

**KANSAS STATE BOARD OF EDUCATION
MEETING MINUTES**

May 11, 2004

Chairman Waugh called the meeting to order at 10:03 a.m. on Tuesday, May 11, 2004, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.

ROLL CALL

Members present were:

Steve Abrams	Iris Van Meter
John Bacon	Bill Wagnon
Sue Gamble	Janet Waugh
Connie Morris	Ken Willard
Carol Rupe	Bruce Wyatt

The Board stood for recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

Dr. Abrams moved, with a second by Mrs. Gamble, that the agenda be approved as presented.? The motion carried.

APPROVAL OF THE MINUTES

Chairman Waugh asked for approval of the minutes of the April meeting.? Mrs. Gamble moved, with a second by Mrs. Morris, that the minutes be approved as submitted.? The motion carried.

COMMISSIONER'S REPORT

Dr. Tompkins reviewed several items contained in his written report.? Updating the Board on new charter school grants, he reported that all the charter schools had accepted the funding offered, but some with reduced levels of effort to match the funds available.? Commissioner Tompkins reported that staff members for Congressmen Moore and Moran had responded to the Board's request for meetings. He asked Chairman Waugh to report on her contact with Board of Regents Chairman Janice DeBauge.? Chairman Waugh reported that Mrs. DeBauge had expressed appreciation for the list of possible topics of discussion that had been included in the letter sent to the Regents. In their discussion, a possible August date for a joint meeting in conjunction with a Regents' retreat had been suggested.? Commissioner Tompkins reported that a conflict had come up between his position as Treasurer with ECS and its national policy conference in July and the July Board meeting.?? He noted that it would be his last meeting as Treasurer and he felt the need to be present for it.? He asked the Board if it would consider moving the July meeting up a week.? Dr. Wagnon reported that, as a member of the ECS Steering Committee, he would be attending the ECS meeting, as well.? It was decided that the date change would be discussed as part of the Chairman's report on Wednesday.?

KANSAS FOUNDATION FOR AGRICULTURE IN THE CLASSROOM

Commissioner Tompkins introduced Barbara Oplinger, Executive Director of the Foundation for Agriculture in the Classroom.? She reported on materials aligned with Kansas curriculum standards that have been developed to help K-12 teachers connect their classrooms to Kansas agriculture.? She noted that summer workshops are offered to help teachers use the resource guides and prepare teaching units for their own classes.? Additional courses available for

the summer of 2004 include horticulture and school

Page 2

MINUTES

May 11, 2004

gardens and how to use and help students use Internet resources.? In response to a question from Dr. Wagnon, Mrs. Oplinger reported that the Ag in the Classroom materials are on line, as well as lesson plans, and links to other resources.? A link to the KSDE website being developed to support curriculum standards is planned.? The discussion that followed addressed several conservation and renewable energy resource issues.?? Results-based staff development tied to schools? improvement plans was also discussed.? Mrs. Oplinger expressed the concern that it was having a negative impact on the support from their schools that teachers who wanted to participate in the summer workshops were getting.? She indicated that so far, the Foundation has been able to provide full scholarships to all teachers who wished to attend.? Dr. Abrams spoke strongly in favor of the program and asked that the Board consider some way to assist teachers in tying Ag in the Classroom workshops to their required inservice hours.

CITIZENS? OPEN FORUM

No one asked to address the Board for the Open Forum.

Chairman Waugh indicated the Board would take a ten-minute break from 10:40 a.m. to 10:50 a.m.

NATIONAL PRESIDENTIAL AWARDS FOR EXCELLENCE IN MATH AND SCIENCE TEACHING FINALISTS

Kansas? two National Finalists for the Presidential Awards for Excellence in Mathematics and Science Teaching made presentations to the Board and shared some of the challenges they face in mathematics and science instruction.? JoAnn Hiatt, Olathe East High School, the finalist in secondary mathematics, handed out a copy of an article from *Educational Leadership* magazine with the breakdown of curriculum objectives in other countries compared to the mathematics curriculum in the United States.? Mrs. Hiatt shared several other concerns about problems she perceived in the areas of instruction, materials, professional development, and assessments and offered possible solutions.?

?

Wayne Goates, Dwight D. Eisenhower Middle School, Goddard, finalist in secondary science, discussed state assessments and the requirements of NCLB.? He indicated that in order for schools to succeed they needed highly qualified teachers.? Additionally, he attributed his success and that of his students to a district commitment to a challenging K-12 science program.? He reported that teachers in the district have been allowed to develop the sequential science curriculum that will be taught in the district, with physical science taught in grade 5, earth science in grade 6, and life science in grade 7.? Aligning lesson plans with state standards, teaching up, with each year built on the previous year?s learning, and high expectations, have all contributed to a successful science program.

After answering questions from Board members, Mrs. Hiatt and Mr. Goates were presented with certificates of recognition and stood for pictures with the Chairman and the Commissioner.

QUARTERLY REPORTS

Kansas State School for the Blind (KSSB)

Bill Daugherty, KSSB Superintendent presented highlights of his written report on third quarter activities, including an report on a March Parent/Family weekend and an update on the The VIEWS program, a transition program for blind or visually-impaired students.

Page 3

MINUTES

May 11, 2004

?

Mr. Daugherty also reported on activity in the legislature affecting KSSB and KSSD.?? He indicated that KSSB received funding for the budget it had requested, including an additional 2.7% increase for its teaching staff over and above the 3% approved for all classified employees.? The net result for the teaching staff will be a 5.2% increase.? He reported that a possible interim legislative study had been discussed that would address two issues: 1) whether KSSB and KSSD should be combined; and 2) whether the need exists for either school.? He noted that both schools were preparing information for the study even though, as noted by Commission Tompkins, a decision about it would not be made by the Legislative Coordinating Council until June.? Asked what he felt about combining the two schools, Mr. Daugherty pointed out that blind and deaf students don't mix well academically or socially.? In addition, he pointed out that KSSB was at the end of a 10-year project to transform the KSSB campus into a state-of-the-art facility for blind students.

Kansas State School for the Deaf (KSSD)

Bob Maile, Superintendent of KSSD, presented highlights from his written third quarter report.? He noted that the school had received North Central outcomes based accreditation after a site visit in April.? He was pleased that school staff members were involved on state committees to develop alternate and modified assessments.? Though enrollment was down, he said the school expected to see an increase in the upcoming year.? Mr. Maile also reported that the school was conducting drills as part of its crisis management training.? A recent drill had pointed out the need for visual signals in the dormitories.? He reported that the school was focusing on reading assessments and strategies in conjunction with QPA.? He also reported on student recognitions for participation in various activities.??

Mr. Maile reported that the school had received funding to continue its renovation for another year and would be completing the east wing of the Roth Building.? The school had received a \$105,556 increase for teachers salaries, but had had \$204,000 cut from its operations budget.? He presented the FY 2005 salary schedules, which represented an overall increase of 7% for the teaching staff and a 3% increase for other staff.

Salary Schedules

Mrs. Gamble moved, with a second by Carol Rupe, that the Kansas State Board of Education approve KSSB's and KSSD's proposed salary schedule for the 2004-2005 school year.? The motion carried.

UPDATE ON STATE SCHOOL FINANCE CASE

Because Shawnee County District Judge Terry Bullock had just released a final order in the state school finance lawsuit, the agenda was suspended in order for Board Attorney Dan Biles to provide members with an update and answer any questions.? He reported that the judge's order enjoined all state, county and city officials from expending any funds for education, effective June 30, 2004.? He noted that under the rules of the court, the order will have to be appealed separately from the Board's appeal of the judge's preliminary order issued in December that found the state's current school finance formula unconstitutional on the basis of adequacy and equity.? A stay of the judge's final order could be requested of the Supreme Court, he indicated.? Mr. Biles reviewed the elements of Judge Bullock's order about what should be part of a Constitutional funding scheme, as well as what should not be part of the funding formula.? Mr. Biles asked that the Board allow him time to study the order more thoroughly overnight and to hold further discussion about it during the Wednesday morning meeting.

The Board recessed for lunch at 12:40 p.m. and returned at 1:45 p.m.

Page 4

MINUTES

May 11, 2004

2003-2004 LICENSED PERSONNEL REPORT

Mrs. Beth Fultz, Teacher Certification and Licensure, reviewed the Licensed Personnel Report that reflected data for licensed personnel working in accredited Kansas schools during the 2003-2004 school year. The report also contained information on new teachers graduating from Kansas teacher training programs. Mrs. Fultz noted that more new teachers are graduating than are being hired in Kansas schools. She also reported that the retention rate for new teachers after one year is 87% and drops to 58% after seven years.

Reviewing teacher demographics, Mrs. Fultz indicated that the Kansas teaching profession lacked ethnic and racial diversity. In discussing the issue with the Board, Commissioner Tompkins suggested that looking at student diversity data at the Regents institutions and comparing it to the percent entering the teaching profession in the state might be helpful. Mrs. Fultz reported that 80% of reported licensed personnel teach general education, 14% teach special education, and 5% are administrators. That the teaching population is aging was noted by the fact that 51% of licensed personnel are over 45 years old, 36% are over 50, with an average age of 43.75 years up a full year since 2001. Mrs. Fultz also reviewed salary data by years of experience and the average number of years of experience Kansas teachers have. Those with 10-19 years of experience formed the largest group, 12,620, followed by those with 20-29 years of experience, 10,715.

Mrs. Fultz explained the definition of fully qualified teachers as used in Kansas, compared to the NCLB highly qualified requirement. She also explained the method used to determine whether a Kansas fully qualified teacher fulfills the highly qualified definition. Areas where there is a lack of fully qualified teachers, less than 90%, included Bilingual/ESL, Foreign Language, and Special Education. She also reviewed the data on fully/highly qualified teachers by socio-economic category in core content areas and discussion followed about the lower percent of highly qualified teachers in low socio-economic areas, particularly in core content areas.

In the discussion of the information regarding certification waivers, Mrs. Fultz pointed out that 91% were in the area of special education. She noted that retention is a big problem with those granted waivers, particularly in the area of special education. She reported that there are more than enough teachers with a special education endorsement to fill available assignments and discussion followed about why there was a shortage of those willing to teach special education. Mrs. Fultz also reported that QPA criteria that goes into effect next year requires that 95% of a district's staff must be fully qualified. Because teacher quality data will be so important, she stated that additional information will be requested from districts to guarantee the validity.

The Board took a break from 2:42 until 2:50 p.m.

CHARGE TO THE SCIENCE STANDARDS COMMITTEE

Assistant Commissioner Pochowski reviewed the composition of the science standards writing committee. She indicated it would be comprised of teachers, administrators, science professionals, representative of higher education, community and state organizations and the various science disciplines. She also noted that it would be desirable to have wide geographic representation and asked Board members for their recommendations as soon as possible so that gaps in representation could be filled. She also reviewed the process by which the standards would be reviewed. Dr. Pochowski noted that the recommended charge to the committee was based on the one the Board had recently approved for review of the History/Government standards. Mr. Wyatt moved, with a second by Dr. Wagon, that the State Board approved the charge to the science standards writing committee as proposed. The motion carried.

Page 5

MINUTES

May 11, 2004

Dr. Pochowski was asked if the committee could break down the standards by grade level even though NCLB only requires assessments at the elementary, middle and high school level.? She responded that grade-by-grade standards could be developed at the discretion of the committee.? She also indicated that teachers would be able to share the results of the assessments with other teachers in grades higher and lower.? Mrs. Gamble gave Dr. Pochowski a letter from Kansas Citizens for Science to forward to the committee once it was formed.

LEGISLATIVE MATTERS

Deputy Commission Dennis handed out and discussed several items summarizing 2004 legislative activity.? He reviewed highlights of several pieces of education-related legislation, including items that had been part of the State Board's legislative package.? In addition, he noted that instead of the Department of Education submitting the employer's KPERS contribution for school districts directly to KPERS, legislation had been passed that would require the money to be dispersed to districts so that it would be reflected in their budgets.? Included in the omnibus bill were provisions concerning the general fund budgets for consolidating districts; the establishment of a Center for Innovative School Leadership to help districts improve administrative efficiency and problem-solving; a measure that would allow site councils to make recommendations to local boards regarding budgets and other district matters; a prohibition on counting non-Kansas students enrolled in virtual schools for general state aid purposes; and a measure that would allow districts to develop policies authorizing the self-administration of medication by students in grades 6-12.? Mr. Dennis also noted that the Senate had adopted a resolution urging the United States Congress to reevaluate NCLB and to fund the authorized levels of the Act.?

Mr. Dennis also reviewed the FY 2004 and FY 2005 budgets, noting little change in the FY 2005 budget over the current year.?? He reported that State Board salaries would be increased to \$81.11 per day, effective January 3, 2005.? Mr. Dennis also handed out information that compared the requirements of state law, QPA regulations effective in 2005, and elements defining a suitable education that had been included in a conference committee bill on FY 2005 school funding.?

Mr. Dennis pointed out that the State Board would begin work on the FY 2006 budget in June and might want to consider issues that were included in District Court Judge Bullock's final order.? Mrs. Gamble indicated her preference for the process used in development of the budget for FY 2005, noting the importance of keeping schools' needs and their solutions before the public.? Carol Rupe stated she was pleased that the Board tied funding to specific programs, but that the Board's success was due to the hard work of Mr. Wyatt and Mrs. Gamble as Legislative Coordinator and Assistant Legislative Coordinator, and particularly due to the work of Deputy Commissioner Mr. Dennis.

?

CONSENT AGENDA

Carol Rupe moved, with a second by Dr. Abrams, that the State Board approve the consent agenda.? The motion carried.

In the consent agenda, the Board:

? Received the monthly personnel report.

? Approved school construction plans for USD 348, Baldwin City; USD 375, Circle; USD 233, Olathe (3); USD 267, Renwick; USD 249, Frontenac; USD 331, Kingman-Norwich; USD 500, Kansas City; USD 259, Wichita; USD 234, Fort Scott; and USD 232, Desoto.

Page 6
MINUTES
May 11, 2004

- ? Approved amendments to the Fort Hays Educational Development Center Interlocal Agreement as proposed.
- ? Approved the submission of the amended School Conduct regulation 91-15-1 to the Department of Administration and Attorney General for review.
- ? Approved accredited status for the following schools: USD 207 MacArthur Elementary; USD 229 Blue Valley High; USD 233 Central Elementary, Heatherstone Elementary, Regency Place Elementary, Rolling Ridge Elementary, Scarborough Elementary, Washington Elementary, and Westview Elementary; USD 253 Lowther North Intermediate, Lower South Intermediate, and Enterprise Elementary; USD 259 Metro Midtown Alternative High and Northwest High; USD 260 Derby Sixth Grade Center and Derby High; USD 266 Maize South Middle; USD 290 Hawthorne Elementary; USD 358 Oxford Elementary and Oxford Jr/Sr High; USD 373 Santa Fe Middle and Newton Sr. High; USD 389 Marshall Elementary; USD 396 Leonard C. Seal Elementary, Marvin Sisk Middle, and Douglas High; USD 402 Lincoln Elementary; USD 413 Royster Middle School; USD 445 Field Kindley High; USD 450 Shawnee Heights Middle; USD 458 Basehor-Linwood Middle and Basehor-Linwood High; USD 489 Felten Middle; USD 500 Argentine Middle; USD 501 Capital City, Jardine Middle, Lowman Hill Elementary, Marjorie French Middle, McCarter Elementary, and Ross Elementary; USD 503 Gutheridge Elementary; Z0026 Topeka Lutheran; Z0029 Assumption Elementary; Z0031 Blessed Sacrament and Magdalen Catholic; Z0058 Kickapoo Nation Elementary and Kickapoo Nation High.
- ? Approved waiver of K.A.R. 91-31-18 and 91-31-24 for Clearwater Elementary School East and West, USD 264, to allow it to continue operating under the Cycle II School Improvement Plan and use the remainder of the 2003-3004 school term and the 2004-2005 school term to begin the revised QPA process with new building staff members.
- ? Approved waiver of K.A.R. 91-31-16(a) and 91-31-24 for Sterling Public Schools, USD 376, to allow it to extend its accreditation cycle one year and to conduct its QPA/KNCA accreditation visit before June 20, 2005, rather than 2004.
- ? Approved requests for waivers for individuals to serve outside their area of endorsement in districts as follows: *Emotionally Disturbed*: Tabitha Alexander, USD 453; and *Interrelated Special Education*: Matt Schubert, USD 450.
- ? Approved recommendations from the Licensure Review Committee in cases 2096, 2098-2102, 2104, 2106-2109, and 2112.
- ? Reappointed Connie Hartman and Cynthia Neighbor to their first full three-year term and Steve Scott to his second three-year term on the Professional Standards Board to run from July 1, 2004 through June 30, 2007.
- ? Reappointed Renita Ubel and Steve Pegram to their second three-year term on the Professional Standards Board to run from July 1, 2004 through June 30, 2007.
- ? Reappointed Rick Riffel to his first full three-year term and reappointed Damon Roberts to his second three-year term on the Professional Practices Commission to run from July 1, 2004 through June 30, 2007.

**KANSAS STATE BOARD OF EDUCATION
MEETING MINUTES**

May 12, 2004

CALL TO ORDER

Chairman Waugh called the meeting to order at 9:00 a.m. on Wednesday, May 12, 2004, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.

ROLL CALL

Members present were:

Steve Abrams	Iris Van Meter
John Bacon	Bill Wagnon
Sue Gamble	Janet Waugh
Connie Morris	Ken Willard
Carol Rupe????	Bruce Wyatt

APPROVAL OF AGENDA

Chairman Waugh asked that the agenda be amended to add two items: 1) discussion and possible action on a date change for the July meeting added to her report and 2) a report from Mr. Biles, Board Attorney, on District Court Judge Bullock's final order in the state school finance case.? Dr. Abrams moved, with a second by Mrs. Gamble, that the State Board approve the agenda as amended.? The motion carried.

BOARD REPORTS

Chairman

Nominations to the Science Standards Writing Committee

Chairman Waugh asked that Board members have nominations for the science standards writing committee turned into the Department by May 21st.? Discussion followed about how many nominations to the committee Board members could make, whether it should have geographic balance, and if there should be some continuity of membership from the previous committee.? Dr. Wagnon pointed out, and Dr. Abrams concurred, that according to Board policy, committees of this type are Commissioner's committees in order for there to be the best representation to fill a very difficult matrix of disciplines and levels.? Dr. Abrams stated that Board members could submit two names, but there was no guarantee they would be used.

Video Streaming of State Board of Education meetings

Board members discussed the request from KAN-ED to video stream state board of education meetings.? Carol Rupe stated that until all the bugs were worked out, good quality could be guaranteed, and everyone could have access, the Board should wait.? Mr. Willard indicated he thought it would be a good idea to move forward because even though the meetings would be video streamed live, people could access archived meetings.? He added it would give the public an idea about what the State Board of Education does.? Mrs. Gamble expressed concern that not all districts are set up for the service and that she would not like to see access to the Board meetings used as a promotional tool by KAN-ED.? Mr. Bacon added his concern that ownership of the equipment and the streaming done by someone other than the Board would prohibit Board control over the quality.? He stated that he would like to wait until there was money for Department staff and equipment to manage the process.? There was no further

discussion and the issue was dropped for the time being.

Page 2

MINUTES

May 12, 2004

Vote on 2005 NASBE Officers

On the Central Area ballot for 2005 NASBE officers were Diane Fladmo for President-elect and Jennifer Stewart for Central Area Director. There was brief discussion about the fact that they were both running unopposed. No personal knowledge about either candidate was shared by any of the Board members. Mrs. Gamble moved, with a second by Dr. Wagon, that the Kansas State Board of Education vote for Diane Fladmo for President-elect and Jennifer Stewart for Central Area Director. The motion failed on a vote of 5-1-4, with Mrs. Morris voting "no", and Mr. Willard, Mr. Bacon, Dr. Abrams, and Mrs. Van Meter abstaining.

Legislative Coordinator

Mr. Wyatt thanked Mrs. Gamble for all her help during the legislative session. Mr. Wyatt also discussed the implications of the legislature's lack of action on school funding. He suggested that a plan might be proposed when the legislature returns for *sine die* May 27th. He added that it would be helpful for Board members to have a list of key senators to contact to urge them to vote on a school funding plan. Mr. Wyatt suggested that legislators be reminded that the Board had developed a plan that identified funding needs. Mr. Wyatt recommended that a letter be drafted for Chairman Waugh's signature that would be sent to all legislators urging them to vote for a funding plan during *sine die*. Mrs. Gamble asked that a list of senators and their votes on school funding plans be sent to Board members with the Commissioner's Friday letter so that Board members could contact those they wanted. Discussion followed about whether a letter should be sent to legislators and what the contents should be. Mr. Wyatt moved, with a second by Dr. Wagon, that a letter be sent to all legislators reminding them of the Board's budget recommendations and the need to adequately fund schools, and requesting that action be taken during the *sine die* session. Mrs. Morris stated that she would not vote for the motion because the Board, at the beginning of the legislative session, had voted to withdraw its proposed bill; judicial action would surely take place to keep schools open regardless of the District Judge's order; and because she did not want to apply any more pressure on legislators. Mr. Bacon stated that there had been efforts to address school funding in both Houses during the session and that the District Judge's action would be the cause of any action that might take place. Discussion followed about whether Judge Bullock's decision should be mentioned in the letter. It was decided that it should not. A vote on the motion carried 8-2, with Mr. Bacon and Mrs. Morris voting "no".

Change in the July Meeting Date

Dr. Wagon moved, with a second by Dr. Abrams, that the July Board meeting be moved from July 13th and 14th to July 6th and 7th. Mr. Willard indicated he had no problem with the date change, but would be unable to attend the meeting because of a previous commitment. Mrs. Morris indicated the change would require her to travel to Topeka two weeks in a row. She asked if participation on the Education Commission of the States and his role as ECS Treasurer were part of the Commissioner's duties. Dr. Tompkins responded that he was an ECS Commissioner by gubernatorial appointment. Mrs. Gamble added that the Board had not required the Commissioner's ECS participation, but had been informed of his invitation to serve as Treasurer and had supported him in that role. Mrs. Morris asked if the Board would consider a modification to the motion and set the July meeting dates for Thursday, July 8th and Friday, July 9th. Dr. Wagon and Dr. Abrams accepted the change as a friendly amendment and the motion carried 8-2, with Mr. Bacon and Mrs. Waugh voting "no".

The Board took a break from 10:26 to 10:38 a.m.

