

**KANSAS STATE BOARD OF EDUCATION  
Meeting Minutes  
December 14, 2010**

**CALL TO ORDER**

Chairman Waugh called the December meeting of the State Board of Education to order at 10:01 a.m., December 14, 2010 in the Board Room of the Kansas Education Building, 120 SE 10<sup>th</sup> Avenue, Topeka, Kansas.

12/14/10 a.m.  
session audio  
archive  
(00:00:01)

**ROLL CALL**

Members present were:

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

Dr. Chappell arrived during the Commissioner’s report.

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

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

**APPROVAL OF THE AGENDA**

Chairman Waugh asked that item 13 i. be deleted and noted that members had in their folders revised copies of items 13 j. and k., which should have been submitted as grants instead of contracts. She also requested an executive session after the consent agenda if time allowed. Mrs. Martin moved, with a second by Ms. Storm, that the agenda be approved as amended. The motion carried 9-0, with Chappell absent.

(00:02:47)  
**MOTION**

**APPROVAL OF MINUTES**

The secretary reported that Dr. Chappell had requested a correction to the minutes. He asked that his comment during board member reports be changed to reflect that he would like written reports of meetings from members not in lieu of oral reports, but in addition to them. Mr. Dennis moved that the minutes be approved as amended. The motion was seconded by Mrs. Wims-Campbell and carried on a vote of 9-0.

(00:03:44)  
**MOTION**

**COMMISSIONER'S REPORT**

Commissioner DeBacker provided Board members with copies of the draft accountability report required by the legislature. She reviewed the contents and pointed out additions and changes to the format from last year. In the discussion that followed, Ms. Storm asked that the achievement gap for minorities be included in the “Challenges” section of the accountability report. Because of expected federal changes in how graduation rates are calculated, Mr. Dennis asked that the Board be informed at the earliest possible date. Dr. Chappell arrived during the Commissioner’s report.

(00:05:05)

**CITIZENS' OPEN FORUM**

Chairman Waugh declared the Open Forum open at 10:14 a.m. Shari Wilson, Kansas City, representing the Kansas Association for Conservation and Environmental Education (KACEE), reported on the KACEE annual conference which was held in November. In addition, she reported on the Kansans for Children and Nature plan which will be presented to the Governor before the end of December. She also reported on an initiative for school gardens. Tom Krebs, Topeka, representing the Kansas Association of School Boards, presented the Association’s position on anti-bullying efforts in the state and activities it has undertaken to address the problem. Ross Bryan, Gardner, spoke to the issue of school bullying and reported on his own experiences as a freshman in high school in 1956 and those of his granddaughter six years ago. He spoke in support of a statewide anti-bullying policy. In order for those who were unaware

(00:12:27)

**BREAK** of the change in time of the open forum, the Chair declared a break at 10:26. When the Board returned at 10:32 a.m., with no one else requesting to speak, Board Chairman Waugh declared the Open Forum closed.

### **DISCUSSION OF ANTI-BULLYING POLICY**

(00:31:50) Commissioner DeBacker briefly reviewed the report that had been provided to the Board in the Board materials addressing the work that Department staff had done concerning the six options developed for a Board statewide bullying policy.

Two school districts had been asked to make presentations on how their districts addressed issues related to bullying. The Maize School District, USD 266, and the Wichita School District, USD 259, shared their ongoing programs that address different facets of the bullying problem.

Board member questions followed. During the questions Mr. Bacon asked for a copy of the student questionnaire used with the students in the Maize district. Because the discussion had carried over into the time set aside for the lunch recess, it was decided to continue additional discussion later in the day or on Wednesday.

**LUNCH RECESS** The Board recessed for lunch at 12:22 p.m. and returned at 1:30 p.m.  
(02:20:22)

### **KANSAS EDUCATION COMMISSION REPORT**

12/14/10 p.m.  
session audio  
archive  
(00:00:07)

Board members received the recommendations of the Kansas Education Commission (KEC). The Board authorized the formation of the KEC in May of 2010, charging its members with examining the framework for reauthorization of the Elementary and Secondary Education Act (ESEA), and making recommendations to the State Board regarding the future of education in Kansas. The KEC, made up of representatives from a cross section of business, educators and education organizations, policy makers and community members, followed the U.S. Department of Education's Blueprint for Reform and five KEC work groups were formed. Members of each of the groups presented their recommendations – 56 in all. The groups were:

- Career- and college-ready students
- Great teachers and leaders in every school
- Equity and opportunity for all students
- Raise the bar and reward excellence
- Promote innovation and continuous improvement

Discussion followed, with a request from Mr. Dennis for the committees to break down their ideas further. Asked what was next, Commissioner DeBacker reported that the Governor's Commission on Graduation and Dropout Prevention and Recovery would be presenting its final report to the Governor before the end of his term. After that, the Board would receive a copy and a presentation on the recommendations. She indicated that the Board should look at the recommendations from both groups and work on developing a plan for strategic action for the next two years at a Board retreat in late February or early March. There was also a discussion of the time it would take to implement all the recommendations.

**BREAK** The Board took a break at 3:38 and returned at 3:45 p.m.  
(02:08:26)

### **DISORGANIZATION OF USD 424, AND ATTACHMENT TO USD 422**

(02:16:04) Mr. Willard moved that the Kansas State Board of Education issue an Order in accordance with K.S.A. 72-7304 disorganizing USD 424, Mullinville, and attaching its territory to USD 422, Kiowa County Schools. Mr. Dennis seconded the motion which carried 8-0, with Storm and Bacon out of the room.

**EFFECTS OF ELIMINATING STATE APPROVAL OF CODE COMPLIANCE FOR NEW CONSTRUCTION**

Amendments made by the 2010 legislature to K.S.A. 31-150, which addresses code review of school construction plans, deleted the requirement that the state board of education review and approve building plans before contracting for and paying out public funds for the construction, reconstruction or renovation of a school building. Since passage of the amendment architects and professional engineers must now ensure, without any state oversight, that school buildings comply with the codes in statute. (02:17:20)

The Board heard from Superintendent Charles Edmonds, USD 265, Goddard, on building issues his district had encountered because of its location in more than one municipality. Problems had arisen when final authority for code review and plan approval still rested with the State Board of Education architect. Because of lack of communication and coordination between the state architect and the Wichita Office of Central Inspection, the district encountered many delays. Edmonds' recommendation was to require any architect retained by a district to coordinate compliance with the inspecting authority. In the Board discussion a suggestion was made to have uniform statewide building codes. It was pointed out statewide codes already exist but many municipalities have more stringent requirements.

Mr. Dennis moved, with a second by Mr. Willard, that the State Board request that the legislature reinstate K.S.A. 31-150, or through another statute, again require Kansas State Board of Education review and approval of all construction, reconstruction or renovation plans for school buildings. Further requested was that the legislature fund the position of architect within the Department of Education to carry out the review and approval requirement. (02:48:58)

**MOTION**  
(02:48:58)

Discussion included concern about the responsibility for review and approval being returned to the Department of Education without funding for the architect position. There was also a feeling that architects should follow the codes of the municipality where the building would be located. The motion failed on a vote of 1-8-1, with Martin, Wims-Campbell, Cauble, Storm, Waugh, Shaver, Bacon and Chappell voting in opposition and Willard abstaining.

**LEGISLATIVE MATTERS**

Deputy Commissioner Dennis discussed the impact on funding for special education and the base state aid per pupil if the Federal Education Jobs Fund is not used to meet shortfalls in general state aid and address federal special education maintenance of effort requirements. He also discussed how changes in calculating categorical aid will affect districts and special education cooperatives. Among the other things Deputy Dennis provided Board members with was information about legislation already approved for introduction in the 2011 session. (02:55:37)

(02:55:37)

**CONSENT AGENDA**

Mr. Dennis moved, with a second by Ms. Storm, that the Consent agenda be approved. The motion carried 8-0-1, with Shaver out of the room and Chappell abstaining. In the Consent Agenda the State Board:

**MOTION**  
(03:11:42)

- Received the monthly personnel report.
- Confirmed the appointments of Ted Carter to the position of Application Development Supervisor on the Information Technology team effective October 31, 2010, at an annual salary of \$61,838.40; Jessica Ludlum to the position of Technology Support Technician II on the Information Technology team effective November 8, 2010, at an annual salary of \$36,171.20; Cynthia Johnson to the position of Staff Development Specialist II on the Child Nutrition and Wellness team effective November 16, 2010, at an annual salary of \$49,649.60; and Amy Gaither to the position of Applications Developer III on the Information Technology team effective November 28, 2010, at an annual salary of \$53,414.40.
- Issued an order establishing the new, consolidated Unified School District No. 115, Nemaha County, State of Kansas.

- Approved requests for licensure waivers for individuals to serve outside their area of endorsement in districts as follows: *Adaptive Special Education*: Maureen Smith, Megan Laflin, Hillary Applegate and Kelly Glanville, USD 253; Karen Heersche, Dale Widiger, Craig Lindsey, Marcia Hansen, Julie Bullard, Deborah Chaudhuri, Penny Smith, Tiffany Arnold, Jennifer Smith, Heidi Hansen, Courtney Burns, Michael Rice, Kimberly Powell, Marjorie Brown, Kara Bell, Elizabeth Willis, Samantha Kopper, Mary Patty, Rebekah Shurtz, Jason Storm, Kistin Tussey, Tyler Helton, Gary Lee, Amanda Schenk, Kaleena Rogers, Brenda McDonald, Jennifer Seguine, Jessica Akins and Tammy Janzen, USD 259; Lorrienne Westbrook, USD 261; Anne Browning, USD 330; Ann Tweedy, USD 345; Michelle Lloyd, USD 353; Macie Frey, Audrey Goedert and Stephanie Thompson, USD 383; Noah Lindfors, USD 418; Kathryn George and Denise Dolechek, USD 428; Kimberly Brown, USD 450; Christina Milligan, USD 457; Gianetta Brooks, Traciann Petite, Freda Felton and Allison Knarzer, USD 475; Mary Peach, USD 489; Melissa Mattern and Jennifer Johnson, USD 490; Jacob Larson and Kira Barker, USD 497; Jeff Fehr, D0 603; Jacob Lenherr, D0 608; Eric Burrows, Shelli Burrows, Teresa Lacock, Jennifer King, April Teeter, Ashley Flaton, Rita Tipton, Nicholas Massmann and Alice Arthur, D0 611; Kimberly Sandoval, Martha Cutright, Jennifer Baker, Amanda Fleener, Carolyn Walker, Cecilia Hodde, Marcy Lynn, Pamela Burns, Sharon Stockton, Jill Chester, Bryan Smith, Mathew Overlease, Whitney Bowen and Sarah Ochs, D0 613; Julie Moran, Sharon Vest and Marty Pritchett, D0 616; Thane Schwartz, D0 617; Jane Moody and Erica Bunton, D0 618; Constance Martin, Ashlee O'Bryan, Kandace Thomas, Kathleen Bichelmeyer, Kenneth Beach, Ty Collins, Katy Quinn, Trevor Gleason, Aaron Sherman, Eileen Thomson, Amber Bixler, Kali Alstrom and David Campbell, D0 711; and Terry Yoakam, Elaine Aversa, Tara VandeLinde, Jennifer Walls, Chad Menking and Diane Applegate, D0 713; *Early Childhood Special Education*: Meredith Benham, USD 229; Alisa Hart, Shellie Bair, Michelle Graff and Tara Davis, USD 253; Jennifer Morris and Jill Allison, USD 259; Megan Griffiths, USD 490; Heather Cline, D0 605; and Ronda Conway, D0 611; *Early Childhood/Pre-School*: Elizabeth Jacobs, Sarah Thurston and Tiffany Naegele, USD 259; and Eduardo Benavides, USD 503; *French*: Aracely Lozano, USD 259; *Functional Special Education*: Charles Grable, USD 202; Elizabeth Orth, Patricia Chrisman, Traci Grieve, Lori Honas, Stephen Livingston, Kimberly Knafla and Angela Luna, USD 259; John Tetuan Jr., USD 501; James Stanton, D0 711; *Gifted*: Susan Conner, Kimberly Bookhout, Stephanie Gill, Coleen Hubbard, Jessica Williams and Theresa Blunt, USD 259; Jamie Houser, USD 261; Martha Wondra, USD 428; Daniel Brune, D0 608; Garrett Ridder, D0 611; Jennifer Ballinger, D0 618; and Lindsay Black, D0 711; *Library Media Specialist*: Kelly Frederick, USD 259; Deborah Longnecker and Lyndra Sextro, USD 383.
- Accepted the recommendation of the Commissioner of Education, regarding Greeley County Schools, USD 200 and Icenia Yanez, in granting a Visiting Scholars license.
- Issued CY 2011 licenses from January 1, through December 31, 2011 for the following commercial driver training schools: A+ Driving School, Inc, Iola; Behind The Wheel Defensive Driving School, Wichita; Behind The Wheel, Inc., Overland Park; Bi-State Driving School, Overland Park; Buggin & Cruisin Driving School, LLC, Olathe; BWB Driving Academy, Inc., Olathe; Drive Right School of Johnson County, Overland Park; Drive Right School of Lawrence, Lawrence; Drive Right School of Wichita, Wichita; Go Driving School, LLC, Lawrence; Harder Performance Inc., Overland Park; HyPlains Driving School of Garden City, Garden City; HyPlains Driving School, Inc., Dodge City; Jumpstart Driving School, Manhattan; KDR Driving School, Salina; Little Apple Driving School, Manhattan; Midwest Driving School, Lawrence; Motorcycle Rider Education, Wichita; NEET Motorcycle Institute, Lawrence; Northeast Kansas Driving School, LLC, Atchison; Royal Driving School, Salina; Safety First Driving, Olathe; Sunflower Driving School, Topeka; The Driving School of Liberal, Liberal; The Driving School of Dodge City, Dodge City; Topeka Driving School, Inc., Topeka; Twin City Driver Education, Overland Park; Varsolona Driving School, Frontenac; Wichita Collegiate Commercial Driving School, Wichita; Wichita Drivers Ed, LLC, Wichita; Wichita Driving School East, LLC, Wichita; and Wichita Driving School, Inc., Wichita.
- Set a public hearing on the proposed amendments to teacher licensure regulations K.A.R. 91-1-200, 91-1-201, 91-1-202, 91-1-203, 91-1-204, 91-1-214, 91-1-230, 91-1-231, 91-1-232, 91-1-235 and 91-1-236 for Tuesday, April 12, 2011, at 1:30 p.m., or as soon as possible thereafter, in the Board Room of the State Education Building, 120 S.E. Tenth Avenue, Topeka.

- Approved grants to the following secondary schools implementing the requirements for the U.S. Department of Education, OVAE, Rigorous Program of Study Grant award- Career Ready Kansas: USD 259, Wichita - \$71,500; USD 260, Derby - \$66,000; USD 253, Emporia - \$60,500; and USD 442, Nemaha Valley - \$41,250.
- Approved grants in the amount of \$7,700 each to the following postsecondary institutions for Year 1, implementing the requirements for the U.S. Department of Education, OVAE, Rigorous Program of Study Grant award- Career Ready Kansas: Wichita Area Technical College, Barton County Community College, Flint Hills Technical College, Manhattan Area Technical College and Wichita State University.

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

- enter into a contract with Kansas State University, Office of Educational Innovation and Evaluation (OEIE), to address both external evaluation and performance measure requirements required by the U.S. Department of Education, OVAE, Rigorous Program of Study Grant- Career Ready Kansas, in an amount not to exceed \$20,000;
- enter into a contract with the Center for Educational Testing and Evaluation (CETE) for the development cost of 8 End-of-Path Assessments, in an amount not to exceed for \$900,000;
- enter into a contract with the Council of Chief State School Officers (CCSSO) to oversee the development of instruments to analyze the fidelity of instruction for students with disabilities, in an amount not to exceed \$1,201,044;
- enter into a contract with the Kansas Health Policy Authority, Department of Social and Rehabilitative Services (SRS) in a project to prepare transition-aged youth with disabilities for successful employment, in an amount not to exceed \$15,000; and
- enter into a contract with Veryl Peter for the purpose of coordinating the Department's American Recovery and Reinvestment Act (ARRA) and Education Jobs Fund activities, with contract period to run from January 1, 2011 through December 31, 2011, with a contract amount not to exceed \$45,000.

### EXECUTIVE SESSION

(03:13:00)

Mrs. Shaver, with a second by Mrs. Martin, moved that the Board recess into executive session at 4:50 p.m., after a five minute break, for 30 minutes for the purpose of discussing personnel matters of nonelected personnel in order to protect the privacy interests of the individuals to be discussed and for consultation with the Board attorney and protect the confidentiality privilege of the attorney/client relationship; the open meeting to resume in the Board Room at 5:20 p.m. The motion carried 10-0. The Commissioner, Department General Counsel and the Director of Communications were invited to stay. The open meeting resumed at 5:20 p.m.

Mrs. Shaver moved, with a second by Mrs. Martin, that the executive session be extended for an additional 15 minutes. The motion carried. Mrs. Toelkes, Director of Communications, did not stay for the additional part of the executive session. The open meeting of the Board resumed at 5:35 p.m.

### RECESS

There being no further business, Chairman Waugh called for a recess at 5:35 p.m.

**KANSAS STATE BOARD OF EDUCATION  
MEETING MINUTES  
DECEMBER 15, 2010**

**CALL TO ORDER**

Chairman Waugh called the meeting to order at 9:00 a.m. on Wednesday, December 15, 2010, in the Board Room of the Kansas Education Building, 120 SE 10<sup>th</sup> Avenue, Topeka, Kansas.

12/15/10 a.m.  
session audio  
archive (00:00:01)

**ROLL CALL**

All members were present:

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

**APPROVAL OF THE AGENDA**

Chairman Waugh asked to add further discussion of an anti-bullying policy at the end of the proposed agenda. Mrs. Martin moved, with a second by Mrs. Shaver, that the agenda be approved as amended to include the anti-bullying discussion if time allowed. Dr. Chappell requested that the agenda be further amended to add a discussion of the accountability report. Mrs. Martin accepted the amendment if time allowed. An objection was raised about Dr. Chappell's request and Mrs. Shaver withdrew her second of the motion. Dr. Chappell provided a second.

(00:00:13)  
**MOTION**

In the discussion that followed concern was raised about how long it was proposed the meeting be extended. Chairman Waugh indicated it would be the consensus of the Board about how long to it wished to stay. Asked by Ms. Storm if approval of the accountability report by the Board was required, Commissioner DeBacker stated it is only brought to the Board as a courtesy and no action was necessary.

**MOTION**

Ms. Storm moved to divide the question. Mrs. Shaver provided a second. The motion carried 9-1, with Martin voting in opposition.

On the question of approving the agenda with the addition of the discussion of bullying, if time permits, the motion carried 10-0.

On the question of approving the agenda with the addition of a discussion of the accountability report, time permitting, Dr. Chappell raised questions about the validity of the data contained in the report. The Commissioner noted that individual Board members were asked to contact her or Kathy Toelkes with any input or questions about the report. The motion failed 2-8, with Dennis, Willard, Bacon, Shaver, Storm, Waugh, Cauble and Wims-Campbell voting in opposition.

Chairman Waugh stated for the public and the press, that Dr. Chappell's belief that the information in the accountability report was inaccurate was his personal opinion and not the consensus of the Board.

**RECOGNITION OF 2010 NATIONAL HISTORY TEACHER OF THE YEAR**

The Board had the pleasure of hearing from Nathan McAlister, the 2010 Kansas History Teacher of the Year and the 2010 National History Teacher of the Year. Mr. McAlister is a teacher at Royal Valley Middle School in Mayetta, Royal Valley USD 337.

(00:13:15)

**RECOGNITION OF 2010 MILKEN EDUCATOR**

The Board also had the pleasure of hearing from Jeanie Padron, the only Kansas educator to receive the prestigious 2010 Milken Family Foundation National Educator Award. Ms. Padron is a fourth-grade teacher at Maize Central Elementary School, Maize USD 266.

(00:32:36)

December 15, 2010

Page 2

## MINUTES

**UPDATE ON THE KANSAS VOLUNTEER COMMISSION**

(00:53:27)

Shelby Hoytal, Executive Director of the Kansas Volunteer Commission, a Governor's appointed organization that has oversight of the Kansas AmeriCorps program and Learn & Serve Program, reviewed for the Board activities in the state promoting service and the volunteer ethic in schools and communities. Cynthia Martinez, director of the AmeriCorps GRASP program in USD 259, shared information with the Board about that program. She also invited AmeriCorps members Whitney Riley and Alex Houser to share their experiences with the Board.

**BREAK**

(01:38:45)

The Board took a break from 10:38 to 10:45 a.m.

**BOARD MATTERS – BOARD REPORTS****Chairman**

(01:46:47)

***Board Meetings in Member District***

A discussion was held about the calendar for the upcoming year and Board members were polled on whether they wanted to resume holding one or two meetings in members' districts. Several options were discussed. Concern was expressed about the additional cost to the department and to the hosting district.

**MOTION**

(01:58:30)

Stating concerns about the economy and Department budget cuts, Mr. Dennis moved, with a second by Mrs. Cauble, that the State Board suspend its member district meetings for one more year and revisit the idea in a year. The motion failed on a vote of 3-6-1, with Chappell, Willard, Waugh, Wims-Campbell, Martin and Bacon voting in opposition, and Storm abstaining.

**MOTION**

(02:01:46)

Ms. Storm moved that the Board hold one meeting in a member's district in 2011 and look at ways to save money on the travel. Mr. Willard seconded the motion. Discussion followed concerning which district would be visited. Mr. Bacon also shared how difficult it was for him because of his work as a CPA to participate in the April and October meetings, when Board district visits are typically made. Combining a visit with the visits in March to the KSSD and KSSB was also discussed.

**MOTION**

(02:01:46)

The Chairman suggested that the motion be tabled until the Secretary had the opportunity to check the schedule for member district meetings. Ms. Storm moved, with a second by Mrs. Shaver that the motion be tabled. The motion carried 10—0.

***Meeting with New Legislators***

Chairman Waugh reported that only three positive responses to the Board's invitation to the education information session for new legislators had been received. It was suggested that Board members call the new legislators in their own districts with personal invitations.

***Board Retreat***

A board retreat in late February or early March was discussed. Board members were asked to bring their calendars to the January meeting in order to set a date when all could attend.

Chairman Waugh reported she had been invited to serve on the board of the Kansas Council for Economic Education (KCEE).

***NASBE Committees & Study Groups*****MOTION**

(02:18:50)

Mr. Willard moved, with a second by Mr. Dennis, that the Board approve the participation of Sue Storm on the NASBE *Study Group on Preparation, Evaluation, Continuation and Compensation: A State Policy Agenda to Enhance the Teaching Profession*; Sally Cauble on the NASBE *Governmental Affairs Committee*; and Kathy Martin on the NASBE *Nominations Committee*. How the travel to the meetings for these groups would be paid for was discussed. It was noted that in an earlier discussion it had been agreed expenses for the activities would come out of each member's travel budget. Mr. Willard asked about the NASBE Professional Development. He was told it had been depleted and he would be sent the accounting for it if he wished. The motion carried.

December 15, 2010  
MINUTES

Page 3

The Board attorney reported that a lawsuit had been filed against various agencies within the State of Kansas, the Commissioner, and each Board member, individually, in their official capacity as members of the Board. As a result of school closure issues in the Shawnee Mission school district, the parents of some of the students in the district have filed the lawsuit seeking relief regarding the local option district budget cap. Discussion of the lawsuit followed.

**Attorney's Report**  
(02:20:40)

***Return to 2011 Calendar Discussion***

After receiving a schedule for in-board member district Board meeting, various scenarios were discussed. The Commissioner recommended that Board members think about the schedule and frequency of member district meeting. She also volunteered to work with staff to develop several options for them to consider at the January meeting when they would normally approve the calendar for the year. Ms. Storm withdrew her motion and Mr. Willard withdrew his second.

(02:29:04)

Mrs. Shaver, Chair of the Board Policy Committee, reported that in response to a request from Dr. Chappell for written reports, she had revisited the policy and guidelines for Board member reports. She read the guidelines for the Board and indicated she believed that if the Board followed them as written, Board reports would be more concise, focused and take less time.

**Other Board Member Reports**  
(02:38:43)

Ms. Storm reported on legislative committee meetings she had attended. During the Children's Issues Committee meeting, the Commission took testimony about the Kansas State Board of Education's policy on seclusion and restraint. It recommended that the State Board revisit the issue. The February meeting was suggested by the Commissioner.

Mrs. Shaver reported on the December 10<sup>th</sup> meeting of the Governor's Commission on Graduation and Dropout Prevention and Recovery. The Commission was scheduled to receive the final report for approval at its January 4<sup>th</sup> meeting. Asked when the Board would receive the report, Commissioner DeBacker stated that it would probably be available for the January Board meeting.

Mrs. Wims-Campbell reported on the 2010 Commission and stated she would provide any Board member who wanted one, a copy of the Commission's final report. She also reported her attendance at the KASB annual conference where she had attended a workshop on bullying. She also attended the legal seminar at the conference and asked for input from the superintendents and board members present on some of the ideas the Board was considering. The response was that districts didn't want any additional mandates.

Mr. Willard reported on a meeting he had with two individuals from ESSDACK and a consultant from Hutchinson who spoke to them about leveraging social media for economic development. A group, Rural Education and Community Development and Collaboration, was formed as a result of the meeting.

Mr. Dennis reported on several things: a meeting of the Executive Committee of the Kansas High School Activities Association; the possibility that the Department would be joining a consortium to develop complete curriculum integrating core academic subjects into CTE; a meeting on teacher quality in Kansas; Project PASS; and a meeting with the College Options Foundation.

Mrs. Martin shared an article on abstinence education and her disappointment that abstinence education funding had been cut. She also shared her concern that the Department of Education was using \$8,000 of state funds to co-sponsor a summer multi-state HIV/AIDS conference. She felt that the conference lacked balance, with only minimal time given to the abstinence message or abstinence education. She noted that parents and students desire that abstinence education be offered. Mrs. Martin moved that the Kansas State Board of Education direct the Commissioner of Education to refrain from entering into an agreement to co-sponsor the HIV/AIDS Sex Education Conference that is held and that no state general fund be spent for such

**MOTION**  
(03:02:32)

an endeavor. Further, If the conference is held no state funds will be used to support it. Mr. Dennis seconded the motion. Discussion followed. The motion failed 4-5-1, with Chappell, Shaver, Storm and Wims-Campbell voting in opposition and Cauble abstaining.

**MOTION**  
(03:20:20)

Mrs. Martin moved, with a second by Mr. Dennis, to direct the Commissioner to ensure that if the Department sponsors the multi-state HIV/AIDS conference in part or whole that the program speakers and materials presented at the conference include at least 50% abstinence-only health education information.

During the discussion that followed concern was voiced about naming a specific percent. Mrs. Martin agreed to rephrase her motion to replace "should include at least 50%" with "that a balanced approach should be presented that would include abstinence-only education". Mr. Dennis approved the rephrasing.

Overall discussion of the issue included concern that taking action at the December meeting did not follow the Board policy of discussing an issue one month and taking action the next, though Mrs. Martin did note she had raised the issue in her Board reports over the past months. The concern that not giving students a comprehensive sex education was not in students' best interest was also voiced. Mrs. Martin added her concern that the attendees at the conference were health professionals and not educators and that the funds could be used better to train Kansas educators. Other issues raised included the Board's role and the risk of micromanaging the Department; the accuracy of the information presented and whether the Board had enough information to make a decision.

The motion failed on a vote of 4-6, with Chappell, Shaver, Waugh, Storm, Cauble and Wims-Campbell voting in opposition.

**Requests for  
Future Agenda  
Items**  
(03:31:52)

It was requested that a copy of the final report of the Governor's Commission on Graduation and Dropout Prevention and Recovery be presented to the Board at the earliest date. Mrs. Waugh asked that the plan developed by Kansans for Children and Nature be presented to the Board in February with possible endorsement in March. There was also a discussion about whether there should be an agenda item about abstinence-only education and Department forums.

**ACT ON BOARD MEMBER TRAVEL REQUESTS**

(03:41:28)

Mr. Dennis moved that Board travel requests be approved. Mr. Bacon seconded the motion. He asked to add two meetings to the requests: the Kansas Teacher of the Year banquet, November 20<sup>th</sup>, and the KSSD legislative conference on November 18<sup>th</sup>. Salary and mileage were requested for both. Mrs. Wims-Campbell also requested salary and mileage for the legislative conference in Paola on January 5th. The amendments were accepted and the motion to approve the board travel as amended carried 10-0.

**DISCUSSION OF EXTENDING THE MEETING**

(03:41:28)

The Board discussed extending the meeting in order to finish its discussion of a bullying policy. It was agreed to extend the meeting and have a working lunch. Mr. Bacon left during the discussion.

**BREAK**

(03:45:58)

The Board took a break from 12:47 until 1:00 p.m.

**CONTINUATION OF THE DISCUSSION OF AN ANTI-BULLYING POLICY**

(03:58:50)

The KSDE report prepared for the Board included six actions the Board could take, and the cost implications of each. They were:

1. Collection of additional data specific to bullying;
2. Collection of evidence-based programs and publication of these programs on the Kansas Safe

December 15, 2010  
MINUTES

Page 5

- Schools Resource Center website;
3. Development of model Social, Emotional, Character Development Standards;
  4. Resolution by the Governor and/or Kansas Legislature establishing a week in October as Anti-Bullying Awareness Week;
  5. Development of a safe schools manual in collaboration with other agencies and organizations; and
  6. Statement from the State Board of Education on the serious nature of bullying.

Mr. Dennis moved, with a second by Mrs. Martin that the State Board adopt recommendations 3, 4, 5 and 6.

**MOTION**  
(03:59:56)

Discussion followed about whether all four of the recommendations were necessary in light of what districts were already doing. The option to collect additional data was discussed and the desire to know how much bullying is going on. Providing the public with the information on the steps to take to report incidents of bullying, as well as the use of a central point on each district's websites was also discussed. In addition, the concern was shared that the Board not limit itself to the six recommendations that it had received from staff.

Ms. Storm moved to amend the motion and remove recommendation 5. Mr. Willard provided a second. Mrs. Cauble moved to amend the motion and remove recommendation 3. Mrs. Wims-Campbell provided a second. Discussion followed about both motions to amend.

**MOTIONS**  
(04:29:56)  
(04:31:39)

On the question of removing recommendation 5 from the original motion, the motion carried with a vote of 9-0, with Mr. Bacon absent.

The Board took a brief break from 1:40 to 1:44.

**BREAK**  
(04:40:01)

On the question of removing recommendation 3, after a brief discussion, the motion was withdrawn.

Ms. Storm moved to end debate and called for the question. The motion carried 7-0-2, with Willard and Dennis abstaining.

**Call for the Question**  
(04:49:07)

On the question of adopting recommendations 3, 4 and 6, the motion carried 8-1, with Cauble voting in opposition. The three measures adopted were:

3. Development of model Social, Emotional, Character Development Standards;
4. Requesting a resolution by the Governor and/or Kansas Legislature establishing a week in October as Anti-Bullying Awareness Week; and
6. Developing a statement from the State Board of Education on the serious nature of bullying.

Dr. Chappell moved to have KSDE staff post on the KSDE website and disseminate to each school district in Kansas a hierarchy description of bullying, battery and sexual harassment behaviors with recommended actions to be taken by teachers and administrators at the school building and district level on a case-by-case basis to discipline the offenders and protect the victims. The motion died for lack of a second.

**MOTION**  
(04:50:41)

Dr. Chappell moved to have the KSDE staff develop proposed amendments to the Kansas teacher and administrator licenses for the KSBOE to consider at the January 2011 meeting which would hold licensed school personnel accountable for reporting and taking appropriate action to safeguard students who have been bullied, sexually harassed, or battered on or using school property or at school sponsored events. Ms. Storm seconded the motion.

**MOTION**  
(04:57:02)

Board members also asked that KSDE staff work with the Professional Standards Board to determine what measures are already in place to hold educators accountable for reporting incidents of bullying, sexual harassment and battery and for protecting children from those activities. That report to be brought to the Board in March.

**MOTION**  
(04:57:02)

After discussion of the motion and the recommendation that it be taken to the Professional Standards Board, Ms. Storm moved to table the motion. Dr. Chappell provided a second.

Objections were raised about the motion to table and Dr. Chappell's original motion. It was urged that before any proposed amendments to licensure regulations are developed that the Professional Standards Board be given an opportunity to consider the issues involved. Ms. Storm and Dr. Chappell withdrew the motion to table and Dr. Chappell and Ms. Storm withdrew the original motion.

**MOTION**  
(05:13:35)

Dr. Chappell moved, with a second by Mrs. Martin, that the Department, working with the Professional Standards Board and other appropriate education organizations, review current processes - statutes, regulations, policies and guidelines - that are in place to keep children safe from bullying, sexual harassment and battery and that hold education professionals accountable in addressing those issues, with a report of the findings to the Board in March.

If options are presented to the Board in March, it was requested that they be accompanied by a fiscal note. With a guarantee that a report will be presented to the Board at the March meeting, Dr. Chappell withdrew his motion and Mrs. Martin her second.

**ADJOURNMENT**

Mr. Dennis moved, with a second by Mrs. Wims-Campbell, that the meeting be adjourned. The motion carried and the meeting adjourned at 2:39 p.m.

---

Janet Waugh, Chairman

---

Penny Plamann, Secretary