

**KANSAS STATE BOARD OF EDUCATION  
MEETING MINUTES**

**November 12, 2003**

Chairman Waugh called the meeting to order at 10:03 a.m. on Wednesday, November 12, 2003, 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	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 THE AGENDA**

Chairman Waugh asked if there were changes or additions to the agenda.? Items pulled from the consent agenda for additional information were 11 d. 1) by Dr. Wagnon, 11 g. by Mr. Bacon, and 11 j. by Mrs. Morris.? Dr. Wagnon moved, with a second by Mr. Willard, that the agenda be approved as amended.? The motion carried.

**APPROVAL OF THE MINUTES**

Mrs. Gamble moved, with a second by Dr. Abrams, that the minutes of the October meeting be approved as submitted.? The motion carried.

**COMMISSIONER'S REPORT**

Commissioner Tompkins reviewed the meeting schedule for the History/Government Standards Review Committee and explained new procedures for the NAEP assessments for reading and mathematics.?

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

Mr. Gary Musselman, Executive Director of the Kansas State High School Activities Association (KSHSAA), presented the annual report of the Association for the 2002-2003 school year.? He gave Board members a handout with a brief summary of the history, role and structure of the KSHSAA; a synopsis of major changes in bylaws, and other actions by the Executive Board during the 2002-2003 year; and information about a proposed modification to KSHSAA Bylaw Article IV, for which approval by the State Board was sought.? In addition to discussion of the by-law change, Mr. Musselman also answered questions about reducing the number of school classifications, school intramural programs,? and limits on the number of hours per day students may participate in KSHSAA sports or activities.? Mr. Bacon, a member of the KSHSAA Executive Board, mentioned that the Executive Board would be examining participation issues related to students enrolled in virtual schools.? Mr. Musselman also shared concerns about eligibility issues that could potentially arise because of NCLB school

choice requirements.

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### **CITIZENS' OPEN FORUM**

Chairman Waugh opened the Citizens' Open Forum at 10:51 a.m. Addressing the Board was: Shari Wilson, Kansas City, Kansas, representing the Kansas Association for Conservation and Environmental Education. Chairman Waugh declared the open forum closed at 10:56 a.m.

The Board took a break until 11:04 a.m. Mrs. Gamble, Dr. Abrams, and Mr. Wyatt were not present, but arrived during the KSSB quarterly report.

### **KSSB AND KSSD 1<sup>ST</sup> QUARTER REPORTS**

#### **Kansas State School for the Blind**

William Daugherty, Superintendent of the Kansas State School for the Blind (KSSB), reviewed the Division of Budget's FY 2004 and FY 2005 budget recommendations for KSSB. Of the cuts recommended for FY 2005, he noted that KSSB would appeal the recommendation that one week of summer school be cut, adding that the school would go ahead and plan on holding the third week because last year it had also been recommended for cutting and was restored to the budget too late for the school to reinstitute it.

Mr. Daugherty reported on the hiring of Dr. Anne Nielsen as Statewide Vision Support Coordinator whose function will be to tie together into one seamless support system, services from infancy through adult rehabilitation, that will increase family access and involvement in their child's education. Additionally, Dr. Nielsen will work with school districts on a voluntary basis to develop model programs that will draw together school administration and regular and special education into a planning and implementation process that ensures students with visual impairments are receiving appropriate services. Mr. Daugherty reported that he and Dr. Nielsen will be traveling the state throughout the year to visit with local district special education directors about the services KSSB can offer.

#### **Kansas State School for the Deaf**

Robert Maile, Superintendent of the Kansas State School for the Deaf (KSSD), presented his FY 2004 first quarter report. Items highlighted from his written report included an update on the School Resource Officer provided by the Olathe Police Department and arrangements made for off-campus evacuation sites as part of the school's Crisis Management Plan. Mr. Maile reported on parent involvement activities, including a fundraiser which will help support the Shared Reading and the Deaf Mentor programs, and the results of the Parent Satisfaction Survey recently conducted. Transition activities and mainstreaming options for student with area schools; staff development activities; an August meeting of the KSSD Advisory Committee/Site Council; attendance by several students at a National Youth Leadership Camp; and information about a fall artist-in-residence program were also reported on by Mr. Maile.

In addition to his first quarter report, Mr. Maile shared information about the Division of Budget's recommendations for FY 2005. He noted that the school would appeal a reduction affecting the summer school program and the elimination of capital outlay monies necessary for an e-rate grant match and related technology

initiatives.? He added that? KSSD would also request additional funding to address salary disparities for teachers.? Mr. Maile also reported that he had met with the Joint Legislative Building Committee which will recommend that building remodeling planned over five years be accomplished all at once in order to cut down on the cost.

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The Board took a break from 11:35 to 11:55 a.m.

### **JOINT? KSBE/LEPC MEETING**

The Board was joined by members of the Legislative Education Planning Committee for a joint meeting.? The meeting briefly recessed for a State Board of Education public hearing at 1:30 p.m.? and resumed at 1:34 p.m.? Notes from the joint meeting are attached to these minutes.?

### **PUBLIC HEARING ON REVISIONS TO K.A.R. 91-1-201, 91-1-203, 91-1-206, AND 91-1-213**

Chairman Waugh opened the public hearing on proposed revisions to Educator Licensure Regulations 91-1-201, 91-1-203, 91-1-206, and 91-1-213 at 1:30 p.m.? Those who addressed the Board were: Alice Sagehorn, Pittsburg, representing Pittsburg State University and the Policies and Procedures Committee of the Professional Standards Board; Janice Wissman, Manhattan, representing Kansas State University College of Education; Deb Haltom, Overland Park, Carolyn Good, Olathe, and Terry Boyd, Leavenworth, representing the Professional Standards Board; Blake West, Topeka, representing KNEA; Carol Linhos, Lawrence, representing the Regulations Committee of the Professional Standards Board; and Peggy Harris, Baldwin City, representing the Education Department of Baker University.? All spoke in favor of the proposed regulations.? Chairman Waugh closed the public hearing at 1:34 p.m.

The Board meeting resumed after the joint meeting with the LEPC at 3:10 p.m.

### **CONSENT AGENDA**

Dr. Wagon had pulled item 1 d. 1), a request from USD 259, Wichita, for a waiver of K.A.R. 91-31-24, regarding onsite visits and the membership of visiting teams.? Dr. Pochowski explained that the district would like to include district staff on their visiting teams as a step towards transitioning into the new QPA system that allows membership of visiting teams to be based obtaining individuals with the skills necessary to help schools in the areas where they need improvement.? The system, which will be implemented in 2005-2006, will allow schools to have visiting team members that are internal to the district.? Because visiting teams will not be making accreditation recommendations, no conflicts of interest are anticipated.?? Mr. Bacon and Mrs. Morris indicated that they were satisfied with the information they they had received and the items they had pulled could be returned to the consent agenda. Dr. Wagon moved, with a second by Mr. Wyatt, 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 USD 259, Wichita (3); USD 232, De Soto; USD 250, Pittsburg; USD 264, Clearwater; USD 512, Shawnee Mission; Berean Academy, Ebling; USD 496, Pawnee Heights; and USD 208, Wakeeney.?

? Approved a change to the Kansas State High School Activities Association (KSHSAA) Bylaw Article IV, Section 4, Board of Directors, as requested.

? Approved waiver of K.A.R. 91-31-24 for USD 259 schools: Curtis Middle, Adams Elementary, Allen Elementary, Buckner Elementary, Caldwell Elementary, Chisholm Trail Elementary, Gammon Elementary, Griffith Elementary, Iseley Elementary, Jefferson Elementary, Seltzer Elementary, and Washington Elementary, to allow them to have visiting team members that are internal to the district and to delay the completion of the first on-site visit until February 28, 2004.

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? Approved a waiver of K.A.R. 91-31-16(a) and 91-31-24 for Scammon Elementary School, USD 493, which will allow it to extend its Cycle III to a six-year accreditation process, to conduct the first on-site visit before December 2004, and to enter the new QPA system on July 1, 2005 aligned with the other district schools.

? Approved a waiver of K.A.R. 91-31-24(c-2) for Banneker Elementary School, USD 500, which will allow it to use its QPA Cycle II accreditation visit chairperson to conduct the school's Cycle III first on-site visit, due before December 31, 2003.

? Approved a waiver of K.A.R. 91-31-24 for Stony Point North and Welborn Elementary schools, USD 500, which will allow them to have visiting team members that are internal to USD 500 for their Cycle III on-site visits.

? Approved a waiver of K.A.R. 91-31-18(c) for Northeast Elementary, USD 246, which will allow it to have two targets (Reading and Mathematics) in their Cycle III school improvement plan.

? Approved a waiver of K.A.R. 91-31-24 for Udall Elementary School, USD 463, which will allow it to begin using an external assistance team and to not conduct the first on-site visit.

? Approved a waiver of K.A.R. 91-31-24 for the Pratt Productivity Academy, USD 382, which will allow it to delay its on-site visit until December 31, 2004.

? Approved the Inservice Education Plans from: USD 202, Turner; USD 291, Grinnel; USD 322, Onaga-Havensville-Wheaton; USD 335, North Jackson; USD 357, Belle Plaine; USD 380, Vermillion; USD 502, Lewis; USD 512, Shawnee Mission; Kansas District of Lutheran Schools; Sumner County Interlocal 619; and SCK Education Service Center, Clearwater.

? Approved charter schools planning grant funding for Delia Charter School - \$225,000; Galesburg Elementary Charter School - \$127,550; Mullinville & Haviland 21st Century Learning Academy - \$155,240; and Hutchinson Cyber Charter School - \$95,240.

? Accepted the recommendations of the Licensure Review Committee in cases. 2055, 2059-2060, and 2062-2069.



**JOINT MEETING  
KANSAS STATE BOARD OF EDUCATION  
AND THE  
LEGISLATIVE EDUCATIONAL PLANNING COMMITTEE  
MEETING NOTES**

**November 12, 2003**

All State Board of Education members were present:

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

Legislative Education Planning Committee members present were:

Sen. Dwayne Umbarger, Chair	Rep.? Carol Edward Beggs
Sen. Bob Lyon	Rep.? Bill Mason
Sen. Mark Taddiken	Rep. Eber Phelps
Sen. John Vratil	Rep. Larry Powell
Rep. Kathe Decker, Vice Chair	Rep. Bill Reardon
Rep.? Barbara Ballard	

Chairman Waugh opened the meeting at 11:50 a.m.?? She and Senator Umbarger made opening remarks and those participating in the meeting introduced themselves.? Over a working lunch, they heard a presentation by Commissioner of Education Andy Tompkins and Assistant Commissioner Alexa Pochowski? on enrollment, achievement and staffing trends in Kansas K-12 education, the requirements of NCLB, and an update on the reauthorization of IDEA.? The meeting briefly recessed for a State Board of Education public hearing at 1:30 p. m.? After the meeting resumed, participants, in small groups, considered the two discussion questions and reported on their discussions to the full group.? The questions and their responses were:

1. **What concerns do you have with NCLB and what changes do you think need to be made?**
  - ? No state or educator input
  - ? Too much weight on one assessment
  - ? No money
  - ? Unresponsiveness of US Dept of Education
  - ? NCLB is an unfunded mandate, which are bad in general
  - ? 100% proficiency is unrealistic
  - ? Not appropriate for students with limited English proficiency
  - ? Modified assessment should be allowed
  - ? School sanctions should not be based on the performance of a single sub-group
  - ? Testing takes away from instruction time
  - ? More collaboration is necessary
  - ? Schools need less paperwork
  - ? Strong need for building leadership
  - ? Goals are good
  - ? Spend more time with the public to educate it about NCLB and to build support for improving schools

- ? Poverty is the major concern; need to address that problem
- ? Focus on single measure may narrow the academic focus

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**2. Based on Kansas achievement results, what suggestions do you have for continuing to make improvements in helping all students learn well?**

- ? Eliminate grade levels and focus on individualized learning
- ? Listen to input from the states
- ? Revive teacher mentoring
- ? Moderate requirements for paraprofessionals
- ? More focus on early childhood education
- ? More emphasis from pre-school through 5<sup>th</sup> grade on reading skills
- ? Less pressure on teachers
- ? Require child care centers to have higher qualifications
- ? Need to have realistic expectations for all kids
- ? Have more input from teachers on the kids who need it
- ? Invest adequately in staff development
- ? Engage parents in this process

Mr. Wyatt, State Board Legislative Coordinator, with the assistance of Mrs. Gamble, Assistant Legislative Coordinator, gave an overview of the process used and the State Board of Education's FY 2005 budget recommendations. At the conclusion, participants, again in small groups, considered two discussion questions and reported their responses to the full group. The questions and a summary of their responses follow:

**1. What changes/additions to the State Board Budget recommendations should be made to better ensure that all of Kansas students are learning well?**

- ? The Kansas education system is good - consider not participating in NCLB ? determine if the cost is worth it
- ? Problems are in the home ? enlist cooperation from the whole community, especially faith-based organizations
- ? Do a better job of educating the public about the need to educate all children
- ? An improved definition of at-risk is needed
- ? Identify funding sources
- ? Need for more resources for education, but find the funding within the system, i.e. consolidation, tuition from out-of-state students, etc.
- ? Lobby groups for support
- ? Students and parents need a voice to lobby
- ? A cost of living increase should be built into the school funding formula
- ? Need to maintain what Kansas has

**2. How can the State Board work more effectively with the legislature to improve education for Kansas students?**

- ? Have more meetings with legislative education groups, as well as the House Appropriations Committee and the Senate Ways and Means Committee

- ? Work together so that the legislature is seen as caring about public education
- ? Continue dialogue about issues and provide each body the opportunity to get to know each other better

After closing remarks by Chairman Waugh and Senator Umbarger, the meeting concluded at 2:50 p.m.

## **KANSAS STATE BOARD OF EDUCATION MEETING MINUTES**

**November 13, 2003**

Chairman Waugh called the meeting to order at 9:03 a.m. on Thursday, November 13, 2003, 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	

Chairman Waugh announced that Mr. Wyatt had a prior commitment and would be late to the meeting.

### **APPROVAL OF THE AGENDA**

Chairman Waugh asked for approval of the agenda.? Commissioner Tompkins announced that the results of 2003 NAEP results were available and asked that a report on them be added to the agenda prior to Dr. Pochowski?s presentation on early childhood.? Mrs. Gamble moved, with a second by Mr. Willard, that the agenda be approved as amended.? The motion carried.

### **BOARD REPORTS**

#### **Board Chairman**

Chairman Waugh reported she had attended the NASBE annual meeting as the State Board?s delegate.? She also thanked everyone for their expressions of concern and good wishes during her recent hospitalization and recuperation.

#### **Legislative Coordinator**

Because Mr. Wyatt was not present, Mrs. Gamble, Assistant Legislative Coordinator, provided the Board with an update on legislation reauthorizing IDEA.? She also reported on a proposed letter concerning the Board?s budget recommendation for dissemination along with a copy of the legislative brochure to all district superintendents and local board presidents, the media, all state legislators, state educational organizations, and the president of the state chamber of commerce. ?It was the consensus of that Board that staff prepare the letter for signature by Chairman Waugh.? The Board also agreed to postpone discussion and action on a bill that had been drafted containing the Board?s budget proposals until after the Governor?s legislative message in January.

#### **Policy Committee Chairman?s Report**

Dr. Abrams reported that the Board Policy Committee had met and proposals had been developed to address the items assigned to it by the Board.? Copies of the proposals were handed out and Dr. Abrams explained them and answered questions.? He asked that the Board consider the proposals for action at the December meeting.? The areas addressed were procedures regarding charter school petitions; guidelines for issuance of a visiting scholar license; and policies on committee principles and appointments to committees and commissions.

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### **Other Board Member Reports**

Carol Rupe handed out a copy of a Communities in Schools brochure that had pictures of Kansas school children.? She expressed her desire that the Department use pictures of Kansas children in its publications.? Mrs. Gamble reported on her attendance at the NASBE conference? and a curriculum development conference.?

### **Board Attorney**

Mr. Biles reviewed his written report of activity for the month of October, which included information on the state and federal school finance cases, a federal court discrimination case involving the Kansas State School for the Deaf, and his attendance at the recent NASBE conference.?? Mrs. Gamble moved, with a second by Mr. Bacon, that Mr. Biles? fees for services and expenses for October be paid as presented.? The motion carried.

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

Dr. Wagnon requested a future discussion of a State Board budget building process based on the needs of each district.? Dr. Abrams asked that staff determine the possibility of the State Board meeting with the Senate and House education committees and the House? and Senate appropriations committees, with the first meeting being held on January 13<sup>th</sup>.

The Board took a break from 9:50 to 10:00 a.m.

### **RECOGNITION OF THE 2002-2003 BLUE RIBBON SCHOOLS**

The board heard presentations by representatives of the 2003-2003 Blue Ribbon Schools on some of the successful strategies that had been used to achieve gains in student performance.? Ms. Mary Viveros, Principal, Sumner Academy of Arts & Science, USD 500; Mr. Rod Smith, Principal, Mill Creek Elementary School, USD 512; Mrs. Sierra Jackson, Principal, Custer Hill Elementary School, USD 475; and Mr. Eric Sjogren, Principal, Ellinwood Elementary School, USD 35, addressed the Board.? At the conclusion each principal was presented with a certificate of recognition and stood for pictures with Chairman Waugh and Commissioner Tompkins.

### **ADOPTION OF AMENDMENTS TO EDUCATOR LICENSURE REGULATIONS**

Dr. Abrams moved, with a second by Dr. Wagnon, that the Board adopt amendments to Educator Licensure Regulations 91-1-201, 91-1-203, 91-1-206, and 91-1-213. The motion carried unanimously on a roll call vote as follows:

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

### **REPORT ON 2003 NAEP RESULTS**

Assistant Commissioner Pochowski reviewed the 2003 NAEP results for fourth and eighth grade math and reading. She noted that the 2003 results are particularly important because it is the first time 100 percent of the schools identified for participation on the assessment did participate, ensuring full reliability of the results. She reported that Kansas students made gains in math scores, with no other states in the nation with a significantly higher percentage than Kansas of fourth graders at proficient or above. Gains were less dramatic at eighth grade in math. In reading, Kansas scores remained fairly constant.

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### **PRESENTATION ON EARLY CHILDHOOD**

In furthering the State Board's goal to study early childhood education and its effect on school readiness, Dr. Pochowski summarized research findings regarding early childhood/preschool. She also shared an overview of programs and/or services provided in Kansas to children ages 0-3 as well as ages 3-5, including the agencies or organizations responsible for each program or service, and the number of children impacted by each program. Included was information on programs provided by the Kansas Department of Education, the Kansas Department of Health and Environment and Social and Rehabilitation Services. It was requested that Board members be sent copies of Dr. Pochowski slide presentation.

The Board recessed for lunch at 11:50 a.m. and returned at 1:30 p.m. Mr. Wyatt was present for the afternoon session.

### **UPDATE ON ASSESSMENT ISSUES**

Dr. John Poggio, Center for Educational Testing and Evaluation (CETE), University of Kansas, presented an update on state assessments, addressing and answering questions about the collaborative work with WestEd for development of assessment items; computerized assessments, which began in the Spring of 2003 with a 7th grade math pilot; development of grades 3-8 reading and mathematics assessments; reading and mathematics performance assessments; and the English language proficiency assessment. Issues which arose during the course of the Board's discussion included concerns about assessments errors made by CETE. Dr. Poggio shared that while mistakes did happen, he believed CETE's error rate was low and that the errors that had occurred had been somewhat minor in nature. Information on the error rates of large testing companies was requested. Dr. Poggio asked that districts that have experienced errors to contact him directly so CETE could work with them. A survey of schools across the state about their experiences with the state assessments was requested. Periodic discussions of assessment issues were also requested.

The Board took a recess from 3:35 until 3:40 p.m. Dr. Abrams left at 3:35 p.m.

### **LEGISLATIVE MATTERS**

Mr. Wyatt discussed the plan to disseminate the board legislative brochure to the groups outlined earlier by Mrs. Gamble. Mr. Wyatt also indicated he would like to discuss the proposed legislative bill reflecting the State Board's FY 2005 budget enhancement recommendations with key legislators prior to the beginning of the 2004 session. Mrs. Morris stated she was not supportive of putting all of the Board's recommendations into a single piece of legislation because of the possibility of its failure to gain legislative approval. She noted she would prefer to see each item handled individually, giving legislators more choice. Mrs. Gamble mentioned that the decision had already been made to postpone discussion and action on the bill until the January meeting. Mr. Wyatt stated that since all items included in the bill had the Board's support, it was important for him to take

advantage of opportunities that might arise to discuss with legislators possible sources for funding the recommendations.

Deputy Commissioner Dennis reviewed the Division of Budget's recommendations for the FY 2004 and FY 2005. He indicated that an appeal would be submitted in writing by November 21st. He also reported that several questions have arisen concerning the counting of students in alternative programs/schools. He noted that current law provides for a count on September 20th and that efforts have been made to treat September 20th as any other school day. However, some school districts try to ensure that all students, as

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well as part-time students enrolled in alternative programs/schools, are in school on September 20th even though most of the students are enrolled and attending part-time. Mr. Dennis suggested that one solution would be to count the full-time equivalent enrollment during the week of September 20th rather than on September 20th, resulting in a more equitable computation of budget authority for the school districts and the state. Those alternative schools that consist primarily of full-time students would not be included as part of the amendment of current statute. The amendment would only apply to alternative schools comprised of part-time students. Copies of draft legislation addressing how part-time student are counted by alternative schools was requested before Board action on the issue.

Mr. Dennis handed out an update on state general fund receipts through October 2003. He also reported on interim legislative committee activity, including time he had been spending working with a school-based budget working group.

**PROFESSIONAL PRACTICES COMMISSION**

Mrs. Gamble moved, with a second by Carol Rupe, that the Board adopted the findings of fact and conclusions of the Professional Practices Commission and approve the recommendation of the Commission in case 03-FC-13. The motion carried.

**BOARD TRAVEL**

Mrs. Morris asked that travel to Topeka on November 25th to hear final arguments in the state school finance case be added to her request. Mrs. Gamble moved, with a second by Mrs. Morris, that the Board requests for travel be approved as amended. The motion carried.

**ADJOURNMENT**

There being no further business, Chairman Waugh adjourned the meeting at 4:20 p.m.

\_\_\_\_\_ ???

Janet Waugh, Chairman  
Secretary Penny Plamann,

