

KANSAS STATE BOARD OF EDUCATION
Meeting Minutes
October 12, 2010

CALL TO ORDER

Chairman Waugh called the September meeting of the State Board of Education to order at 10:01 a.m., October 12, 2010 in the Board Room of the Kansas Education Building, 120 SE 10th Avenue, Topeka, Kansas.

10/12/10 a.m.
session audio
archive
(00:00:04)

ROLL CALL

Members present were:

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

Members Willard and Bacon were absent and would also be for the whole meeting.

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

Chairman Waugh indicated that Board members had been provided with revised copies of Consent Agenda items i. and j. She also asked that an executive session to consult with the Board Attorney be added at the end of the day's agenda. Mrs. Martin moved, with a second by Mr. Dennis, that the agenda be approved as amended. The motion carried 8-0 with Willard and Bacon absent.

(00:02:13)

MOTION

APPROVAL OF MINUTES

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

(00:03:11)

MOTION

KSHSAA Annual Report

Gary Musselman, Executive Director of the Kansas State High School Activities Association (KSHSAA), presented the Association's annual report to the Board as required by state statute. He also passed out copies of *Synopsis of Major Changes to Bylaws and Rules*, and information on National High School Activities Week. Additionally, he shared copies of the March 2010 **KSHSAA Journal** which highlighted two students, Sedan High School football teammates, who had received the Spirit of Sport Award. Among the issues Mr. Musselman discussed were recommendations for implementation of the National Federation Sports Playing Rules Related to Concussions. He handed out information to Board members regarding it and answered questions. Board member comments included the concern that health exams performed before participation in sports were inadequate and did not provide necessary information about serious underlying and undiagnosed health issues.

(00:03:48)

CITIZENS' OPEN FORUM

Chairman Waugh declared the Open Forum open at 10:48 a.m. Shari Wilson, Kansas City, representing KACEE, updated the Board on Kansans for Children in Nature, a committee that is working to reduce barriers and increase opportunities for allow children to spend more time out of doors. Melinda Stanley, Department of Education's Education Technology Coordinator, presented the Board with the Partnership for 21st Century Skills' *21st Century Education Best Practice Award* which had been awarded Kansas in recognition of the Kansas Technology Rich Classroom Program. Also speaking to the Board was Terry Leatherman, Lawrence, representing Communities in Schools, who reported on recent national news about the Communities in Schools program. Chairman Waugh declared the Open Forum closed at 11:02 a.m.

(00:48:08)

The Board took a break at 11:03 and the meeting resumed at 11:10 a.m.

BREAK
(01:03:05)

2009-2010 STATE REPORT CARD

Director of Career, Standards and Assessments, Dr. Tom Foster, presented highlights of the 2010 State Report Card. Results for reading, mathematics, and the Kansas English Language Proficiency Assessment (KELPA) were shared with the State Board. Also included were assessment participation rates, the percent of students scoring in the top three performance levels by disaggregated groups and growth in assessment scores over the past few years. Also included was information on highly qualified teachers, graduation rate and attendance rate, AYP and QPA state profiles on districts and schools, and schools making the Standard of Excellence.

(01:09:02)

In the discussion that followed, a concern was expressed about the increase in free and reduced lunch students; the time that is being reduced for special education students to work with specialists and the increase in districts and schools on improvement – from 34 in 2009 to 82 in 2010 for districts and from 172 in 2009 to 254 in 2010 for schools. A proposal to request a waiver from the US Department of Education to allow the use of a student growth model was and it was the Kansas Education Commission M#

. For follow-up, Dr. Foster was asked for trend line information on how NCLB has impacted the achievement of students since it was first implemented in the 2005-2006 school year. Information was requested about the low number of highly qualified special education teachers. There was also a question about how many schools had missed AYP because of the 1% special education rule or by one sub-group.

Further discussion was postponed until later in the day to allow the meeting to recess for a University of Kansas press conference announcing a \$22 million grant received by the Center for Education Testing and Evaluation, the Kansas Department of Education’s assessment contractor.

The Board recessed for lunch at 11:58 a.m. and returned at 1:30 p.m.

LUNCH RECESS

2010 INTEL SCHOOL OF DISTINCTION AWARD

The Board of Education heard a presentation about the mathematics program at West Elementary School in Wamego which had won recognition by the Intel Corporation as the 2010 Intel School of Distinction in Elementary Mathematics. West Elementary was one of six schools in the United States which won top honors for their extraordinary commitment to instituting 21st century teaching and learning environments and implementing innovative programs that inspire their students to excel in the areas of math and science. Representatives from the Wamego school district who were present included Mr. Doug Conwell, Superintendent, Dr. Mary Kaye Siebert, Director of Curriculum and Instruction, and Mrs. Amy Flinn, Principal, West Elementary School. Mrs. Flinn made the presentation.

10/12/10 p.m.
session audio
archive
(00:00:01)

2009-2010 STATE REPORT CARD (additional discussion)

One of the Board members questioned the Department’s competence with statistics and the adequacy of the state assessments to give a true picture of student performance. Also questioned was the graduation rate reported in the data contained in the state report card. In addition, there was further discussion about the implementation of a student growth model.

(00:25:54)

ADOPTION OF THE COMMON CORE STANDARDS

Dr. Foster gave an overview of how the standards were developed, as well as information on their focus. Mrs. Cauble moved, with a second by Mrs. Wims-Campbell, that the State Board of Education adopt the Common Core State Standards for Mathematics and English Language Arts including the Kansas enhancements to the standards referred to as the State 15% option. Discussion followed with all Board members, but one, speaking in favor of the motion. Several

(00:51:33)

Expressed their gratitude for changes to make the standards more accessible and for having had the opportunity to hear from the writing committee members and staff who had reviewed and made suggestions during the standards development process. The member who opposed adoption was concerned about the standards being too academic and neglecting career and technical education. During the discussion, Dr. DeBacker and Dr. Foster indicated a tentative transition plan would be brought to the board at the November meeting. The motion carried 7-1, with Chappell voting in opposition.

LEGISLATIVE MATTERS

(01:18:22)

Update on State General Fund - Deputy Commissioner for Fiscal and Administrative Services Dale Dennis reviewed the impact the recent increase in tax receipts would have on the state general fund. He also discussed the effect of ARRA dollars this year and next.

School Safety Hotline – Deputy Commissioner Dennis presented updated material being designed to make schools and students aware of the School Safety Hotline that is operated 24 hours a day by the Kansas Highway Patrol. He indicated the some video and audio clips were also under development to raise awareness of the hotline.

2011 Legislative Package

Because of a comment made during the August meeting concerning the architect position which was eliminated by the Legislature during the 2010 session, two options were prepared for Board options if it chooses to pursue the issue. Board member Dennis explained the problem with building codes when a school district's territory was in more than one municipality. After discussing the problem, it was the consensus of the Board to gather more information on the issue before a decision was made to add it to the 2011 legislative package. It was suggested that representatives of districts whose areas cover more than one municipality be invited to the November meeting to share their experiences.

There was also discussion of district cash balances and as well as the cash flow problems predicted for the fiscal year.

BREAK

(01:48:54)

The Board took a break from 3:20 until 3:29 p.m.

COMMISSIONER'S REPORT

(01:48:47)

Commissioner DeBacker presented to the Board what she considers to be the Top Ten issues in education in Kansas. She reported that she had been sharing them with superintendents across the state as she visited with them at United School Administrator's fall regional meetings.

In the discussion following her presentation there was a question about where career and technical education fit into her priorities. The Commissioner indicated she would bring back to the Board the 9 CTE initiatives that the Board had approved so members could review policy which already being implemented. Mr. Dennis indicated he would like the Commissioner to prepare her top education goals.

CONSENT AGENDA

MOTION

(02:16:12)

Mr. Dennis moved, with a second by Ms. Storm, that the Consent agenda be approved. The motion carried 7-0-1, with Chappell abstaining. In the Consent Agenda the State Board:

- Received the monthly personnel report.

- Confirmed the appointment of Richard Matteson to the position of Requirements Analyst on the Information Technology team effective September 5, 2010, at an annual salary of \$50,918.40; Rhonda Hughes to the position of Requirements Analyst on the Information Technology team effective September 7, 2010, at an annual salary of \$50,918.40; Lauren Wonnell to the position of Requirements Analyst on the Information Technology team effective September 13, 2010, at an annual salary of \$50,918.40; Gary Cortez to the position of Quality Assurance Technician on the Information Technology team effective September 19, 2010, at an annual salary of \$46,092.80; Kelly Holder to the position of data Analyst on the Information Technology team effective October 4, 2010, at an annual salary of \$54,683.20.
- Established the unclassified salary for Cheryl Johnson in the position of Director of the Child, Nutrition, and Wellness team effective August 22, 2010, at an annual salary of \$92,000.
- Approved requests for licensure waivers for individuals to serve outside their area of endorsement in districts as follows: *Adaptive Special Education*: Darcy Strong, USD 234; Jan Ward, USD 263; Kimberly Hodges, USD 282; Tina Bruna, Michael Melcher and Amy Renyer, USD 364; Tammi Buhrlle, USD 407; Lyle Befort, Amanda Miner, Bethany Nichols, Juana Pavlis, Tammie Sabata and Brian Shepherd, USD 457; Kevin Brown, Daniel Hamel, Dane Parcel, Stephanie Shilander, Alice Swanson, Robert Wilson Jr. and Kari Wiltse, USD 480; Jacob Larsen, Julie McEathron and Jeffrey Melcher, USD 497; Erica Cox, Lance Howard, Melissa Jasnoch, Craig Malsam, Jana Myers and Libby Nickelson, Sondra Smith, D0 602; Lori Anschutz, D0 605; Aimee Palmer, D0 607; Matthew Barker, Shauna Black, Elizabeth Blessing-Deyoe, Trudy Cooley, Michael Gibson, Jordan Means, Morgan Nance and Nicole Woodard, D0 618; Dana Jerrick, D0 619; Jessica Billings, Grace Brewer and Rebecca Carter, D0 636; and Timothy Casper, Nichole Regan, Melinda Taylor, Jamie Wells and Kara Wigger, D0 637; *Deaf or Hard of Hearing*: Tiffany Throop, USD 457; *Early Childhood Special Ed*: Michelle Kincaid, USD 263; Suzanne Vogts, USD 419; Renae Hukill, Lisa Kietzman, Melanie Service and Nicole Spanier, USD 457; Alaina Sill, USD 480; and Krickit Ketterl and Jody Shike, D0 602; *Early Childhood/Pre-School*: Candee Amerin, USD 214; Susan Schmidt, USD 314; and Ashley Weixelman, 20031; *English as a Second Language*: Elizabeth Dennis, Katherine Doroh, Joleen Hertenberg and Megan Sturdivan, USD 233; Allison Renberg, USD 253; Cynthia Staten, USD 314; Tyson Eslinger and Luis Posada, USD 457; and Jeri Davidson, USD 480; *English Language Arts*: Lora Whetzal, USD 380; *Functional Special Education*: Linda Brandt, USD 336; Mariah Thompson, USD 418; Stephanie Hays, D0 618; *Gifted*: Clarice Hostetler, USD 443; Ronald Whited, USD 457; Phyllis Pruter, D0 607; and Ashley Plume, D0 618; *Library Media Specialist*: Carolyn King, USD 457; and *Math*: Barbara Elbracht and Nikki Nelson, USD 107; and Mark Shobe, USD 419.
- Accepted the following recommendations of the Evaluation Review Committee for "Program Approval" "Approved with Stipulation" through December 31, 2012 for programs as follows: Baker University for Teacher Leader (A, PreK-12) and Adaptive (A, K-6, 5-8, 6-12); MidAmerica Nazarene University for Adaptive (A, K-6, 5-8, 6-12); University of Saint Mary for Adaptive (A, K-6, 5-8, 6-12); and Wichita State University for Early Childhood Unified (I, Birth – Grade 3).
- Received the list of 2010-2011 Virtual Schools/Programs as required by regulation.
- Approved the Education flexibility Partnership waiver requests from USD 266 Maize for Pray-Woodman Elementary and USD 284 Chase County for Chase County Elementary.

Contracts Approved:

The Kansas State Board of Education authorized the *KSSD Superintendent* to enter into a contract with:

- Center School District, Kansas City, Missouri for 2010-11 School Year Out-of-State Tuition in the amount of \$43,683.

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

- enter into a contract with Renee' Patrick to clean, merge, analyze and create reports on school readiness data;

MINUTES

- enter into a contract with the Ohio Center for Autism and Low Incidence (OCALI) to support Kansas users in the amount of \$12,000 per year, not to exceed \$60,000 over five years;
- continue a contract with Baker University to serve as coordinator and provide implementation for the Advanced Placement Incentive Grant (APIP), in an amount not to exceed \$207,708;
- continue a contract with the Southeast Kansas Education Service Center (Greenbush) for one-year, to serve as the evaluator of the Advanced Placement Incentive Program (APIP) grant, in an amount not to exceed \$25,000;
- enter into a contract the Southeast Kansas Education Service Center as a partner on a federal grant, Building Capacity for a Safe & Drug Free Kansas, in an amount not to exceed \$110,630;
- amend the existing contract with eScholar LLC to include providing the Kansas Board of Regents the capability to assign and manage unique student identifiers for students enrolled in public Postsecondary institutions in the State of Kansas in an amount not to exceed \$97,051, with annual support and maintenance of \$21,351 starting the second year.

EXECUTIVE SESSION

(02:17:17)

Mrs. Shaver moved that the Board recess into executive session at 3:50 p.m. for consultation with the Board attorney to protect the attorney-client privilege; the executive session be for a period of 20 minutes; that Cheryl Whelan, Dale Dennis, and Commissioner DeBacker be invited to stay; and that the meeting resume in the Board room at 4:10 p.m. Ms. Storm seconded the motion which carried 7-0, with Chappell temporarily out of the room. The open meeting resumed at 4:10 p.m.

Mrs. Shaver moved, with a second by Ms. Storm, that the executive session be extended for a period of an additional 20 minutes and that the open meeting resume at 4:30 p.m. The motion carried. The open meeting resumed at 4:30 p.m.

RECESS

Mrs. Wims-Campbell moved, with a second by Mrs. Martin that the Board meeting be recessed. The motion carried and the meeting recessed at 4:30 p.m.

Janet Waugh, Chairman

Penny Plamann, Secretary

**KANSAS STATE BOARD OF EDUCATION
MEETING MINUTES
OCTOBER 13, 2010**

CALL TO ORDER

Chairman Waugh called the meeting to order at 9:00 a.m. on Wednesday, October 13, 2010, in the Board Room of the Kansas Education Building, 120 SE 10th Avenue, Topeka, Kansas.

10/13/10 a.m.
session audio
archive (00:00:03)

ROLL CALL

Members present were:

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

Mr. Willard and Mr. Bacon were absent.

APPROVAL OF THE AGENDA

Chairman Waugh asked that action on Board travel be moved to the beginning of the meeting to accommodate any members who may have to leave in order to travel to the NASBE meeting.

(00:00:16)
MOTION

Mrs. Cauble moved, with a second by Mrs. Shaver, that the agenda be approved with the requested change. The motion carried.

ACT ON BOARD MEMBER TRAVEL REQUESTS

Mrs. Martin moved, with a second by Dr. Chappell, that the travel requests be approved as presented. Several Board members questioned Dr. Chappell's request for salary and the expenses of an interpreter at two education meetings he had attended while visiting in Russia. Discussion followed and the motion failed on a vote of 4-4, with Cauble, Wims-Campbell, Dennis and Waugh voting in opposition.

(0:01:28)
MOTION

Mrs. Wims-Campbell moved, with a second by Mr. Dennis, that the travel requests be approved as presented with the exception of Dr. Chappell's requests for September 14th and 16th. Dr. Chappell requested that salary and mileage for two meetings in Wichita be added to his travel – a meeting on bullying in schools on October 8th and a planning meeting for the substitute teachers' meeting he had attended. Dr. Chappell indicated he would supply the date of the meeting to the Board secretary after consulting his calendar. Mrs. Wims-Campbell accepted the amendment to her motion. Mr. Dennis withdrew his second. Mrs. Cauble then provided a second to the amended motion. The motion failed on a vote of 4-4, with Dennis, Waugh, Chappell and Storm voting in opposition.

(0:23:37)
MOTION

Mr. Dennis moved, with a second by Mrs. Cauble, that the travel requests be approved with the exception of Dr. Chappell's activities in Russia. Discussion followed to clarify the order of the motions. The motion carried on a vote of 6-1-1, with Chappell in opposition and Martin abstaining.

(0:33:03)
MOTION

BOARD MATTERS – BOARD REPORTS

Chairman Waugh reminded Board members that it was time for evaluations of the Commissioner, Board Attorney and Board Secretary. Board members were given copies of the evaluation instruments and told they would also be receiving copies by e-mail. She requested that they e-mail their responses to her by October 29th. If they would prefer to send a paper response, they should contact the Board secretary for a return envelope. Chairman Waugh also handed out copies of a draft press release on the school finance lawsuit.

Chairman
(00:36:56)

Attorney
(00:41:37)

Mark Ferguson, Board attorney, noting that members had received copies of his written report, asked for any questions. A discussion followed about the school finance lawsuit, its possible cost, and the impact the cost would have on Department activities. He indicated that his primary focus will be to help the litigants understand that the State Board and the Department are not proper parties to the lawsuit. Mr. Dennis moved, with a second by Mrs. Cauble, that the attorney's bill be paid as submitted. The motion carried 6-1-1, with Chappell in opposition and Martin abstaining.

BREAK
(01:00:00)

The Board took a short break from 10:02 until 10:12 a.m.

Policy Committee Report
(01:10:11)

Mrs. Shaver, Chair of the Policy Committee, reported that the Committee had looked at the policies regarding the Open Forum and had concluded that the current policies as written provided the Board with enough flexibility to deal with the scheduling of it in the agenda planning. Brief discussion followed.

Other Board Member Reports
(01:18:15)

Mrs. Cauble reported on her attendance at two of her district's regional Kansas Association of School Boards (KASB) meetings. She reported that the association had formed a Committee on Funding Public Education to review the current system and develop recommendations for changes. The committee is composed of local school board members and superintendents. She also reported on attendance at the Children's Vision and Learning Conference. Mrs. Cauble suggested that one of the presenters, who specialized in vision and the brain, be invited to Kansas for an MTSS conference. Lastly, Mrs. Cauble reported on a Southwest Kansas economic development conference she had attended.

Mrs. Shaver updated the Board on the recent activities of the Kansas Advisory Council for Career and Technical Education. She also indicated that she had been invited to serve on an advisory committee by the Kansas Health Foundation (KFA) which would be studying how to make an impact on increasing physical activity in schools.

Ms. Storm reported that she had attended the recent meeting of the Interim Legislative Committee on School Finance. She also reported on the meeting she and Chairman Waugh had attended in Wichita – "Keeping Kansas Competitive". She had two hand-outs from the meeting that she shared with the Board. Ms. Storm also reported on a KSDE Sexuality Education workshop she had attended.

Mrs. Wims-Campbell reported on her first Kansas State High Association (KSHSAA) Board of Directors meeting. She indicated she had attended the 2010 Commission meeting and reported that it was working on its final report, which would be finalized at the October 25th meeting. Mrs. Wims-Campbell had also attended a meeting of the National Federation of Urban and Suburban Schools. One of the speakers had addressed the issue of physical education in schools and criticized No Child Left Behind for creating an education environment where schools felt the need to reduce the time allowed for PE.

Among the activities Mr. Dennis reported on was the Milken Award presentation in Maize; and a High Schools that Work leaders forum in Charleston, SC. He announced that Kansas had been selected as a Project PASS state and that he would be meeting in Garden City early in November with representatives of NASBE and JROTC .

Dr. Chappell presented the results of a survey of substitute teachers regarding violence in Wichita schools. He also gave a PowerPoint Presentation on Russian schools and his recent visit to Russia.

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Ms. Storm requested a discussion of terms used in referring to career and technical education to bring better clarity Board members' understanding of the subject. Dr. Chappell requested a Board discussion of solutions to end violence in schools. Mrs. Wims-Campbell asked for information about the impact of NCLB on the number of physical education classes offered by schools.

**Requests for
Future Agenda
Items**
(02:29:16)

UPDATE ON BOARD GOALS

The update on board goals was postponed until the November meeting

There being no further business, Chairman Waugh declared the meeting adjourned at 11:33 a.m.

ADJOURNMENT

Janet Waugh, Chairman

Penny Plamann, Secretary