

## KANSAS STATE BOARD OF EDUCATION MEETING MINUTES

**November 9, 1999**

### **CALL TO ORDER**

Chairman Holloway called the meeting to order at 10:00 a.m. on Tuesday, November 9, 1999, in the Board Room of the State Board of Education Building, 120 SE 10<sup>th</sup> Avenue in Topeka, Kansas.

### **ROLL CALL**

Members present were:

Steve Abrams	Linda Holloway
John Bacon	I.B. Rundell
Mary Douglass Brown	Harold Voth
Val DeFever	Bill Wagnon
Scott Hill	Janet Waugh

### **APPROVAL OF AGENDA**

Chairman Holloway asked for approval of the agenda. Dr. Wagnon asked that item 13 o., a contract to conduct a leadership institute for principals, and item r., funding priorities for the 2000-2001 Education Excellence grant program, be pulled from the consent agenda for discussion. Mr. Bacon asked that item 13 m., draft agency's policies for test security and appropriate testing practices, also be pulled from the consent agenda for discussion. Mrs. DeFever moved, with a second by Mr. Hill, that the agenda be approved as amended. The motion carried.

### **APPROVAL OF THE MINUTES**

Chairman Holloway asked for approval of the minutes of the October meeting. Mr. Hill moved, with a second by Mr. Voth, that the minutes be approved as submitted. The motion carried.

### **INTRODUCTION OF NEW EMPLOYEES**

Mr. Lanny Gaston, Director of Personnel, introduced new Kansas Department of Education staff: Lisa Anderson, Office Assistant IV, Agency Budgeting and Program Accounting; Linda Dillingham, Office Assistant IV, Consolidated and Supplemental Programs; Rhonda Franke, Assistant Education Program Consultant, Office of Community Service; Jenny Henson, Office Assistant III, School Finance; Kimberly Hodgson, Secretary I, Deaf-Blind Programs, Student Support Services; Joyce Kemnitz, Education Program Consultant, Nutrition Services; Edward Kotlinski, Architect, Legal Services; Cynthia Larcom, Grant Writer, Planning and Research; Thomas R. Petz, Education Program Consultant, Certified Personnel, Certification and Teacher Education; Traude Sander, Staff Development Specialist, Nutrition Services; Jocelyne Shideler, Application Programmer/Analyst II, Computer Information and Communications Services; Barbara Sica, Secretary II, Certification and Teacher Education; and Sherylyn Smith, Secretary I, Consolidated and Supplemental Programs.

## **PROPOSED SCHOOL BUS REGULATIONS ? STAFF RESPONSES TO COMMENTS**

Department of Education General Counsel, Rod Bieker, discussed the staff responses to comments received at the public hearing October 12, 1999 on the proposed school bus regulations, reviewing the ones which staff choose not to change and giving their rationale. Those included requests to eliminate provisions for: the authority of local boards to waive the disqualification of a driver; a 30-day period of substitute drivers to complete first aid/CPR and defensive driving training; and the authority of local boards to waive the physical examination for a driver. Mr. Bieker noted the Board would be asked to adopt the regulations on a roll call vote at the Wednesday meeting, November 10, 1999.

Because the meeting was running ahead of schedule, Chairman Holloway asked that the Board skip ahead in the agenda to the proposal for educator licensure hearings.

## **UPDATE ON EDUCATION LICENSURE REGULATIONS AND PROPOSED HEARING SCHEDULE**

Dr. Tompkins reviewed the staff proposal for the locations and a format for the statewide public hearings on the revised educator licensure regulations. He noted that hearings were proposed for all ten Board districts with an additional hearing to be held in District 5 because of the distance which the district encompassed. Dr. Tompkins noted that the staff preferred a hearing format which would be consistent for all of the statewide hearings and would allow for the opportunity for the hearing panel to present an overview of the proposed changes, to address frequently asked questions, and time for a further question and answer period before hearing additional public comments. The hearing panel would consist of two Professional Standards Board members, either the Chairman or the Vice-Chairman of the Board, the Board member of the district in which the hearing was to be held, and one department staff member. Dr. Tompkins indicated the statewide hearing would take place between January 22 and March 4, 2000, with the final public hearing held in April as part of the regularly- scheduled Board meeting. Board members discussed the location of the hearings being held in their districts and made suggested changes which included: the District 3 hearing is to be held in Lawrence; the District 5 hearings are to be held in Hays and Garden City; the District 6 hearing is to be held in Manhattan, with the possibility of one additional hearing at another location; the District 7 hearing is to be held in Hutchinson; and the District 9 hearing is to be held in Chanute. Meetings in District 1, District 2, District 4, District 8 and District 10 remained unchanged and would be held in Kansas City, Shawnee Mission, Atchison, Wichita and Winfield, respectively. General discussion followed about the type of public notice to be given and the need for materials to be distributed to the public in a timely manner. Dr. Tompkins indicated that staff would bring the proposal back to the Board in December with final details regarding hearing locations and times.

## **CITIZENS' OPEN FORUM**

No one requested an opportunity to address the Board at the open forum.

## **DISCUSSION OF PROPOSAL FOR VIRTUAL CLASSES**

Because the Board was still ahead of schedule, Chairman Holloway asked that Commissioner Tompkins begin his presentation on a proposal for virtual classes. Dr. Tompkins reviewed the proposal which

would establish standards and guidelines that school districts would be required to follow to be eligible for funding of students enrolled in on-line courses. The proposal also included ongoing monitoring of the use of virtual courses by school districts and a provision for use of current procedures for counting students as the enrollment standard to be audited. Mr. Hill voiced his concern that the standards and guidelines for on-line courses be no more intrusive and restrictive regarding content and quality for local districts than current Quality Performance Accreditation standards. He indicated that to do so could possibly cross the line into a mandated state curriculum. Board discussion followed regarding the role the state should play in oversight of virtual courses. Dr. Tompkins indicated that it would be important to guarantee that courses would be taught by qualified teaching personnel with some guarantee that students were getting a product that met certain educational standards if the school would be receiving funding for that student. Mr. Hill suggested that there might be a role for the Virtual School Advisory Committee to provide information of an advisory nature to districts regarding the quality of courses. Counting school attendance for students taking on-line courses, including the high drop-out rate for some on-line courses was discussed, as well as the possibility of using a rolling average instead of a one-time count. Dr. Abrams stated that there may be some benefit in examining the issue further. The Board also discussed the possible funding impact on districts for students enrolled in on-line courses, as well as the cost for the development of a state virtual high school. Dr. Tompkins indicated the Distance Learning Task Force would continue to develop and refine its proposal based on concerns that had been raised by Board members. Chairman Holloway recommended that the Board could also look at work done by other states on the issue.

The Board took a break from 11:00 until 11:10.

### **RECOGNITION OF 1999 MILKEN NATIONAL EDUCATORS**

Deputy Commissioner Dale Dennis introduced the four Kansas Educators who had recently received the 1999 Milken Family Foundation National Educator Award. They were Mr. Kevin Burr, Principal at Garden City Senior High School; Mr. Bruce Courtney, science teacher at Basehor-Linwood High School; Mr. Marshall Cruce, math teacher at Louisburg High School; and Mr. Bruce Graham, industrial technology teacher at Bennington High School. Each individual shared his background, what had brought him into education, and what qualities he felt he possessed as an educator that warranted his nomination for the award. Brief Board questions followed. At the close of the presentations, Chairman Holloway and Commissioner Tompkins presented each educator with a certificate of recognition and stood for photographs with them.

The Board recessed for lunch at 12:20 p.m. and the meeting resumed at 1:30 p.m.

### **SPECIAL EDUCATION**

#### **Introduction Of The 1999-2000 State Advisory Council For Special Education**

Dr. Alexa Pochowski, Team Leader, Student Support Services, introduced Ms. Sue Stacey, Chairman of the State Advisory Council for Special Education. Ms. Stacey introduced members of the Advisory Council who were present. They included: Shirley Armentrout, Lorraine Bockorny, Larry Cyrier, Bill Daugherty, Joyce Markendorf, Barb McGrath, Ray Petty, Patricia Schremmer, Kent Selby, Pam Shaw, Sheila Simmons, Mary Ellen Welshon, Jim Wheeler and Richard Whelan. Members unable to be

present were Ninia Smith and Danny Thornton. Ms. Stacey noted how much the Council looked forward to working with the Board in an advisory capacity on the important special education issues that it faces. She also thanked Student Support Services staff, Carrie Ottlinger, for all her work for the Council.

### **Review of Proposed State Special Education Regulations**

Dr. Pochowski briefly reviewed the philosophy of the Individuals with Disabilities Education Act, federal regulations, state law and proposed state regulations. All contain a commitment to a whole-school approach to dealing with children with disabilities; all focus on teaching and learning; all contain the expectation that general education strategies and interventions will be used as a starting place; all expect students to achieve high standards; and all focus on educational needs instead of labeling children. Dr. Pochowski also compared the federal regulations and proposed state regulations noting their similarities regarding definitions, early identification and intervention, and determination of educational needs. She noted that both tell school districts what must be done in conducting an evaluation of a child, including multiple assessments, but not how it must be done. Additionally, she reviewed the questions that must be addressed in determining eligibility. She indicated that both federal and state regulations contain more comprehensive and descriptive eligibility information which is further described in indicator guidelines. Dr. Pochowski handed out additional information which compared the federal and proposed state regulations, noting that areas of concern voiced by special education directors in the state regarding eligibility were already addressed, not only in the regulations themselves, but in the guideline material contained in the draft of "General Education Intervention, Initial Evaluation, Eligibility and the IEP", a document which has been developed for districts to use. Dr. Pochowski also noted that a process handbook was also being developed, as required by the federal government, and reviewed the types of training that would be available for staff development, including Student Improvement Team Training; IEP training; Alternative Assessment Training; and continuous improvement monitoring. Mr. Rundell asked if most of the state special education directors who had been concerned about the eligibility requirements had had their concerns satisfied. Dr. Pochowski called on Jerry Stewart, President of the Kansas Association of Special Education Administrators (KASEA) who responded. He indicated that though there would probably still be those who would express concerns during the public hearing, KASEA had adopted a resolution in support of the proposed regulations. Dr. Tompkins indicated information on class-size/caseload would be presented at the December meeting of the Board.

### **Establishment of a Hearing Date for Proposed Special Education Regulations**

Mrs. Waugh moved, with a second by Mrs. DeFever, that the State Board set a public hearing on the proposed special education regulations numbered 91-40-1 through 91-40-53 on February 7, 2000, commencing at 1:30 p.m. or as soon as possible thereafter. The motion carried.

### **STATEWIDE INFRASTRUCTURE PROPOSAL**

Commissioner Tompkins asked for Board support of the statewide infrastructure proposal known as KAN-Ed, which would provide support for the Board's request for technology funding during the upcoming legislative session. Dr. Wagon moved, with a second by Mrs. DeFever, that the State Board support the revised technology infrastructure proposal referred to as KAN-Ed. The motion carried. In Board discussion, Dr. Wagon stated he had further concerns in light of the Board's discussion earlier in

the day regarding virtual courses and the issues surrounding the state's tradition of local responsibility for how education takes place at the local level. He further stated that the internet brings a very different learning environment that may require that the Board review its traditions in order to assure the quality of the educational product which is offered. He asked that the Advisory Committee address the pro's and con's regarding the development of a minimal set of standards that would assure local responsibility in keeping with Kansas's tradition of local responsibility. He further asked that the Advisory Committee develop the pro's and con's of establishing an internet school. Dr. Wagon further expressed his concern that the Board may be avoiding its constitutional responsibility for general supervision by not addressing the issues created by the new learning environment. Mrs. Brown stated she concurred with Dr. Wagon and asked that one or two of the schools that had successfully addressed some of the issues be brought into the discussion.

### **RECOMMENDATIONS OF THE PROFESSIONAL PRACTICES COMMISSION**

Mrs. Waugh noted that she had been on the local board which had dealt with the item before the State Board, and that to avoid any appearance of impropriety on her part, she would not participate in the discussion and would abstain from any action on the item. Kevin Ireland, staff attorney, presented the findings and recommendations to the Board for action. Mr. Rundell moved, with a second by Mrs. Brown, that the State Board adopt the findings of fact and conclusions of the Professional Practices Commission in case No. 96-FC-04, and approve the recommendations of the Commission. The motion carried on a vote of 9-0, with Mrs. Waugh abstaining.

### **CONSENT AGENDA**

The Board and staff discussed and reviewed item 13 m., draft agency's policies for test security and appropriate testing practices, which Mr. Bacon asked be pulled from the consent agenda. Suggestions resulting from the discussion included monitoring dissemination of test materials and cases of abuse when more test documents are made available than used at the time of testing, in order to determine if changes are needed in the way test materials are made available to local districts. It was also suggested that staff investigate the cost of pre-numbering test materials. Additionally, it was suggested that school districts be asked to keep track of the time it takes for completion of each assessment, and that Board members be provided with a further opportunity to review the now finalized assessments in a secured setting.

Dr. Wagon indicated that his problem with item 13 o., a contract to conduct a leadership institute for principals, was the fact that the funding was not available to offer the same leadership development opportunity for district superintendents and that he would encourage the Commissioner and the Department to investigate ways to offer superintendents the opportunity in the future. He also expressed his concern about comments made by two of the principals of the Blue Ribbon Schools that there was not a network in the state to share best practices with one another. Staff and Board discussion followed and efforts by the service centers to provide opportunities for principals was discussed by Dr. Freden, Assistant Commissioner for Learning Services. Mrs. Brown suggested that some of the outstanding educators that the Board has recognized provided a good pool of experience upon which the state could draw in developing professional development programs for administrators.

Dr. Wagon shared his reservations about the criteria for funding the Education Excellence program grants presented by the staff. Dr. Wagon moved that the criteria be revised and solely address funding programs to close the performance gap for children at risk. The motion was seconded by Mr. Hill. Board questions and discussion followed. Mr. Hill noted that this was an opportunity for the Board to fund one of its priorities. Dr. Abrams asked if some language to include reading programs could be included in the motion. It was suggested that Mr. Gentry, Team Leader, Consolidated and Supplemental Programs, look at how to address Dr. Abrams concern. Mr. Rundell noted that he would like more time to think about the motion. Dr. Tompkins stated that staff could revise the proposal and bring it back for Board action Wednesday morning. Mr. Hill moved that the motion be tabled until the Wednesday morning session. The motion, seconded by Mr. Rundell, carried. Mr. Gentry suggested that the Board might want to tighten program parameters and consider multi-year grants. Dr. Wagon noted that if programs were successful and could be replicated, schools would continue them whether they were funded for more than one year or not. Dr. Abrams noted that to have a multi-year program would not be a problem to him, if language were included that would require grantees to show signs of having made progress. Dr. Tompkins suggested that rather than guarantee multi-year funding, language could be included that stated that priority points would be given for funding a program in succeeding years if substantial progress were shown. Additional discussion followed.

Dr. Abrams moved, with a second by Mr. Voth, that consent agenda be approved minus item 13 r., funding priorities for the 2000-2001 Education Excellence grant program. The motion carried.

In the consent agenda, the State Board:

- Received the monthly personnel report.
- Confirmed the appointment of Cynthia Larcom to an unclassified special projects Grant Writer position, Local Consolidated Plan, effective October 11, 1999, at a biweekly pay rate of \$1477.60; Dennis Sampson, as an unclassified special project Programmer III, IDEA, Migrant Children Network, effective October 17, 1999, at a biweekly pay rate of \$1514.40; and Rhonda Franke, as an unclassified special project Assistant Education Program Consultant, Kansas Commission on National and Community Services and Program Development Assistance and Training, effective October 11, 1999, at a biweekly pay rate of \$1276.80.
- Confirmed the appointment of MarSue Mackey to the position of Coordinator, Nutrition Services, effective October 17, 1999, at a biweekly rate of \$2169.
- Approved school construction plans for USD 458 Leavenworth; USD 486 Elwood; USD 207 Ft. Leavenworth; USD 307 Ell Saline; USD 512 Shawnee Mission (2 projects); USD 385 Andover; Sunrise Christian Academy-Sedgwick County; USD 232 DeSoto; USD 247 Cherokee; USD 351 Macksville; USD 268 Cheney; USD 290 Ottawa; USD 205 Bluestem; USD 337 Royal Valley; USD 400 Smoky Hill; Allen County Community College; USD 487 Herington; USD 376 Sterling; USD 443 Dodge City; and USD 343 Perry Public Schools.

- Approved modification of the East Central Kansas Special Education Cooperative Agreement (Paola).
- Received the first quarter FY 2000 report from Kansas State School for the Blind.
- Received the first quarter FY 2000 report from Kansas State School for the Deaf.
- Approved Cycle I accredited status for USD 204 Bonner Springs: Bonner Springs Elementary; USD 207 Ft. Leavenworth: Eisenhower Elementary and MacArthur Elementary; USD 208 Wakeeny: Wakeeny Elementary and Trego Community High School; USD 500 Kansas City: New Stanley Elementary and M.E. Pearson Elementary; USD 217 Rolla: Rolla Elementary and Rolla High School; USD 281 Hill City: Longfellow Middle School; and USD 308 Hutchinson Public Schools: Winans Elementary.
- Approved requests for waiver of state QPA regulations for the 1999-2000 school year from Turner Public Schools USD 202 to utilize the services of Jana Rajba to teach Learning Disabilities at the middle school level; Lebo/Waverly USD 243 to utilize the services of Pamela Combes to teach 8<sup>th</sup> grade Science; Wichita USD 259 to utilize the services of Jennifer Buie, Crystal Holub, Patricia Mova and Jean Ann Parker to teach elementary Interrelated Special Education, Jacqueline Hultman, Klaus Kollmai, Jarrod Loewen, Sherry Ruberson-Lancaster, Charles Triggs, Rayburn Ward and Bryan Wilson to teach secondary Interrelated Special Education, Sherry Franklin-Guy, Jeffrey Jarred, Jeanette Lewis, Dan Morrison, Penny Niedens, Jennifer Rivers and Mavis Schmeidler to teach middle school Interrelated Special Education, Connie Phelps and Margaret Plotner to teach middle school Gifted Education, and Maxwell Craft Jr. to reach middle school Behavior Disorders; secondary Gifted Education, Penny Burchfield to teach elementary Gifted Education, and Melissa VanDyken to teach elementary Learning Disabilities; Renwick USD 267 to utilize the services of Shasta Wewe to serve as Library Media Specialist at the elementary level; Atchison County USD 377 to utilize the services of Terri Kornman to teach middle school Spanish; Rose Hill USD 394 to utilize the services of Cristy Bolton to teach 7<sup>th</sup> grade Social Studies; Pike Valley USD 416 to utilize the services of Linda Tebow to serve as Library Media Specialist K-12; Shawnee Mission USD 512 to utilize the services of Karen Bishop to serve as Library Media Specialist at the secondary level; Reno County Education Cooperative No. 610 to utilize the services of Lucille McLaurine to teach middle school Behavior Disorders; Three Lakes Education Cooperative to utilize the services of Skye Clements to teach secondary Gifted Education and Jole Palmer to teach secondary Interrelated Special Education; Tri- County Special Education Interlocal No. 607 to utilize the services of Brenda Dumler to teach elementary Interrelated Special Education; Renwick Public Schools USD 267 to extend their Cycle II timeline for Andale Elementary, Andale High School, Garden Plain Elementary and Garden Plain High School for one year; and Leavenworth Public Schools USD 453 to extend their Cycle II timeline for Ben Day and Nettie Hartnett Elementary.
- Approved local education inservice plans from Colby USD 317; Montezuma USD 371; Otis-

Bison USD 403; and Great Bend USD 428.

- Received a draft of agency policies on test security and appropriate testing practices.
- Approved Special Education Regulation waiver requests from USD 500, Wyandotte County Special Education Cooperative and USD 232, DeSoto so that data can be collected on the effectiveness of assessment/identifications methods; and from USD 500, Wyandotte County Special Education Cooperative, to waive all class size/caseload regulations.
- Accepted the recommendations of the Certification Review Committee in cases 1735, 1740, 1749, 1768-1769, and 1771-1793.
- Approved FY 1999-2000 Educate America Act Years One-Six Local Reform grants in the amount of \$7,000 for Lakin USD 215, Barnes USD 223, Fowler USD 225, Hill City USD 281, Quinter USD 293, Rock Creek USD 323-Westmoreland, Riley County USD 378, Pratt USD 382, Mullinville USD 424, Haviland USD 474, Syracuse USD 494, and Lewis USD 502; and for SE Kansas Education Service Center 609, \$38,740; and Year Four renewals in the amount of \$7,000 for West Solomon Valley USD 213 and Marion USD 408 and in the amount of \$16,944 for Leavenworth USD 453. Approved Preservice/Professional Development Partnership subgrants in the amount of \$25,000 for Erie-St. Paul USD 101/ Pittsburg State University, Bonner Springs USD 204/St. Mary College, Maize USD 266/ESU/PSU/Southwestern/WSU, Southeast of Saline USD 306-Gypsum/ESU/PSU/ K-State, Hoxie Community Schools USD 412/Ft. Hays State University, Chanute USD 413/Pittsburg State University, Ft. Larned USD 495/Ft. Hays State University, and Valley Heights USD 498-Waterville/ESU/PSU/K-State; and in the amount of \$14,250 for Atwood USD 318/Colby Community College, \$24,966.20 for Holton USD 336/Washburn University, \$19,300 for Royal Valley USD 337- Mayetta/Kansas State University, and \$13,342 for Tonganoxie USD 464.
- Received abstracts for 1999-2000 Educational Excellence grants.
- Approved Parents as Teachers expansion grants for Olathe USD 233 in the amount of \$11,384 and Abilene USD 435 in the amount of \$1,333.
- Approved the contracts of five Johnson County school districts, Blue Valley USD 229, Spring Hill USD 230, Gardner-Edgerton USD 231, DeSoto USD 232, and Olathe USD 233, with the Southeast Kansas Education Service Center to provide vocational/technical education services for their students.

***Contracts Approved:***

The Commissioner of Education was authorized to negotiate and enter into:

- two contracts with Research and Training Associates of Shawnee Mission to
- conduct an in-depth study of professional development practices, with the contract amount not to exceed \$30,000; and
- conduct a study of research-based early childhood and primary grade programs and their prevalence in Kansas, with the contract amount not to exceed \$30,000.
- a contract with the United School Administrators of Kansas to make the arrangements for and conduct a principal's leadership institute with the contract amount not to exceed \$30,000.

The Board took a break at 2:50 p.m. but prior to the Board break a motion to conduct an executive session when the Board returned at 3:00 p.m. was made.

### **EXECUTIVE SESSION**

Mr. Hill made a motion that the Board begin an executive session for the purpose of discussing personnel matters of non-elected personnel at 3:00 p.m., for a period of 30 minutes, so the privacy, confidentiality and other rights of such personnel are not violated, and that the open meeting of the Board resume in the Board Room at 3:30 p.m. Mrs. DeFever seconded the motion and the motion carried. At 3:30 p.m. the open meeting resumed and Mrs. Waugh moved, with a second by Mr. Rundell, that the executive session be extended ten minutes until 3:40 p.m. The motion carried. At 3:40 p.m. the open meeting resumed.

### **RECESS**

There being no further business, Chairman Holloway recessed the meeting at 3:40 p.m.

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Linda Holloway, Chairman Penny Plamann, Secretary

## **KANSAS STATE BOARD OF EDUCATION**

### **MEETING MINUTES**

**November 10, 1999**

#### **CALL TO ORDER**

Chairman Holloway called the meeting to order at 9:00 a.m. on Wednesday, November 10, 1999, in the Board Room of the State Board of Education Building, 120 SE 10<sup>th</sup> Avenue, in Topeka, Kansas.

#### **ROLL CALL**

Members present were:

Steve Abrams  
Linda Holloway

John Bacon I.B. "Sonny" Rundell

Mary Douglass Brown  
Harold Voth

Val DeFever  
Bill Wagnon

Scott Hill  
Janet Waugh

#### **APPROVAL OF THE AGENDA**

Chairman Holloway asked that the agenda be modified to include consideration of action on funding priorities for 2000-2001 Education Excellence program grants prior to Board reports. Mrs. Brown moved, with a second by Mrs. Waugh, that the agenda be approved as modified. The motion carried.

#### **KANSAS STATE HIGH SCHOOL ACTIVITIES ASSOCIATION ANNUAL REPORT**

Mr. Gary Mussleman, Executive Director of the Kansas State High School Activities Association (KSHSAA), presented the annual report of the association for the 1998-1999 school year. He thanked Mr. Hill and Mrs. Brown for their participation on the KSHSAA Board of Directors and Mr. Hill for his participation on the Executive Board as well. Mr. Musselman noted that the KSHSAA Board of Directors had appointed Mr. William Perez, one of the State Board's nominees for an at-large position, to the KSHSAA Board to replace Mr. Juan Perez whose term had expired. Mr. Musselman also reviewed KSHSAA rules changes which had been made in the past year. Those included: 1) regarding volunteers, that coaches aids had to have a contract with the school; 2) mileage was extended to music

and speech competitions for awards purposes; regional medals would be awarded for music and speech competitions in state; the awarding of service recognition plaques for athletic officials; enactment of risk-prevention rules for cheerleading to be phased in over two years; and the addition of the girls pole vaulting event for state track and field competition. Mr. Musselman also indicated that a survey of loss of school instructional time, conducted every four years would be conducted during the year. He thanked the Commissioner and department staff of their good working relationship with KSHSAA. Board questions followed.

**SCHOOL BUS TRANSPORTATION REGULATIONS**

Mrs. Waugh moved that the State Board adopt the proposed School Bus Transportation Regulations K.A. R. 91-38-1 through 91-38-10 and revoke former Department of Transportation Regulations 36-13-20, 36-13-30 through 36-13-35, and 36-13-37 through 36-13-39. The motion carried on a roll call vote of the Board:

Dr. Steve Abrams	yes	Mrs. Linda Holloway	yes
Mr. John Bacon	yes	Mr. Harold Voth	yes
Mrs. Mary Douglass Brown	yes	Mr. Sonny Rundell	yes
Mrs. Val DeFever	yes	Dr. Bill Wagnon	yes
Mr. Scott Hill	yes	Mrs. Janet Waugh	yes

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**MINUTES**

November 10, 1999

**LEGISLATIVE MATTERS**

**State General Fund**

Deputy Commissioner Dale Dennis handed out a state general fund profile and reviewed it for the Board. He noted, that based on recent estimates, besides the 1% cut in expenditures to be enacted in FY 2000, an additional \$87.5 million would need to be cut from the department's FY 2001 budget request, with \$98,000 coming from state operations. He also addressed Board questions about the impact of budget cuts on school districts and discussion followed about anticipated changes in school district

populations. Dr. Wagon indicated that it might be helpful for members to see a map of districts which illustrated areas of growth and decline. Mr. Dennis also reviewed the impact of tax cuts enacted over the past few years on revenues. Mr. Dennis answered questions and discussed the department's budget appeal hearing before the Governor and the Division of Budget which would take place before Thanksgiving. He indicated the department's appeal document was due in ten days and noted that it was customary to have representative Board members attend the budget appeal hearing.

## **Legislative Agenda**

Board members briefly discussed the charter school issue, but no clear consensus was achieved about whether to include it in the Board's legislative agenda.

The Board took a short break from 10:20 am. to 10:30 am.

## **CURRICULUM STANDARDS FOR CIVICS-GOVERNMENT, ECONOMICS, GEOGRAPHY AND HISTORY**

Dr. Tompkins presented the concerns that had been expressed to him at the October meeting by Mrs. Brown and Dr. Abrams regarding the civics-government portion of the civics-government, economics, geography and history curriculum standards, as well as additional concerns that Mrs. Brown had raised concerning the geography portion of the standards. Mrs. Brown stated that she did not believe that all the changes she understood were to be made concerning the use of the terms "republic" and "republican" instead of "democracy" and "democratic" had been made in the civics-government portion of the standards. Lengthy Board discussion followed about what changes Board members thought were to be included in the motion to adopt the standards in July. The discussion also included the appropriate procedure to follow to correct the misperceptions at the current time. Dr. Tompkins spoke on behalf of the standards writing committee and their effort to comply with the Board's requests. The question was also raised about when the Board could revisit standards to make revisions once they had been adopted. Mr. Biles, the Board Attorney, stated that generally speaking, if it were on the agenda, it would require six votes to make desired changes. Further, he stated that if there was some understanding at the last action that some changes would be made in some general way, he didn't think the vote at that time would necessarily make changes automatic and that they should be brought to the Board for a vote. The Board discussion also included whether all the changes were now included and whether the standards writing committee had had an opportunity to review those changes and were in agreement. Mrs. Jennie Chinn, Co-Chair of the committee, indicated that the writing committee had not reviewed any of the additional changes. Mrs. Brown responded to questions regarding the difference in the use of democracy and republic in the standards and further discussion followed regarding appropriate usage of terms.

Concerns raised by the Wichita and Topeka school districts were also discussed. Dr. Abrams asked if those concerns had been addressed. Mrs. Chinn stated that they had been considered, but no modifications had been made in the standards regarding the issue of age-appropriate material because others on the committee and around the state did not consider the material to be inappropriate for the

grade level at which it was presented. Additionally, asked if the districts' concerns about when Kansas History was taught had been clarified, Mrs. Chinn indicated that ninety percent of districts in the state teach Kansas History at the 8<sup>th</sup> grade level and that the law required that students graduating from Kansas high schools have a course in Kansas History. Board discussion followed and Dr. Tompkins indicated staff would review existing statute and regulation for teaching Kansas history to see if further clarification needed regarding when Kansas history could be taught and how many weeks of instruction were required to be consistent with Kansas statute and Board regulations.

Mrs. Brown's concerns regarding the geography standards were also briefly discussed, but she indicated she understood it would take additional action to incorporate them into the current standards. After further discussion, Dr. Abrams moved, with a second by Mr. Hill, that the Board adopt the additional changes in the civics-government standards proposed in the material handed out at the meeting. The motion carried on a vote of 6-4, with Mrs. DeFever, Mr. Rundell, Dr. Wagnon and Mrs. Waugh voting "no".

## **BOARD COMMUNICATION COMMITTEE REPORT**

Mrs. DeFever reported on the recent meeting of the Board Communication Committee, indicating that she and Mrs. Brown had met with Kathy Toelkes, Public Information Officer for the department, after the Monday afternoon session of the October Board meeting. She noted that the document that had resulted represented two goals the committee hoped to achieve: 1) increased public understanding of board responsibilities and accomplishments; and 2) as a strategy to achieve Board goals, share information on effective programs and initiatives with teachers and administrators. Strategies to assist in implementing these goals include 1) including a regular feature in *Education Matters* highlighting promising programs; and the development of a network of key communicators throughout the state to help channel accurate information on Board and department educational initiatives and actions. Mrs. DeFever indicated the Committee would bring the plan back to the Board in December for approval. Discussion followed.

## **FUNDING PRIORITIES FOR THE 2000-2001 EDUCATIONAL EXCELLENCE GRANT PROGRAM**

Mr. Hill moved, with a second by Mr. Rundell, that the Board bring the funding priorities for the 2000-2001 Educational Excellence grant program off the table. The motion carried. Dr. Abrams moved, with a second by Mrs. Brown, that the Board adopt, as the funding criteria for the Education Excellence grant program, innovative grants that address the literacy skills (reading, writing, and/or mathematics) of low performing students by narrowing the achievement gap between the highest and lowest performing groups of students according to the State's proficiency levels. Board discussion followed and the motion carried.

The Board took a short break from 11:50 until 12:00 p.m.

## **BOARD REPORTS**

### **Board Chairman**

Chairman Holloway reported on her attendance at the NASBE Healthy Schools Network meeting held in New Orleans. She indicated she would like a presentation at a future Board meeting on programs throughout the state and to have the recipient of the National Health Educator Award from Andover appear before the Board. She also reported that it had been reported at the NASBE meeting that though there appeared to be no evidence that the DARE program is effective, the speaker reporting on it thought it should be continued because she knows police officers whose feelings would be hurt if it was stopped. Mrs. Holloway reported on anecdotal information she had been receiving on the benefits to teachers of the 2<sup>nd</sup> grade reading diagnostic test administered in Kansas schools this fall. Mrs. Holloway also reported on attending the technology conference November 8<sup>th</sup>.

### **Board Attorney**

Mr. Biles reported on his recent activity on behalf of the Board. He indicated he had attended the NASBE annual meeting and had been able to meet with other state board attorneys who had been or were involved in school finance litigation. Mr. Bacon moved, with a second by Mr. Hill, that Mr. Biles' fees for services and expenses for October be paid as presented. The motion carried.

### **Legislative Coordinator**

Mr. Hill reported that the interim Legislative Committee on Education had had a bill drafted for implementation of the state technology backbone. Mrs. DeFever indicated she would be attending the interim committee meeting on November 18<sup>th</sup>.

### **Report on the NASBE Annual Meeting**

Mrs. DeFever handed out a written report on her attendance at the NASBE annual meeting as the Board's designee and indicated she would be glad to provide members with any further information they wanted. She briefly reported on the resolutions passed at the NASBE business meeting and a discussion on the removal of services for students incapable of learning.

### **Commissioner**

Commissioner Tompkins reviewed his written report and referred members to items attached for their information. Dr. Tompkins reported on the difficulty in getting schools to participate in the NAEP testing this year. He indicated that the Braille literacy stakeholders had met and a progress report was included with his report. He also indicated that a meeting with the Board Attorney and the copyright attorney was scheduled following the Board meeting and that the revised standards would be available for the December meeting. He also noted the board study session to be held at the December Board

meeting.

## **Board Member Reports**

Mrs. DeFever reported on her attendance at the technology conference and the need to address the educational needs of Kansas students which will prepare them to compete for jobs that are going overseas. Mrs. DeFever reported on discussion at the Reading Summit in September which highlighted the need for more reading classes during teacher preparation. Mrs. DeFever echoed Chairman Holloway's comments about the positive comments she was receiving from teachers regarding the 2<sup>nd</sup> grade reading diagnostic.

Mrs. Brown reported on attending a core knowledge conference in St. Paul, Minnesota.

## **APPROVAL OF BOARD TRAVEL**

Dr. Abrams asked that a legislative update meeting in Hutchinson on November 15, 1999 be added to his request. Mrs. Brown moved, with a second by Mr. Bacon, that the travel requests be approved as amended. The motion carried.

## **EXECUTIVE SESSION**

Mr. Voth moved, with a second by Mrs. Waugh, that the Board recess into executive session for a period of 10 minutes for the purpose of discussing pending litigation with the Board Attorney so that attorney/client privilege could be protected, and that the open meeting of the Board resume at 12:50 p.m. The motion carried. At 12:50 p.m., the open meeting resumed and Mr. Hill moved, with a second by Mrs. DeFever, that the executive session be extended for ten minutes, until 1:00 p.m. The motion carried. At 1:00 p.m., the open meeting resumed and Mrs. Brown moved, with a second by Mr. Hill, that the executive session be extended for fifteen minutes, until 1:15 p.m. Mr. Rundell and Dr. Wagnon left at 1:10 p.m. At 1:15 p.m., the open meeting of the Board resumed.

## **ADJOURNMENT**

There being no further business, the meeting adjourned at 1:15 p.m.

Linda Holloway, Chairman Penny Plamann, Secretary