

**KANSAS STATE BOARD OF EDUCATION
MEETING MINUTES
September 11, 2007**

CALL TO ORDER

Chairman Wagon called the meeting to order at 10:00 a.m. on Tuesday, September 11, 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 Wagon
Sue Gamble	Janet Waugh
Kathy Martin	Ken Willard

Chairman Wagon, noting it was the anniversary of 9/11/2001, asked that before recitation of the Pledge of Allegiance if those in attendance would stand and observe a moment of silence to think on the casualties and sacrifices of that day and since that have been made to keep the country secure. All rose to observe the moment of silence and to recite the Pledge.

APPROVAL OF AGENDA

Chairman Wagon indicated that a building had been added to 12 b., school construction plans, and information regarding it had been placed in each Board member's folder. Mrs. Martin asked to pull three items from the Consent Agenda: item h., a contract with the Kansas Institute for Positive Behavior Support (KIPBS), KU Center for Research, for professional development activities of the Kansas Data Grant Project; item j., a contract with the KU Center for Research for the development of the 21st Century Learning Centers; and item s., a contract with The Institute of Education Research to provide facilitation and administration services for the Kansas Education Research Consortium. There being no other changes, Mrs. Waugh moved, with a second by Mrs. Rupe, that the agenda be approved as amended. The motion carried.

APPROVAL OF THE MINUTES

The minutes for the August meeting were not available for approval.

COMMISSIONER'S REPORT

In addition to reviewing items in her written report, Commissioner Posny reported that she would be addressing the 2010 Commission regarding early childhood programs and the proposal to consolidate several of them into an Early Learning Team within the Department of Education. She also reported that she had met several times with Reggie Robinson, President of the Board of Regents, and had recent meeting, as well, with Jerry Farley, President of Washburn University. She reported that communication with them was very open. In response to a request from Mrs. Cauble at the August meeting, Commissioner Posny reported on her meeting after the CCSSO meeting with the Japanese delegation regarding special education. She answered Board member questions regarding the meeting and provided further information about comments received from the field at recent USA meetings.

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WHAT'S NEW IN THE DISTRICTS

Beth Reust, Superintendent, USD 270, Plainville, was invited to make a presentation on what is new in her district. She discussed problems the district has faced recently and how they are addressing them, as well as sharing district successes. She also answered Board member questions.

CITIZENS' OPEN FORUM

Chairman Wagnon reported that no one had requested to address the Board in the Open Forum.

The Board took a break from 10:55 until 11:00 a.m.

INTRODUCTION OF SPECIAL EDUCATION ADVISORY COUNCIL (SEAC), RECEIPT OF ANNUAL REPORT AND REPORT ON SPECIAL POPULATIONS

Colleen Riley, Director of Student Support Services, introduced Larry Meyer, SEAC Chair-elect. Mr. Meyer had the SEAC members who were present introduce themselves and share what area they represented. Mr. Meyer reported that the Council had been very involved and engaged in activities for children with disabilities in the state. It had been involved with several issues over the past year: seclusion and restraint; autism; dyslexia; and early childhood. He reported that one of the Council's goals last year was to become more visible in the state and that it has had more individuals from disability groups across the state coming to the Council for guidance, advice and information. Included in the activities in which the Council had been involved was the recruitment and retention of special education teachers. Council member Bert Moore, reviewing issues SEAC had been involved with, requested that the Board continue to utilize SEAC when approached by individuals or groups about issues concerning children with disabilities or when the Board has topics or issues it wishes to have SEAC explore.

Board member questions followed and Mr. Moore explained the process being used for the development of the guidelines for seclusion and restraint and the role that SEAC will play in monitoring their use. He also shared his opinion about the role of the Governor's Task Force on Autism, which he felt was to provide advice to the legislature and the Governor and make recommendations regarding services and support for individuals with autism. He stated his belief that if the Task Force was dealing with school age children, the avenue to use for advisement should be the State Board. Mrs. Gamble asked if it would be appropriate for Board members to refer groups with initiatives, such as those seeking a legislative task force on dyslexia, or those who would like a deaf and hard of hearing bill of rights, to SEAC to help them gain what they want instead of having the legislature put something in statute. Mr. Moore indicated he believed the groups to which she referred were seeking protection under legislation and not advice. Mrs. Rupe reported that she had been told that SEAC was in favor of the deaf and hard of hearing bill of rights. Mr. Moore indicated that unless a group received official confirmation from SEAC as a result of the vote of the membership, support had not been given. In the case mentioned by Mrs. Rupe, Colleen Riley reported that SEAC had taken no action. Discussing referral of issues to SEAC, the Chairman directed SEAC to monitor and be proactive in advising the Board through the Commissioner on challenges and issues it believes are important. The Commissioner and Mrs. Riley were asked to develop a list for SEAC to review.

The Board recessed for lunch at 11:30 a.m. The meeting reconvened at 1:30 p.m.

Deputy Commissioner Dennis handed out copies of the 2007-2008 Education Directory to Board members and thanked the staff that had bundled them for the districts across the state.

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PRELIMINARY LIST OF SCHOOLS NOT MAKING ADEQUATE YEARLY PROGRESS (AYP)

Deputy Commissioner Foster gave a report on the schools and districts that did not make AYP as a result of the most recent round of assessments in reading and math in 2007 and attendance or graduation rates for the 2006-2007 school year. Not making AYP were 33 districts and 154 schools compared to 31 districts and 187 schools in 2005-2006. The State also didn't make AYP in reading based on subgroups scores of students with disabilities, English language learners and African American students. Among other things reviewed by Dr. Foster were: assessment targets for reading and math; data used to determine AYP, how it is defined and how it is to be disaggregated; use of confidence intervals; and how eligibility for safe harbor is determined. He also discussed the reclassification of students who were not proficient. When asked if the information was available, Dr. Foster indicated he would try to have the number of students reclassified available by the October meeting.

During the discussion, several Board members asked for clarification and additional information. Dr. Wagnon had questions regarding the number of schools that made AYP without confidence levels/indicators. Dr. Foster suggested this information be put together and sent to the board in a Friday letter. Mrs. Gamble questioned whether the added funding made a difference in anyway to the targets. This was followed by a discussion about obtaining the necessary information from schools on where funds were focused or earmarked in order to determine effectiveness. Mr. Willard wanted to know how many schools missed AYP by one or two students. Dr. Foster was also asked to send his AYP PowerPoint to the Board.

The Board took a break from 2:18 to 2:29 p.m.

UPDATE ON CURRICULUM STANDARDS, QUALIFIED ADMISSIONS AND GRADUATION REQUIREMENTS

A review of the development process for Kansas curriculum standards was requested at the August Board meeting. Dr. Foster reviewed how the Kansas Department of Education develops and publishes curriculum standards, not only for the curriculum areas specified by Kansas statute to be assessed (Reading, Mathematics, Science, Writing, History / Government) and English to Speakers of Other Languages, but also creates "model" standards for a number of other areas, including Career and Technical Education. He also updated the Board and answered questions on the connection the standards have with the development of state assessments, QPA graduation requirements, the Regents' Qualified Admissions, and the Kansas Scholar.

UPDATE ON MATHEMATICS CONTENT AND TEACHING METHODS

Scott Smith, School Improvement and Accreditation, introduced Ethel Edwards, USD 501, Topeka, George Abel, USD 253, Emporia, Ernie Sweat, USD 259, Wichita, and Tracy Newell, Garden City, USD 457, who gave a panel presentation and answered questions on (1) how districts align local curricula with state math content standards and (2) what specific instructional methods are used to teach mathematics in Kansas. Also discussed was teacher collaboration; the use of technology in the classroom; dealing with the needs of students new to a district; the review of mathematics course content by the Board of Regents for alignment with its Qualified Admissions standards; integration of financial literacy in curricular standards; integrated math programs; and the availability of teachers to fill mathematics positions. Dr. Abrams indicated he would like to see the board have further discussion regarding Integrated Math.

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CONSENT AGENDA

Mrs. Martin noted her questions had been answered about the items she had pulled from the Consent agenda and that they could be added back. Mrs. Gamble moved, with a second by Mrs. Rupe, that the State Board approve the Consent Agenda as presented. The motion carried. In the consent agenda the State Board:

- Received the monthly personnel report.
- Approved school construction plans for Apostolic Life Tabernacle, Liberal; St. Peter's Cathedral School, Kansas City; USD 229, Blue Valley; USD 305, Salina; USD 383, Manhattan/Ogden Schools; USD 408, Marion-Florence; USD 428, Great Bend; USD 465, Winfield and USD 511, Attica.
- Set a public hearing on the proposed amendments to special education regulations K.A.R. 91-40-1, 91-40-2, 91-40-3, 91-40-5, 91-40-7, 91-40-8, 91-40-9, 91-40-10, 91-40-11, 91-40-12, 91-40-16, 91-40-17, 91-40-21, 91-40-22, 91-40-26, 91-40-27, 91-40-28, 91-40-29, 91-40-30, 91-40-31, 91-40-33, 91-40-34, 91-40-35, 91-40-38, 91-40-41, 91-40-42, 91-40-43, 91-40-44, 91-40-45, 91-40-46, 91-40-48, 91-40-50, and 91-40-51, the revocation of 91-40-37 and 91-40-39, and new 91-40-42a, for Tuesday, December 11, 2007, at 1:30 p.m., or as soon as possible thereafter, in the Board Room of the State Education Building, 120 S.E. Tenth Avenue, Topeka.
- Accepted the recommendations of the Licensure Review Committee in cases 2435, 2437, 2440, 2441, 2451, 2452, 2453, 2454, 2455 and 2456.
- Approved requests for waivers for individuals to serve outside their area of endorsement in districts as follows: *Adaptive Special Education*: Sandra Crable, USD 229, Blue Valley, and Robert Walker, USD 512, Shawnee Mission Public Schools; *Art*: Sarah Feldkamp, USD 451, B & B; *Chemistry*: Marya Haverkamp, USD 380, Vermillion; *Debate/Forensics*: Susan Deges, USD 388, Ellis; *Early Childhood Special Education*: Jessica Nelson, USD 428, Great Bend; *History and Government*: Roger Holthaus, USD 380, Vermillion; and *Psychology*: Curtis Allen, USD 230, Spring Hill.
- Accepted the recommendations of the Commissioner of Education to approve Visiting Scholar licenses for the Wellington School District (USD 353) and Gerald LeValley Jr.; and the Southeast Kansas Education Service Center (USD 609) and David Eichler.
- Approved the inservice education plan for USD 383 Manhattan-Ogden.
- Approved recommendations for funding the Kansas Middle School Afterschool Activity Advancement Grants for 2007-2008 as follows: *Grants to USDs*: USD 475 Geary County, \$25,000, and USD 497 Lawrence, \$25,000; *Grants to Community-Based Organizations*: Boys & Girls Club of Manhattan, \$18,900, Boys & Girls Club of Hutchinson, \$18,120, Butler Community College Foundation, \$19,879, and Boys & Girls Club of Topeka, \$25,000 (once grant requirements are met).
- Approved the revised 07-08 Parents as Teachers Budget, increasing the funding for USDs 231, 475, 266, 479, and 388.
- Approved the initial application for waiver of accreditation regulation K.A.R.91-31-34G--Athletic Practice received from Kickapoo Nation School.
- Received the list of Districts' 2007-2008 Allocations for No Child Left Behind Programs.
- Issued orders authorizing USD 202, Turner, USD 203, Piper, USD 265, Goddard, USD 313, Buhler, USD 373, Newton, USD 437, Auburn-Washburn, USD 442, Nemaha Valley, and USD 470 Arkansas

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City to hold elections on the question of issuing bonds in excess of the districts' general bond debt limitation.

Contracts Approved

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

- a contract with the Kansas Institute for Positive Behavior Support (KIPBS), through the University of Kansas Center for Research (KUCR), for an amount not to exceed \$27,500 to conduct specified professional development activities for the Kansas (KSDE) Data Grant Project;
- a contract with the University of Kansas Research Center in an amount not to exceed \$225,000 and Emporia State University Jones Institute in an amount not to exceed \$225,000 to provide professional development to Kansas schools in the area of Multi Tiered Systems of Support;
- a contract with University of Kansas Center for Research, Inc. to continue to assist in the management of the 21st Century Community Learning Centers (CCLC) Program, with the contract amount not to exceed \$144,713.
- a contract with the Center for Research in Educational Policy with the University of Memphis to conduct an evaluation of the Title I Supplemental Education Services with the contract amount not to exceed \$70,000;
- contracts with Dr. Gerry Coffman and Dr. Diane Neilsen to provide oversight of all state activities and to assist in the implementation of Reading First local grants for 2007-2008, with a contract not to exceed 30 days at the rate of \$750 per day, plus travel expenses at the state rate and the total amount of the two contracts not to exceed \$50,000;
- a contract with Nimlock Kansas to design and construct a new Body Walk exhibit, with the contract amount not to exceed \$220,000;
- a contract with The Institute for Educational Research and Public Service, School of Education, University of Kansas, to provide facilitation and administration, and to oversee the work of the Kansas Education Research Consortium for a period of three years with the contract amount not to exceed \$358,250 over the three-year period; and
- a contract with ALTEC to provide training on the Levels of Technology Implementation to Kansas districts and Education Service Centers with the contract for 2007-2008 not to exceed \$60,000.

OTHER

Commissioner Posny noted that a copy of the Board goal and objectives with the strategies and activities were in members' folder so they could review them before the next morning's meeting when the Board would be asked to make recommendations and possibly approve them. Chairman Wagnon reported that a letter had been received from Congressman Moore regarding NCLB. The Commissioner had been asked to circulate the Board's position statements on NCLB prior to next morning's meeting so a response to the Congressman could be prepared.

RECESS

There being no further business, Chairman Wagnon recessed the meeting at 3:12 p.m.

Bill Wagnon, Chairman

Penny Plamann, Secretary

**KANSAS STATE BOARD OF EDUCATION
MEETING MINUTES**

September 12, 2007

Chairman Wagon called the meeting to order at 9:00 a.m. on Wednesday, September 12, 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 Wagon
Sue Gamble	Janet Waugh
Kathy Martin	Ken Willard

APPROVAL OF AGENDA

Chairman Wagon asked for approval of the agenda. Mrs. Gamble moved, with a second by Mrs. Waugh, that the agenda be approved as submitted. The motion carried.

BOARD REPORTS

Chairman

Chairman Wagon reported on his activities with the Kansas Education Leadership Commission and indicated he had been invited to a Wallace Foundation meeting in New York where the latest research on leadership would be released. He reported that he would also participate on a panel at the Kaufmann Foundation to discuss the research findings.

Letter from Congressman Moore

Chairman Wagon brought up a letter that had been received by several Board members from Congressman Dennis Moore. Discussion followed about the response that should be made to the Congressman regarding his request for comments on draft legislation (Miller/McKeon) for reauthorization of NCLB. It was decided that Chairman Wagon should write to Congressman Moore, basing his response on the Board's *Recommendations for the Reauthorization of No Child Left Behind*, which was adopted in January 2007. Further, Dr. Abrams suggested that staff prepare a presentation on the Miller/McKeon bill and respond to Congressman Moore if additional information is needed.

Official State Board Delegate for the NASBE Annual Meeting

Mrs. Gamble moved, with a second by Mrs. Rupe, that the Board appoint Dr. Wagon as the Kansas delegate to the NASBE annual meeting. The motion passed unanimously. Mrs. Martin volunteered to be the Board's alternate delegate and the Board passed a unanimous ballot for Mrs. Martin.

NASBE By-laws Changes

Mr. Willard, NASBE Central Area Director, briefly explained the proposed changes to the NASBE by-laws. Mrs. Gamble moved, with a second by Mr. Willard, that the Board approve adoption of the by-law changes. The motion carried 9-0, with Mr. Bacon out of the room.

Legislative Coordinator

Mrs. Gamble reported that she had attended three of USA's regional meetings. She noted that superintendents expressed the need for relief in the hiring and retention of teachers and administrators. She shared several other areas they had mentioned, including funding for mentoring.

Board Attorney's Report

Mr. Biles reviewed his written report, updating the Board on a special education lawsuit and an issue at the School for the Deaf. He also reported that other business would be taking him out of the country in October and he would be unable to attend neither the State Board meeting nor the NASBE meeting. Mr. Willard moved, with a second by Dr. Abrams, that the Board accept Mr. Biles' report and pay his fees for services and expenses for August as presented. The motion carried.

Other Board Member Reports

Mr. Bacon reported that the board meeting in November would be held in his district. Mrs. Rupe reported she had attended a McRel meeting in Denver recently with two members of the Department staff. As at all of the McRel policy forums, she indicated they worked on plans that the Department could use. One of the areas addressed was barriers the state had in meeting NLCB requirements. Mrs. Gamble reported on a visit to a new charter school in Erie that was using project-based learning. She shared comments from teachers, administrators and a student about the new program. Mrs. Martin reported on Rachel's Challenge, a program that is being implemented in the Clay Center High School and Middle School. She indicated that the school had had anti-bullying programs before, but this one was based on the positive things students could do to make a difference. Mrs. Rupe asked Mrs. Martin for more information about the program, which she said she would e-mail to her. Mrs. Martin let Board members know about "See you at the flag pole" event that will happen on September 26th. It is a student driven event where students meet and pray for their school, other students and the country.

Mr. Willard asked the Board what it would like to do about an item for the NASBE silent auction. After discussing several choices, it was suggested that Mr. Willard make the decision and assess the cost to the Board.

Dr. Wagnon reported that he had attended the USA meeting in Olathe at which both the Commissioner and Deputy Commissioner Dennis participated. He reported that they did a very good job in communicating the Board's goals in the context of the difficulties education was facing in the state. He noted his disappointment when the discussion turned to the goal of teacher licensure and retention, because the conversation seemed to center on access to practice issues and not what the districts could be doing in the way of professional development to retain teachers.

Requests for Future Agenda Items

Dr. Abrams suggested, at the Chair's pleasure, that staff come up with how much effort and cost would be required for a study to correlate the money spent by schools that did/did not make AYP and the subsequent results. Ms. Gamble suggested looking at a different timeline for evaluation of the Commissioner as the Board tracks the progress on the Plan of Action for Board goals. Chairman Wagnon indicated he would visit with the Commissioner and the subject would be addressed on the October agenda. Dr. Abrams suggested the Board look at the possibility of changing the schedule for the out-of-town meetings from April and October to May and November.

Additional Board Member Reports

Mrs. Martin mentioned that there would be a speaker on the Columbine shootings and Rachel's Promise at the PTA convention in April. Mrs. Rupe reminded Board members of the World Language Association meeting on the November 2nd and 3rd and said she hoped Board members would be able to attend at least the luncheon on the 3rd. It was brought up that the letter Board members had received didn't provide a way to respond to the invitation.

The Board took a break at 9:53 and returned at 10:00 a.m.

Before continuing with the agenda, Mr. Willard asked why the Department printed the Educational Directory, noting the cost savings that could be accrued by making it available only on-line. It was pointed out that it was currently on-line as well as being available in hard copy. Deputy Commissioner Dennis reported that making it solely available on-line had been tried and had not been well received. Asked the distribution, Mr. Dennis indicated that it was distributed to all schools districts, libraries, universities, and service centers. He mentioned there were also many requests from vendors for the directory.

Commissioner Posny reported that the first meeting of the Virtual School Advisory Council was set for September 28th. It had been suggested that a Board member serve on the Council and Dr. Posny asked if the Board would make the appointment so they could be brought up to speed before the meeting. Both Mrs. Martin and Mrs. Gamble volunteered to serve as the Board's representative. Chairman Wagnon said he would take the matter under advisement. Dr. Posny also reminded Board members of the upcoming Regional Teacher of the Year banquets in Topeka and Overland Park. Additionally, she reported that the Department had joined the national campaign to encourage children to read. The Read for the Record event will involve hundreds of thousands of adults reading **The Story of Ferdinand** to classrooms all over the country on September 20th.

PLAN OF ACTION FOR BOARD GOAL AND OBJECTIVES

Commissioner Posny distributed *KSBE Strategic Goal and Objectives* booklets to the Board. She shared her presentation of the Board's objectives, strategies and activities in the format she had used when carrying the Board's message to the field at the USA regional meetings and began the discussion of the action plan for the Board's goal and objectives. She provided background data and the rationale for the Board's focus on a particular area. Dr. Posny also passed out a listing of the objectives, strategies and activities that included a timeline and staff assignment. Dr. Posny provided clarification and took Board member suggestions for incorporation into the action plan. She stressed it was very important that the Department and the Board maintain a strong focus on what they hoped to accomplish in the coming year. Among the suggestions made by Board members was that the Board's mission statement be included in the *KSBE Strategic Goal and Objectives* booklet.

LEGISLATIVE MATTERS

Deputy Commissioner Dennis provided some questions for the Board to consider in its legislative package as follows: 1) Does the Board want to add a 4th year to the existing three year school finance plan and if so, how much would it recommend increasing base state aid per pupil; and 2) Would the Board also recommend a phase-in of all day kindergarten. He pointed out that the Board did not need to make a decision about it until December. The discussion centered on teachers' salaries, recruitment and retention issues and the KPERS law.

Update on Communities That Have Suffered Recent Disasters

Representatives from Greensboro were not able to attend the meeting. Mr. Dennis reported that the chairman of the legislative disaster committee had indicated he thought a blanket proposal to set in motion a plan whenever natural disasters occurs would be worth studying.

Mr. Dennis handed out the superintendents' directory, agendas for interim legislative committees and the 2010 Commission, and a proposal for creating a Division of Early Childhood.

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Mrs. Gamble asked for direction on special education topics being proposed to the legislature. Dr. Posny reported that she had asked the Director of Student Support Services to prepare position papers on them as soon as possible.

BOARD TRAVEL

Mrs. Gamble asked to add mileage for the region 3 Teacher of the Year banquet to her travel request. Mrs. Shaver corrected her request for attendance at the LD Curran Building dedication. She noted it was October 5th, not the 1st. Dr. Abrams moved, with a second by Mrs. Martin, that the travel requests be approved as amended. The motion carried.

ADJOURNMENT

There being no further business, Chairman Wagnon adjourned the meeting at 11:29 a.m.

Bill Wagnon, Chairman

Penny Plamann, Secretary