

**KANSAS STATE BOARD OF EDUCATION**  
**Pre-Meeting Activities**  
**March 10, 2003**

An orientation session for new Board members was held from 3:30 ? 5:30 p.m. in the 2<sup>nd</sup> Floor Conference Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.? An opportunity was also provided for questions about items on the agenda for the upcoming meeting.? In attendance were Mrs. Waugh, Mrs. Gamble, Mrs. Morris, Mrs. Van Meter, Mr. Willard, and Mr. Bacon.

**MEETING MINUTES**  
**March 11, 2003**

**CALL TO ORDER**

Chairman Waugh called the meeting to order at 10:00 a.m. on Tuesday, March 11, 2003, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.

**ROLL CALL**

Board members stood for presentation of the colors by members of the Junction City High School JROTC and the recitation of the Pledge of Allegiance.? Present were:

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

**APPROVAL OF THE AGENDA**

Chairman Waugh asked for any changes to the agenda. Several members indicated they would like additional information regarding items on the Consent Agenda and asked that they be pulled.? Dr. Abrams asked that item 13 k., a request from USD 458, Basehor-Linwood, Leavenworth County, to hold an election on the question of issuing bonds in excess of the district's general bond debt limitation, be pulled. ?Mrs. Gamble asked to pull items 13 e. 1) and 2), regarding QPA regulation waiver applications from USD 418, McPherson, and USD 501, Topeka; 13 g., certification waiver requests; and 13 h., recommendations of the Certification Review Committee.? Mr. Wyatt asked that 13 f., an inservice education plan from USD 438 Skyline Schools, be pulled.? Chairman Waugh asked that an executive session be added as item 16 at the end of the afternoon.? There being no further changes, Dr. Abrams moved, with a second by Mr. Bacon, that the agenda be approved as amended.? The motion carried.

**APPROVAL OF THE FEBRUARY 2003 MINUTES**

Chairman Waugh asked if there were any corrections to be made to the February 2003 minutes.? Dr. Wagon noted that Mr. Willard was incorrectly listed among the members present at the beginning of the February 11<sup>th</sup> meeting because Mr. Willard had not arrived until later in the day.? Dr. Wagon also indicated that he was present for the executive session on February 12<sup>th</sup> and asked that the minutes be corrected to reflect that fact.? Mr. Wyatt asked that the minutes reflect that, during discussion on February 12<sup>th</sup> of his Legislative Coordinator?s report, there was Board consensus against the Senate resolution to eliminate an elected State Board of Education.? There being no further changes, Dr. Abrams moved, with a second by Dr. Wagon, that the minutes for February be approved as amended.? The motion carried.

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### **COMMISSIONER'S REPORT**

In his report Commissioner Tompkins reviewed recent activity, noting that the federal review of the NCLB (No Child Left Behind) accountability plan had gone well. He reported that a joint meeting, just prior to the May Board of Regents meeting and just after the Board's May meeting on Wednesday, May 14<sup>th</sup>, had been scheduled, but indicated that a meeting with Chairman Waugh and the Chairman of the Board of Regents, Jack Wempe, to develop an agenda had not yet been set. Dr. Tompkins reported that Department staff would be holding meetings across the state to help schools and the public understand the changes that they can expect because of the recently adopted QPA regulations and the implementation of NCLB. He stated that he, along with Assistant Commissioner Pochowski, had prepared a short introductory video for the meetings. Dr. Tompkins also noted that Dr. Pochowski had provided additional information on the charter school petitions that would be acted on later in the day, including the process used in arriving at the recommendations, the weighting system employed, and information about what was proposed in each of the petitions.

### **PRESENTATION FROM JROTC**

Lt. Colonel Bob Kennedy, Senior Instructor at Junction City High School, and Colonel Robert V. Hester, Director of JROTC and Leadership Instruction, Wichita, presented an overview of the middle school and high school Army Junior ROTC program. Col. Hester indicated JROTC was an academic program counting toward graduation that integrates community service and service learning. Goals of the program are to promote among its members citizenship, leadership development, effective communication skills, improved physical fitness, an incentive to live drug-free, strengthened positive motivation, an understanding of the historical perspective of the military services, how to be an effective member of a team, and to graduate from high school. The program also aids the community by providing opportunities for at-risk youth and developing an attractive and capable potential workforce. Information on student demographics by ethnic group and gender was also presented. At the close of their presentation, Lt. Col. Kennedy and Col. Hester answered questions. Mrs. Rupe pointed out that, after initial reluctance as a local board member about the JROTC program in the Wichita school district, she was now a proponent of the benefits it provides to students. She indicated that the program has grown to over 2,000 students in Wichita and now includes a leadership program for middle schools.

### **CITIZENS' OPEN FORUM**

Chairman Waugh opened the Citizens' Open Forum at 10:48 a.m. Those addressing the Board were: John Van Keppel, Leawood; Rick Howard, Wichita; and Pete Roman, Lenexa. Chairman Waugh declared the open forum closed at 10:59 a.m. The Board took a break until 11:10 a.m.

### **UPDATE ON SPECIAL EDUCATION ISSUES**

To assist the Board in understanding potential changes that may occur as a result of the reauthorization of the Individuals with Disabilities Education Act (IDEA), Assistant Commissioner Alexa Pochowski reviewed the historical background for the act and reviewed changes that have occurred since its initial passage as the Education for All Handicapped Children Act in 1975. Originally providing special education services for student 6-21 years of age, the act has been amended to include special education service requirements for infants, toddlers and preschoolers. Two additional categories of disabilities, autism and traumatic brain injury were added in 1986 to the ten areas of disabilities in the original act. Dr. Pochowski also explained that the primary focus has also evolved from ensuring access, to ensuring that children with disabilities are educated in the least restrictive environment and that positive results were achieved.

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Dr. Pochowski reviewed the increases from 1990 to 2000 in the number of students with disabilities served and professional and paraprofessionals employed to meet their educational needs. She explained that the increase in the number of students with special needs had increased for several reasons. Included were the closing of state institutions which had previously served some special needs students; the increased prevalence of the number of students with autism, from one in every 2,500 children to one in every 125; an increase in the number of students identified as learning disabled; and a large increase of students identified with other health impairments (OHI). Asked about the increase in the number of students with autism, Dr. Pochowski explained that better identification of the disorder and the identification of degrees of autism were both contributing factors. She also mentioned that the number of students identified as learning disabled pointed out the need for more early childhood intervention, because many students so labeled could be identified as reading disabled, not learning disabled.

Dr. Pochowski also reviewed the changes in instructional practices and the way services are provided. When discussing improved math scores for students with disabilities, Dr. Pochowski was asked about problems with the modified math assessment. She explained the difference between modified assessments and assessments with accommodations, noting that Kansas is the only state that uses modified assessments. She further explained that alternate and modified assessments had become an NCLB issue, because US DOE believes Kansas is holding those students to a different standard. US DOE would have those students' assessment results count as zero in the assessment scores for all students. Dr. Pochowski stated that the Kansas alternate and modified assessments were designed to assess the performance levels of special needs students based on the level of proficiency those students should have achieved according to their IEPs and learning needs and that it is appropriate to include their scores in the scores for all Kansas students. Dr. Pochowski also reported on the attendance, drop-out and graduation rate for students with disabilities compared to all students in Kansas.

Dr. Pochowski reported that the principles which would impact the reauthorization of IDEA during the 2003 session of Congress were drawn from the President's Commission on Special Education; which had NCLB as the driving force behind its recommendations. The Commission's recommendations concentrate on high academic standards, accountability, a focus on results instead of process, parent empowerment, enhanced teacher quality, and educational reform based on scientific research. Commissioner Tompkins noted that advocacy by parents for the process is substantial and the transition to a focus on results will take time. After reviewing the Commission's recommendations, Dr. Pochowski also reviewed common areas to support and promote during the reauthorization which had been recommended by various other special education organizations and interest groups. Those recommendations included: full funding of special education at the federal level of 40% of excess costs; balanced accountability for all students to include multiple measures; reduction of paperwork enabling educators to concentrate on teaching and learning; clarification on the ability of schools and school personnel to discipline students with disabilities, and integration of IDEA and NCLB to ensure compatibility between the two major federal laws. Additionally, Dr. Pochowski indicated the desirability of one reporting system coordinated for all federal educational programs. Asked if any other recommendations should be included, Dr. Pochowski recommended that the Board consider adding prevention.

During Dr. Pochowski's presentation, several issues were discussed and Dr. Pochowski provided clarification about several procedural issues. In a discussion of the national attendance, drop-out and graduation rate of students with exceptionalities, Dr. Pochowski indicated that Kansas students with disabilities tend to remain in school. She further noted, that gifted students drop out at a higher rate than

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other students. Dr. Abrams requested disaggregated graduation rate data for students with disabilities by state and Mrs. Morris requested more information in general on what is happening in the gifted program in the state.? She also brought up the issue of parent accountability.? Effectively communicating the Board?s position on issues associated with the reauthorization of IDEA with the Kansas congressional delegation was explored and Mrs. Gamble mentioned that she and Chairman Waugh would be attending the NASBE Legislative Conference later in the week and would have the opportunity to meet with them.? She indicated that the reauthorization would be one of the issues discussed.? Staff was also asked to prepare for discussion at the April meeting an outline of recommended changes in IDEA that the Board could continue to share with the Kansas congressional delegation.

The Board recessed for lunch at 12:17 p.m. and returned at 1:30 p.m.?

## BOARD REPORTS

### Chairman

#### *At-Large Member of the KSHSAA Board of Directors*

Gary Musselman, Kansas State High School Activities Association (KSHSAA) Executive Director, had recently communicated with the Commissioner that, as provided KSHSAA bylaws, the Board has the opportunity to recommend nominees to serve in several at-large positions on the (KSHSAA) Board of Directors.? He indicated that William Fernandez, Dodge City, KS, had just finished his 2<sup>nd</sup> two-year term and would be available for reappointment for a third and final term as the at-large member in an opening to be filled at their upcoming June meeting.? Dr. Abrams moved, with a second by Mr. Bacon, that the Board recommended to the KSHSAA the appointment of Mr. Fernandez for a third term on the KSHSAA Board of Directors, to begin September 2003 and conclude April 2005.? The motion carried unanimously.

Chairman Waugh also reported that she had visited a school in her district that was hosting the Department?s interactive Body Walk exhibit.? She recommended that other Board members take the opportunity to visit the exhibit when it is in their area.? Mrs. Waugh also reviewed a tentative agenda of activities for the Board visit to District 1 for its April meeting.

### Legislative Coordinator

Mr. Wyatt reported on a meeting with Sylvia Robinson, Governor Sebelius? Chief of Education Policy, and a meeting with Senate leaders on proposed legislative activity to reorganize the State Board of Education. ?Both meetings were also attended by Chairman Waugh and Vice Chairman Gamble.? He noted that the reorganization efforts had been explained as an attempt to combine and coordinate policy and budgetary responsibilities, and that there was a desire to make the Commissioner of Education a cabinet level position.? Mr. Wyatt reported that he had stated in a presentation of the Board?s FY 2004 budget to a legislative budget sub-committee, that schools were not being held harmless because education had been exempted from budget cuts, because maintaining the status quo has not kept pace with increased costs of operations.? Mr. Wyatt also reported on information received from NASBE regarding federal education legislation.

### Chairman, Board Policy Committee

Dr. Abrams, Board Policy Committee Chairman, handed out draft revised policies for the Kansas State School for the Deaf and the Kansas State School for the Blind.? He reported that the committee had reviewed proposed changes and that, though there were minor wording changes yet to be made, the drafts given to the Board would not change substantively.? He explained that outdated policies had been deleted and that the rationale for retaining policies had been whether the matter was one upon which it would be appropriate for the Board to act.? Dr. Abrams requested that action on the revised policies for the Kansas State School for the Deaf and the Kansas State School for the Blind be on the Board?s April agenda.

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### **Board Attorney**

Mr. Biles reviewed activities on the two school finance cases and answered questions from the Board about other pending activity and potential Board involvement in litigation involving the Johnson County sales tax recently passed to support education.? Dr. Wagon moved, with a second by Mrs. Gamble, that the Board accept Mr. Biles? report and that his fees for services and expenses for February be paid as presented.? The motion carried.?

### **Other Board Member Reports**

Dr. Wagon reported on reading at Indian Creek Elementary School in USD 345, Seaman, Topeka.? He also asked that the Board be kept advised of the schedule of staff presentations on NCLB.? Mrs. Van Meter reported on visiting in the Burlington school district.?

### **Future Agenda Items**

Mr. Wyatt asked about performance requirements for other academic areas assessed, besides reading and mathematics required by NCLB.? Commissioner Tompkins indicated the issue would come to the Board sometime in the next two to three months.

### **ACTION PLAN FOR BOARD 2003-2005 STRATEGIC GOALS**

Commissioner Tompkins reviewed an initial draft of the State Board?s Strategic Goals and Objectives for 2003-04, noting that the areas of interest discussed at the Board retreat, as well as projects the Department will be completing to comply with various laws were included. He indicated the wording of the third strategic goal had been modified to reflect Board comments.? Dr. Wagon questioned whether the three strategic goals accurately reflected the work that needed to be undertaken over the next two year.? The Board discussed his concerns and the point was made that it had been the consensus of the Board at its retreat to retain the three goals, with minor rewording of goal three to include reference to the previously adopted Core Principles for Redesign.? Board members in general liked the lists of objectives Dr. Tompkins had presented for the three strategic goals, with a few recommended additions or modifications.? Dr. Abrams moved, with second by Mrs. Gamble, that the Board approve the Board?s three strategic goals as presented and that the Commissioner bring to the Board in April another draft of the objectives into which Board member suggestions had been incorporated.? Mrs. Morris moved that ?qualified teachers? in Goal Two be changed to read ?highly qualified teachers?.? Dr. Wagon seconded the motion.? After further discussion, the motion was withdrawn.? The Board continued its discussion of the requirement in NCLB for ?highly qualified teachers? and how the Department was addressing it.? The point was made that the new teacher licensure system, once fully implemented, would address the requirement, and that the difficulty was with teachers currently practicing.?? Mrs. Rupe shared the Professional Standards Board rubric that was being used to assess teachers in the field.? A summary of the results of the survey of currently certified teachers using the new rubric to identify those ?highly qualified? was requested.? Mr. Wyatt, with a second by Mrs. Gamble, moved that the Board vote on the motion.? The motion to vote carried 9-1, with Dr. Wagon voting ?no?.? The vote of the motion to approve the Board?s strategic goals carried 10-0.? Suggestions to be incorporated into Dr. Tompkins? draft for the April meeting included:

#### *Goal One ? Help all students meet or exceed academic standards*

- 1) Add an objective directed at academic improvement for special education students, emphasizing results over process.
- 2) Maintain the focus of the goal?s objectives on students, not schools.
- 3) Ensure that every primary teacher has the training and skills necessary to teach reading.

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*Goal Three ? Design an educational delivery system, utilizing the State Board?s Core Principles of System Redesign, to ensure learning for all*

- 1) Develop options for redesign of the entire educational delivery system instead of just high school.
- 2) Add discussion of consolidation issues to the development of a mediation strategy for land transfer issues.
- 3) Add alignment of preK-12 with postsecondary education in cooperation with the Board of Regents and continue to develop a working relationship with the Board of Regents.
- 4) Maintain primary focus of Goal Three on more fully developing the concepts included in the core principles

The Board took a break from 3:10 to 3:20 p.m.

## **LEGISLATIVE MATTERS**

### **FY 2003 and FY 2004 Budget Recommendations**

Deputy Commissioner Dennis handed out information on recommendations from the Governor and legislative committees for the FY 2003 and FY 2004 budget .? He noted that the only change made by the House Appropriations and Senate Ways and Means Committees to the Governor?s recommendations for FY 2004 was the recommendation for funding special education as a separate categorical aid category.? He explained that the Governor had recommended transferring \$251 million to General State Aid and funding special education as a weighting in the school finance formula.? Mr. Dennis noted that \$130,000 in funding was included in the recommendation for discretionary grants for small programs considered to have merit, such as Ag in the Classroom and environmental education.? Carol Rupe commented that some programs with small price tags such as the mentor teacher program and inservice education can have a big impact.?? Mr. Dennis also reported on projections for the state general fund ending balances for FY 2003 and FY 2004.? He indicated that there had been some discussion of making the last FY 2003 aid payment to schools after July 1<sup>st</sup>.? He reported that the Governor was planning a state tour to discuss budget concerns and handed out copies of the schedule.? Mr. Dennis also handed out bill status information and reviewed bills of interest.

### **REVIEW OF AUGENBLICK & MYERS, INC. STUDY ON ORGANIZATION OF KANSAS SCHOOL DISTRICTS**

Having had a presentation on the ?Regionalization Concept for Reorganization of Kansas School Districts? by Mr. Ken Kennedy, Dr. Sherol Little, Dr. Gary Norris, and Dr. Morris Reeves, at the February Board meeting, a review of ?A Comprehensive Study on the Organization of Kansas School Districts? by Augenblick and Myers, Inc. was presented by Mr. Dennis to help further the Board?s study and discussion of efficient and effective school district organization.? Board members discussed the results they hoped to achieve in their study of school organization issues.? Mr. Wyatt explained his position that the Board should look at the quality of education being offered in the state while asking itself if it is developing a system to support academic performance goals.? Mrs. Gamble noted that because district consolidation was being discussed in the legislature the Board should be well versed about the various plans and issues.? Mr. Dennis indicated it was possible that district consolidation would be an interim legislative study next summer.? Dr. Wagon expressed his appreciation for the report presented in February because it had opened up the Board?s discussion of cost savings.? He added that a benefit of the Augenblick and Myers study was the connections drawn between district size and student performance and that there was a potential advantage for the Board to study the fiscal conditions and structures that support effective educational performance.? Issues such as a correlation between

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optimal district size in student population and area covered and the Board?s core principles for system redesign were noted by him as ideas to pursue.? Carol Rupe mentioned the possible need for cooperative efforts between districts to

consolidate common functions to save money.? Dr. Abrams stated that the Board?s focus should be on educational quality, though it should not ignore money issues because the school finance formula was part of the issue.? It was the consensus of the Board to continue to study district reorganization issues and Mr. Dennis was asked to provide the Board with information on student learning results and school district demographics for a discussion in April.

## CONSENT AGENDA

Mrs. Gamble, who had earlier pulled several items from the consent agenda, reported that she had received the additional information she needed on 13 e. 1) and 2), regarding QPA regulation waiver applications, and 13 h., a recommendation of the Certification Review Committee for denial of a request for an initial Kansas certificate in K-12 music.? She noted that the teacher whose request had been denied had instead been directed to seek a restricted certificate and has done so. Mrs. Gamble indicated that she had asked that additional information be provided with requests for waivers for individuals to serve outside their area of endorsement in districts in order to give the Board a better picture of where needs exist.? She asked that district enrollment and state board district number be included.? The information was given to the Board and would be included with requests in the future.? Mr. Wyatt indicated that his question about 13 f., an inservice education plan from USD 438 Skyline Schools, had been answered.?

Dr. Abrams had pulled item 13 k. b), a request from USD 458, Basehor-Linwood, Leavenworth County, to hold an election on the question of issuing bonds in excess of the district's general bond debt limitation.? Chairman Waugh indicated she had invited Dr. Cal Cormack, Superintendent, and Mrs. Kerry Mueller, Board President of USD 458, to answer Dr. Abrams questions.? Dr. Abrams was interested in understanding why the district and local board had decided to request another election on the bond issue, which had been defeated in a special election in January, asking if the proposal had been modified in any way since the defeat.? Dr. Cormack and Mrs. Mueller explained that in order to meeting the election deadline requirements for having the issue on the April ballot, there had been no time to rework the proposal and that the USD 458 Board had worked on the details of the proposal over a period of sixteen months, reducing it to the minimum needed to keep pace with projected district growth.? They also indicated that they had received encouragement from many community members to bring the issue back to the voters because of the narrow margin of votes that had defeated it.? They explained district demographics and Dr. Cormack noted that the issue might be defeated again in April, but it was important to do everything that could be done because of the board?s commitment to the proposal and their desire to address district growth.? Mr. Bacon mention legislation that had been introduced that would end state aid for school capital improvements for bonds issued after July 1, 2003.? Dr. Abrams moved, with a second by Carol Rupe, that the consent agenda be approved, with the request from USD 458 for authority to hold a bond election voted on separately.? The motion carried 10-0.

In the consent agenda, the State Board:

- ? Received the monthly personnel report.
- ? Confirmed the appointment of Laurel Stanley to the position of Administrative Assistant, effective February 17, 2003, at an annual salary of \$18,595.20.

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- ? Approved school construction plans for Seaman, USD 345; Kansas City, USD 500 (2); Olathe, USD 233; St. Mary?s Grade School, Salina; Scott City, USD 466; Ellinwood, USD 355; and Altoona-Midway, USD 387.?
- ? Approved accredited status for: USD 316: Golden Plains Elementary, Golden Plains Middle, and Golden

Plains High; USD 346: Jayhawk-Linn High; and USD 422: Delmer Day Elementary/Middle, and Greensburg High School..

? Approved waiver requests from: USD 418 - McPherson, for a waiver of K.A.R. 91-31-24, allowing Lincoln Elementary School and Roosevelt Elementary School to delay their first on-site visits for one-year, until December 31, 2003; and Quinton Heights Elementary School, Topeka USD 501, for waiver of K.A.R. 91-31-16(a) 91-31-24 allow the school to delay both its 5-year accreditation cycle and accreditation visit by one-year with its accreditation visit moved to June 30, 2004.

? Approved the inservice education plan from USD 438 Skyline Schools.

? Approved requests for waivers for individuals to serve outside their area of endorsement in districts as follows: *Adaptive Physical Education*: Rick Greene, USD 383; *Behavior Disorders*: Mike Williamson, USD 465; and Eileen Hiebert, IL 617; *Early Childhood Special Education*: Jennifer Shanks, USD 259; Abigail Markley, USD 475; Valerie Stake, IL 605; and Pat Dienst, IL 611; *English*: Susan Hall, USD 352; *Gifted Education*: Kristin Pilcher and Christie Welch, USD 259; Andrea Schafer, USD 305; and Julie Riphahn, USD 501; *Interrelated Special Education*: Susan Thompson, USD 233; Scott Keys, Jarrod Loewen, Tammy Stewart, and Virginia Weis, USD 259; Jennifer Scritchfield, and Barbara Ward, USD 261; Pam Russo, USD 282, Carolyn Goodwin and Taton Stambaugh-Tubbs, USD 305; Jamie Wetig, USD 308; Julia Flach, USD 320; Lori Hawk, USD 368; Sandra Stucky, Vicki Broderson, Kathryn Maranville, and Mike Rutz, USD 383; John Davison, USD 409; Randi Dale, Jonathan Granberry, Sasha Kirkpatrick, Jeremy Krause, and John Ritchie, USD 475; Angela Adlesperger, USD 490; Diana Morris, USD 501; Pat Banker and Marilyn Snow, IL 608; Kara Patterson, IL 611; John Askew, IL 613; Barbara Lutz, IL 616, Nicholas Cummings, IL 620; and, Christine Eveleigh, IL 636; *Library Media Specialist*: Leigh Ann Geis and Anne Tormohlen, USD 497; *Mathematics*: Joan Klug, USD 354; *Mentally Retarded*: Joette Frank, USD 465; *School Psychologist*: Linda Ostrander, IL 616; and *Spanish*: Celeste Edgar, USD 222.

? Accepted the recommendations of the Certification Review Committee in cases 1990, and 2019-2028.

? Approved the State Improvement Grant for Special Education Supplemental grant awards in the amount of \$13,000 each for Southwestern College, University of Kansas, Associated Colleges of Central Kansas, Washburn University, Pittsburg State University, Kansas State University, and Wichita State University.

? Approved issuance of a FY 2003 commercial driver training school license to Horizon's Driving Academy, Salina, Kansas.

? Approved a request from USD 440, to hold an election on the question of issuing bonds in excess of the district's general bond debt limitation.

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### **REQUEST FROM USD 458 TO HOLD A BOND ELECTION**

Mrs. Gamble moved, with a second by Carol Rupe, that the Board issue an order authorizing USD 458, Basehor-Linwood, Leavenworth County, to hold an election on the question of issuing bonds in excess of the district's general bond debt limitation.? Dr. Abrams indicated he would vote against the motion because the bond proposal had not changed since it was defeated in January.? The motion carried on a vote of 8-2, with Dr. Abrams and Mrs. Van Meter voting ?no?.

The Board took a break from 5:15 to 5:22 p.m.

## **CHARTER SCHOOL PETITIONS**

Dr. Pochowski explained the additional information that had been given the Board on the Charter School application and review process. Also included was the charter school scoring rubric breakdown for the nine petitions received, and a brief description of each charter school proposed. Dr. Tompkins pointed out information about whether each proposed charter school met with the Department of Education's Audit Guidelines, mentioning the current charter school lawsuit concerning audit issues. Questions were asked about the weighting applied to each criteria; the timeline for the application process and presentation of recommendations to the Board for approval; the membership of the review panel; and how the rubric was developed. Mrs. Gamble mentioned that the Board had established the criteria with an educational basis and had approved the process to be used in August, 2000, and again when approving the petitions submitted in 2002. She expressed uneasiness about Board members having sufficient qualifications to assess the educational value of the applications. Mr. Willard stated he would like to see a lot of latitude for charter schools to allow the development of new delivery systems. He suggested that next year it might be helpful to Board members to have more than one meeting to review and approve new charters. Dr. Wagon noted that the charter label does not apply to Kansas schools because nothing has been proposed which couldn't already be done with waivers of certain QPA regulations, as needed. He noted that the process for approval of charters is under the Commissioner's administrative responsibilities and for the Board to involve itself in the appointment of the review panel would be micromanagement. Mr. Bacon disagreed with Dr. Wagon about the charter review panel, stating that if panel members were current educators and not part of effective charters, members would not grant approval to plans that didn't look like a regular school. He added that it was important to include members of charters in the review process because innovation was needed.

The Board also discussed two proposals that had been received and recommended for denial whose scores fell close to the 100-point cut off for approval. Staff was asked if it would be possible to help those applicants address the deficiencies in their applications. Dr. Abrams also asked why Winfield had withdrawn its application which was recommended for approval. Dr. Pochowski responded that the proposed charter school had asked for a waiver of all accreditation requirements. She noted that though the application had some academic merit, as indicated by the score it had received, the Department could not waive all accountability standards for the proposed charter school. Dr. Abrams moved, with a second by Mrs. Gamble, that the State Board approve charter school petition submitted by USD 321, Kaw Valley, USD 465, Winfield, USD 308, Hutchinson, USD 424, Mullinville, and USD 101, Erie-St. Paul, with the stipulation that staff help USD 424 and USD 101 improve their proposals. Mr. Bacon stated he would not vote in favor of the motion because the Board had had no input on the make-up of the charter review panel, he was uncomfortable with a process which had resulted in a 50% disapproval rate, and he felt rushed into making a decision. Mr. Willard indicated he would vote for the motion, but he also felt uncomfortable with the large denial rate using the current process. He stated the Board should explore the issue further and look at best practices in use in successful charter schools. The motion carried on a vote of 8-1-1, with Mr. Bacon voting ?no? and Mrs. Morris abstaining.

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## **APPROVAL OF BOARD TRAVEL**

Mrs. Gamble asked that her meeting with the Governor's education representative on February 21<sup>st</sup> be added to her request. Carol Rupe moved, with a second by Mr. Wyatt, that the Board travel requests be approved as amended. The motion carried.

## **EXECUTIVE SESSION**

Dr. Abrams moved, with a second by Mr. Willard, that the Kansas State Board of Education recess into Executive Session for a period of 30 minutes to discuss personnel matters of nonelected personnel so the privacy, confidentiality

and other rights of such personnel would not be violated, and for consultation with the Board attorney so that the attorney-client privilege could be preserved, and that the open meeting of the Board resume in the Board room at 6:40 p.m.? The motion carried.? At 6:40 p.m., the open meeting resumed.? Ms. Gamble moved, with a second by Dr. Abrams, that the Kansas State Board of Education recess into executive session for a period of an additional 20 minutes in order to continue with consultation with the Board attorney and to discuss personnel matters of nonelected personnel, and that the open meeting of the Board resume in the Board room at 7:00 p.m.? The motion carried.? The open meeting resumed at 7:00 p.m.? Carol Rupe moved, with a second by Mr. Wyatt, that the Kansas State Board of Education recess into executive session for a period of an additional 15 minutes in order to continue with consultation with the Board attorney and to discuss personnel matters of nonelected personnel, and that the open meeting of the Board resume in the Board room at 7:15 p.m.? The motion carried.? The open meeting resumed at 7:15 p.m.

**ORDER DENYING REQUEST FOR STAY OF DECISION**

Mr. Wyatt moved, with a second by Dr. Wagnon, that the State Board deny the application of USD 423, Moundridge, for a stay of the decision of the KSDE Review Committee dated February 14, 2003, regarding USD 423?s fiscal audit for 2002-2003 for the reasons outlined in the order presented to the Board and that the Board adopt the decision of the Review Committee.? The motion carried 8-2, with Mr. Willard and Mr. Bacon voting ?no?.

**RECESS**

The being no further business, Chairman Waugh recessed the meeting at 7:20 p.m.

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Janet Waugh, Chairman?? Penny Plamann, Secretary

**KANSAS STATE BOARD OF EDUCATION  
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**Meetings at the Special Schools  
March 12, 2003**

***KANSAS STATE SCHOOL FOR THE DEAF  
Annual Visit***

After a pre-meeting reception beginning at 8:30 a.m., the State Board of Education, with all members present, met at 9:00 a.m. in the 3<sup>rd</sup> Floor Learning Center of the Roth Building for the annual visit at the Kansas State School for the Deaf.

Superintendent Robert Maile welcomed Board members and reviewed highlights of the quarterly report.? He noted that the QPA/NCA third site team visit was scheduled for March 28<sup>th</sup>.? Later in the meeting the Board heard a report from Larry Finn about the KSSD school improvement program.? He reported that several activities and initiatives have been affected by funding issues, including expansion of outreach to school districts throughout the state and increased visibility as a statewide resource on deafness.? Progress? on expansion of services to families, including Deaf Mentoring and Shared Reading programs, as well as additional group meetings and an expanded lending library were also reported to be affected by funding problems.? Service learning, work experience, and career exploration involving

direct student participation in the community with the help of community partnerships was also reported as affected.? Cooperative projects being explored were reported with the Olathe School District for vocational programs; Gallaudet University to develop a pilot center Midwest at KSSD for an alternative means of training teachers of the deaf; and Infant Toddler Services of Johnson County for reimbursement of individuals making home visits to assist in early communication fluency.? Mr. Maile reported on transition services and activities fostered through Career Center opportunities which include senior portfolio development, application training, and a focus on interviewing skills.? He also reported that service learning was an important component of the secondary transition program.? Also reported on were the many positive comments received from parents and school district staff participating in the 3-day on campus evaluations provided by the school; student athletic competition; and the first meeting of the newly formed KSD Advisory Committee/Site Council.? Dr. Wagnon asked about endowment funding and indicated he would like a regular report on endowment fundraising efforts.? He also asked about inclusions efforts to mainstream students and the benefits of residential campus-based programs over increased outreach in school districts.? Mr. Maile noted that the percentage of deaf students in public schools as compared to residential schools had increased in recent years, with 25% in residential programs now and 75% in local districts.? He added, that unlike in a deaf school where all children are included, a deaf child in a regular classroom may still be isolated and receive only the information funneled through the interpreter.?

Larry Finn, sixth grade teacher at KSSD, presented information on the school improvement program.? Mr. Finn discussed how deafness impacted the school improvement process and the importance of early language fluency.? He reported that American Sign Language (ASL) is the first language for most profoundly deaf children, but 70% of them arrive at the school without fluency in ASL.? He indicated that a strong first language facilitates acquisition of a second language, which in the case of KSSD students is English. Because English fluency impacts all academic areas, early language intervention for deaf infants is necessary.? Besides presenting information on KSSD's improvement goals and strategies for reading,

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writing and mathematics, Mr. Finn also reported results of a study that compared the assessment results for all state ELL (English Language Learners), all KSSD students, all state students, and all KSSD students described as EFC (Early Fluent Communication).? KSSD students who had one or more deaf parents were designated as an EFC student based on the assumption that they had access to language (ASL) from birth similar to hearing ELL students.??? The purpose of the study was to see how the scores of EFC students compared to ELL students.? Mr. Finn reported that in all three areas, KSSD EFC students performed at a higher level than students without the advantage of early language exposure.? The conclusions that could be drawn from the comparison were that early language exposure is critical to academic success and that a bilingual approach (ASL and English) needs to be considered and implemented whenever possible.

Two participants in the Optimist Oratorical Contest, 9<sup>th</sup> grader Amy Stadler and 8<sup>th</sup> grader Justin Chebultz, presented their winning essays.? The Board was then taken to the Emery Elementary Building where they received a presentation on visual storytelling, toured the building, and had a demonstration by two students of their science fair project.? After lunch in the Lamm Dining Room, the Board left for its afternoon visit of the Kansas State School for the Blind.

*KANSAS STATE SCHOOL FOR THE BLIND*  
*Annual Visit*

Board members Chairman Waugh, Vice Chairman Gamble, Carol Rupe, Mr. Willard, Mrs. Van Meter, and Mr. Wyatt gathered with staff of the Kansas State School for the Blind (KSSB) in the student cafeteria at 1:00 p.m. for the Board?

s annual visit.? Superintendent Daugherty welcomed the Board and introduced Sheila Dahm, Independent Living Skills Coordinator.? Mrs. Dahm discussed the transition to independent living program for high school students.? She and Jeff Young, Director of Dormitory Services, led Board members on a tour of the apartment and the cottage available for students learning the skills necessary to live on their own.? At the cottage, they were met by two students who answered questions about the learning opportunities and challenges provided them by the experience.? After Board members returned to the cafeteria, they were entertained by students, led by music teacher Della Molloy, who performed excerpts from their spring musical program.? The Board also had a presentation by English teacher Helen Boduch-Hahn about Braille instruction and KSSB?s writing improvement goals.? She introduced three of her students, Joe Brady, Olivia Ramirez, and Andrea Ramirez, who shared essays? on inclusion and diversity that they had written.

The Board also heard presentations that highlighted other areas covered in the quarterly report.? The presentations included updates from KSSB staff on campus-based and statewide vocational activities.? Cheryl Covell, Career Education Specialist, reported on campus-based career education and planning.?? Virgene Tyrell reported on technology outreach with public schools. Chuck Tyrell spoke about vocational coaching, mentoring and placement opportunities for on-the-job training to help students throughout the state.

**ACCESSIBLE ARTS AWARDS**

Mr. Daugherty introduced Kathleen White, President of the Accessible Arts, Inc. (AAI) Board of Directors, who welcomed those present and introduced Martin English, Executive Director, AAI.? Mr. English explained the history and purpose of the annual AAI awards and asked Chairman Janet Waugh to joint him for presentation of the awards.? Receiving the 2002 AAI Distinguished Service Award in Arts

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and Disabilities were Connie Burket, Salina Arts Council, and Dee Hansen, Baker University.? The recipient of the 2002 Educator of the Year in the Arts and Disabilities Award was Barbara Adams, Art Teacher at the Kansas State School for the Deaf.? Each recipient was presented with a certificate from the Board of Education as well as the award, after which they made brief remarks.? At the conclusion of the awards ceremony Board members were invited to a reception at the Arts Center with the honorees, their guests and staff and Board members of AAI.

**ADJOURNMENT**

The meeting adjourned at 3:35 p.m.

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Janet Waugh, Chairman?? Penny Plamann, Secretary