anthony-Harper, \$100,000; Washburn University, \$99,985; and Fort Hays State University, \$100,000; and USD 501 Topeka, \$74,000 (based upon available funds; if additional funds become available, the grant may be funded up to \$100,000).
- Approved issuing FY 2006 licenses effective February 13, 2006 through December 31, 2006 to these recommended commercial driver training schools: Horizon's Driving Academy, Salina, KS and Motorcycle Rider Education, Wichita, KS.
- Approved requests from USD 240, Twin Valley, and USD 408, Marion, granting them authority to hold elections on the question of issuing bonds in excess of the districts' general bond debt limitation.

*Contracts Approved*

Authorized the Commissioner of Education to:

- negotiate and continue a contract with Families Together, Inc. to conduct IDEA standards-based IEP training, with the contract amount not to exceed \$18,522;
- to negotiate and enter into a contract with Southeast Kansas Education Service Center for the development of a web-based system for the collection of unit-level discipline data needed to meet the requirements of ESEA and IDEA, with the contract amount not to exceed \$32,000; and
- to negotiate and continue a contract with the Kansas Department of Health and Environment (KDHE) for the purpose of completing on-site health inspections of Summer Food Service Program (SFSP) meal preparation and service sites at the rate of \$100 per inspection, not to exceed \$14,600.

APPROVAL OF BOARD TRAVEL

Mr. Bacon moved, with a second by Mrs. Rupe, that the Board travel requests be approved as presented. The motion carried.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:41 p.m.

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**Steve Abrams, Chairman**

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**Penny Plamann, Secretary**



# Burlington

Unified School District No. 244

February 10, 2006

Mr. Bob Corkins, Commissioner  
Kansas State Department of Education  
120 SE 10<sup>th</sup> Ave.  
Topeka, Kansas 66612-1182

Dear Commissioner Corkins:

Since the February 8 meeting of the Kansas Council of Superintendents, I have thought about the suggestions concerning improved communication between the department and educators in the public schools of Kansas. I think it goes without saying, the fact that you had no prior experience in education prior to your appointment as commissioner created concern and confusion among many professional educators who have served the students of Kansas in the public schools for many years. With that concern recognized, you are the commissioner and the purpose of this letter is to offer you my suggestions based upon a career in education that encompasses 30 years of service in three states that might help you as you provide educational leadership in our state. My suggestions and my rationale for proposing them follow in the subsequent paragraphs of this letter.

Establish a policy of “no surprises” and clear, frank, open communication with the field.

At the recent council meeting you indicated there was an “overreaction” to your proposal concerning licensure of teachers and district leaders in Kansas. While I was pleased to hear that you would not be recommending changes to the state board at the upcoming February board meeting, I did share with you that I believed some of the perceived “overreaction” was due in part to the method by which school district practitioners were notified of your recommendation. Your letter to the state board dated 1/27/06 indicated a copy of a note to KSDE staff. The note shared that you had “delivered” your licensure recommendation to the Special Committee of Superintendents. You further indicated that, “The committee will deliver some preliminary advice to the Board in February...”. You continued your letter with a statement that the organization concept has your “strong endorsement” and concluded with a statement that you, “must proceed responsibly by relying not only on staff input, but on that of the Board and the field as well.”

Discussion among the council members present on February 8 revealed that you had shared your recommendation with the special committee at the end of their last meeting. These members further indicated that their committee has not yet had time to meet, review and respond to your proposal. During the subsequent discussion with the council, you indicated that your plan is a “starting point for discussion”.

As I have considered both your written letter to the state board as well as your comments on February 8, I believe that a mixed message has been sent. I ask you to recognize that the language of your letter can be better interpreted as a strong endorsement for a proposal that had been shared with the field through the special committee who will deliver preliminary advice at the February state board meeting more than it can be considered a starting point for discussion.

Alluding again to the concluding comment in your 1/27/06 letter that you need to rely “not only on staff input, but on that of the Board and the field as well...”, I was surprised and disappointed to read that on

Mr. Bob Corkins

February 10, 2006

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February 8 during a noon meeting at the Ecumenical Christian Ministries in Lawrence you advocated requesting \$150 million for school funding increases in 2006-07 when the Kansas Supreme Court and the Kansas Legislative Post Audit Committee have been in the \$400 million range. This is especially disappointing when at the Council of Superintendents meeting that same evening, significant discussion occurred with respect to the current actions being considered by the Kansas Legislature. By failing to mention such a profound difference between what you as the state’s recognized educational leader will recommend compared to what has been determined as necessary to meet the standards by which Kansas education will be measured does not contribute to a building of trust between you and the educational practitioners in the field. I also question whether this recommendation was reached after consideration of staff input and/or input from the field and would suggest that future decisions concerning such important recommendations would be better received by the field if the advice and experience of the field were utilized in the formulation of those recommendations.

Utilize the expertise and experience of KSDE staff and field practitioners as you build experience in educational leadership.

Your own words stated earlier in this letter indicate you believe you must proceed responsibly by including input from the department staff and field. That group of educational professionals can be your best asset in providing leadership to the State of Kansas. Their dedication to the betterment of the lives of children in Kansas is long recognized and provides the strength and underpinning for the future well being and economic prosperity of our state as well as maintaining the fabric of the state’s society.

I read of your comment at the Ecumenical Christian Ministries on February 8 that equated the time and study you have completed for your law degree to that of an earned doctorate in education. While I have an earned doctorate in education and would never have the temerity to assert that I held qualifications to practice law, I will try to make my suggestions concerning utilization of staff and field in a legal analogy in order to clarify my suggestions.

Based upon my understanding and study of significant school law cases that the United States Supreme Court has considered, I believe many cases have received divergent opinions issued by the various Circuit Courts of Appeal. The phrase, “well percolated” refers to cases that have been accepted for review after a series of similar cases have been ‘percolated’ through several of the various circuits, especially if those cases have differing decisions. Rarely does the Court jump in on the first case; instead they wait for a pattern to be established in the appellate courts and then either confirm that pattern or change it by their decision.

In tying this analogy to education, I ask that you consider the commissioner and state board as the Supreme Court. Rather than deciding each ‘instant case’, I think it is better practice to set broad policy directions after the pros and cons of different options have ‘percolated’ through the educational community. This can be achieved by utilization of the expertise and experience of both departmental staff and field practitioners in education. With this analogy in mind, I suggest that the following positions you articulated at the aforementioned meeting would be better received and

**supported if you utilized the expertise and experience of both the department staff as well as field practitioners.**

- **Licensure – I suggest your “deregulatory approach” to licensure should be withdrawn until such time as your staff has an opportunity to provide you with alternatives to the current licensure system. It is my understanding that neither Dr. Gage nor her staff had voice in the proposal forwarded to the state board in your 1/27/06 correspondence. While I understand your approach is to alleviate teacher shortages, I question whether an abdication of standards that have been developed over many years to**

ensure quality staff to teach the children in our schools is the solution. To support my opinion with another analogy, from having lived in western Kansas, I am all too aware of the shortages in qualified medical personnel in many small communities. I ask you to consider if you would like the solution to that problem to be as simplistic as your solution to teacher shortage. I for one, would not be excited about anyone with a degree in anything diagnosing or operating on me as long as the local hospital board had “attempted to locate and hire a licensed person...”.

- **Educational Funding –** Prior to suggesting the education community would not be able to utilize the funding amounts indicated by the Kansas Supreme Court and the Legislature’s own study, I suggest you solicit input from both your staff and the field. In just the area of licensure, I suggest that if teacher salaries were increased to the level that would be competitive with similar skills in the private sector we would also see more individuals who would enter and remain in the profession. I believe inroads toward improving teacher salaries may be possible under the scrutiny of the recent Kansas Supreme Court decision and subsequent Legislative study and would provide an outstanding use for the additional funds that the Court has indicated should be directed to schools. I further believe this would provide better assurance of teacher quality than would your previously mentioned “deregulatory approach” and ask that you reconsider your position after soliciting input from school finance experts in the department and the field.
- **Opt in/Opt out Provisions –** Having been a Kansas superintendent when the state board first implemented the requirement to include human sexuality education in the public schools, I can assure you that many in the field at that time agreed with your statement made at the Ecumenical Christian Ministries that parental involvement was important. I would venture to guess that many schools adopted a philosophical statement similar to the one adopted in the district I was serving that when paraphrased, indicated the topic was one that would be best taught in the home and supported by faith based organizations with which the families were affiliated. With that stated, we also recognized that in many homes, the topic was one that was not discussed easily, if at all. While I am but one opinion, I disagree with your suggestion that instead of an “opt out” provision, parents would have to “opt in” before their child could receive such instruction. While I believe an “opt in” provision would not substantially change the constitution of the class as it relates to those students whose parents are comfortable discussing the topic of human sexuality and/or who are actively involved with their child/children’s education, I ask you to consider that not all children enjoy homes where their parents are actively involved in their child’s schooling. While KSDE staff may be better prepared to provide you with the actual data, I will continue to suggest that some correlation will exist between parents who do not address human sexuality concerns with their children in the home and parents who fail to respond to school requests for completing your suggested “opt-in” procedures. Prior to making an assertion that an “opt-in” procedure will “increase parent involvement”, I ask that you include staff input prior to recommending any change.
- **Departmental Reorganization –** I reviewed with interest the proposed departmental reorganization proposal recommended by your Transition Team. I observed the team suggested that authority be diversified beyond the commissioner and two deputies. To that end I observed the recommendation to create a third deputy commissioner. I encourage you to work with your two deputy commissioners and their staff prior to making any permanent changes in departmental structure. Both Mr. Dennis and Dr. Posny have outstanding experience and expertise in the department and can provide you with accurate and insightful input. I also ask

**that you reconsider the reassignment of the Fiscal Services and Operations team to your direct supervision. As Commissioner of Education of the State of**

**Mr. Bob Corkins**  
**February 10, 2006**  
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**Kansas, I believe you should focus your energy in providing vision for the future of Kansas education. I am concerned that your direct supervision of this team would have the effect of miring you in operational management decisions when your time would be better utilized in setting the broad direction of the department. While you assert that in other state agencies, these services report to the agency head, I question whether the agency head is the direct supervisor of all such services or if instead, such services are consolidated under an assistant or deputy. I encourage you to work further with your staff as well as with other state agencies to determine whether their Chief Executive Officers are involved with the administrative minutia of departmental operational management.**

**The above suggestions are limited to those noted in the report by the Lawrence Journal-World of your meeting on February 8 at the Ecumenical Christian Ministries and in your letter to the state board dated 1/27/06. While limited in scope, I believe the suggestions may be generalized to a simple suggestion that by utilizing the experience and expertise of staff and field practitioners in future decisions, you can not only avoid overreaction to your policy statements but also enjoy the benefit of well discussed positions that have ‘percolated’ through the educational community of Kansas. The very fact that decisions would include input from staff and the field would engender better support for change initiatives that will improve Kansas education.**

**In closing, I hope you accept these observations and suggestions in the spirit they are offered; that is, to provide you with observations and opinions gathered in 30 years of experience in education of which 23 have been in district leadership positions. I feel that during these years I have been blessed to work with a field of caring professionals dedicated to the well being of children. I ask that you also utilize the expertise of your staff as well as that of practitioners in the field so that your tenure as commissioner can be one of forward thinking vision instead of concern and reaction to proposals that have not been ‘percolated’ through the community of educational professionals who have dedicated their time and talents to the children of Kansas.**

**Thank you in advance for taking the time to consider these suggestions.**

**Sincerely,**

**Dr. Dale V. Rawson, Superintendent**  
**Burlington Unified School District No. 244**  
**200 South Sixth**  
**Burlington, KS 66839**

**c: USD 244 Board of Education**  
**USD 244 Administrative Team**  
**Jim Menze, Executive Director, United School Administrators**  
**Members, Kansas State Board of Education**