

**KANSAS STATE BOARD OF EDUCATION  
MEETING MINUTES**

**January 9, 2007**

**RECEPTION**

A reception was held in the Board Room from 9:00 – 9:45 a.m. for newly elected and reelected Board members, Janet Waugh, John Bacon, Sally Cauble, Ken Willard, and Jana Shaver.

**CALL TO ORDER**

Chairman Abrams called the meeting to order at 10:0 a.m. on Tuesday, January 9, 2007, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.

**ROLL CALL**

All members were present:

|              |             |
|--------------|-------------|
| Steve Abrams | Carol Rupe  |
| John Bacon   | Jana Shaver |
| Sally Cauble | Bill Wagnon |
| Sue Gamble   | Janet Waugh |
| Kathy Martin | Ken Willard |

The Board stood for recitation of the Pledge of Allegiance.

**ELECTION OF CHAIRMAN**

Chairman Abrams asked for nominations for Board Chairman. Mrs. Waugh nominated Dr. Wagnon. Mrs. Gamble seconded the nomination. Mrs. Rupe, with a second by Mrs. Gamble, moved that nominations cease. The motion carried 10-0. Mrs. Waugh, with a second by Mrs. Gamble, moved that Dr. Wagnon be elected State Board Chairman by acclamation for the 2007-2008 term. The motion carried 10-0. Upon assuming the Chair, Dr. Wagnon made the following comments:

*“Much thanks are due Dr. Abrams for his role in making this transition a smooth one. As the senior member of the state board we have much to benefit from his experiences.*

*“I appreciate the vote of confidence you have expressed in me today by electing me as your chairperson for the next two years. I shall endeavor to fulfill the duties of the office to the best of my ability and to work with each of you to fulfill the duties of your office.*

*“That which unites us far outweighs that which divides us. Taking the reins of a deeply divided nation in 1801, Thomas Jefferson won the right to be represented on Mount Rushmore by devoting his presidency to healing divisions and winning broad support for his leadership. While I don’t pretend to be a candidate for my face on a mountainside, I do want to work with each of you to achieve what I know to be the unanimous goals of board members, namely to do what we can to improve schools and make sure that every Kansas child gets the education needed to succeed in the 21<sup>st</sup> century. We may disagree on how to achieve those goals, but we can’t lose sight of those being our shared hopes and dreams. Those are, after all, why we ran for a seat on this board and why we work in our various ways to fulfill a public service function.*

*“Disagreements are healthy in a democracy like that we have in Kansas. I think we all share a belief that our education system is not without flaws and we want to change it. However, there are ways for promoting effective change without undermining confidence in it. On one important level, we have an*

*outstandingly successful public education system in Kansas. But as I learned from a wise school person, no situation, no matter how swell it is cannot be better. Its being better that we all want. We can poke it with a stick or we can work with it to build capacity. I believe that the latter is the more effective way. Beating up on school folks only makes them defensive, but helping them to take ownership in improvement has been a proven route to success. That should be our approach as board members.*

*“As your chair, I pledge to keep a transparent agenda with no surprises and an opportunity to consider fully each and every item that is brought before the board. Each board member will have an equal chance to shape the agenda of the board and to have proposed items thoroughly studied as the basis for considered action.*

*“My goal is to concentrate on selecting a new commissioner who is worthy to provide professional leadership for Kansas education. Once that person is selected, we will have an opportunity to develop goals for the next two years and objectives that can provide guidelines for the staff of the department of education. Once those goals and objectives are decided upon, the work of the board will be shaped by them.*

*“In the process of reshaping the work of the board and the department for the next two years, my hope is that we do not lose sight of our responsibilities for boardmanship in our individual conduct. We must remember at all times that we represent our fellow citizens of our Kansas districts and as such our behavior and demeanor must represent what Lincoln referred to as the better angels of our nature. As members of the state board we have special responsibilities to nurture our unique self-executing powers as the fourth branch of government under the Kansas Constitution. That means we are not just agents of the legislature in generally supervising education in the state, but independently responsible to act in the best interests of all our citizens, not just with those who share some ideological compatibility with ourselves. Before we are either conservatives or moderates, we are Kansans and as such we are obligated to act accordingly.*

*“We have taken the first step in choosing our chair. Now let us take the next ones in addressing the agenda before us and those to be adopted in days to come.”*

#### **APPROVAL OF AGENDA**

Mrs. Waugh asked that the Board add the science standards to the agenda at the end of the day. Mrs. Gamble asked that an executive session for non-elected personnel be added as well. Mrs. Rupe moved, with a second by Mrs. Gamble, that the agenda be approved as amended. Mrs. Martin questioned the need to look at the science standards, since a review of them was not due until 2011. The motion carried 7-2-1, with Mrs. Martin and Mr. Bacon voting “no”, and Mr. Willard abstaining.

#### **ELECTION OF THE VICE-CHAIRMAN**

Mrs. Gamble nominated Mrs. Rupe to be Vice-Chairman. Mrs. Waugh seconded the nomination. There were no further nominations and Mrs. Rupe was elected by a vote of 10-0 as Vice-Chairman for the 2007-2008 term.

#### **ELECTION OF LEGISLATIVE COORDINATOR**

Mrs. Waugh, with a second by Mrs. Rupe, nominated Mrs. Gamble to be Legislative Coordinator for the 2007-2008 term. Mrs. Martin, with a second by Mr. Bacon, nominated Mr. Willard. Mrs. Gamble was elected by a show of hands, 6-4.

#### **APPOINTMENT OF THE BOARD ATTORNEY AND BOARD SECRETARY**

Mrs. Gamble moved, with a second by Mrs. Rupe, that Mr. Dan Biles, be reappointed as Board Attorney from February 2007 through January 2009. The motion carried. Mrs. Martin moved, with a second by Dr. Abrams, that the Board cast unanimous ballot and reappoint Mrs. Penny Plamann as Board Secretary. The motion carried.

#### **APPROVAL OF THE MINUTES**

Mrs. Martin said she understood that, in the Open Forum, Dr. Case had indicated he was present as a private citizen but the minutes state that he was representing the science standards writing committee, when in fact, there was no committee operating at the time. She also noted that Dr. Case had said he could prepare a comparison of the standards he was proposing to the standards adopted by the Board if he were compensated. The minutes reflect that he would voluntarily do a comparison for the Board, which was not her understanding. Mrs. Gamble agreed that she recalled that Dr. Case had indicated he was acting as a private citizen, but he was giving an update on the informal action that some of the members of the writing committee had accomplished and was willing to share that information with the Board if it wished to have it. Regarding the comparison document, she recalled that Dr. Case said it would not be possible, but there was a document that was updated that they could present to the Board. She suggested that the wording be changed to "updated document" rather than "comparison document" because she had been asking about the availability of the updated document by the January meeting and not a comparison document. Dr. Abrams indicated that he had asked specifically if a comparison could be ready by the January meeting, to which Dr. Case had answered "no". Mrs. Waugh moved, with a second by Mrs. Rupe, that the December minutes be approved as amended. The motion carried 9-0-1, with Mrs. Cauble abstaining.

#### **BOARD MEETING SCHEDULE FOR JANUARY 2007 THROUGH JANUARY 2008**

Mrs. Martin reported that the April meeting would be held in her district and that plans were underway. She also suggested that Board members might want to consider that the timeline for the announcement of the Board's hiring of a new commissioner would coincide with that meeting. Brief discussion followed and it was determined that making the announcement while out of town would not pose a problem. Mrs. Rupe moved, with a second by Mrs. Martin, that the State Board meeting schedule be approved as presented. The motion carried. A copy of the Board meeting scheduled is attached at the end of these minutes.

#### **CITIZENS' OPEN FORUM**

Chairman Wagnon declared the Citizens' Open Forum open at 10:23 a.m. Those addressing the Board were: Jean Brockway, Clearwater, representing the service centers in Kansas; Dr. Dale Rawson, Burlington, representing the Council of Superintendents; Gordon Elliot, Overland Park; Dr. Doug Moeckel, Ellsworth, representing the Smoky Hill Service Center Focus Group; Doug Kaufman, Leavenworth; Donna Gillett, Leavenworth; John van Keppel, Leawood, representing the Kansas Citizens for Science; John C. Oster, Shawnee Mission; Ken Carlson, Overland Park; Judith Reinhold, Leavenworth; Charlotte McDonald, Olathe, representing the Kansas Citizens for Science and USD 229, Blue Valley; Paul Ackerman, Wichita; Leo Kerwin, Wellsville; Stan Bryant, Burdett; John Calvert, Lake Quivira; Wayne Stringer, Ft. Scott; Douglas Phenix, Topeka; Rick Howard, Wichita; and Ed Lynch, Independence, representing the New Hope Counseling Center. Chairman Wagnon declared the open forum closed at 11:13 a.m.

The Board took a break from 11:13 until 11:29 a.m.

## **ELECTION OF BOARD MEMBERS TO OTHER POSITIONS AND REVIEW OF COMMITTEE APPOINTMENTS**

### **Assistant Legislative Coordinator**

Mrs. Gamble moved, with a second by Mrs. Rupe, that Mrs. Shaver be elected as Assistant Legislative Coordinator.

### **State Board Policy Committee**

Mrs. Rupe moved, with a second by Mrs. Gamble, that Mrs. Waugh be elected to serve on the Policy Committee. The motion carried 10-0. Mrs. Rupe moved, with a second by Mrs. Gamble, that Mrs. Shaver be elected to serve on the Policy Committee. The motion carried 10-0. Mrs. Martin moved, with a second by Mrs. Gamble, that Mr. Bacon be elected to serve on the Policy Committee. The motion carried 10-0. Chairman Wagnon designated Mrs. Waugh as Chair of the Policy Committee.

### **Education Commission of the States**

Mrs. Waugh moved, with a second by Mrs. Rupe, that Dr. Wagnon be elected to serve as the Board's representative on the Education Commission of the States (ECS). The motion carried 10-0.

### **Kansas State High School Activities Association (KSHSAA) Board of Directors**

Mrs. Rupe moved, with a second by Mrs. Gamble, that Mrs. Cauble be elected to serve as Board representative on the KSHSAA Board of Directors to serve from July 2007 through June 2009. The motion carried 10-0. Mr. Bacon moved, with a second by Mrs. Gamble, that Mrs. Waugh be elected to serve on the KSHSAA Executive Board from July 2007 through June 2008. The motion carried.

### **Appointed Positions**

Chairman Wagnon asked Board members to indicate their preferences on the list of committees they had been provided and to return them to him by the end of the day. Appointments would be made by the Chair and Vice-Chair and presented to the Board for confirmation the next day.

## **INTERIM COMMISSIONER'S REPORT**

Interim Commissioner Dennis reported on financial problems at the Kansas State School for the Deaf, due in part to that fact that the seriousness of it had been undetected because the school's chief financial person had been gone on sick leave for seven weeks for cancer treatment. The result is a shortage of funds for the current fiscal year. Asked if the Board should meet with Superintendent Maile in January, Mr. Dennis suggested that it would be helpful if the Legislative Coordinator and the Assistant Legislative Coordinator became familiar with the situation. Mr. Dennis reported that January would be customer service month in the department. Problems with Teacher Education and Licensure were being addressed and the turn-around time for license approval or renewal requests was down to two weeks. He also discussed a new award he was proposing for schools that were not high poverty, such as was the case with the Challenge Award schools. The top five percent academically that excel by meeting the Standard of Excellence in reading and math and making AYP would receive a Governor's Achievement Award.

Mr. Dennis also reported that Veryl Peter would be retiring in the fall of 2007. As his replacement Mr. Dennis would recommend Brad Neuenswander. Mr. Dennis indicated that Mr. Neuenswander would be working intermittently and would be paid a daily rate until his salary is established.

### **RECOGNITION OF PRINCIPALS OF THE YEAR**

Karla Denny, Coordinator for Recognitions Programs introduced the Principals of the Year who would be sharing with Board members some of the things they are doing to build instructional capacity to help all students learn and achieve. Mrs. Denny indicated that Dr. Brenda Dietrich, Kansas Superintendent of the Year, was in Washington, D.C., for the National Superintendent of the Year interview and she would be recognized at a later meeting. The Board heard from Mr. Gary Sechrist, Principal at Lyons High School, USD 405, the 2006 Kansas Association of Secondary School Principals (KASSP)/MetLife High School Principal of the Year; Dr. Ferrell Miller, Principal at Junction City Middle School, USD 475, the 2006 Kansas Association of Middle School Administrators (KAMSA) Principal of the Year; and Mr. Ed Albert, Principal at North Fairview Elementary School, Seaman District, USD 345 in Topeka, the Kansas Association of Elementary School Principals (KAESP) 2006 National Distinguished Principal. They also answered Board members' questions. At the conclusion of their presentation they received certificates of recognition and had their pictures taken with Chairman Wagnon and Commissioner Dennis.

The Board recessed for lunch from 12:45 until 1:32 p.m.

### **INTRODUCTION OF 2006-2007 SPECIAL EDUCATION ADVISORY COUNCIL AND RECEIPT OF THE 2005-2006 ANNUAL REPORT**

Colleen Riley, Director of Student Support Services, introduced the Chair of the Special Education Advisory Council (SEAC), Dr. Bob Maile. Mr. Maile reported that the issue for many special education advisory groups around the county was how to be heard by the groups they had been formed to advise. He pointed out that in Kansas the role of the SEAC was built into the way the Board operated, with regular reporting and interaction. Dr. Maile pointed out areas of interest in the annual report, including the section on accomplishments; the development of a new action plan for 2006-2007; the development of talking points on NCLB; a focus on data and the need for consumer-and family-friendly data; a focus on coordination of services; and in the area of assessments looking at performance and growth models, both of which are needed. He reminded Board members of the breakfast with SEAC the following day when there would be an opportunity to discuss the issues in the report in more depth. Dr. Maile asked the members of the council who were present to introduce themselves. They included Kendra Bittner, Susan Clayton, Janice Frahm, Neil Guthrie, Larry Meyer, Bert Moore, Krista Morris, Ruth Santner, Vicki Sharp, Pam Sumner, as well as Dr. Maile.

Mr. Dennis reported that the Department had recently been informed of a possible reduction in Medicaid funding, close to 2/3 or from \$35 million to approximately \$12 million, if reimbursement goes to a fees-for-services model. The question would be whether the state would continue to fund 92% of excess costs.

### **DRAFT OF THE 2005-2006 ACCOUNTABILITY REPORT**

Cynthia Williams, Director of Communications, reviewed what was contained in the 2005-2006 Accountability Report required to be submitted to the legislature. Board members mentioned several things they would like to see in the report, including: more celebration of the successes in Kansas education. Mrs. Martin asked for information on Kansas salaries for administrators compared to national averages. If information is not available nationally, then information for the four surrounding states was requested. Dr. Abrams would like information on certified staff who have received their education in a home country other than the United States. It was also recommended that the data sources for the Accountability Report be footnoted. Mrs. Waugh stated that several things in the report were unclear to her. One example she mentioned was the need, perhaps, for a definition on page 85 of a "fully qualified teacher". Chairman Wagnon thought it would be appropriate in the report to explain, in light of the school finance plan, the

Board and the Department's role in determining actual costs. Chairman Wagon requested that the role Title I schools play and the two tracks of accountability be explained. He would also like the achievement gap discussed and the achievement that has occurred. Mrs. Gamble had several questions about the data which she reviewed. She offered to share other questions she had with Mrs. Williams after the meeting. Mr. Willard thanked Mrs. Williams for a good report, as did Mrs. Martin and Mrs. Cauble. Mr. Willard suggested that one thing that might be added to make the report more positive would be to include the finding from Legislative Post Audit that Kansas ranked sixth in the nation for starting teachers' salaries.

#### **AMENDMENTS TO LICENSURE REGULATIONS AND STANDARDS**

Susan Helbert, Assistant Director of Teacher Education and Licensure (TEAL), reviewed for the new Board members the barriers and proposed solutions to licensure that had been identified by the Regulations Committee and the Professional Standards Board and that were now in proposed regulation form as requested by the Board. She handed out materials that had been presented to and discussed by the Board in earlier meetings. She noted that the recommendations for licensing out-of-state applicants that had completed an alternate program and for the applied behavior analyst certificate that had been presented originally were not included because the Professional Standards Board would like to give those two matters more thorough study. Mrs. Helbert also explained a proposed change in the standards requiring advanced level internships for leadership programs, including building leadership and district leadership, library media specialist, school counselor, reading specialist, and school psychologist.

Dr. Abrams had concerns about the proposal to allow teachers with one categorical science endorsement to add an additional secondary science endorsement by passing the test in the content area. He felt the change was not in the best interest of the science disciplines and proposed a change that would only allow the teacher who added the additional endorsement through that route to teach in the district in which he or she was teaching, and not let the endorsement be portable to other districts across the state. Dr. Abrams said it would recognize and assist districts that were have a difficult time finding qualified staff, while maintaining the integrity of the science discipline. Quite a bit of discussion followed. Mrs. Rupe pointed out that students in one district deserve teachers as good as those in any other district and to deny portability of the additional endorsement would be saying that the teacher teaching with the restriction was somehow not as good as a teacher who had completed a full program in the content area. Mrs. Rupe pointed out that the content tests guaranteed teachers have sufficient knowledge in the subject area. She later added that the content tests were very comprehensive and if a teacher were able to pass one, it couldn't be said that he or she had a watered down knowledge of the subject. Mrs. Cauble stated her belief that if a certified teacher could pass the content assessment, they should have no problem in the classroom. She pointed out that perhaps there was a misunderstanding about the definition of a teacher. She added that the basis of teacher training is learning how to connect in the classroom. Training for the first endorsement would guarantee the skills needed to lead children to learn. Passing a content test proves that the teacher has a good knowledge of the subject area. Dr. Gage, Director of TEAL, pointed out that the standards for each science endorsement require coursework in other areas of science as well.

Mr. Willard noted that the focus of the proposal was not to make it easier to become a science teacher, but to address problems of shortages across the state. He indicated that he felt if the endorsement was portable, the problem might be exacerbated, with teachers moving to where salaries or opportunities were better. Mrs. Gamble pointed out there were hard to fill areas in every district and she felt the Board should listen to professional educators and advisors. She stated that the Board shouldn't make becoming an educator or advancement in the profession so difficult that it drives teachers out of the profession. Asked if a motion was needed to move the recommended regulations forward, Chairman Wagon indicated that it was a "receive" item and would come back to the Board in February for action.

The Board took a break from 3:13 to 3:23 p.m.

## **TEACHER LICENSURE ISSUES**

### ***Restricted License***

Dr. Gage reviewed the requirements and regulations for a restricted license. She also provided an update on the impact and extent of alternative licensure programs in the state and provided clarification in response to Board member questions.

### ***Teacher Shortages***

Dr. Gage briefly covered some of the highlights provided in the Board's meeting materials regarding efforts being undertaken to address the teacher shortage in the state. She then introduced Jan Lariviere, from KU, who gave a presentation on a program she is in the process of developing to recruit math and science teachers at KU. The program is modeled after a very successful program she had implemented in Texas.

### ***Out-of-State Applicants***

Mrs. Helbert pointed out that requirements for applicants from out-of-state who request a Kansas teaching license are the same as those that Kansas students must meet. She reviewed those requirements and answered questions. She also explained the requirements for levels of licensure – the conditional license for beginning teachers, and the professional and accomplished licenses. Mrs. Helbert also reviewed the documentation that must accompany the application. She reported that approximately one-third of initial licenses issued each year are for out-of-state applicants. Common problems encountered by out-of-state applicants include not fulfilling the recency requirement; not meeting the GPA requirement; problems with submitting full transcripts; and not providing adequate documentation of experience in the area in which the out-of-state license is held. Mrs. Helbert suggested that removing the GPA requirement, as had been proposed, would remove one barrier. A growing barrier to licensure for out-of-state applicants deals with individuals who have completed an alternative licensure program. Mrs. Helbert noted that the quality varies widely and all applicants that have gone through an alternative program are reviewed by the Licensure Review Committee. The process, then, for those applicants is slowed down because the committee only meets every other month. In considering applicants who have followed an alternative route, the committee considers whether the applicant has met the content and professional education standards. Mrs. Helbert reported that the Licensure Review Committee had an approval rate of about 82% each year, with the majority of those coming before the committee because of having pursued an alternate route. Mrs. Helbert noted that many problems with initial licensure for out-of-state applicants, besides meeting the GPA requirement, would be alleviated by some of the changes which the Board had been considering.

## **RECOMMENDATIONS FOR THE REAUTHORIZATION OF NO CHILD LEFT BEHIND**

Mrs. Judi Miller, Assistant Director, State and Federal Programs, reviewed a proposed State Board recommendation for the reauthorization of NCLB. Seven recommendations fell into four basic areas - accountability, schools and districts, teacher quality, and funding. Mrs. Rupe moved, with a second by Mrs. Martin, that the Kansas State Board of Education approve the recommendations for changes and additions to the re-authorization of the federal No Child Left Behind legislation. Mr. Bacon proposed a change in the introductory paragraph of the recommendation document. Because the Board had discussed from time to time whether Kansas should even participate in NCLB, he proposed that the first sentence be altered to indicate that, instead of the State Board supporting the intent of NCLB, that it read "The Kansas State Board of Education (KSBOE) *agrees with* the intent of the current version of the *Elementary and Secondary Education Act of 1965 (ESEA)*..." Mrs. Rupe and Mrs. Martin accepted the change and incorporated it

into the motion. Dr. Abrams stated that he hadn't given up on the idea of whether Kansas should continue its participation in NCLB and hoped that the Board could have a discussion of the issue at some time in the future. The motion carried 10-0. Asked what would happen with the recommendation now that it was approved, Mrs. Miller indicated it would be sent to the Kansas Congressional delegation and to the appropriate congressional committees. It would also be shared with other organizations with similar concerns. She hoped Board members would share it with their constituents, as well.

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

Mr. Kevin Ireland was present to answer any questions Board members might have about the recommendations of the Professional Practices Committee. Mrs. Waugh moved, with a second by Dr. Abrams, that the Kansas State Board of Education adopt the findings of fact and conclusions of the Professional Practices Commission and approve the recommendations of the Commission in cases 06-O-09, 06-FC-10, 06-O-11, 06-FC-13, 06-BR-14 and 06-FC-15. The motion carried 9-0-1, with Mr. Willard temporarily absent.

### **CONSENT AGENDA**

Mrs. Gamble moved, with a second by Dr. Abrams, that the consent agenda be approved as presented. The motion carried 9-0-1, with Mr. Willard temporarily absent.

In the consent agenda, the State Board:

- Received the monthly personnel report.
- Confirmed the appointments of Gerald Carter to the part-time position of Architect, effective 12/01/2006 at an annual salary of \$36,400; Mike Thompson to the position of Information Technology Project Coordinator with the Information Technology team, effective 12/11/2006 at an annual salary of \$51,084; Kenneth Bates to the position of Micro System Support Tech II with the Information Technology team, effective 12/18/2006 at an annual salary of \$31,345; and Mark Thompson to the position of Public Service Executive II with the Child Nutrition and Wellness team, effective 12/18/2006 at an annual salary of \$52,312.
- Approved school construction plans for USD 497, Lawrence; USD 359, Argonia Public Schools; and USD 503, Parsons.
- Authorized the issuance of an Order describing the boundaries of the unified school districts that were changed in 2006 and directed that the Order be certified to the appropriate county officials.
- Approved Waiver Review Committee recommendations for school districts to utilize individuals outside their areas of endorsement as follows: *Adapted Physical Education*: Laramee Pewits, USD 253, Emporia; Erica Meadows USD 308, Hutchinson Public Schools; Kerri Smith, USD 321, Kaw Valley; Traci Longberg, USD 353, Wellington; Marlise Tiffany, USD 364, Marysville; David Hughes, USD 457, Garden City; Deborah Sargent, Ann Bell Toczek, Ronda Canaday, and Nicholas Toczek, USD 480, Liberal; and Cindy Graves, D0 637, Southeast Kansas Special Education Interlocal; *English as a Second Language*: Alicia Farinola, Kelly Cotton, Katherine Unruh, Nicole Perez, Traci Plinsky and Jennifer Thomas, USD 259 Wichita; Heidi Burgess and Jere Coleman, USD 260 Derby; and Sylvia Yoder, USD 373, Newton; *Gifted*: Kelly Stice, USD 244, Burlington; *Interrelated*: Ree Belhumeur, William Lowe, USD 202, Turner-Kansas City; Ellen Peck, Chet Harlin, Jane Janssen,

Marla Stone, Leslie Thompson and Ashley Sheridan, USD 418, McPherson; and Ryan Hoopes, D0 617, Marion County Special Education; *Library Media Specialist*: Renée Charrier-Willis, USD 260, Derby; and *Life Science*: Aaron Wise, USD 471, Dexter.

- Approved the recommendations of the Licensure Review Committee in cases 2319, 2326-2327, 2329, 2344-2345, 2348, 2356, 2360-2362, 2364-2366, 2368 and 2370.
- Approved recommendation of the Evaluation Review Committee for "Approved" for an Early Childhood Unified program for The University of Kansas through December 31, 2012.
- Received the Memorandum of Understanding for the Visiting Teacher from China program.
- Issued an FY 2006 license to commercial driver training school, Midstate Driving School, Salina, KS to run from January 9, 2007 through December 31, 2007.
- Approved Model Driver Education Standards
- Approved the inservice education plans for USD 243 Lebo-Waverly and USD 358 Oxford.

#### *Contracts Approved*

Authorized the Interim Commissioner of Education to negotiate and enter into a contract with:

- the Kansas Health Institute (contingent upon terms of the contract being accepted by all parties) to receive and distribute funds to Kansas University for the undertaking of the School Readiness for Kansas Kids Project; and
- Manual Automation, Inc., for an amount not to exceed \$10,000, to supplement the online "Community Access Network" (CAN) system with local/regional program information.

The Board took a break from 4:52 until 4:58 p.m.

#### **RECEIVE SCIENCE CURRICULUM STANDARDS**

Dr. Steve Case reviewed how the science standards he was proposing to the Board for adoption were developed. He pointed out that standards were intended to be foundational but not limit what schools could teach. He reported that after the 2005 external review of the science standards, the writing committee officially disbanded, though 19 of the original 25 committee members, including 2 members of the minority, continued to work on the standards as private citizens and completed their work on March 10, 2005. Incorporated into those standards were changes made based on comments from the external review and received from the field. They included changes in grade spans addressed by the standards to coincide more with the testing cycle and to be more reflective of end-of-opportunity; and instructional examples for the 8-12 grade span were replaced with additional specificity. Dr. Case noted that, as he had indicated at the Open Forum in December, the standards that he provided to them at that time still had some things that needed to be fixed if the Board were to consider them. He reported that he and Carol Williamson, who had been co-chair of the writing committee, met and made the necessary changes. Those included changes in the assessable indicators; language in the inquiry standard was made consistent across grade levels; and assessed concepts were vertically aligned across grade spans. Dr. Case advised that the recommendations were ready to go to the Board if it wished to consider them. He indicated that the only final step required if the standards were adopted would be to have department staff format and print them.

Dr. Case also shared recommendations that the Board might want to consider in the future. Because the assessed part of the standards themselves don't need to be changed that often, Dr. Case suggested a shorter time frame of three to four months when it was required that they be reviewed and/or revised. He also recommended that the standards be reduced from seven to five, with the appropriate material from standard six and seven integrated into the others. Lastly, he recommended that grade level standards be developed for the K-8 standards to allow vertical alignment and in response to requests from the field. He would also recommend the high school standards be left as 9-12. Assessment was the number one issue that came up in the writing committee. The committee struggled with not having all of the indicators assessed because the committee didn't understand how the standards could be foundational if only part of them were assessed. Dr. Case noted that vertical alignment of grade-by-grade standards might satisfactorily address the issue.

Mrs. Gamble asked if the recommendation was available electronically as well as in hard copy, noting that she felt it was very important that it be posted on the department website so it would be accessible to those who wanted access it before the next Board meeting. Mr. Case indicated that the standards were not available with the new corrections that were being recommended, but they could be made available. He noted that he had electronic Word files of the recommendations for Board members.

Dr. Abrams moved that the Chairman instruct staff to develop some sort of comparison using the suggested new standards so that Board members could see what had been added and what had been deleted. Mr. Willard seconded the motion. In the discussion that followed Dr. Foster and Mr. Dennis were questioned about the cost in staff time and the setting aside of other priorities that would be required to prepare a comparison document. Mrs. Gamble stated she didn't see the need of a comparison document. Mrs. Martin also didn't see the need for a comparison because she felt the current standards shouldn't be revised. She indicated her satisfaction with the current standards, but if revisions were to be seriously considered, she would like to see a comparison. Mrs. Martin suggested that the standards could be revised following the normal timeline and the recommendation for grade-by-grade standards for K-8 could be accomplished at that time. She also proposed that no controversial items be marked for assessment because no child should be punished for what he or she believes.

The question of whether it was appropriate to revise the standards out of sequence stimulated quite a lengthy discussion. Mr. Willard indicated he had seconded the motion for the development of a comparison document, but he questioned the propriety of the discussion to bring the standards up at the current time. Mr. Bacon noted the standards didn't limit the teaching of evolution and allowed academic freedom without tying anyone's hands. He pointed out that the current standards had been made an issue in the 2004 election, but had still been addressed within the regular review cycle. Mrs. Waugh said she recognized the revision of the standards at the current time was out of the normal order, but the issue had been very important in her district in the recent election. She added that she felt she owed it to her electorate to try and change standards that it disagreed with. Mrs. Rupe also agreed that it might be inappropriate to look at revisions out of the normal sequence. However, she noted that the standards adopted in 2005 did not follow the appropriate process and were not standards that had been brought to the Board by the standards writing committee.

After further discussion, Mrs. Cauble called the question which passed 10-0. The motion passed 8-2 with Mrs. Gamble and Mr. Bacon voting "no".

**EXECUTIVE SESSION**

Mrs. Gamble moved, with a second by Dr. Abrams, that the Board recess into Executive Session for a period of fifteen minutes for the purpose of discussing personnel matters of nonelected personnel so the privacy, confidentiality and other rights of such personnel would not be violated, and that the open meeting of the Board resume in the Board Room at 5:57 p.m. The motion carried and the open meeting resumed early at 5:45 p.m.

**RECESS**

There being no further business, Chairman Wagnon recessed the meeting at 5:45 p.m.

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Bill Wagnon, Chairman

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Penny Plamann, Secretary



# Kansas State Board of Education

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Carol Rupe  
 District 8

Jana Shaver  
 District 9

Steve Abrams  
 District 10

## 2007 Calendar of Meetings Kansas State Board of Education

The public is invited to speak at the Citizens' Open Forum which takes place the Tuesday of Board meetings at 10:30 a.m. Agendas are available by calling 785-296-3203. They are also posted, along with meeting materials at [www.ksde.org](http://www.ksde.org) under "Board" a week prior to the meeting. All meetings will be held in the Board Room of the Education Building, 120 SE 10<sup>th</sup> Avenue, Topeka, KS, unless otherwise noted. Conference calls originate in the Commissioner's Office, Education Building, and are open to the public.

| Date            | Meeting                                 | Location                   |
|-----------------|---|----------------------------|
| January 26      | Legislative Conference Call - 4:00 p.m. | Topeka                     |
| February 12     | New Member Board Orientation            | Topeka                     |
| February 13-14  | Regular Board Meeting                   | Topeka                     |
| February 23     | Legislative Conference Call - 4:00 p.m. | Topeka                     |
| March 12        | New Member Board Orientation            | Topeka                     |
| March 13        | Regular Board Meeting                   | Topeka                     |
| March 14        | Yearly Visit at KSSD & KSSB             | Olathe/Kansas City         |
| March 30        | Legislative Conference Call - 4:00 p.m. | Topeka                     |
| April 9         | Pre-meeting activities (if any)         | District 6 – Junction City |
| April 10-11     | Regular Board Meeting                   | District 6                 |
| May 8-9         | Regular Board Meeting                   | Topeka                     |
| June 12-13      | Regular Board Meeting                   | Topeka                     |
| July 10-11      | Regular Board Meeting                   | Topeka                     |
| August 14-15    | Regular Board Meeting                   | Topeka                     |
| September 11-12 | Regular Board Meeting                   | Topeka                     |
| October 8       | Pre-meeting activities (if any)         | District 3 – Olathe        |
| October 9-10    | Regular Board Meeting                   | District 3                 |
| November 13-14  | Regular Board Meeting                   | Topeka                     |
| December 11-12  | Regular Board Meeting                   | Topeka                     |
| <b>2008</b>     |   |                            |
| January 8-9     | Regular Board Meeting                   | Topeka                     |

**KANSAS STATE BOARD OF EDUCATION  
MEETING MINUTES**

**January 10, 2007**

**CALL TO ORDER**

Chairman Wagnon called the meeting to order at 9:02 a.m. on Wednesday, January 10, 2007, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.

**ROLL CALL**

Members present were:

|              |             |
|--------------|-------------|
| John Bacon   | Jana Shaver |
| Sally Cauble | Bill Wagnon |
| Sue Gamble   | Janet Waugh |
| Kathy Martin | Ken Willard |
| Carol Rupe   |             |

Dr. Abrams had been called away on an emergency and was not present.

**APPROVAL OF THE AGENDA**

Chairman Wagnon asked that the time for item 4., Career and Technical Student Organizations' report and presentation, be corrected to 9:07 a.m. and that an item 10., action to set the Interim Commissioner's salary, be added to the agenda. Mr. Bacon moved, with a second by Mrs. Martin, that the agenda be approved as amended. The motion carried 9-0, with Dr. Abrams absent.

**PRESENTATION BY CAREER AND TECHNICAL STUDENT ORGANIZATIONS**

Linda Oborny, Assistant Director of State and Federal Programs, discussed the connection of the State Board to the Career and Technical Student Organizations (CTSOs) and the role the organizations play in technical education programs across the state. She noted that officers from the eight Kansas CTSOs, sponsored by the Kansas State Board of Education, were meeting at Washburn University for their Annual CTSO Citizenship Day activities. Introducing themselves and sharing briefly about the organization they represented were: Michael Smith, Goodland, National President of Family, Career, and Community Leaders of America (FCCLA); Stacy Cooper, Santa Fe Trail High School, Future Business Leaders of America (FBLA); Latice Griffin, Wichita, State Historian for Health Occupations Students of America (HOSA); Morgan Lechiesman, Columbus Unified High School, President of Business Professionals of America (BPA); David Heckthorn, High School Division President of DECA; and Patty Miller, High School Division President of SkillsUSA. Two of the student officers, Kurtis Fullweider, Colby, State President of the Technical Student Association (TSA), and Ashley Gunther, Ottawa, a freshman at Kansas State University and State Secretary of FFA, addressed the Board about the role of their organizations and shared personal experiences from their involvement. Common to both presentations was how participation in their CTSO had afforded them the opportunity to develop confidence and leadership skills.

The Board took a break from 9:33 to 9:38 a.m.

**BOARD REPORTS**

**Board Chairman**

Chairman Wagnon indicated that Board member assignments to committees had been made and passed out. Mrs. Gamble moved, with a second by Mrs. Rupe, that the State Board confirm the committee assignments. The motion carried. A copy of the committee assignments is included with these minutes.

### **Board Attorney**

#### ***Attorney's Report***

Mr. Biles updated the Board on efforts by the plaintiffs to have the state court assess costs to the defendants in the state school finance case. It was decided that they were entitled to \$2,861, instead of the \$15,469 they had originally claimed. Mr. Biles reported that as soon as the amount is paid by the Attorney General's Office from the Tort Claims Fund the case will be officially over. He provided further information on the pending request by the plaintiffs to be declared the prevailing party for the purpose of being awarded their attorneys' fees in the federal court. Mr. Willard moved, with a second by Mr. Bacon, that the Board accept Mr. Biles' report and pay his fees and expenses for December as presented. The motion carried.

#### ***Renewal of the Attorney's Contract***

After Mr. Biles reviewed and answered questions about provisions of his contract, Mrs. Gamble moved, with a second by Mrs. Shaver, that the State Board approve his contract. The motion carried.

### **Other Board Member Reports**

Mrs. Waugh reminded Board members of the Challenge Awards banquet on January 31<sup>st</sup> in Salina. Mrs. Rupe reported that she had visited with five Kansas state senators and wanted to report that the Senate had approved the third year of the school finance funding. Mrs. Gamble reported on her participation on a panel as part of the Kansas Summit on Strategic Languages sponsored by KU. Mrs. Martin reported on Religious Freedom Day on January 16<sup>th</sup> and that she had e-mailed Board members information about students' rights. She also passed out copies of a magazine article on what ordinary individuals are thinking about origins issues.

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

Mrs. Gamble would like the Board to look at graduation requirements for foreign language and perhaps consider strengthening them, in light of the global marketplace. Mr. Willard suggested a presentation by one of the speakers at the Foreign Language Summit Mrs. Gamble and he had attended. Mr. Willard circulated a letter to the Board that he had written to Mr. Biles asking if it was legally appropriate for the State Board to promote the education of children in the concept of materialism, if, as some have claimed, that idea is endorsed in the proposed revisions to the science standards. Mrs. Waugh would like the Board to reconsider the Health Standards recently adopted. Mrs. Martin was interested in revisiting teachers' compensation packages.

### **PROCESS AND TIMELINE FOR THE COMMISSIONER'S SEARCH**

The Board discussed a proposed contract with the National Association of State Boards of Education (NASBE) to conduct the search for a new Commissioner of Education. Of particular concern was the amount of the contract and whether NASBE was the most appropriate organization for the task. Several members spoke of their experiences with national searches and noted that the contract amount was in line with those. In support of NASBE, it was noted that the organization had a nationwide network of educators and education organizations to work with in the search. Chairman Wagnon pointed out that the proposed timeline provided for a meeting in Topeka or by phone the following Monday, January 15<sup>th</sup>, to meet with Brenda Welburn to discuss the process and the types of organizations and individuals the Board would like NASBE to interview when Mrs. Welburn and Mike Hill visit Kansas to conduct an environmental scan. Chairman Wagnon said plans were being made to meet in Wichita on January 25<sup>th</sup> in conjunction with the USA meeting in order for the Board to receive the results of the scan. Mr. Willard indicated he would not be able to attend the meeting on January 15<sup>th</sup>. Dr. Wagnon asked him to provide a

list of those skills and qualities he would like to see in a new Commissioner so that his views could be considered in the discussion. Chairman Wagnon reviewed the timeline for the search. He indicated his hope that the Board would have a new commissioner in place by the April meeting. Mrs. Waugh moved, with a second by Mrs. Rupe, that the State Board authorize the Interim Commissioner to negotiate and enter into a contract with the National Association of State Boards of Education for the purpose of conducting a Commissioner search not to exceed \$45,000, and approve the timeline for the search. The motion carried 8-0. Mr. Willard was temporarily out of the room.

The Board took a break from 10:29 until 10:37 a.m.

#### **ACTION ON THE eTRANSCRIPT INITIATIVE**

Mrs. Kathy Gosa, Director of Information Technology, discussed with the Board the eTranscript initiative, to provide state funding for electronic transmission of student transcript information across public and private schools, colleges, and universities in the state of Kansas. If approved, Kansas would join with the Kansas State Board of Regents and other states in the Midwestern Higher Education Compact which are using the system. She reported that the proposal had been taken to the Council of Superintendents and to the Transition Council and both groups were very supportive of Kansas's participation. The information provided in the Board's meeting materials had been requested at the December meeting and provided references from other states which were using the vendor and addressed the Board's security concerns. Mrs. Gosa recommended that the Board add the project to its legislative agenda, but suggested that the motion be modified as "subject to approval by the State Board of Regents (KSBOR)" because KSBOR would not vote on the issue until later in the month. Mr. Willard thanked Mrs. Gosa for the information that had been provided because it addressed the concerns he had had at the last meeting. Mr. Willard moved, with a second by Mrs. Rupe, that the State Board of Education include support for the electronic transcript initiative in its 2007 legislative agenda, subject to approval of the initiative by the Kansas Board of Regents. The motion carried.

#### **LEGISLATIVE MATTERS**

Mr. Dennis handed out draft copies of the proposed legislative brochure. He indicated that the eTranscript initiative would need to be added. He asked the Board if they were ready to move forward with their legislative agenda. Mrs. Gamble, feeling that it was important that the new Board members have a good understanding of what the Board was proposing to the legislature, suggested that some of the items be revisited. She listed several, giving a brief summary, more information, or her own recommendation regarding each of them. They included: reports to local districts regarding unlicensed teachers; a two-year English immersion pilot program; all-day kindergarten; teacher mailboxes; and building-based expenditure reporting.

Mrs. Rupe stated she would like to have all-day kindergarten at the top of the list, with changes in the campaign finance limits on Board members at the bottom. Mrs. Gamble had recommended a five year phase-in for all-day K, but Mrs. Rupe indicated she didn't know if a phase-in would help some districts and she would rather see the Board recommend funding it at 100%. Regarding the site-based expenditure reporting, Mrs. Rupe felt that it could probably work for small districts, but large districts like Wichita would have to hire additional staff. She could only support it if it saved money or improved student performance. She shared her experience with providing easier access to budget information in the Wichita district, which developed a budget-at-a-glance that satisfied community concerns.

Mrs. Waugh indicated that she had voted for the recommendation to require superintendents to submit a list of unlicensed teachers to their local board of education quarterly. Since then, she reported, she has heard from superintendents and other individuals in her local districts, who would like to have it remain a local issue to be decided between the local board and the superintendent. Therefore, Mrs. Waugh moved, with a second by Jana Shaver, that the recommendation for districts reporting unlicensed teacher to their boards quarterly be removed the Board's legislative package. There was some debate of the motion, with the issues primarily related to whether local districts should be allowed to break the law and the responsibility of the State Board in the matter. Mrs. Cauble called the question, which passed 9-0. The motion carried 6-3, with Mr. Willard, Mr. Bacon and Mrs. Martin voting "no".

Mrs. Rupe said that after hearing there were 107 districts in the state using English Immersion programs, it seemed unnecessary to fund a grant program to pilot it. She suggested the Board request a report on how well the program is working in the state. Mrs. Cauble moved, with a second by Mrs. Rupe, that the Board remove the two-year English Immersion pilot program from the legislative agenda. Mrs. Cauble reported on successes with immersion programs in the Liberal, Dodge City and Garden City school districts and suggested that a presentation by a group from Liberal might be very helpful. Mrs. Martin discussed the rationale behind the proposal, which was to determine best practice for ESOL students. Mrs. Waugh agreed that the item should be dropped and that she would favor getting a report from some of those using English Immersion. The motion carried 7-1-1, with Mr. Bacon voting "no" and Mrs. Martin abstaining.

Mrs. Waugh moved, with a second by Mrs. Rupe, that the State Board remove from its legislative agenda the proposal regarding access to teachers' mailboxes. The debate on the motion was that, on one hand, some believed this was strictly an issue to be addressed at the local level and that the State Board has no role in the matter. On the other hand, there was a great deal of concern about lack of equal access by professional associations and that teachers weren't getting information they might need or were getting misinformation. The motion carried 6-3, with Mr. Willard, Mrs. Martin and Mr. Bacon voting "no".

Mrs. Rupe moved, with a second by Mrs. Cauble, that the site-based expenditure reporting requirement be removed from the Board's legislative agenda. Mrs. Rupe's support for her motion was based on the idea that the requirement was going to cost school districts a lot of money and would not, in the end, benefit students. Mrs. Rupe pointed out that the legislature may continue to study the issue, as there had been two committees that had looked at it in the past. Mrs. Martin noted that having it in the Board's legislative package would give the message that the Board supported the legislative efforts in this area and that it needs more study. She added she felt in the long run people will like it and it will give districts a way to justify what is being spent. Mr. Dennis was asked how the initiative was different than one undertaken fifteen years ago. He noted that there was not that much difference. Mrs. Shaver added that her district didn't feel it was productive. Mr. Bacon pointed out that fifteen years ago schools were not looking at QPA and student performance. He added that he believed eventually Kansas will implement this kind of reporting and it would help schools focus on the students that need the help. The motion carried 6-3, with Mrs. Martin, Mr. Bacon and Mr. Willard voting "no".

Mrs. Gamble moved, with a second by Mrs. Martin, that the Board add full funding for all-day kindergarten phased-in over five years. Issues discussed were whether there was data that showed any long term benefit from all-day kindergarten; parental choice; fiscal responsibility in light of the large infusion of dollars into education as a result of the school finance case; supporting equal opportunity for all students; and the need for schools to prioritize spending to get the best use of their funds. The motion carried 7-2, with Mr. Bacon and Mr. Willard voting "no".

Because of the need for the Board to keep to its schedule in order to attend the CTSO luncheon they had been invited to attend, it was agreed to postpone the update on the charter school process and timeline until February.

**APPROVAL OF BOARD TRAVEL**

Mrs. Gamble moved, with a second by Mrs. Rupe, that the Board travel requests be approved. Mrs. Gamble and Mr. Willard asked that Challenge Awards dinner be added to their requests. Mrs. Waugh requested that her attendance at the USA meeting on 1/25 and 1/26 be added to her request. The motion carried as amended.

**ESTABLISHMENT OF A SALARY FOR THE INTERIM COMMISSIONER**

Mrs. Gamble moved, with a second by Mrs. Rupe, that the State Board approve an annual salary of \$150,000 for Dale Dennis, retroactive to November 22, 2006 through his tenure as Interim Commissioner of Education. The motion carried.

**ADJOURNMENT**

There being no further business, Chairman Wagnon adjourned the meeting at 11:45 a.m.

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Bill Wagnon, Chairman

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Penny Plamann, Secretary

## 2007 - 2008 Board Committee Assignments

| NAME         | ELECTED  | APPOINTED  |
|--------------|--|--|
| Janet Waugh  | <ul style="list-style-type: none"> <li>• KSHSAA Board &amp; Executive Board (terms expires 6/30/08)</li> <li>• Policy Committee (Chair)</li> </ul> | <ul style="list-style-type: none"> <li>• KACEE</li> <li>• Confidence in Public Ed Task Force</li> <li>• KSSB Liaison</li> </ul>  |
| Sue Gamble   | <ul style="list-style-type: none"> <li>• Legislative Coordinator</li> </ul>  | <ul style="list-style-type: none"> <li>• Education Equity Advisory Council</li> <li>• Byrd Scholarship 2008</li> </ul>           |
| John Bacon   | <ul style="list-style-type: none"> <li>• Policy Committee</li> </ul>   | <ul style="list-style-type: none"> <li>• Ag in the Classroom</li> <li>• KSSD Liaison</li> <li>• Byrd Scholarship 2007</li> </ul> |
| Bill Wagnon  | <ul style="list-style-type: none"> <li>• Chair</li> <li>• ECS designee</li> </ul>  |  |
| Sally Cauble | <ul style="list-style-type: none"> <li>• KSHSAA Board (term 7/1/07 through 6/30/09)</li> </ul>   | <ul style="list-style-type: none"> <li>• Professional Standards Board</li> <li>• Byrd Scholarship 2008</li> </ul>                |
| Kathy Martin |  | <ul style="list-style-type: none"> <li>• Communications</li> <li>• Byrd Scholarship 2008</li> </ul>                              |
| Ken Willard  |  | <ul style="list-style-type: none"> <li>• Communications</li> <li>• Byrd Scholarship 2007</li> </ul>                              |
| Carol Rupe   | <ul style="list-style-type: none"> <li>• Vice Chair</li> </ul>   | <ul style="list-style-type: none"> <li>• KS Foundation for Excellence in Education</li> <li>• Byrd Scholarship 2008</li> </ul>   |
| Jana Shaver  | <ul style="list-style-type: none"> <li>• Assistant Legislative Coordinator</li> <li>• Policy Committee</li> </ul>                                  | <ul style="list-style-type: none"> <li>• Early Childhood Stakeholders</li> <li>• Byrd Scholarship 2007</li> </ul>                |
| Steve Abrams |  | <ul style="list-style-type: none"> <li>• Byrd Scholarship 2007</li> </ul>  |