

**KANSAS STATE BOARD OF EDUCATION  
MEETING MINUTES**

**October 2, 2006**

**CALL TO ORDER**

Chairman Abrams called the meeting to order via a conference call at 8:04 a.m. on Monday, October 2, 2006.

**ROLL CALL**

Members present by phone were:

Steve Abrams	Carol Rupe
John Bacon	Janet Waugh
Sue Gamble	Ken Willard
Connie Morris	

Mrs. Martin and Dr. Wagnon were traveling and unable to participate. Mrs. Van Meter was unavailable.

**APPROVAL OF THE AGENDA**

Chairman Abrams asked for approval of the agenda, which was to set a public hearing date for the proposed regulations concerning the use of seclusion rooms and restraint for children with disabilities. Mr. Willard moved, with a second by Mr. Bacon, that the agenda be approved as proposed. The motion failed on a vote of 4-3, with Mrs. Gamble, Mrs. Rupe and Mrs. Waugh voting "no".

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:07 a.m.

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Steve Abrams, Chairman

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Penny Plamann, Secretary

**KANSAS STATE BOARD OF EDUCATION**  
**Pre-Meeting Activities**  
**October 9, 2006**

Several State Board members and staff participated in tours in Arkansas City and Winfield. Board members participating in the tour of the Creek Stone Farms Packing Plant were Dr. Abrams, Mrs. Rupe, Mrs. Martin, Mrs. Van Meter, and Dr. Wagnon. Touring the Southern Kansas Cotton Growers Co-op Cotton Gin were Board members Abrams, Rupe, and Wagnon. Mrs. Martin and Mrs. Van Meter traveled to El Dorado to tour the Spiritual Life Center at the El Dorado State Correctional Facility.

**Pre-Meeting Activities**  
**October 10, 2006**

Prior to the meeting, State Board members toured Frances Willard Elementary in Arkansas City, or Winfield High School/Middle School in Winfield, each member visiting one or the other of the schools.

**MEETING MINUTES**  
**October 10, 2006**

**CALL TO ORDER**

Chairman Abrams called the meeting to order at 10:00 a.m. on Tuesday, October 10, 2006, in the Wright Room, Brown Center for the Arts, Science and Technology, Cowley County Community College, 215 S. 2<sup>nd</sup>, Arkansas City.

**ROLL CALL**

Members present were:

Steve Abrams	Iris Van Meter
Sue Gamble	Bill Wagnon
Kathy Martin	Janet Waugh
Carol Rupe	

Mr. Willard and Mr. Bacon had business responsibilities that prevented them from attending the meeting. Mrs. Morris was also unable to attend.

The Board stood for recitation of the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Chairman Abrams asked for approval of the agenda. Mrs. Van Meter moved, with a second by Mrs. Rupe, that the agenda be approved as proposed. The motion carried.

**APPROVAL OF MINUTES**

Mrs. Martin asked that approval of the minutes be postponed because she had been out of town and had not received the minutes which had been e-mailed the prior week. Her request was granted

**COMMISSIONER'S REPORT**

As part of his report, Commissioner Corkins had invited Dr. John Morton, Superintendent of USD 373, Newton, to share with the Board information about Chisholm Middle School being named as a 2006 Intel and Scholastic School of Distinction. The overall value of the award total amounted to \$160,000 in grants, hardware and software.

MINUTES  
October 10, 2006

Expanding on his written report, Commissioner Corkins shared additional information about the reorganization of the Department. He noted the reorganization was complete, on time and without any additional staff, and the work of the new Division for School Innovations was underway. Mr. Corkins reported that the Improvement and Support Team had been meeting with schools on improvement across the state and that some very flattering preliminary feedback had been received about the meetings. He indicated that one district had not been satisfied by the kind of support offered, but the Department was collaborating with them to provide the type of assistance they felt they needed. He also reported that the Professional Learning Communities team was working on an agreement with the North Central Association to help create and expand professional learning communities throughout the state. He noted that an individual had been selected to fill the Director's position for Planning and Research and a request for confirmation would be brought to the Board in November. Lastly, Mr. Corkins reported on the student engagement project. He indicated he would be bringing for Board approval in November a contract with ACT to provide Explore, Plan and the ACT assessment as part of the student engagement project. He also reported that a contract with Washburn University to develop a career website built around the sixteen career clusters would be brought to the Board in November. The project was being developed in cooperation with the Board of Regents and funding would be shared equally.

In the discussion that followed, Mrs. Rupe brought up her concern and disappointment about the quality of assistance being provided to districts on improvement by the Improvement and Support teams (ISTs) and shared details she had received from the Wichita district about why it had been dissatisfied with the assistance that had been offered. In Commissioner Corkins response, he reported that the Department was collaborating with and attempting to accommodate the needs of the Wichita district, adding that the meeting referred to between the district staff and the IST had been an introductory level meeting from which to work in designing some plans for improvement. He reported that staff would continue to work with Wichita and provide it with whatever assistance it feels is needed. He also added that other large districts had been very happy with the assistance received. Mrs. Gamble indicated she would like more information about the visits to other districts.

Mrs. Gamble raised the issue of grants for technical assistance vendors to help charter school petitioners. She noted that she had not received information she had requested regarding the applications received from potential technical assistance vendors or an explanation of how approval was determined. Among her concerns, was that vendors were being paid without a clear understanding of what services were to be provided, and information was being provided that was inconsistent. Mr. Corkins indicated he would get copies of the applications and resumes to Mrs. Gamble.

Dr. Wagnon had several questions about the reorganization. He mentioned that he had not received the information he had requested regarding staffing and vacancies. He was particularly interested in what effect the establishment of the Division for School Innovations had had on the staffing and effectiveness of the rest of the Department. Mr. Corkins indicated that information about the charter school application process and about the staffing issues brought up by Dr. Wagnon had been sent in previous memos to the Board. Mr. Corkins explained that the only significant vacancy in School Improvement and Accreditation was the director of School Improvement and Accreditation and applications that had been received were being screened. He also provided an update on the budget for personnel, noting that the Department was appropriately staffed. He indicated that if Dr. Wagnon had questions about particular positions, the Department would try and provide it. Mrs. Gamble indicated that she had not received the memos. She was concerned that the needs of the field were not being met. Mr. Corkins said that a customer satisfaction survey would be sent to the field in the near future to get a view of the quality of services

being provided by the Department. He also reported that a desk audit of all the support staff was being conducted in order to level out the work load within the Department.

Mrs. Waugh was interested in the planned move of the team under Pat Kells. Mr. Corkins explained the details of the move. Asked how the rent that had been paid by the team to the Department would be replaced, Mr. Corkins indicated he didn't feel it was a significant amount.

Dr. Wagon had several additional questions about the charter school technical assistance applications and Mr. Corkins provided further information. Mrs. Gamble also had additional questions and in the exchange that ensued, a discussion arose about no-bid contracts that the Department enters into regularly. Mr. Corkins noted that \$1 million in unnecessary expenses had been identified in two large no-bid contracts and the savings were being used to fund the student engagement project. Mrs. Gamble asked for a breakdown of the savings that had been identified.

Because the discussion had run over the time allowed for the Commissioner's report, the report on all-day kindergarten was postponed until later.

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

Chairman Abrams declared the Citizens' Open Forum open at 11:07 a.m. Those addressing the Board were: Tim Perry, Arkansas City; Frank Smith, Bluff City; Michelle Kelley, Arkansas City; and Terry Scobee, Arkansas City. Chairman Abrams declared the open forum closed at 11:19 a.m.

The Board took a break from 11:01 until 11:09 a.m.

#### **JOINT PRESENTATION BY USD 465 AND USD 470`**

Mr. Marvin Estes, Superintendent of USD 465, Winfield, provided some background on a collaborative effort between USD 465 and USD 470, Arkansas City that provides their students with the opportunity to seek and investigate careers that would allow them to stay in Cowley County if they chose. He reported that they had received a planning grant from KSDE and decided to focus on health careers because they would provide the most benefit to the county. Mr. Estes introduced Rebecca Scott, Dolly Bonfie, and Angela Harding, who, with students in the Health Sciences programs in the two districts, provided an explanation of the programs involved and additional background information on what was involved in setting them up cooperatively with local health agencies. They shared how the model articulation agreement worked that they had developed to use with Cowley County Community College (CCCC) in Arkansas City, Pratt County Community College's nursing program in Winfield in partnership with CCCC, and, still in the planning stages, Southwestern College in Winfield. They also provided Board members with an opportunity to experience the type of hands-on learning available to students, by sharing an "Anatomy in Clay" exercise. Dr. Ron Ballard closed by sharing how the programs were making a difference in their students taking the necessary next steps after high school graduation. He noted that program's design would work with districts across the state and offered to work with the Department of Education to disseminate it. Mr. Ballard answered questions regarding funding for the program and how middle school courses readied students for the courses that were required for the health sciences program.

Following the presentation, the Board traveled to Arkansas City High School where they were served a luncheon prepared by students in the culinary arts program. They returned to Cowley County Community College and the meeting resumed at 1:30 p.m.

#### **REPORT ON ALL-DAY KINDERGARTEN**

Dr. Gayle Stuber, Education Consultant with the Department of Education, shared information about the 2005-2007 Kansas Kindergarten Study that was underway. For the study, data were collected from

kindergarten teachers around the state focusing on several topics including entry and exit level skills of kindergarten children; the impact of classroom practices on skill levels; and, the impact of a full day schedule on student learning. Mrs. Stuber was asked how big a barrier the lack of districts facilities posed for implementation of all-day kindergarten. It was also suggested that the study on all-day kindergarten be continued for several years to determine the long-term impact on student performance. An analysis of districts that have had all-day kindergarten for a number of years was suggested as an option.

### **LEGISLATIVE MATTERS**

Several issues were discussed for inclusion in the Board package of recommendations to share with the 2007 legislature. In discussion of options to deal with unlicensed personnel in the classroom, no one appeared to be in favor of requesting financial penalties or instituting punitive measures. One suggestion was to deal with it under the current accreditation regulations, by giving schools bonus points. The teacher shortage was discussed as a factor that would put increasing pressure on districts in finding licensed personnel. It was suggested that a tuition loan program to address teacher shortages be added to the legislative package and Dr. Wagon asked for information on how other professions are dealing with shortages of qualified personnel.

Before the Board went further with a discussion of options regarding English immersion programs for English language learners, Dr. Wagon requested a presentation to the Board on the meaning and implications of English immersion programs.

Mrs. Rupe asked that an additional option be added to those already under consideration for all-day kindergarten. She requested that Mr. Dennis add funding at 1.0 FTE for the districts that provide all-day kindergarten, but not require that it be offered by districts that don't currently have it.

Additional issues raised included requests from Dr. Wagon for : 1) changes in ethics restrictions for campaign finance and gifts and meals to be again included in the Board's legislative package; and 2) a more transitional formula for high density at-risk funding; and continuation of mentor teacher funding. Mrs. Rupe requested that the Board explore the possibility of funding for regional vocational/ technical centers, with the intent of adding the issue to a future legislative package.

Mr. Dennis handed out tentative agendas for the Legislative Education Planning Committee and the 2010 Commission. He also handed out information on State General Fund receipts for July through September 2006. In reference to the *Report of the At-Risk Education Council to the 2010 Commission* that had been included in materials sent to the Board, Dr. Wagon asked for a Board study of the secondary achievement gap, including drop-out, graduation and attendance rates, and how secondary schools are held accountable. He also indicated that the at-risk funding for those who are not free-lunch should be monitored.

### **DISCUSSION OF POSSIBLE CHANGES TO NO CHILD LEFT BEHIND (NCLB)**

Mrs. Judi Miller, Assistant Director of State and Federal Programs, again discussed with the Board recommendations for possible changes to NCLB when the Act is reauthorized in 2008. Information sent to the Board included the ten recommendations discussed in September as well as two additional ones suggested by Board members at that meeting. Mrs. Miller was asked to get data, if available, on several of the recommendations. Included were the effect: if the 2% cap on those taking the KAMM was raised to 4% or if the percent was determined on a sliding scale based on district size; on the number of schools on improvement if it was based on the same subgroup missing AYP in the same content area for two

consecutive years; allowing states the flexibility to establish different N-sizes for schools, districts and states; and of an exemption for three years from taking state assessments in reading and mathematics for English Language Learners as well as consideration of prior schooling.

Additional information requested included: compilation of proposals from different educational organizations such the Council of Chief State School Officers and the National Educators Association, as well as information from the Kansas Congressional Delegation and the field; and information on the connection of teacher effectiveness and student performance, such as the Tennessee value-added model. Also discussed was a Board position on the possibility of including science assessment data in determining AYP and the timeline for the release of data for schools on improvement.

Mrs. Miller indicated that many organizations would be coming out with their positions on the reauthorization in January or February of 2007. It was agreed that the Board would continue to discuss possible recommendations and that it would again be on the agenda in November.

The Board took a break from 3:25 until 3:32 p.m.

#### **PROFESSIONAL STANDARDS BOARD (PSB) RECOMMENDATIONS ON REMOVING BARRIERS TO LICENSURE**

Susan Helbert, Assistant Director, Teacher Education and Licensure, asked to know the Board's wishes regarding the Professional Standards Board recommendations on removing barriers to licensure. She indicated the PSB was ready to proceed with the development of appropriate regulatory language addressing them. Mrs. Helbert indicated that the recommendation for adding additional endorsements at the middle and secondary level had been pulled for additional work. Mrs. Rupe reported that she had the names of several individuals who were interested in working with the PSB on it. Referring to the recommendation for the creation of a restricted license for school counselors and library media specialists, Mrs. Rupe indicated she would like to see it extended to others as well. She mentioned, specifically, granting access to practice to an individual with a masters degree in special education, but without an initial teaching degree. She also mentioned that college-level education professors could be allowed a license. Mrs. Helbert pointed out several issues that needed to be considered regarding Mrs. Rupe's suggestion and indicated she would be happy to follow up on specific cases if Mrs. Rupe would provide her with some additional information. Mrs. Gamble indicated she didn't feel she had enough information on the recommendation on the Applied Behavior Analyst Certificate to form an opinion. Dr. Abrams shared his difficulty with some of the proposals such as doing away with accumulative GPA requirement for an initial license and the recommendation on adding an additional 6-12 science endorsement, but directed staff to proceed with the development of regulatory language for the Board to consider.

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

Dr. Wagnon moved, with a second by Mrs. Martin, that the State Board adopt the findings of fact and conclusions of the Professional Practices Commission and approve the recommendations of the Commission in cases 06-FC-04, 06-FC-05, 06-O-06, 06-FC-07 and 06-FC-08. The motion carried.

#### **UPDATE ON THE STUDENT ENGAGEMENT PROJECT**

Deputy Commissioner Englebrick reported that the request for proposals for assessments to provide student information about college preparation and postsecondary success had gone out in August, applications from potential vendors for the engagement assessment tools had been evaluated, and the procurement process had been finalized with the selection of ACT. He introduced Paul Weeks and Frederick Mickle from ACT. Mr. Weeks gave a PowerPoint presentation that explained the college readiness assessment tools that would be

provided by ACT and what schools, students and parents could expect from their use. EXPLORE, used for grades 8-9, would provide data for building a student's high school plans; be used as an early indicator for the level of college and workplace readiness; and provide schools and districts with data for evaluating the curriculum. It would also provide early identification of areas of academic need; identify students who may not have considered going to college; and predict the likelihood of success on state tests. The PLAN assessment would help increase academic achievement and be used as a predictor of performance on the ACT. It would provide a midpoint review of academic progress and information for improving critical skill areas, thereby increasing rigorous course taking. The ACT would assess academic achievement in English, math, reading, science and, optionally, writing. It would include a student profile and an career interest inventory. The final report would provide students individualized information about possible career pathways based on their academic strengths and areas of interest.

In the discussion that followed, three main issues arose. One was the recurring references in the presentation and ACT literature to college readiness instead of "effective graduation from high school" or postsecondary success in the workplace, technical programs or college. Mr. Weeks pointed out that ACT recognized that college and work readiness skills were comparable and that all students needed to be held to rigorous standards and to have the opportunity to develop a wide range of skills. The second issue was that the program being proposed by the Department was not sustainable and that funding was only available for one year. Commissioner Corkins indicated that, as had been previously reported to the Board and the field, it was proposed as a one-year grant program with the hope that it would prove a catalyst for use by districts across the state. The third issue was how the grant program might affect the no-cost ACT opportunity already available for low-income students and what potential conflict would arise for districts such as Wichita which were already using PLAN, EXPLORE and ACT. Mr. Englebrick indicated he would look into the situation with Wichita and find out what the effect might be. The representatives from ACT explained that the company-provided ACT opportunity available to students would not be affected by the Kansas grant program, explaining that those students would have an additional opportunity to take the ACT and could use it as a pre-test. Mrs. Gamble had also mentioned that NCLB had a component that provided access to the ACT for low income students that was currently being used by some districts, but no information was available from either staff or ACT about that program.

#### **CONSENT AGENDA**

Mrs. Waugh moved, with a second by Mrs. Rupe, that the 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 101, Erie; USD 253, Emporia; USD 261, Haysville; USD 290, Ottawa; USD 336, Holton; USD 365, Garnett; USD 457, Garden City; USD 469, Lansing; USD 475, Geary County Schools; USD 497, Lawrence; and USD 500, Kansas City.
- Accepted the recommendations of the Licensure Review Committee in cases 2328, 2340, 2342-2343, and 2346

- Accepted the recommendations of the Commissioner of Education granting a Visiting Scholar license for Blue Valley, USD 229 and Matthew Roberts for Mr. Roberts to teach Latin at Blue Valley North High School for the 2006-2007 school year.
- Approved requests for waivers for individuals to serve outside their area of endorsement in districts as follows: *Adaptive Special Education*: Brian Rand, USD 245, LeRoy-Gridley; Brandy Paul, USD 273, Beloit; Mary Hoover, USD 405, Lyons; Christian Fisher and James Lorenz, USD 512, Shawnee Mission; Justin Hoffman, D0 614, East Central Kansas Cooperative in Education; and Steven Reiner, D0 617, Marion County Special Education; *Drama/Theatre*: Amanda Sahlfeld Highland, USD 396, Douglass Public Schools; *Elementary English LA - extension of number of days*: Lisa Nelson, USD 210, Hugoton Public Schools; *English as a Second Language*: Dinanath Ramcharan, USD 253, Emporia; *Family and Consumer Science*: Rebecca Jones, USD 326, Logan; *Gifted*: Michael Purcell, USD 231, Gardner Edgerton; Charlotte Barrett, USD 273, Beloit; Eric Stiffler, USD 373, Newton; and Kim Cunningham, USD 437, Auburn Washburn; *Library Media Specialist*: Karen Katzer, USD 230, Spring Hill; Lora Stalford, USD 436, Caney Valley; and Catherine Wilcox and Dianna Thompson, USD 470, Arkansas City; *Math*: Janeé Porter, USD 467, Leoti; *Math - Middle Level*: Treva Goodman, USD 303, Ness City; *Physical Education*: Bradley Couture; USD 109, Republic County; *Reading*: Mary Kay, USD 305, Salina; Ramona Musgrove, USD 452, Stanton County; and George Hampton, USD 501, Topeka Public Schools; *Spanish*: Norma Acevedo-Pando, USD 102, Cimarron-Ensign; and *Technology Education*: Jonathan Whisnant, USD 352, Goodland.
- Appointed Mike Mathes to serve on the Licensure Review Committee as a Chief School Administrator for one year, through June 30, 2007, to complete a term as a result of a resignation.
- Approved the Kansas Model Curricular Standards for Listening, Speaking and Viewing.
- Approved the Extended Standards for Mathematics, Reading and Writing.
- Approved IDEA Title VI-B Special Education Targeted Improvement Grants as recommended.
- Issued an FY 2006 license to A+ Driving School, LLC, Iola, KS, with the license to run from October 11, 2006 through December 31, 2006.
- Authorized USD 434, Santa Fe Trail, Osage County, to hold an election on the question of issuing bonds in excess of the district's general bond debt limitation.

#### *Contracts Approved*

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

- continue contracts for Reading First facilitators to provide technical assistance to the local grantees in the implementation of the Reading First Grants. The contract will reimburse each facilitator at the rate of \$500 per day, plus travel expenses, not to exceed \$15,000;
- enter into contracts with Dr. Janet Marquis (University of Kansas Center of Research, Inc.) and Dr. Renee' Patrick to assist with statistical modeling and data analysis and interpretation associated with the School Readiness Project, with the contract amounts not to exceed \$25,000 and \$20,000, respectively; and
- enter into a contract with the University of Kansas Center for Research to provide the evaluation process and deliverables to KSDE for the Laboratory of Education Leaders (KLEL), Wallace Foundation Grant, with the contract amount for the 2006-2007 school year not to exceed \$60,000.

**APPROVAL OF THE MINUTES**

Mrs. Rupe moved, with a second by Dr. Wagon, that the minutes of the September Board meeting be approved as submitted. The motion carried 6-0-1, with Mrs. Martin abstaining.

**RECESS**

There being no further business, Chairman Abrams recessed the meeting at 4:50 p.m. At 6:30 p.m. Board members and staff met for dinner with the superintendents and local board leadership of the Cowley County school districts at a restaurant in Winfield.

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Steve Abrams, Chairman

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Penny Plamann, Secretary

# KANSAS STATE BOARD OF EDUCATION MEETING MINUTES

October 11, 2006

## CALL TO ORDER

Chairman Abrams called the meeting to order at 9:00 a.m. on Wednesday, October 11, 2006, in the Wright Room, Brown Center for the Arts, Science and Technology, Cowley County Community College, 215 S. 2<sup>nd</sup>, Arkansas City.

## ROLL CALL

Members present were:

Steve Abrams	Iris Van Meter
Sue Gamble	Bill Wagnon
Kathy Martin	Janet Waugh
Carol Rupe	

Mr. Willard, Mr. Bacon and Mrs. Morris were absent.

## APPROVAL OF AGENDA

Chairman Abrams asked for approval of the agenda. Dr. Wagnon moved, with a second by Mrs. Martin, that the agenda be approved as presented. The motion carried.

## BOARD REPORTS

### Chairman

Chairman Abrams passed out a pricing schedule furnished by ESSDACK for services associated with providing the audio streaming of Board meetings. He reminded members that KanEd would no longer be providing the service and that ESSDACK would be doing so at no charge through the end of the fiscal year. Charges would apply beginning with the July 2007 Board meeting if the Board decides to continue with the service. Chairman Abrams indicated that ESSDACK would be providing the Board with a billing every month until then to give members an idea of what the monthly expense would be for FY 2007.

Chairman Abrams reminded Board members about information sent out by NASBE on 2007 study groups. He indicated he would be interested in participating on the one for language and learning. He indicated if anyone was interested in joining a study group, to let him know. He noted that the deadline for contacting NASBE was before the November Board meeting, so the decision about Board representatives could be dealt with in a conference call if necessary.

### Policy Committee – Action on proposed State Board Guidelines for Letters of Support

The Policy Committee had been asked to develop guidelines for dealing with requests for letters of support or endorsements for proposals by another agency, organization or individual. Mrs. Rupe provided a brief review of the proposal. Dr. Wagnon moved, with a second by Mrs. Martin, that the Board adopt the guideline as proposed. Mrs. Waugh indicated she would be voting against the motion because she believed the proposal would open up the Board to so many requests for support that they would become unmanageable. The motion failed on a vote of 5-2, with Mrs. Gamble and Mrs. Waugh voting “no”.

### Board Attorney’s Report

Mr. Biles updated the Board on the status of pending issues in the federal school finance case. He also brought the Board up to date on a special education lawsuit originating from a parent of two special

education students in the Shawnee Mission School District. Mr. Biles also mentioned that he would be sending Board members a response in the next week regarding his investigation of the request about any possible wrongdoing with contacts mentioned in the press between the state school finance plaintiffs' attorney and State Board members.

Mrs. Waugh moved, with a second by Dr. Wagnon, that the Board pay Mr. Biles' fees for services and expenses for September as presented. The motion carried.

### **Other Board Member Reports**

Mrs. Van Meter, referring to comments by another Board member that some superintendents had expressed displeasure with assistance from the Department and that some staff members had mentioned they were unhappy with changes that had been instituted, requested that if such issues are brought up in the future the rest of the Board should be given the names of those who had expressed concerns so that the Board could address and resolve them. She also expressed concern that the news media appeared to be contacting only one of the ten Board members. She added that she represented a district with many school districts and had not received any complaints and, thus, had not been contacted by the media. Mrs. Van Meter asked that the Board work to bring the negative comments to an end.

Mrs. Martin handed out brochures and reported on the Spiritual Life Center at the El Dorado Correctional Facility that she and Mrs. Van Meter had visited. She indicated it was being built with private donations, but more were needed. In response to a question from Mrs. Waugh, she indicated all faiths were represented.

Dr. Wagnon reported that Washburn University would be showing the Jeff Tamblin documentary about the Kansas evolution controversy later in the evening, at 7:00 p.m. in Topeka, and that on Thursday the annual Lied Lecture at Washburn would be given by Edward Larson who would be making a presentation entitled "From Dayton, Tennessee to Dover, Pennsylvania". He invited all Board members to attend.

### **Requests for Future Board Items**

Mrs. Waugh requested, in light of recent incidents of school violence across the country, an update on the School Safety Hotline. She indicated that it didn't necessarily have to be a Board agenda item. Mrs. Gamble mentioned a recent newspaper article about the hotline. Mrs. Gamble requested a presentation on the UKAN Teach program. Dr. Wagnon requested a presentation on the definition and implications of English immersion programs. Dr. Wagnon also requested an accounting in a Board presentation about the \$1 million in unnecessary expenditures that had been identified and referenced by the Commissioner. Continued discussion of possible recommendations for the reauthorization of NCLB was requested for the November meeting.

### **STATE ASSESSMENT AND QPA UPDATE**

Deputy Commissioner Foster reported on current activities connected to the ongoing development of the state assessments, which include development and bias review of assessment items in reading, math, history/government and science. He also reported that additional forms of the assessments in the areas he mentioned were being developed for both general and special education students. Those assessment items and forms will be piloted in the Spring and in the following school year.

Dr. Foster provided an update on schools not making AYP. He showed a chart that illustrated a 3.3% drop in schools not making AYP based on data corrections. He indicated he hoped for a solid list of schools and districts by November, but will recommend that it be released in December if there were still many changes pending.

Dr. Foster reviewed and answered Board members' questions about the number and types of issues that were being appealed by districts. He reported that the appeals window had closed and the Department would be processing all that were outstanding. Once recalculated AYP reports have been shared with schools, appeals would be accepted for a short time in cases where it appeared a miscalculation might have been made by the Department. In their discussion, Mrs. Rupe expressed concern about problems the Wichita district appeared to be encountering and Dr. Foster reported on the efforts being made to resolve any issues. Mrs. Gamble asked to be updated regularly on the status of the appeals. Dr. Foster noted that the problem of having such a short time to get clean data would be solved if states were allowed under NCLB to use data from the previous year's assessments to determine a school's improvement status. Mrs. Gamble noted she had made that recommendation several years ago.

Among other topics addressed by Dr. Foster were the new AYP /Assessment summary reports and issues with the Standard of Excellence because of the additional grade levels being assessed.

Dr. Foster briefly reviewed the history of QPA and shared some of his concerns about the process. He reported that he had formed an internal committee to look at immediate concerns for the 2006-2007 year, including issues with the QPA part of the report card. Additionally, writing targets will need to be set and next year science and history/government targets will need to be set. Dr. Foster indicated he would like to change the method used for establishing QPA targets for state assessments to one based on what is reasonable for quality schools in the state and, for schools that don't meet that level of performance, the establishment of individual targets that keep them improving and moving upward. Dr. Foster said he felt that setting targets based on what the scores should be in a quality school was sustainable and maintainable and could be held up as an example, knowing that good schools could reach the target. Dr. Foster and Mrs. Gamble discussed the relationship between a rubric and a target.

Mrs. Rupe, noted that at the September meeting, she had argued for the percentage of students proficient in reading and math not to go up for the 2005-2006 assessments. She reminded Dr. Foster that he had explained that the result of that action by the Board would result in a large jump in the percentages for next year, because, according to federal guidelines, targets for succeeding years could not be reconfigured. She asked if the Department would look into what penalties would be involved if Kansas reconfigured the AYP targets through 2014 based on the Board's action in September.

Dr. Foster gave a brief overview of accreditation status and how it is achieved. Dr. Foster noted that the focus has been on the "not accredited" category of schools, but that he would like to suggest some options for dealing with schools that are "accredited on improvement", or those schools which had not made AYP for two consecutive years. He shared a letter from a counselor at a Junction City Middle School who wrote about the problem of schools with large diverse populations of students who continue to show improvement every year, but do not make AYP. Dr. Wagon agreed that it was a challenge for schools such as the one mentioned in the letter, but that success in educating every child was attainable. He noted that models of successful schools need to be shared and the focus of the advice and technical support from the Department should be on leadership and professional development to learn to address diversity in educational needs. He indicated that it was important not to lose sight of accountability. Dr. Foster agreed with Dr. Wagon and indicated he wanted to provide a system of accountability that credits schools for work done and gives them hope that they can achieve what is required. Mrs. Martin mentioned that she had substituted in the school mentioned in the letter and was aware of the significant challenges it faced. She added how disheartening it was for teachers and staff to work hard day after day and show improvement, but still be perceived by the public and the media as a bad school because of the labels applied by the system.

Mrs. Rupe noted it was incumbent upon the Department when it provides assistance that it be good assistance and that the background of a district is understood before a visit is made. Mrs. Gamble noted that regional cadres of educators had been developed to act as interveners for schools on improvement. She asked for the status and additional information about those educators who would be working with Department staff on district assistance teams. Dr. Foster indicated that the effort to coordinate external technical assistance teams with internal Department teams had been moved to the Division for School Innovations and perhaps an update could be provided.

Before continuing with the presentation, the Board took a break from 10:35 to 10:45 a.m.

Dr. Foster suggested that intervention early with schools on improvement could make a difference. The areas of concern that he identified were: 1) programming related to online reporting, and internal process issues about dealing with information from schools; 2) how the State Technical Assistance Teams (STAT) would be identified, how they would function, and under whose authority; and 3) how the Department will go about reviewing schools' improvement plans and what will be done with them. Dr. Foster indicated that he would continue to update the Board on those issues.

Dr. Foster also reported that he would like to use flexibility in the regulations to add elements to deal with schools on improvement. Those would include studying quality schools that are currently successful and other models of effective practices and develop a weighted scoring option to look at growth and improvement in schools that are unable to reach the unrealistic targets set by the federal government. An issue that arose during the discussion, was that if growth, only, became the objective, it could be a step back from the goal of educating all children. Mrs. Gamble indicated that the goal should be to educate all children to the standard that was felt to be appropriate for what all children should know and be able to do. Dr. Foster agreed and indicated that he believed it was necessary to hold as a goal having all children educated to the standards about which there is agreement as to appropriateness. He added that he wanted to provide hope, leadership and technical assistance to schools to help them reach those standards. Dr. Foster proposed that schools on improvement be provided some options by making more available effective practice instructional models; encouraging local responses to problems; providing multiple data points for accreditation; and creating a distinction between the Kansas QPA system and NCLB. Dr. Wagnon and Dr. Foster discussed options that currently exist for schools to gather information about best practices and the effectiveness of the resources available.

Dr. Foster reported that the federal government allowed different models of accreditation and shared some from different states with the Board. Mrs. Gamble wanted to know if the Board made changes or adopted any other model if the state's federal accountability plan would have to be changed. She also asked what the timeline was for making changes to the plan. Dr. Foster reported that changes to accountability plans were due each year by April 15<sup>th</sup>. Mrs. Gamble was concerned about how closely aligned QPA was with NCLB and Dr. Foster noted that there was very little flexibility with requirements of NCLB, but quite a bit of flexibility with the Kansas accreditation system.

Lastly, Dr. Foster updated the Board on the status of the option for assessments at the end of opportunity to learn in high school, reported on recent federal policy changes regarding it, and issues to consider.

#### **REPORT ON 2003 CHARTER SCHOOL GRANT FUNDS**

Staci Warren reported on how the FY 2003 Charter School Grant Allocations were distributed to the charter schools as approved by the Board at the September meeting. She reported that in making the allocations, rankings on initial charter petitions were considered. Also included were two schools which had been approved for charters since the initial 2003 grants were made, but were not funded because of

lack of funding. Mrs. Warren reported that the funds distributed included \$1,600 that had been returned by one school, with the balance being funds that had never been allocated. A total of \$273,614 was allocated to charter schools as follows: USD 218, Elkhart, Point Rock Academy, \$42,539; USD 400, Smoky Valley, Smoky Valley Virtual Charter School, \$17,551; USD 465, Winfield, Community Learning Center, \$21,237; USD 373, Newton, E3: Entrepreneurial Education Enterprise, \$31,683; USD 263, Mulvane, Mulvane Charter School; \$26,870; USD 315, Colby, Thomas County Academy, \$16,065; USD 261, Haysville, Haysville Charter School, \$20,623; USD 253, Emporia, Turning Point Learning Center, \$15,000; USD 497, Lawrence Public Schools, Lawrence Virtual School, \$14,940; USD 200, Greeley, Greeley County Junior High Charter School, \$14,888; USD 501, Topeka Public Schools, Hope Street Academy Charter Middle School, \$17,141; USD 349, Stafford County, Stafford High Charter School, \$16,537; and USD 376, Sterling, Sterling Academy, \$18,540.

### **BOARD TRAVEL**

Mrs. Rupe asked for reconsideration of the approval of Mrs. Morris' travel requests approved in September. She indicating that she felt uncomfortable bringing the an issue up when Mrs. Morris was not present, but didn't know how else to address it. Mrs. Rupe pointed out that the trip to Washington, D.C. would be after the December Board meeting, Mrs. Morris' last meeting as a Board member, and there would not be any opportunity to bring back to the Board anything that she had learned. Mrs. Rupe also pointed out that Mrs. Morris' December trip was not to a specific conference, but only individual meetings about immigration. Mrs. Rupe said she didn't understand how that would serve the Board or why the State of Kansas should send her. Mrs. Van Meter noted that Mrs. Morris' travel was legal and money had been allocated to her for travel. She also indicated that what Mrs. Morris might learn might not be used this year, but that she may run for the Board again – also pointing out that she was a member of the Board until the end of the year. Mrs. Van Meter indicated she had no qualms about Mrs. Morris' travel plans. Mrs. Rupe discussed the travel allocation system and agreed that Mrs. Morris' travel was legal, but she did not believe it was ethical. Mrs. Gamble asked if Mr. Willard had sent a letter to Chairman Abrams as had been reported to her. Chairman Abrams responded that he had received a letter from Mr. Willard asking if the issue should be revisited, but pointed out that Mr. Willard was not present to address the issue.

Mrs. Waugh agreed with Mrs. Rupe and indicated that she believed any travel Board members undertook should be to help serve them in their current position on the Board. She mentioned the last time the Board had asked the Policy Committee to revisit the travel policy the recommendation had been that no changes be made. She also reported that she had been bothered by the request at the September meeting, but because of the response to earlier challenges of travel requests, that they were legal, she had not brought the issue up. Mrs. Waugh moved that that Board approval of Mrs. Morris' travel to Washington, D.C. at the end of December be rescinded. Mrs. Rupe seconded the motion. Chairman Abrams pointed out that whether it was believed that the trip was ethical or not, the trip was covered by current Board policy and was within Mrs. Morris' travel budget. He noted that she had been cognizant of overspending her budget in her first year and that he was aware that she had been trying to save her allocation this year to cover the Washington trip and had not turned other travel in for reimbursement in order to do so. He added that he had no problem with the Board revisiting its travel policy to prohibit travel at the end of a term after a member's last meeting, but was not in favor of singling out one individual. Mrs. Waugh indicated that in January she intended to ask the Policy Committee to review the travel policy regarding situations such as the one under discussion, with the hope that a new committee would make changes that would not leave the Board in the situation it now faced. Chairman Abrams indicated that the Board could have overruled earlier Policy Committee recommendations and the Committee should not be blamed for the current situation.

Mrs. Gamble stated she felt that the policy for travel was misunderstood because most people in the work world must justify travel and a determination is made about whether it serves the goals of the business. The Board at one time had handled requests that way. Though she had questioned several requests, they technically fell within the scope of the policy. She added that she also believed that the policy should be revisited and perhaps specific criteria that travel must meet should be spelled out. She added that she would be voting against the motion, because she didn't see any particular value if the vote was not unanimous. The motion failed 3-4, with Dr. Abrams, Mrs. Gamble, Mrs. Martin and Mrs. Van Meter voting "no".

Dr. Wagnon moved, with a second by Mrs. Martin, that the October travel requests be approved as presented. Mrs. Waugh asked that salary, mileage and expenses for the Kansas Teacher of the Year banquet November 11<sup>th</sup> in Wichita be added to her request. Mrs. Gamble corrected a date for her travel to the Blue Ribbon School celebration in Arkansas City. The motion, with the amendments, carried unanimously.

Dr. Wagnon indicated that he would like to serve on the NASBE study group, Models for Success.

#### **ADJOURNMENT**

The Board extended its appreciation to USD 470, Arkansas City, and USD 465, Winfield, for their hospitality and to Cowley County Community College for the use of the meeting room. There being no further business, the meeting adjourned at 11:50 a.m.

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Steve Abrams, Chairman

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Penny Plamann, Secretary