KANSAS STATE BOARD OF EDUCATION
MEETING MINUTES

February 13, 2007

CALL TO ORDER
Chairman Wagnon called the meeting to order at 10:00 a.m. on Tuesday, February 13, 2007, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.

ROLL CALL
All members were present:

Steve Abrams	Carol Rupe
John Bacon	Jana Shaver
Sally Cauble	Bill Wagnon
Sue Gamble	Janet Waugh
Kathy Martin	Ken Willard

The Board stood for recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA
Chairman Wagnon asked for approval of the agenda. Mrs. Gamble moved, with a second by Mrs. Rupe, that the agenda be approved as presented. The motion carried.

APPROVAL OF MINUTES
Mrs. Martin moved, with a second by Mrs. Shaver, that the January minutes be approved as presented. The motion carried.

INTERIM COMMISSIONER'S REPORT
Interim Commissioner Dennis updated the board on several items, including the status of the budget appeal in the Senate and the House. He handed out a list of audits conducted on education topics by Legislative Post Audit over the past two years. It was requested that the Legislative Post Audit report, *"Alternative Models for Organizing Middle Schools and High Schools"*, be disseminated to board members. Mr. Dennis also handed out a copy of an updated version of *Kansas Shines.*

UPDATE ON CHARTER SCHOOLS
Staci Warren, Coordinator in the School Innovations Division, gave a PowerPoint presentation and answered board members' questions about activities to date with charter school petitions. Recommendations for funding ten of the petitions will be presented to the Board in March. It was suggested that it might be beneficial to work with the Kansas Association of School Boards to educate local boards about the charter school petition process. Mrs. Warren was asked to provide board members with the current rubric that is being used to score petitions. It was passed out later.

CITIZENS' OPEN FORUM
Chairman Wagnon declared the Citizens' Open Forum open at 10:29 a.m. Addressing the board were Lee Hartman, Topeka; Dennis Shepherd, Topeka; John Richard Schrock, Emporia; Douglas Phenix, Topeka, Leo Kerwin, Wellsville; John Calvert, Lake Quivira; Jack Krebs, Lawrence, representing Kansas Citizens for Science and the state science standards writing committee; Harry McDonald, Olathe; John van Keppel, Leawood; and Kirk Fast, Ozawkie. Chairman Wagnon declared the open forum closed at 11:03 a.m.

The Board took a break from 11:03 until 11:10 a.m.

KANSAS TEACHER OF THE YEAR TEAM
Mrs. Karla Denny, Coordinator for Recognition Programs, provided some background on the Kansas Teacher of the Year Award and introduced members of the 2007 Kansas Teacher of the Year Team. Lori Atkins Goodson, seventh-grade language arts teacher at Wamego Middle School, Wamego USD 320, and Carrie Mugridge, third-grade teacher at Prairie Ridge Elementary School, DeSoto USD 232, were unable to be present. Each member of the team had been asked to speak to the board about one issue important to them as a classroom teacher. Making presentations were Josh Anderson, speech, debate, and language arts teacher at Olathe Northwest High School, Olathe USD 233, Kansas Teacher of the Year and one of four finalists for 2007 National Teacher of the Year; Sheryl L. Smith, art teacher at Buhler High School, Buhler USD 313; DeAnn R. Nelson, seventh-grade mathematics teacher at Truesdell Middle School, Wichita USD 259; Mary N. Collins, second-grade teacher at Council Grove Elementary School, Morris County USD 417; Martha Hadsall, third-grade teacher at Harper Elementary School, Anthony-Harper USD 361; and Bonnie Kastanek, first-grade teacher at Woodrow Wilson Elementary School, Manhattan-Ogden USD 383. At the conclusion of a question and answer session with board members, Chairman Wagnon presented them with certificates of recognition and pictures were taken.

The board recessed for lunch at 12:00 p.m. and returned at 1:30 p.m.

PUBLIC HEARING ON REGULATIONS FOR SECLUSION AND RESTRAINT OF STUDENTS WITH DISABILITIES
At 1:30 p.m. Chairman Wagnon declared the public hearing open on proposed regulations: 91-40-75, 91-40-76, 91-40-77, 91-40-78 and 91-40-79 concerning the appropriate use of seclusion rooms and restraint for students with disabilities. Those presenting testimony were Rod Bieker, KSDE General Counsel, Topeka, who advised the board of comments of the Joint Committee on Administrative Rules and Regulations and other written comments; Rocky Nichols, Disability Rights Center of Kansas, Topeka; Tom Krebs, Kansas Association of School Boards, Topeka; Neil Guthrie, speaking on behalf of Bob Maile, Chairman of the Special Education Advisory Council, Olathe; William Perry, Kansas Association of Special Education Administrators (KASEA), Region 5, Pittsburg; Alice Harnisch, National Alliance on Mental Illness (NAMI), Topeka; Jennifer Berends, Lawrence; Rudd Turnbull, Lawrence; Craig Dunston, Topeka; Carol Hernandez, Topeka; Bruce Givens, South Central Kansas Special Education Cooperative, Pratt; Kristine Stangis, Overbrook; Dr. Jane Adam, Keys for Networking, Topeka; Martha Gabehart, Kansas Commission on Disability Concerns, Topeka; Kim Thomas, Lawrence, speaking on behalf of Barbara Peeples, Kansas City; Malcolm Smith, Lawrence; Lesli Girard, Families Together, Inc., Topeka; Pauline Hintz, Lakemary Center, Paola; Jennifer Harris, Topeka; Kathy Mickelson, Three Lakes Education Cooperative, Lyndon; Kecia Frevert, Emporia; Tim Frevert, Emporia; Kathleen Hine, Life Span Institute, Parsons; Susan Arnold, Topeka; Barb Thompson, Lawrence; Tom Laing, Interhab, Topeka; Jane Rhys, Kansas Council on Developmental Disabilities, Topeka; Kim Strunk, Topeka; Darla Nelson-Metzger, Topeka; Mari White, Topeka; and Michelle Aker, Topeka. Chairman Wagnon declared the public hearing closed at 3:00 p.m.

The board took a break from 3:00 until 3:10 p.m.

PANEL DISCUSSION ON TEACHER RECRUITMENT AND RETENTION
Dr. Winston Brooks, Superintendent, USD 259, Wichita, Mrs. Beth Reust, Superintendent, USD 270, Plainville, and Dr. Tes Mehring, Vice-President of Academic Affairs, Emporia State University, spoke to the board about teacher recruitment and retention issues. Dr. Brooks spoke from his experience as the superintendent of the largest district in the state, Mrs. Reust as superintendent of a small rural district, and

Dr. Mehring from the point of view of an administrator of teacher preparation programs. They shared with the Board the problems they encountered and made recommendations the board might want to consider when addressing possible solutions. A question and answer session followed.

PETITION FOR RECONSIDERATION OF AN ORDER REVOKING A LICENSE
Kevin Ireland, KSDE Attorney, reviewed the State Board's adoption of the findings of fact, conclusions and recommendations of the Professional Practices Commission and revocation of Mr. Jerry S. Daskoski's professional license at last month's meeting. Explaining the grounds on which Mr. Daskoski was requesting reconsideration and the circumstances of the original order, Mr. Ireland recommended that the request be denied. Mrs. Rupe moved, with a second by Mr. Bacon, that the State Board deny Mr. Daskoski's Petition for Reconsideration. After a brief discussion, the motion carried 9-0-1, with Mrs. Martin abstaining.

EXECUTIVE SESSION
Mr. Willard moved, with a second by Mr. Bacon, that the Board recess into Executive Session in the Commissioner's Office for a period of fifteen minutes for the purpose of consultation with the Board attorney so that that the attorney-client privilege would be preserved, and that the open meeting of the Board resume in the Board Room at 4:35 p.m. The motion carried. The open meeting resumed at 4:35 p.m.

SCIENCE EDUCATION STANDARDS
Mrs. Gamble moved, with a second by Mrs. Waugh, that the Kansas State Board of Education approve the recommended Science Standards as presented. Dr. Abrams moved, with a second by Mr. Willard, that the motion be amended to include benchmarks for anatomy and physiology, zoology, microbiology and botany in the standard for life science, with the specific placement to be determined by staff. The motion to amend failed 4-6, with Mrs. Cauble, Mrs. Gamble, Mrs. Rupe, Mrs. Shaver, Mrs. Waugh, and Dr. Wagnon voting "no".

Mr. Willard moved, with a second by Mr. Bacon, that the motion be amended to add the words "informed and" to the Mission Statement so that it would read, "…lifelong learners who can use science to make *informed and* reasoned decisions…". The vote on the motion to amend failed 4-6, with Mrs. Cauble, Mrs. Gamble, Mrs. Rupe, Mrs. Shaver, Mrs. Waugh, and Dr. Wagnon voting "no".

Mr. Willard moved that the motion be amended to provide for the removal of the last two sentences in the first paragraph of the *Nature of Science*, to make it consistent with the balance of the section. Mrs. Martin seconded the motion. The amendment was voted on after a brief discussion of the meaning of the two sentences. The motion failed 4-6, with Mrs. Cauble, Mrs. Gamble, Mrs. Rupe, Mrs. Shaver, Mrs. Waugh, and Dr. Wagnon voting "no".

Mrs. Cauble called the question, which passed 6-4, with Dr. Abrams, Mr. Bacon, Mrs. Martin and Mr. Willard voting "no".

The motion to approve the science education standards as presented passed 6-4, with Dr. Abrams, Mr. Bacon, Mrs. Martin and Mr. Willard voting "no".

CONSENT AGENDA
Mrs. Cauble moved, with a second by Mrs. Shaver, that the Consent Agenda be approved as presented. The motion carried.

In the consent agenda, the State Board:

- Received the monthly personnel report.

- Approved school construction plans for Kansas Wesleyan University, Salina: Wellington Christian Academy; USD 253, Emporia; USD 258, Humboldt; USD 266, Maize; USD 286, Chautauqua County Community Schools USD 313, Buhler; USD 345, Seaman; and USD 512, Shawnee Mission Schools (2).

- Confirmed the appointment of Anthony Moss to the position of Information Technology Operations Manager, effective 1/14/2007 at an annual salary of $66,744.

- Received the 2005-2006 Accountability Report.

- Approved the submission of proposed licensure regulations 91-1-201, 91-1-202, 91-1-203, 91-1-204, 91-1-209 and 91-1-234 to the Department of Administration and Attorney General for review.

- Approved Waiver Review Committee recommendations for school districts to utilize individuals outside their areas of endorsement as follows: *Adaptive Special Education*: Brett Loewen, USD 259, Wichita; Wendy Ewing, Beverley Linek and Amber Fiske, USD 305, Salina; Katherine Budden, USD 321, Kaw Valley; Carvel Reynoldson, USD 330, Mission Valley; Lauralee Stensrud, USD 480, Liberal; Shelley Hewetta and Joyce Akins, USD 490, El Dorado; Michelle Chaves, USD 497, Lawrence; Rebecca Rogowski, D0602, Northwest KS Educational Service Center; Rhonda Dixon, D0605, South Central KS Special Education Cooperative; Janet Pollard, D0616, Doniphan County Education Cooperative; Ann Cress and Dru Warren, D0618, Sedgwick County Area Educational Services; and Mary Wilson, D0636, North Central Kansas Special Education Cooperative Interlocal; *Early Childhood Special Education:* Robin Pfannenstiel, USD 308, Hutchinson Public Schools; and Cristin Cox, USD 490, El Dorado; *English as a Second Language:* Mindy Clark, USD 253, Emporia; and Nasser Nazaran and Belinda Roth, USD 259, Wichita; *English Language Arts - Middle Level:* Carrie O'Donnell, Z0029, Kansas City Catholic Diocese; *ESOL-extension of number of days:* Sherry Noel, USD 480, Liberal; *Functional Special Education:* Kristen Gray and Timothy McKay, USD 259, Wichita; and Stephen Dawson, USD 497, Lawrence; *Gifted:* Athena Sullivan, USD 229, Blue Valley; Elizabeth Blue, USD 259, Wichita; and Amber Riedy, USD 385, Andover; *Interrelated:* Erik Hopper, Lillian Quinones and William Collins, USD 259, Wichita; Randy Weber, Zelda Tovar, Nichele Gaston, Tracy Lewis, Lori Minnihan, Kevin Ethington, Paula Umscheid, Travis Wyss, Kasey Buller and Callie Schultz Williamson, USD 490, El Dorado; Jeffery Henry, Bart Ricke and Martha Hellar, D0605, South Central KS Special Education Cooperative; and Bonnie Mulkey, D0616, Doniphan County Education Cooperative; *Math:* Brandy Murray, USD 259, Wichita; *Math - Middle Level:* Lori Stockstill, USD 259, Wichita; *Math-extension of number of days:* Tracy Kutscher, USD 341, Oskaloosa; *Resource/At-Risk-extension of number of days:* Alicia Worthington, USD 449, Easton; and *Visual Impaired:* Margaret Lucas, USD 490, El Dorado.

- Approved the recommendations of the Mathematics Partnership Review Committee for new funding for the Title II Part B Mathematics and Science Partnership Grants for 2007-2008 as follows: USD 453, Leavenworth, $99,628; USD 259, Wichita, $100,000; USD 309, Nickerson, $80,213; USD 428, Great Bend, $77,438; Kansas State University, $100,000; and Fort Hays State University, $99,608.

- Issued FY 2007 commercial driver training school licenses from February 13, 2007 through December 31, 2007 to recommended commercial driver training schools: Horizon's Driving Academy, Salina, KS and Motorcycle Rider Education, Wichita, KS.

- Approved the inservice education plans for USD 356 Conway Springs and USD 460 Hesston.

- Received information about the Secondary Education Research Project.

- Issued an order authorizing USD 266, Maize, USD 372, Silver Lake, and USD 467, Leoti, to hold elections on the question of issuing bonds in excess of the districts' general bond debt limitation.

Contracts Approved:
Authorized the Interim Commissioner to negotiate and enter into a contract with:

- The University of Kansas Center for Research, Kansas Institute for Positive Behavior Support (KUCR/KIPBS), for an amount not to exceed $26,000 to conduct professional development activities for the Kansas Data Grant Project;

- Designed Instruction, LLC, for an amount not to exceed $20,000, to design and develop an on-line tutorial for the Kansas (KSDE) Data Grant Project; and

- the Kansas Department of Health and Environment (KDHE) for the purpose of completing on-site health inspections of Summer Food Service Program (SFSP) meal preparation and service sites at the rate of $100 per inspection, not to exceed $16,000.

RECESS
There being no further business, Chairman Wagnon recessed the meeting at 4:55 p.m.

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Bill Wagnon, Chairman Penny Plamann, Secretary

KANSAS STATE BOARD OF EDUCATION
MEETING MINUTES

February 14, 2007

CALL TO ORDER
Chairman Wagnon called the meeting to order at 9:00 a.m. on Wednesday, February 14, 2007, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.

ROLL CALL
All members were present:

Steve Abrams	Carol Rupe
John Bacon	Jana Shaver
Sally Cauble	Bill Wagnon
Sue Gamble	Janet Waugh
Kathy Martin	Ken Willard

APPROVAL OF AGENDA
Chairman Wagnon asked for approval of the agenda. Mrs. Gamble moved, with a second by Mrs. Rupe, that the agenda be approved as presented. The motion carried.

BOARD REPORTS
Chairman
Chairman Wagnon reported on his activities with NASBE; a meeting at the Kauffman Foundation on teacher attrition that was also attended by Dr. Martha Gage; and an upcoming quarterly meeting he would be attending of Kansas and Missouri superintendents at the Kauffman Foundation. He announced he would be leaving the meeting early to attend the KASB legislative workshop.

Board Designees for Graduation Ceremonies at KSSB and KSSD
Mrs. Cauble was designated to attend the graduation ceremony at Kansas State School for the Blind on Friday, May 18th at 1 p.m. Mrs. Shaver was designated to attend graduation ceremonies at Kansas State School for the Deaf on Wednesday, May 23rd at 6 p.m.

Nomination of 2008 NASBE Officers
Mr. Bacon moved, with a second by Dr. Abrams, that the Kansas State Board of Education put into nomination Ken Willard for NASBE President-elect for 2008. The motion carried.

Legislative Coordinator
Mrs. Gamble updated the Board on recent activities in the Legislature. Brief discussion followed.

Board Attorney's Report
Mr. Biles reviewed and answered questions about issues in his written report. Dr. Abrams moved, with a second by Dr. Wagnon, that the Board pay Mr. Biles' fees for services and expenses for January as presented. The motion carried.

Other Board Member Reports
Dr. Abrams reported that he had been serving as a state board of education representative on the Kansas Child Welfare Quality Improvement Council, but because of time constraints he would be unable to continue. Mrs. Gamble indicated she would like to represent the board. Dr. Abrams said he would notify them.

Mrs. Waugh reported on several upcoming events; passed out KACEE brochures; and noted that she had been contacted by NASBE to serve on the Nominations Committee.

Mrs. Martin reported on school visits; proposed activities of the Communications Committee; and indicated she was still receiving *Education Week.*

Mrs. Gamble suggested that information about issues the Board has been addressing and discussing over the last year or so be provided to the new board members as part of their orientation. Growth modeling was mentioned as an example.

It was noted that the Board of Education Directory on the website needed to be updated. Staff was asked to send out a note to members on updating their bios with a deadline for completion.

Mrs. Cauble reported on a collaboration dinner she had attended in Elkhart. She also indicated she had met with the Southwest Kansas Service Center which would be preparing a presentation on various strategies schools are using to teach English as a Second Language students. She suggested that it would be a good presentation for the Board. Mrs. Cauble also asked for permission to submit a travel request to travel to Washington with a delegation from southwest Kansas to visit with the Kansas Congressional Delegation. There was no opposition to her proposal.

Future Agenda Items
Mrs. Cauble asked that a presentation on ESOL that is being coordinated by SW KS Service Center be on the agenda. The May meeting was proposed.

ACTION ON PROPOSED SECLUSION AND RESTRAINT PROVISIONS
Mr. Bieker, Department of Education General Counsel, noted that having held the public hearing, options available to the State Board in regard to the proposed provisions in 91-40-75, 91-40-76, 91-40-77, 91-40-78 and 91-40-79, included: 1) take no action on these matters; 2) have staff reword the proposed language to provide for guidelines, not regulations; or 3) have staff prepare a response to the public comments and present it to the Board at its March meeting, with further action possible at that time.

Mrs. Gamble moved that the State Board direct staff to continue developing guidelines which provide for appropriate programming for children with disabilities who have challenging behavior--the guidelines to include the use of positive behavior supports and the appropriate use of seclusion rooms and restraint. Further, staff shall coordinate with the State Special Education Advisory Council to monitor, annually, the use of seclusion and restraint and report to the Board. Mrs. Rupe seconded the motion.

Discussion followed about the benefits of having regulations versus guidelines. Dr. Abrams, with a second by Mr. Willard, moved to table the motion until staff could gather information about some of the anecdotal testimony that had been presented in the hearing. Discussion continued and Mrs. Cauble called for the question. The vote to end the discussion failed.

After additional discussion, the motion to table failed on a vote of 3-7, with Mr. Bacon, Dr. Abrams and Mr. Willard voting “no”.

The motion carried 6-3-1, with Mr. Bacon, Mrs. Martin and Mr. Willard voting “no” and Dr. Abrams abstaining.

The Board took a break from 10:30 until 10:35 a.m.

KANSAS STATE SCHOOL FOR THE DEAF BUDGET ISSUES
Dr. Robert Maile, Superintendent of the Kansas State School for the Deaf, reported on the budget problems the school was experiencing for the current year. He indicated that the Senate Ways and Means Committee was recommending a deficit correction for FY 2007. Brief discussion followed.

LEGISLATIVE MATTERS
The Board heard a report on the reauthorization of NCLB from Mike Resnick of the National School Boards Association (NSBA). He also passed out a quick reference guide to NSBA's recommendations. Discussion followed. Mrs. Judi Miller, Assistant Director of State and Federal Programs passed out a summary of the Administration's bill and copies of a brochure on the Kansas Board's NCLB recommendations.

Mr. Dennis reviewed the KSDE budget as recommended by the Governor and the Senate committee. He also reviewed bills of interest. In addition, he passed out a list of schools that would be receiving the Governor's Achievement Award.

Dr. Wagnon left at 11:20 a.m. Mrs. Rupe assumed the Chair.

REVIEW OF A STUDY CONDUCTED BY THE CENTER FOR TEACHING QUALITY
Blake West, President of Kansas NEA, reported on a statewide Teacher Working Conditions survey. He reported that it was undertaken in an effort to hear directly from teachers and principals about what they consider the best ways to improve schools, retain more teachers, and improve student learning. The survey was coordinated by researchers from the Center for Teaching Quality in Chapel Hill, North Carolina. Brief discussion followed. It was requested that Mr. Blake's PowerPoint presentation be posted on the KSDE website.

Because the meeting was running late, the presentations on career initiatives and health education standards were postponed until the March meeting.

BOARD MEMBER TRAVEL
Mr. Bacon, Mrs. Shaver and Mrs. Waugh asked to add a Policy Committee meeting on March 12th. Mrs. Gamble asked to add the NASBE legislative conference. Mrs. Waugh asked to add the conference call on February 2nd. Mr. Bacon moved, with a second by Dr. Abrams, that the board travel requests be approved as amended. The motion carried 9-0, with Dr. Wagnon absent.

ADJOURNMENT
There being no further business, Vice Chairman Rupe adjourned the meeting at 12:08 p.m.

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Bill Wagnon, Chairman Penny Plamann, Secretary