

KANSAS STATE BOARD OF EDUCATION  
Meeting Minutes

May 11, 2010

**CALL TO ORDER**

Chairman Waugh called the May meeting of the State Board of Education to order at 10:00 a.m., May 11, 2010 in the Board Room of the Kansas Education Building, 120 SE 10<sup>th</sup> Avenue, Topeka, Kansas.

5/11/10 a.m.  
session audio  
archive  
(00:00:01)

**ROLL CALL**

Members present were:

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

Mr. Willard arrived at 10:10 a.m.

**STATE BOARD MISSION STATEMENT, MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**

Chairman Waugh read the Mission Statement of the Board and then called for a moment of silence. The moment of silence was followed by the recitation of the Pledge of Allegiance.

(00:0:31)

**APPROVAL OF THE AGENDA**

Chairman Waugh asked for approval of the agenda. Mrs. Cauble asked to pull item j., PSAT subgrants, from the Consent Agenda. She then moved that the agenda be approved as amended. Mrs. Martin seconded the motion. Dr. Chappell asked to pull items c., e., f., g., h., i. and w. from the Consent Agenda. Mrs. Cauble and Mrs. Martin accepted the additional amendments. The motion carried 8-1-0, with Waugh voting in opposition and Willard absent.

(00:02:18)  
**MOTION**

**APPROVAL OF MINUTES**

Mrs. Martin moved, with a second by Mrs. Shaver, that the minutes of April meeting be approved as presented. The motion carried 8-0-1, with Bacon abstaining.

**MOTION**  
(00:4:33)

**COMMISSIONER'S REPORT**

(Mr. Willard arrived during the Commissioner's report). Interim Commissioner DeBacker reviewed key elements of the Department's charter school grant application. Questions and discussion followed. Interest in broadening the charter school appeals process was voiced and concern about adding a large number of virtual schools was expressed.

(00:06:30)

**CITIZENS' OPEN FORUM**

No one was present wishing to address the Board in the open forum.

**BOARD REPORTS**

Because the meeting was running ahead of schedule, it was decided to begin Board reports.

(00:19:15)

**CY 2011 NASBE Dues**

Chairman Waugh reported that the legislature had not funded the Board's membership dues for the National Association of State Board's of Education (NASBE). Several members spoke about the many benefits of NASBE membership, including the current opportunity to participate in the NASBE/Department of Defense pilot program, Project PASS. The program is designed to engage middle school students in a drop-out prevention effort. There was not 100% agreement about the benefits of the Department of Defense's involvement.

**Chairman's  
Report**

## MINUTES

During the discussion about how to fund the dues, Deputy Commissioner Dennis reported that the Department had sufficient state general fund to take care of dues out of current fiscal year funds. Mr. Willard moved, with a second by Mrs. Wims-Campbell that the Board join NASBE for the 2011 year. After further discussion, the motion carried 8-1-1, with Chappell voting in opposition and Martin abstaining.

### **MOTION** (00:35:12)

### **MOTION** (00:51:09)

The question arose about whether \$5,000 for the NASBE Kansas Professional Development Fund was included in the vote on the NASBE dues. To clarify the issue, Mr. Willard moved that the payment of \$ 5,000 for the Professional Development Fund be included with the payment of the NASBE dues, bringing the total to \$29,438. Mr. Dennis seconded the motion. The suggestion was made to hold onto the \$5,000 and use it to pay expenses for NASBE activities as they arise directly from the state general fund, though there was no consensus on doing so. Dissatisfaction with the cost of the NASBE search was also discussed, including the amount charged for indirect costs and the disposition of the \$6,675 remaining balance from the initial search payment that was still being held by NASBE. After further discussion, Mr. Willard and Mr. Bacon amended their motion to have the \$6,675 applied against the payment to NASBE for the 2011 NASBE dues and Professional Development Fund. The motion carried 8-1-1, with Chappell voting in opposition and Martin abstaining.

### **AMENDED MOTION** (01:03:32)

### **BREAK** (01:04:21)

The Board took a break at 11:05 and the meeting resumed at 11:10 a.m. When the Board returned, Chairman Waugh announced that she had requested that copies of the contract with NASBE be provided for Board members.

## **PROFESSIONAL DEVELOPMENT AUDIT RESULTS**

(01:12:50)

In the fall of 2009, the Board approved a contract for the Kansas State Department of Education to collaborate with the National Staff Development Council (NSDC) to convene a state-wide task force charged with development of a comprehensive professional learning system for Kansas. Joellen Killion, Deputy Executive Director, NSDC, guided the task force in review, development and recommendations for a statewide, comprehensive professional learning system for Kansas. She presented the report and recommendations to the Board.

### **MOTION** (02:21:19)

Discussion followed and Ms. Killion and Pam Coleman, Director of Teacher Education and Licensure, answered questions. Mr. Dennis moved, with a second by Mrs. Wims-Campbell, that staff move ahead with the recommendations in whatever manner if considers best. The motion carried 9-0-1, with Willard abstaining.

For staff follow-up, Mrs. Wims-Campbell requested a breakdown of the number of professional development days on district calendars based on a report from KASB that was mentioned. Dr. Chappell requested a copy of the information that cited the optimal number of hours of professional development to have an effect on teacher practice and student achievement.

## **LUNCH RECESS**

The Board recessed for lunch at 12:25 p.m. and returned at 1:30 p.m.

## **GREEN SCHOOLS PRESENTATION**

5/11/10 p.m.  
session audio  
archive  
(00:00:06)

Students from Clifton-Clyde High School, which has been named the **2010 Kansas Green School of the Year** by the Kansas Association of Conservation and Environmental Education (KACEE) and the Kansas Department of Health and Environment (KDHE), gave a presentation on the projects for which they had received the award.

**BOARD DISCUSSION OF GRADUATION REQUIREMENTS**

Commissioner DeBacker reviewed the questions regarding graduation requirements asked of districts in a survey done in March, as well as three additional questions superintendents were surveyed on in April. The questions for Board discussion were: *"Should graduation requirements be increased? If 'yes', what subjects should be added?"* (00:28:40)

Suggestions and comments arising from Board members included: the senior year is wasted for good students if unable to take advantage of dual credits or some kind of higher ed opportunity; problems should be addressed at the local level, but if local districts won't address them, the State Board should take them on; the Board needs to ensure that students get a quality education that means something to them and to their future; A competency exam should be required consisting of things that students will need as adults - basic requirements for every student who graduates; develop a dual track system beginning in 9<sup>th</sup> grade for students to be able to take classes that are career and tech oriented with a work ready certificate at graduation; add requirements for physical education and financial literacy in high school; ensure that standards are what the Board wants students to know and that teachers teach those standards, using data-based instruction; instead of adding more credits, redesign what is already being taught; see that parents are involved in the electives students choose to take; rethink the school day; adopt a student growth model and, with the additions suggested by Director Foster, adopt the common core standards in English Language Arts and Mathematics; need more health education; do something about non-proficient juniors; move from credits to competencies; be careful of unintended consequences when making changes; many schools are making a difference – hold them up as models; continue to move forward with career clusters and give the change time to work; allow one physical education credit for JROTC; allow money to follow the student in the area of training; have each Board member select an educator from his or her Board district and invite them to make recommendations regarding graduation requirements.

At the conclusion of the discussion, Commissioner DeBacker asked that she be allowed to bring back a suggestion the following morning on how to proceed to address the issues raised.

Follow-up for staff included a request from Mr. Willard to have the Superintendent of the McPherson district make a presentation to the Board on the district's C3 (Citizenship, College and Career) program. Mr. Dennis asked for a presentation on JROTC.

The Board took a break from 3:04 to 3:16 p.m. (01:34:41)

**DISCUSSION ON THE 9 CAREER AND TECHNICAL EDUCATION BOARD INITIATIVES**

Dr. Tom Foster presented recommendations for implementing policy initiatives for career and technical education and asked for Board input on where the focus should be for next steps. Discussion followed and Dr. Foster answered Board member questions. One Board member had concerns about students getting the skill training they need, graduating with an employable skill and whether there would be teachers with adequate training to teach the courses. Several Board members expressed their satisfaction with the progress made to date and their desire to move forward. (01:44:59)

Mrs. Cauble moved, with a second by Mrs. Martin, that the Board direct staff to proceed with implementation of the 11 career and technical education initiatives as presented. After brief discussion, the motion carried 9-1, with Chappell voting in opposition. **MOTION** (02:20:15)

**REPORT ON SPECIAL EDUCATION ADVISORY COUNCIL DISCUSSION REGARDING PARENTAL CONSENT**

Special Education Services Director, Colleen Riley updated the Board on actions taken to communicate with stakeholders regarding the proposed amendments to special education regulations regarding parental consent. (02:22:47)

**BREAK** The Board took a break from 3:55 to 4:05 p.m.  
(02:24:26)

**LEGISLATIVE MATTERS**  
(02:34:12)

Deputy Commissioner Dennis reviewed state aid reductions for the 2009-2010 school year. He also gave an update on state general fund revenue and the amount projected to be gained through new taxes proposed for FY 2011. He also reported on Department of Education operating cuts for FY 2010 and FY 2011. At the conclusion of his report he updated the Board on the status of education legislation of interest.

Board Legislative Coordinator Sue Storm made brief remarks about the last days of the legislative session and legislative expectations of Department staff.

**ACT ON CONSOLIDATION AGREEMENT BETWEEN USD 486 AND USD 406**

**MOTION** Mrs. Cauble moved that the Kansas State Board of Education approve the Agreement for Consolidation submitted by USD No. 486 (Elwood) and USD No. 406 (Wathena) which will allow an election to be held on the proposed consolidation. Mrs. Martin seconded the motion which carried 10-0.  
(03:12:57)

**CONSENT AGENDA**  
(03:13:59)

**MOTION** Mrs. Cauble indicated she had received the information she needed about the item she had pulled and that it could be added back to the Consent Agenda. Dr. Chappell felt discussion was needed on the items he had pulled and requested that they be voted on separately. Mrs. Shaver moved, with a second by Mr. Dennis, that the State Board approve the Consent Agenda, with the exception of items c., e., f., g., h., i. and w. The motion carried 8-1-1, with Campbell in opposition and Martin abstaining. In the Consent Agenda the State Board:

- Received the monthly personnel report.
- Confirmed the appointments of Janice Craft to the position of Education Program Consultant on the Title Programs and Services team effective March 7, 2010, at an annual salary of \$52,104.00; Jillian Pattison to the position of Education Program Consultant on the Special Education Services team effective March 29, 2010, at an annual salary of \$49,649.60; and Jeffrey Ragan to the position of Applications Developer II on the Information Technology Services team effective April 19, 2010, at an annual salary of \$46,092.80.
- Issued an Order establishing the new, consolidated Unified School District No. 112, Ellsworth County, State of Kansas.
- Approved funding for the Advanced Placement Incentive PSAT sub grant to USD 259 for 2009-2010 in the amount of \$20,000.
- Issued Calendar Year 2010 commercial driver training school license to Go Driving School, LLC, Lawrence, KS effective May 11, 2010 to December 31, 2010.
- Reappointed Rick Ginsberg, Lori Martin, Bill Meek, Alice Morris, and Linda Stecher to their second three-year term of office on the Professional Standards Board to run from July 1, 2010 through June 30, 2013; and Diane Roberts to her first three-year term of office on the Professional Standards Board to run from July 1, 2010 through June 30, 2013.
- Reappointed Angela Bowman and Ed Raines to their second three-year term on the Licensure Review Committee to run from July 1, 2010 through June 30, 2013; and Sr. Frances Juiliano to her first three-year term of office to run from July 1, 2010 through June 30, 2013.
- Reappointed Tavis DeSormier and Kimberly Groom to their first three-year term of office on the Professional Practices Commission to run from July 1, 2010 through June 30, 2013.

- Approved the current certification/licensure fee of \$39 for FY 2010-2011 effective July 1, 2010.
- Approved a request for a waiver for April Teeter, DO 611 to serve outside her area of endorsement in *Adaptive Special Education*.
- Accepted the recommendations of the Evaluation Review Committee for "Continuing Accreditation" for Baker University through December 31, 2016.
- Accepted the recommendations of the Evaluation Review Committee for "Program Approval" for Friends University: "Approved with Stipulation" for Biology (I, 6-12) New Program through December 31, 2015.
- Accepted the recommendations of the Licensure Review Committee in cases: 2639, Robert McConnell; 2643, Tiffany Pratt (to deny); 2645, Dawn Hudnall (to deny); 2646, Shawn Haag, 2647, Brittany Cummings (to deny); 2654, Heather Myer; 2655, Ryan Krzykowski, and 2657, Lyndsey Markley.
- Set cut scores for regenerated Praxis II licensure content assessments in Business Education: Content Knowledge (0101) 150; French: World Language (0174) 159; Spanish: World Language (0195) 165; German: World Language (0183) 160; Special Education: Core Knowledge and Mild to Moderate Applications (0543) 155; and Special Education: Core Knowledge and Severe to Profound Applications (0545) 155.
- Approved the Education Flexibility Partnership waiver request from USD 206 Remington-Whitewater for Remington Elementary.

*Contracts Approved:*

**The State Board authorized the Superintendent of the Kansas State School for the Blind** to negotiate and renew a contract with Accessible Arts, Inc. for arts-related services for students attending KSSB in exchange for KSSB facility use and statewide outreach services in the Arts (drama, movement, dance, visual arts, music) for Kansas individuals with disabilities in an amount not to exceed \$136,000.

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

- enter into a contract with the College Board to provide Advanced Placement Vertical Teaming, in an amount not to exceed \$16,800;
- continue a contract with the Greater Wichita YMCA to assist in the grant management and technical assistance of the 21st Century Community Learning Centers in a contract amount not to exceed \$134,000; and
- continue a contract with the University of Kansas Research Center to continue providing professional development in the area of scientifically-based reading research to 250 Title I teachers, in an amount not to exceed \$250,000.

**ACTION ON BALANCE OF CONSENT AGENDA ITEMS**

Mr. Dennis moved that the Board pass Consent Agenda items c., e., f., g., h., i. and w. Mrs. Cauble seconded the motion. One Board member expressed concern that millions of dollars in expenditures are approved by one vote on the Consent Agenda every month. Continuing, item by item, that concern was expressed about school constructions plans being approved for sports-related facilities; no money for vocational education appearing in the budgets accompanying the quarterly reports of the School for the Deaf or the School for the Blind; money to fund Accessible Arts, Inc. for students with disabilities, but no money for career and technical education; more than \$3 million for the state assessment contract for assessments that the Board member believed was not testing relevant material; funding for a contract to develop evaluations for superintendents, principals and teachers, when off-the-shelf evaluations are probably available; and how \$2,000 grants to districts on improvement could be helpful.

**MOTION**  
(03:15:13)

Discussion followed. Mrs. Wims-Campbell, with a second by Mrs. Cauble, called for the question.

**MOTION**  
(03:39:44)

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(03:38:04) The motion carried 6-2-2, with Storm and Chappell voting in opposition and Willard and Bacon abstaining

The motion on the remaining Consent Agenda items carried on a vote of 9-1, with Chappell voting "no". In approving the motion, the State Board:

- Approved school construction plans for USD 373, Newton; Holy Trinity Catholic Church, Overland Park; USD 234, Fort Scott; USD 446, Independence; USD 497, Lawrence; St. Joseph Catholic Church and School, McPherson; USD 375, Circle; USD 347, Kinsley-Offerle; Annoor Islamic School, Wichita; USD 458, Basehor-Linwood; USD 481, Rural Vista; USD 262, Valley Center Public Schools; USD 462, Central; USD 282, West Elk; and USD 434, Santa Fe Trail.
- Received the third quarter report from the Kansas State School for the Blind.
- Received the third quarter report from the Kansas State School for the Deaf.
- Approved recommendations for funding the second round of Title I School Improvement Grants 1003 (a) for 2010 in the amount of \$2,000 each for USD 214, Ulysses; USD 257, Iola; USD 259, Wichita; USD 261, Haysville; USD 290, Ottawa; USD 352, Goodland; USD 398, Peabody-Burns; USD 417, Morris County; USD 424, Mullinville; USD 445, Coffeyville; USD 453, Leavenworth; USD 457, Garden City; USD 480, Liberal; USD 500, Kansas City; USD 501, Topeka; USD 503, Parsons; and \$13, 886 for USD 308, Hutchinson.

*Contracts Approved:*

**The State Board authorized the Superintendent of the Kansas State School for the Blind** to negotiate and renew a contract with Accessible Arts, Inc. for arts-related services for students attending KSSB in exchange for KSSB facility use and statewide outreach services in the Arts (drama, movement, dance, visual arts, music) for Kansas individuals with disabilities in an amount not to exceed \$136,000.

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

- continue an assessment contract with the Center for Educational Testing and Evaluation (CETE), with the contract amount not to exceed \$3,745,091; and
- enter into a contract with Educational Testing Services (ETS) in an amount not to exceed \$270,000 for the development of superintendent, principal and teacher evaluation instruments, with the contract period to run from June 4, 2010 - June 3, 2011.

**RECESS** There being no further business, Chairman Waugh recessed the meeting at 5:10 p.m.

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Janet Waugh, Chairman

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Penny Plamann, Secretary

**KANSAS STATE BOARD OF EDUCATION  
MEETING MINUTES  
MAY 12, 2010**

**CALL TO ORDER**

Chairman Waugh called the meeting to order at 9:00 a.m. on Wednesday, May 12, 2010, in the Board Room of the Kansas Education Building, 120 SE 10<sup>th</sup> Avenue, Topeka, Kansas.

5/12/10 a.m.  
session audio  
archive  
(00:00:07)

**ROLL CALL**

Members present were:

John Bacon	Kathy Martin
Carolyn L. Wims-Campbell	Sue Storm
Sally Cauble	Janet Waugh
Walt Chappell	Ken Willard
David Dennis	

Mrs. Shaver had to return to Independence because of an illness in the family, but was present by phone.

**APPROVAL OF THE AGENDA**

Mrs. Martin moved, with a second by Mrs. Wims-Campbell, that the Board approve the agenda as presented. The motion carried.

(00:00:29)  
**MOTION**

**PRESENTATION ON THE NATIONAL REAL WORLD DESIGN CHALLENGE AWARD WINNING TEAM**

The Board heard from Pam Davis, team advisor for Baldwin High School's design team who placed first at the U.S. Department of Energy's 2010 Real World Design Challenge National Competition held in Washington, D.C. at the National Air and Space Museum in March. Baldwin advanced to the national competition after placing first at the state level for the second year in a row. Ms. Davis offered an overview of their winning project, displayed the team's numerous trophies, and took questions from Board members. Education Consultants Dr. Sid Cooley and R.J. Dake were also present to provide information about the program.

(00:01:13)

**BOARD MATTERS – BOARD REPORTS**

*Unused Balance of Contract Payment to NASBE*

Chairman Waugh asked the Board Attorney to contact NASBE regarding the details of the billing for the commissioner's search. He reported that NASBE had agreed to eliminate the charge for indirect costs. In the discussion that followed the Board discussed adding that amount to what had already been agreed to apply against CY 2011 NASBE dues. Appreciation of NASBE's role was also expressed.

**Chairman**  
(00:36:59)

Referring to his written report, Mr. Ferguson asked if Board members had any questions. Mr. Dennis moved that Mr. Ferguson's bill for services for the month of April be approved for payment as presented. Mr. Willard seconded the motion. Brief discussion followed. The motion carried unanimously.

**Board Attorney**  
**MOTION**  
(00:44:02)

Chairman Waugh mentioned a letter from the United School Administrators. She asked that if Board members wished any follow-up, to let her know.

**Chairman**  
(00:45:03)

*Graduation Requirements*

As a follow-up to the Board's discussion of graduation requirements the day before, Commissioner DeBacker recommended the formation of a College and Career Ready Commission. The commission would align the state's work with all of the areas of the reauthorization of ESEA, as presented in the *Blueprint*, in order to be ready when reauthorization

occurs. By being proactive in addressing issues such as graduation requirements, the review of

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QPA, career and tech ed, great leaders and teachers measures, and the turn-around models for schools, the state would be not have to play catch up after the fact. All would be combined in the work of the commission and its subcommittees.

Members would consist of Board member appointees and key stakeholders. The Commissioner anticipated that if the work were to begin right away, a preliminary report could be made to the Board in December. During the discussion of the proposal, the Commissioner noted that most of the issues that members of the Board and members of the education community had philosophical differences with were those that impact local control. Rather than the State Board imposing controls on districts, the State Board's role would be one of providing best practices and models from which local districts could choose should it become necessary.

Concern was expressed over the common core standards. The Commissioner noted that they would be included also. There was some worry that the commission would be overburdened and its work watered down. Dr. DeBacker indicated she would prepare a proposed charge and list of the types of individuals for the group and that if Board members had concerns or suggestions, changes could be made. Several members expressed their approval of the proposal, with some seeing it as an opportunity for Kansas to continue to move forward in its reform efforts and develop the best plan to fit Kansas, regardless of any possible constraints imposed by the federal government.

**MOTION**  
(01:05:18)

Mr. Dennis moved, with a second by Dr. Chappell, that the Board direct Commissioner DeBacker to proceed with the formation of a commission (College and Career Ready Commission) to make recommendations for the anticipated reauthorization of the Elementary and Secondary Education Act. After further discussion, the motion carried 10-0.

**Other Board  
Member Reports**

Mr. Willard reported on a visit he had made to the McPherson school district. He requested a presentation on the district's Q3 program. Dr. Chappell reported on judging a financial literacy conference and a visit to a local neighborhood association meeting where disruptive classrooms and bullying were discussed. Dr. Chappell requested information on the effectiveness of recent bullying legislation.

Ms. Storm was thanked for her hard work on the Board's behalf during the legislative session. She reported to the Board on three facilities associated with the Board of Regents work that were funded by the Johnson County sales tax that was imposed last year. Mrs. Martin congratulated Teacher Education and Licensure on the innovations the team was making in the process of issuing licenses.

**Request for  
Future Agenda  
Items**

There were no requests for future agenda items other than those made by Willard and Chappell.

**BREAK**  
(01:24:00)

The Board took a break from 10:24 to 10:32 a.m.

**ADOPTION OF A REQUIRED HEALTHFUL SCHOOL VENDING POLICY**  
(01:31:38)

Jodie Mackey, Director of Child Nutrition and Wellness, provided a letter from the Governor's Council on Fitness endorsing a recommendation developed by the Department, advising the adoption of a state policy for school vending. She also was available to answer questions about the staff proposal.

In the discussion regarding the proposal's adoption, it was noted that the policy would only have minimal impact unless paired with a requirement for more physical activity during the

school day. In addition, the policy would only address a small part of the students' day. There was also an objection to the policy because it was felt that health issues were a matter of local control. On the other hand, several members felt that it was a necessary step to take, even if symbolic, and that the Board should do what it could about the growing problem of childhood obesity.

Mrs. Wims-Campbell moved, with a second by Dr. Chappell, that the Kansas State Board of Education adopt a policy requiring all accredited K-12 schools in Kansas to implement the Advanced level of the Kansas School Wellness Policy Model Guidelines for foods and beverages sold in vending machines by August 1, 2010, and to implement the Exemplary level of the guidelines by August 1, 2011. The motion carried 7-3, with Dennis, Willard and Cauble voting in opposition.

#### **ACT ON BOARD MEMBER TRAVEL REQUESTS**

Mrs. Shaver asked that the date of the Greenbush meeting on her request be changed to May 13<sup>th</sup>. Mr. Bacon asked to add a June 11<sup>th</sup> meeting of the NASBE Public Policy Committee to his request. Mrs. Cauble asked that salary be added for her activities on June 11<sup>th</sup> and 12<sup>th</sup>. Ms. Storm moved, with a second by Mr. Dennis, that Board member travel requests be approved as amended. The motion carried.

(01:51:34)

There being no further business, Chairman Waugh declared the meeting adjourned at 11:58 p.m.

**ADJOURNMENT**

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Janet Waugh, Chairman

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Penny Plamann, Secretary