

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

**November 14, 2006**

## **CALL TO ORDER**

Chairman Abrams called the meeting to order at 10:00 a.m. on Tuesday, November 14, 2006, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.

## **ROLL CALL**

Members present were:

Steve Abrams	Iris Van Meter
John Bacon	Bill Wagnon
Sue Gamble	Janet Waugh
Kathy Martin	Ken Willard
Connie Morris	

Mrs. Rupe was not in attendance for the meeting.

The Board stood for recitation of the Pledge of Allegiance.

## **APPROVAL OF AGENDA**

Chairman Abrams asked for approval of the agenda. Mrs. Gamble asked that items 10, a presentation about English immersion programs, 11 d., a presentation on site-based budgets, and 12, a presentation and action on a grant for a Kansas charter school organization, be deleted. She also requested that items 13 c., an appointment to an unclassified special project position, item 13 g., a contract to develop and pilot a Grade 7-16 career assessment and management computer-based system, 13 i., a contract with ACT for the KSDE student engagement project, and 13 j., a contract for Phase I and II of the QPA online standards training program, be pulled from the consent agenda and voted on separately. Mrs. Martin also wanted to pull items 13 i. and 13 j., adding she would like to have more information about the contracts. Dr. Wagnon indicated he needed to recuse himself from the vote on item 13 g. Mrs. Martin moved, with a second by Dr. Wagnon, that the agenda be approved without inclusion of the items mentioned. The motion failed on a vote of 5-4, with Mr. Bacon, Mrs. Morris, Mr. Willard and Mrs. Van Meter voting "no". Mrs. Morris moved, with a second by Mrs. Van Meter, that the agenda be approved as published, with the exception of items 13 c., g., i., and j. which would be voted on separately. The motion carried on a vote of 7-2, with Mrs. Waugh and Mrs. Gamble voting "no".

## **APPROVAL OF MINUTES**

Dr. Wagnon moved, with a second by Mrs. Martin, that the minutes be approved. Dr. Wagnon and participating Board members provided clarification about which schools Board members visited prior to the meeting on Tuesday, October 10<sup>th</sup>. Dr. Wagon, Mrs. Rupe and Mrs. Waugh had visited Francis Willard Elementary in Arkansas City, and Mrs. Van Meter, Dr. Abrams, Mrs. Martin and Mrs. Gamble had visited Winfield Middle/High School in Winfield. The motion to approve the minutes carried 9-0.

## **COMMISSIONER'S REPORT**

Commissioner Corkins repeated his appreciation of staff expressed in his written report for their work with the activities associated with creating the AYP list from the increased data that was the result of the additional grades assessed during the 2005-2006 year. He then introduced Superintendent of USD 383, Robert Shannon, and Principal of Ogden Elementary, Jim Armendariz, to talk about receipt of the 2006 Intel- Scholastic School of Distinction Award for Achievement in Mathematics by the elementary school. Other staff who played a key role in the school receiving the award were also introduced. Receiving the

award was particularly gratifying for the school which has a high student turnover rate of 45% and has 70% of its students eligible for free and reduced lunch. The overall value of the award was more than \$200,000 in grants, hardware and software.

Mrs. Gamble asked to return to the Commissioner's Report after the KSHSAA annual report and the Open Forum.

#### **KANSAS STATE HIGH SCHOOL ACTIVITIES ASSOCIATION ANNUAL REPORT (KSHSAA)**

Gary Musselman, Executive Director of the Kansas State High School Activities Association, presented the annual report of the Association as required by statute. He also handed out the policy on eligibility for students attending KSDE accredited virtual schools, the 2006-2007 KSHSAA Handbook, and a synopsis of major changes to rules and bylaws. Included in his presentation were several issues that had been discussed lately around the state. Those included the elimination of the bylaw for the 500 mile travel maximum for competitions; hydration testing for high school wrestling, which will be required for the initial weigh-in of the season; and moving the activity calendar one week earlier. There was little chance that the travel limit would be changed or that the calendar would begin any earlier. Mr. Bacon asked if there had been talk of mandatory drug testing. Mr. Musselman reported on the national steroid education effort and reported that the decision was that testing not be mandated, but left to local districts to decide.

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

Chairman Abrams declared the Citizens' Open Forum open at 10:41 a.m. Those addressing the Board were: Rocky Nichols, representing DRC, Topeka, and Darla Nelson-Metzger, of Families Together Inc., Topeka. Chairman Abrams declared the open forum closed at 10:47 a.m.

#### **COMMISSIONER'S REPORT (continued)**

Mrs. Gamble asked questions about staffing and funding. She was particularly interested in how the funding would be replenished in 2007-2008. She also brought up her understanding that several teams were short of personnel and it was affecting their performance. Additionally, she was interested in the number of employees in the new division who had multiple supervisors. Commissioner Corkins reported on a plan for joint evaluation of dual assignments; plans for hiring to fill some of the vacant positions and the use of seasonal assignments, as recommended by the workflow study to address shortages in Teacher Education and Licensure. Mr. Corkins also reported on the FY 2008 budget that had been submitted that would adequately cover salaries. He invited Mrs. Gamble to come to the Department and have a more in-depth discussion with him, the Deputy Commissioners and Ron Nitcher, Director of Fiscal and Administrative Services.

Mrs. Gamble also had some questions about two customer service surveys that had been conducted since May. She indicated she had received a copy of one of them and would like Board members to receive copies of the summary of the May survey. Mr. Corkins explained the purposed of the two surveys and indicated he would provide preliminary results of the latest survey to Board members on Wednesday. Mrs. Gamble recommended that the responses from the October customer service survey be broken down between those who responded who had a lot of interaction with the agency and those who did not.

The Board took a break from 11:04 until 11:08 a.m.

### **NCLB BLUE-RIBBON SCHOOLS**

Mrs. Karla Denny, Coordinator for Recognition Programs, introduced representatives of the five 2006 No Child Left Behind—Blue Ribbon Schools. She noted that Billie Jo Drake, Principal of one of them, Eugene Ware Elementary School in Ft. Scott, was also one of five recipients across the country of the Terrell H. Bell Award for School Leadership. The award is given for demonstrating strong leadership in overcoming difficult challenges standing in the way of student achievement.

The five NCLB-Blue Ribbon schools recently been honored in Washington, D. C. Each principal shared with the Board factors they have found to be most significant to raising student achievement in their schools. Addressing the Board were Mrs. Billie Jo Drake, Principal, Eugene Ware Elementary School, USD 234, Fort Scott; Mr. Jeffrey Shearon, Principal, Frances Willard Elementary School, USD 470, Arkansas City; Mr. John Harriss, Principal, Westview Elementary School, USD 233, Olathe; Mrs. Kim Christner, Principal, Garfield Elementary School, USD 402, Augusta; and Mr. Greg Oborny, Principal, Regency Place Elementary School, USD 233, Olathe.

Dr. Wagnon asked about the effect of the efforts at the elementary level on middle and high school student performance. In response to his question and one from Mr. Willard about the increased time devoted to staff development, Mr. Shearon reported that the impact of professional development had been profound on the middle and high school. He indicated that because of the successes over the past few years as the result of professional development in the elementary schools the middle and high schools were now very receptive to participating also. He noted that the middle and high schools were seeing students coming to them more prepared. He added that the middle and high schools have received more training in literacy instruction, particularly reading in the content area. Mr. Shearon reported on how staff development and collaboration time was structured throughout the day in the Arkansas City district and how data was used daily in assessing student needs. He pointed out that the district had spent \$4.2 million in professional development funds received from federal and state grants over the last few years. Mrs. Gamble pointed out that the cost of staff development was quite high. At the conclusion of the discussion, the presenters' were given certificates of recognition and had their pictures taken with the Chairman and the Commissioner.

The Board recessed for lunch at 12:10 p.m. and the meeting resumed at 1:30 p.m.

### **UPDATE ON SUPERINTENDENTS' COMMITTEE RECOMMENDATIONS**

Dr. John Morton, Superintendent of the Newton Schools, and Dr. Brenda Dietrich, Superintendent of the Auburn-Washburn district, co-chairs of the Superintendents' Committee established in coordination with the State Board, provided an update on additional action that has been taken by members of that committee. While there has been no formal action taken to-date, it was reported that the Committee's work has continued through efforts by their professional organizations, the Kansas Association of School Administrators (KASA) and United School Administrators (USA) to identify opportunities for action and determine what individual district initiatives are in place to help address these barriers. They reported that they would like to continue an open and meaningful dialogue with the Board. Specifically, they requested increased and strategic communication that would enhance the ability of the field and the Board to work together for the betterment of the entire public education system. They indicated that with the focus on cut scores and AYP lists, it was important to effectively communicate with communities about the progress that is being made in districts across the state and to continue to work with Department of Education and the Board to help reduce duplication of effort; increase support for public education in

Kansas; work with partners in education to address the increasing shortage of qualified teachers and administrators in the state; work to ensure teachers and administrators receive the support necessary to be successful in the profession; and eliminate bureaucracy that prevents qualified individuals from pursuing jobs in education while still maintaining high expectations. They asked that the State Board work with the superintendents toward a viable pre-K-16 educational system in Kansas.

Dr. Morton reviewed the Superintendents' Committee executive summary of work that was presented to the Board in February, including the six critical themes that had emerged from the committee's discussions. He also briefly reviewed the barriers and methods identified to overcome them that the committee had identified as preventing a move from the current public education system to one more in sync with the new skills required for all student learners. Dr. Morton reported that the administrators' professional associations were committed to addressing the issues identified and that they hoped to keep the State Board updated on their progress on a regular basis.

Mr. Willard indicated he was surprised that the Superintendents' Committee had continued to meet because it was his understanding that it had declined to pursue further work that had been requested by the Board. Dr. Morton indicated that the Committee did not continue to meet, but as the Board had been shared with the Board February, the issues had been referred to KASA and USA where the discussions of the issues were taking place. Dr. Dietrich added that the Committee had felt that the format of the Committee had not been as productive and as inclusive as it wanted the discussion to be and broadening the group to include USA and KASA allowed more superintendents to become involved. She indicated that the momentum and desire to take a leadership role to address the issues existed and that through the associations the dialogue was moving forward. Mr. Willard indicated his disappointment that the Board had not been included in the ongoing conversation.

Drs. Morton and Dietrich were asked about their expectations for continued interaction with the Board. Dr. Morton indicated that there was a commitment by the KASA legislative committee and the USA board to continue to work through the issues and bring recommendations periodically to the State Board. Dr. Dietrich indicated that by including more individuals in the field there was a hope for a richer dialogue regarding recommendations for addressing the issues.

Referring to barriers and recommendations regarding infrastructure in the Committees' report, Mrs. Gamble asked if the current configuration of the Department of Education was able to help in meeting the needs of local districts. Dr. Morton responded that as the stakes grow higher and the NCLB accountability factors become more stringent and greater monitoring is needed, the capability of the current KSDE staff to deal with all the emerging issues will be stretched very thin. He added that since most districts have a relationship with a service center it made sense to look to them to provide the technical assistance that will be needed. He noted that it was his understanding that the Commissioner had been discussing the idea with service center directors, but he wasn't aware if anything had been formalized. In the continued discussion with Mrs. Gamble of the issue of Department capacity to meet local needs, Dr. Morton indicated that he had felt for sometime how difficult it was for the Department to provide the level of service needed statewide. He added he didn't believe the Department could currently meet the task and that anything that would provide better and more frequent opportunities for support would be beneficial.

Mrs. Waugh stated that she would encourage the associations' plan to continue to discuss the issues and bring recommendations to the Board. She asked if it would be possible to get frequent updates on the

progress that was being made. Mr. Willard expressed his concern that taking the issues away from the select committee and transferring them to the associations would not result in the kind of results and recommendations he had originally hoped for. Mrs. Martin agreed with Mrs. Waugh about the continued discussion of the issues and interaction with the Board. She added that she understood Mr. Willard's point of view because the Superintendents' Committee had been composed of individuals Board members knew and had relationships with. She indicated that with the process being taken over by the associations, she hoped that any recommendations would arise from authentic conversations with the membership and not be top-down.

### **OVERVIEW OF ENGLISH IMMERSION PROGRAMS**

Deputy Commissioner Foster provided the Board with an overview of English Language Learner (ELL) programs in Kansas, of which English immersion is one. In addition to reviewing the types of programs in the state, he also provided data on the number of ELL students in the state and the number of languages represented. He also covered state and federal requirements for providing services and the goals and requirements of NCLB. A copy of his PowerPoint presentation was handed out to Board members and also posted on the KSDE website. During the discussion, Dr. Wagnon stated his belief that all Kansas students needed to be able to function well in English, but brought up the issue of an emphasis on learning English and the devaluation of the native language. He indicated he believed that the lack of respect for native languages and cultures caused students to become alienated and drop out of school and asked how the Department could assist districts in maintaining respect for multi-language capacities in Kansas students. Dr. Foster responded that the ESOL standards and the training the field receives in using them is one way to address the issue. He also suggested that providing resources on the website might be helpful. A proposal he said he would take to the group establishing the 2006 Annual Measurable Achievement Objectives (AMAOs) would be to provide some kind of target that would reward supportive activities of the type Dr. Wagnon was interested in. There was quite a bit of discussion of the NCLB requirement for the AMAOs that are established by the Department and for which districts are held accountable. The AMAOs include annual increases in the number or percent of children making progress in learning English; annual increases in the number or percent of children attaining English proficiency by the end of the school year; and making AYP under Title I. In discussing the percent of children attaining proficiency and exiting the program Chairman Abrams stated he believed an annual exit rate of 25% for ELL students was acceptable and should be attainable. Dr. Foster discussed how the percent was established and variables that might affect a student's inability to reach proficiency within an established period of time. Dr. Abrams suggested that a longitudinal analysis of the data might help judge the effectiveness of ESOL programs. Dr. Foster noted that currently two years of data is available and that the KIDS system could provide a lot of useful information. He added that some districts have also maintained good data on their programs. Board questions also clarified how the AMAO targets fit with AYP.

### **LEGISLATIVE MATTERS**

#### ***Policy Recommendations for the 2007 Legislative Session***

The Board discussed policy recommendations for the 2007 legislative session. Deputy Commissioner Dennis was asked to add consideration of other criteria for identifying at-risk students and a recommendation that the legislature continue with three-year school funding plans.

***Recommendations from the 2010 Commission***

Mr. Dennis reported that the 2010 Commission had approved several new studies to be conducted by Legislative Post Audit. They were 1) a study of the wide variation in costs associated with vocational education programs; 2) issues related to virtual schools; and 3) a comparison of national and Kansas teacher recruitment and retention strategies. Also approved was the request for a report from KPERS on the fiscal note for hiring retired teachers.

The Board took a break from 3:20 to 3:27 p.m.

***Discussion of Possible Recommendations for Reauthorization of NCLB***

Assistant Director Judi Miller handed out talking points from Senator Jerry Moran and position papers and recommendations from several groups regarding the reauthorization of No Child Left Behind. She reported that issues the recommendations had in common dealt with accountability, English Language Learners, funding of the act, students with disabilities, and requirements for highly qualified teachers. Mrs. Miller indicated that she would provide a compilation at the December meeting on who supports the different recommendations, as well as data on different recommendations that had been proposed by Board members earlier. She was also asked to contact other members of the Kansas Congressional Delegation about proposals they might have. She reported that Senator Roberts will work through the Senate Education Committee with any recommendations. Congressional work on the reauthorization could begin as early as January or February 2007.

***Site-Based Budgeting***

Dr. Marguerite Roza from the Center on Reinventing Public Education, Seattle, Washington, gave a presentation on the merits of encouraging or requiring local school districts to account for funds based on resources expended by each attendance center within their district. Mr. Bacon was interested in whether states that had moved to a site-based system accredited school buildings or districts, noting that because Kansas accredited schools, school leaders were interested in having a voice in what funds were necessary to maintain accreditation. Dr. Roza indicated that, with a few exceptions, it was districts that were accredited because they were ultimately responsible for school performance. NCLB, though, had put more focus on the school as a unit of performance and because of that, there was more interest in gaining some understanding of what resources were available for that unit. Mr. Bacon asked if the natural progression for assignment of funds would ultimately be budgeting at the pupil level. Dr. Roza made a distinction between two issues involved with the decision to move to a site-based system. The first was the basic accounting for spending without consideration of where the authority for the decision rested. The second was based on the strategy for reform, whether it was a centralized managed instruction approach or the belief that spending decisions are best made at the building level in order to improve student performance. In the second instance, a move to include site-based budgeting would also be an essential element. Also during the discussion of her presentation, the question was raised more than once by Mrs. Gamble and Mrs. Waugh about whether Kansas had a need to adopt a site-based accounting system and Dr. Roza was asked what system problems Kansas needed to address. She stated her belief that in Kansas fiscal transparency is not aligned with the units where accountability is measured and that district leaders need to have the ability that is provided by site-based accounting to use financial information strategically to increase student achievement. Decentralized accounting systems increase building leaders' ability to understand at a glance where their resources are going and align them with their priorities. Dr. Roza emphasized that it was accounting systems with decentralized data collection, not decentralized budget authority, which she was recommending. She also pointed out that resource allocation was much easier in districts with ten or fewer schools than in larger districts with twenty or

more, where it would be important to have reliable indicators of where dollars were going. Additionally, it was her experience that without reliable expenditure indicators, unintended spending patterns were brought to light, such as the continuation of a program when its costs were fully assessed, proved to be less efficient than one with similar results that cost less. Dr. Roza was asked by Mrs. Gamble if studies conducted by the Division of Legislative Post Audit and other state level studies were insufficient to provide Kansas policy makers with the information needed to make a decision about site-based budgeting. Dr. Roza said it would be difficult, without knowing what information comprised the focus of the studies, to make a determination about whether they provided an adequate analysis. Mrs. Gamble suggested that perhaps those who had conducted the studies should be consulted, since she understood that strategic decision making in Kansas had been considered and the current system was found to be adequate. Commissioner Corkins indicated he had shared the special legislative committee's report with Dr. Roza and would also give her the Legislative Post Audit report in order to get her feedback. Mrs. Morris stated her belief that the system in Kansas was broken, with great school funding inequities that needed to be addressed and thanked Dr. Roza for her presentation.

#### **GRANT FOR A STATE CHARTER SCHOOL ORGANIZATION**

Deputy Commissioner Englebrick reviewed the provisions for a statewide charter school organization that were contained in the \$10,000,000 federal charter school grant the Department had received. The goal of the charter organization would be to provide a statewide system of support for excellence in public charter schools. The federal grant provided \$42,000 to fund the establishment of the charter organization, but it was expected that it become self-sustaining. Mr. Englebrick explained how funds would be dispersed to the grantee; how the request for proposals (RFP) was developed, what services were identified, and who it was sent to. Three national organizations, the Fordham Foundation, the National Alliance for Public Charter Schools, and the Center for Education Reform, reviewed the two proposals that were received. The reviewers recommended that the Kansas Association of Public Charter Schools be awarded the grant. Mrs. Gamble stated several concerns she had with the process. The first was that she understood that the RFP had initially been posted on the KSDE website and was only sent out by listservs to the organizations Mr. Englebrick had mentioned after there were complaints that the website was the only place it was available. She was concerned that by the time it went out on the listservs there was little time left to respond by the November 1<sup>st</sup> application deadline. She was also interested in which entities potentially seeking approval of charter petitions were working with the organization which was recommended to receive the grant. She was also bothered that the organization didn't appear to have operated beyond Topeka and Kansas City, and that the Department was excluding the rural areas and the service centers that were positioned to provide that part of the state with services. She indicated she felt that the Department had narrowed its focus. Mr. Englebrick explained that the RFP had been posted on the website, a press release had gone out and it was sent out on the listservs simultaneously on October 18<sup>th</sup>. Neither of the applicants that applied had complained about the timeframe, he explained. A service center that had considered applying had expressed concern but had not requested an extension of time.

Mr. Bacon moved that State Board act to approve the grant for establishing a statewide charter school organization in an amount not to exceed \$42,000. Mr. Willard seconded the motion. In discussion of the motion, Mrs. Waugh asked that the membership of the charter organization which was being proposed to receive the grant be identified for the Board. She also asked for a list of the entities potentially seeking approval of charter petitions and the names of the approved technical assistance vendors they were working with. Mrs. Gamble asked for information on which of those seeking approval of charter petitions were working with the proposed charter school organization. Mrs. Waugh also wanted to know which of the groups actually submit charter school petitions. The motion carried 6-3, with Dr. Wagnon, Mrs. Gamble and Mrs. Waugh voting "no".

**CONSENT AGENDA**

Mrs. Morris moved, with a second by Mr. Bacon, that the Board approve the consent agenda, with items 13 c. g., i., and j. voted on separately. The motion carried.

In the consent agenda, the State Board:

- Received the monthly personnel report.
- Approved school construction plans for St. John's Military School, Salina; the Maranatha Academy, Shawnee; USD 464, Tonganoxie; and USD 494, Syracuse.
- Received written FY 2007 first quarter reports from the Kansas State School for the Deaf and the Kansas State School for the Blind.
- Approved Waiver Review Committee recommendations for school districts to utilize individuals outside their areas of endorsement as follows: *Adapted Physical Education*: Michael Kipp, USD 261, Haysville; *Adaptive Special Education*: Philip Phillips and Cari Dull, USD 259, Wichita; Joy Bircher, Karin Moon, Angela Reese, Jennifer Casteel, Kerry Ingram, Brenda Blocker, Priscilla Iverson, Carla Gish, Victoria Bruner, Lynsey Webb, Heather Flack, Susan McConnell, Heather Sharpe, Helen Rettie, Mary Rupe, Janelle Nelson and Tina Donnelly, USD 305 Salina; Trenton Giffin, USD 364, Marysville; Samantha Brown, and Janita Witty, USD 379, Clay Center; Nicole Krogmann, USD 407, Russell County; Carolyn Hund-Moody, USD 453, Leavenworth; Debra Miller, USD 480, Liberal; Jan Nuss, Nicole Cook, Angela Rietcheck, Robin Wiebe and Angela Kippes, USD 489, Hays; Michelle Wiltfong, D0 602, Northwest KS Educational Service Center; Christy Ross, D0 607, Tri County Special Education Cooperative; Bonnie Phillips, Tiffany Arnold, Tina Boley, Ruth Spencer, Latisha Schwerdtfeger, Kristina Jackson, Jolene Kaufman, Clayton Jenkins, Julie Balestracci, Amber Latta and Eunice Kerbs, D0 618, Sedgwick County Area Educational Services; Susan Neifert, Barbara Ward and Traci Nugen, D0 619, Sumner County Educational Services; and Kari Spencer, D0 636, North Central Kansas Special Education Cooperative. *Interlocal*: *Art*: Susan Chilcoat, USD 259, Wichita; *Early Childhood Special Education*: Brandi Thornton, USD 368, Paola; Cheryl Soderlund, D0 602, Northwest KS Educational Service Center; and Cynthia McDonald and Danielle Smith, D0 603, ANW Special Education Cooperative; and Jaci Sterling, D0 620, Three Lakes Educational Cooperative; *English as a Second Language*: Heather Stauffer, USD 253, Emporia; and Brooke Jones, USD 497, Lawrence; *Family and Consumer Science*: Brandi McClure, USD 240, Twin Valley; Carla Jacobs, USD 259, Wichita; and Cathy Ochs, USD 403, Otis-Bison; *Functional Special Education*: Sharon Reed, USD 305, Salina; and Mary Gatewood and Lynn Peoples D0 618, Sedgwick County Area Educational Services; and Jennifer Kampling, D0 618, Sedgwick County Area Educational Services; *Gifted*: Michelle Ediger, USD 102, Cimarron-Ensign; Mary Stroot, Marcy Ramsey, Steven Tuck, Katherine Whepley, Michelle Forsberg and Vernetta Chance, USD 259, Wichita; Sandra Boutz, USD 263, Mulvane; Keith Entress, USD 290, Ottawa; Anna McClellan, Christy Fritz and Kendra Sweet, USD 305 Salina; Glorianna Ford, USD 333, Concordia; Elizabeth Vaughn, USD 353, Wellington; Sharon Eckhoff, USD 483, Kismet-Plains; Pamela Simpson, USD 497, Lawrence; and Barbara Hartwell, D0 614, East Central KS Cooperative in Education; *Interrelated*: Janice Barclay, Debra Phares, Rita Suder, Shane Koranda, Jason Mooney, Mark Jamison, Nancy Schartz, Heather Bartkoski, Tina Graham, Michael Zimmerman, Cynthia Jones, Dianna Tripoli, Theodore Zogg, Anthony McKissic, Ruth Schott, Rocky Rowe, Tracy George, Sean Stephans, Rachel Gegen, Vernell Morgan, and Amy Turner, USD 259, Wichita; Angela Bell and Pamela Kennedy, USD 261 Haysville; Denise Signer, USD 282, West Elk; Robert Hedrick, USD 290, Ottawa; Michael Woolsey, USD 333, Concordia;

Jennifer Paxton, USD 336, Holton; Jessica Clamp, Duane Mellenbruch, Nancy Hardman, Nancy Deleau, Michelle Jensen, John Leonard and Catherine Morris, USD 497, Lawrence; Kristen Maddy Fahrenbruch, Tonya Applegarth, Heather Hansen, Melissa Reed, Nancy Cavenee and Kimberly Chain, D0 602, Northwest KS Educational Service Center; Amber Neill, Tammy Mentzer, Erica Hunter, Jason Tharp, Phyllis Loomis, Susan Harris, Penny Blanchet, Denise Warhurst, Kathy Marrs, Brent Harrell, and Meredith Fewins, D0 603, ANW Special Education Cooperative; and Julie Hucke, Jessica Traylor and Alisha Hale, D0 607, Tri County Special Education Cooperative; Jennifer Kampling, D0 618, Sedgwick County Area Educational Services; and Nicole Glynn and Cher Greving, D0 636, North Central Kansas Special Education. Cooperative. Interlocal; *Journalism*: Carla Kuhn Moore, USD 305, Salina; *Library Media Specialist*: Mandy Fritz, USD 457, Garden City; and Abigail Smith, USD 512, Shawnee Mission Public Schools; *Math*: Ty White, Donna Sanders-Simpson, Deon Allen, Cheryl Tate, John Loomis and Anthony Fulton, USD 259, Wichita; *Physical Education*: James Stiverson, USD 266, Maize; *Psychology*: Curtis Allen, USD 230, Spring Hill; *Resource Room - supplemental instruction*: Tatum Bush, USD 320, Wamego; Collene Brady, Kimberly Drake-Ball, Kyle Conley, and Darcie Wooge, D0 620, Three Lakes Educational Cooperative;

- Accepted the recommendations of the Licensure Review Committee in cases 2302-2304, .2307, 2309-2310, 2318, 2321, 2323, 2347, 2349-2354 and 2357.
- Approved the inservice plan for USD 394 Rose Hill.

#### **APPOINTMENT OF DIRECTOR OF PLANNING AND RESEARCH TEAM**

Mr. Bacon moved, with a second by Mr. Willard, that the State Board confirm the appointment of Phyllis Clay to the position of Director of the Planning and Research team, effective October 23, 2006 at an annual salary of \$83,945. The motion carried 6-3, with Dr. Wagnon, Mrs. Gamble and Mrs. Waugh voting “no”.

#### **GRADE 7-16 CAREER ASSESSMENT AND MANAGEMENT COMPUTER BASED SYSTEM**

Mr. Bacon moved, with a second by Mrs. Morris, that State Board of Education, in cooperation with the Kansas Board of Regents, increase Carl Perkins grant funding to Washburn University by \$180,000 to develop and pilot a 7-16 career assessment and management system. Mrs. Gamble asked for clarification about the proposal which was provided by Linda Oborny, Assistant Director for Career and Technical Education, and Deputy Commissioner Foster. The motion carried on a vote of 8-0-1, with Dr. Wagnon abstaining.

#### **CONTRACT WITH ACT, INC.**

Mr. Bacon moved, with a second by Mrs. Morris, that the State Board authorize the Commissioner of Education to negotiate and enter into a contract with ACT, Inc. for the purpose of providing student assessment instruments to be used in the Kansas Student Engagement Project with the contract amount not to exceed \$750,000. Mrs. Gamble expressed objections to what she believed, to be effective, should be a multi-year contract, but was only provided for funding for one-year of assessments. She also questioned why the College Board PSAT had not been considered acceptable and stated she didn't believe she had enough information to make good decision. She felt it would be better to provide workshops to districts in the use of career planning assessment tools. Mrs. Martin asked how the money would be allocated. Mr. Englebrick indicated that a rubric had been developed that would ensure that grants for the project would be spread equitably across the state. The motion carried 6-2-1, with Mrs. Gamble and Dr. Wagnon voting “no” and Mrs. Waugh abstaining.

**CONTRACT WITH KSU & EXTENSION 4-H YOUTH DEVELOPMENT FOR QPA ONLINE STANDARDS TRAINING**

Mr. Bacon moved, with a second by Mrs. Morris, that the State Board authorize the Commissioner to enter into a contract not to exceed \$250,000 with the Kansas State University Research & Extension 4-H Youth Development for the creation, testing and delivery of Phase I & II of the KSDE Quality Performance Accreditation (QPA) online standards training program. Director of State and Federal Programs Bill Hagerman, and Deputy Commissioners Foster and Englebrick answered Mrs. Gamble's questions about the contract and explained how it fit into the Kansas Instructional Resource Center online standards assistance provided for teachers. It was pointed out that a portion of the online services addressed with the contract was primarily to assist first and second year teachers. Printed materials were also available. Mrs. Martin asked if credit for completing the training could be used for recertification. Mr. Hagerman indicated that a certificate was available upon completion of the training and, if it was part of a teacher's professional development plan, there was no reason it couldn't be used for that purpose. The motion carried 9-0.

**RECESS**

There being no further business, Chairman Abrams recessed the meeting at 5:20 p.m.

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Steve Abrams, Chairman

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Penny Plamann, Secretary

# KANSAS STATE BOARD OF EDUCATION MEETING MINUTES

November 15, 2006

## CALL TO ORDER

Chairman Abrams called the meeting to order at 9:00 a.m. on Wednesday, November 15, 2006, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.

## ROLL CALL

Members present were:

Steve Abrams	Iris Van Meter
John Bacon	Bill Wagnon
Kathy Martin	Janet Waugh
Connie Morris	Ken Willard

Mrs. Rupe was not in attendance. Mrs. Gamble arrived at 9:04 a.m.

## APPROVAL OF AGENDA

Chairman Abrams asked for approval of the agenda. Mrs. Morris moved, with a second by Mrs. Martin, that the agenda be approved as presented. The motion carried 8-0.

## BOARD REPORTS

### Chairman

Chairman Abrams reported that he and Dr. Wagnon would be participating in 2007 NASBE study groups.

### Board Attorney's Report

Mr. Biles reviewed and elaborated on information contained in his written report about the federal school finance case which he hopes will be put to rest by the end of the year. Mr. Biles indicated he was active during the last month on the special education lawsuit against the State Board and the Shawnee Mission school district. He reported that he had filed a motion to dismiss and oral arguments on the motion had been presented. Mr. Biles also reported on his attendance at the NCOSEA annual meeting, the attorney's group for NASBE member states. He reported that the principal issue across the country is state takeover of local districts or schools. He indicated more and more states are trying to run a school district or a school within a district as a result of NCLB. He indicated that the Kansas Constitution prohibits such takeovers. He also reported that a couple of states are developing professional code of ethics for teachers and making licensure conditional upon compliance with the code. Mr. Bacon moved, with a second by Mr. Willard, that the Board pay Mr. Biles' fees for services and expenses for October as presented. The motion carried 9-0.

### Other Board Member Reports

Mrs. Morris reported on the EdWatch conference she had attended in October. Dr. Wagnon reported that he had visited with Patrick Woods of the Governor's Office about the Governor's support of various issues. Of particular interest was the Wallace Leadership grant to work with school districts to develop leadership skills to support school improvement. He noted that leadership development was an issue the Governor wanted to support. He indicated that he had also visited with Deputy Commissioner Dennis about restarting the leadership institutes that were once supported by the Department and USA. Mr. Dennis indicated that he hoped to be able to use some discretionary funds to provide a venue for high school principals in different regions across the state to meet and discuss common problems.

Mr. Bacon reported on the Kansas Federation of the Blind Day in Olathe that he had attended. Mrs. Martin indicated that she would like to subscribe to the *School Reform News* instead of *Education Week*. Dr. Abrams asked to subscribe to it as well. She also reported on the University of Arkansas, Department of Education Reform conference she had attended in Kansas City. Two papers that were presented were of particular interest to her: "The Single Salary Schedule and Issues of Teacher Pay" and "Credentials versus Performance, A Review of Teacher Performance Pay Research". Mrs. Martin was interested in the Board having the opportunity at a future meeting to explore the issues discussed in the two papers. She had also brought two articles with her, one about an incentive fund for teachers sponsored by the U.S. Department of Education which is a 2006 pilot program with 16 grantees. Mrs. Martin asked that the Department investigate applying for a 2007 grant which would be for efforts to reform teacher and principal pay based on increases in student performance and on increasing the number of effective teachers teaching hard-to-staff subjects in high needs schools. She reported that the other article was from *Education Week* on the Florida STAR program. Mrs. Martin reported on the Foundations of Education Conference at Washburn University that she had attended.

Mrs. Waugh announced that the date for the Challenge Awards banquet had been changed to January 31<sup>st</sup> and would be in Salina. She also reported on her participation in a Wyandotte County "Walk a Mile" event that paired policy makers with people on assistance. Mr. Willard reported on the NASBE conference. Mrs. Gamble and Mrs. Waugh did, too.

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

Mrs. Martin would like the Board to undertake a study of teacher performance and pay. An additional teacher salary issue she would like to have the Board look at is the "single salary" schedule that she had already mentioned. Mrs. Waugh would like a presentation on the GED. Mr. Willard asked for a presentation by the Crossland Construction Education program.

Mrs. Morris said she would like to have Chairman Abrams direct the Policy Committee to take another look at the Board travel policy and guidelines. She said she had understood that there had been some criticism of her travel at the October Board meeting. She added that she understood some of the criticism regarding her proposed December travel. She indicated, however, she felt it was her responsibility to remain active as a Board member and that after the August primary she still had a duty to fulfill. She noted that she had \$6,000 in her travel allowance which is provided to her by the taxpayers to represent her constituents. She spoke about the different views Board members had of their role on the Board and that some don't think of travel as their responsibility. Mrs. Morris said because she had the energy and love of learning and seeing how other people are addressing problems, she would have felt guilty leaving her Board position with such a large amount of money in her travel allowance. She noted that to her it would appear that she had not fulfilled her duty. Because she understood some of the other viewpoints about her travel, she would like to come up with some way to deal with the issues it raised and have a solution to vote on at the December meeting. She indicated that she had arranged a series of meetings in Washington D.C. in December and fully intended to follow through with the trip. She said that she had contacted forty organizations, associations and individuals and would be discussing a range of topics. She added that she would provide a written report to the Board for the January meeting. She also stated she would not go over her allowance and would pay any excess costs out of her own pocket. She offered to recuse herself from participating in the Policy Committee deliberations if the Board wanted her to. Chairman Abrams thought that the issue was appropriate and directed the Chairman of the Policy Committee to review the Board policy and guidelines on travel, including the issue of overspending of individual member allotments, and bring a recommendation to the Board in December.

Mrs. Gamble indicated she had been on the Policy Committee with Chairman Abrams when the travel allotments were established. She recalled that it had been stressed that the allotments were only guidelines and there was the understanding that some members would go over their amount and some would be under it. The guiding principle was to stay within the line item amount for Board travel in overall spending. Dr. Abrams agreed that had been the understanding and that he still believed that. Because the issue had been brought up, he indicated he felt it was appropriate to look at the issue again.

Mrs. Waugh, noting that she had made the motion in October to rescind Board approval of Mrs. Morris' travel request, stated she was not concerned about the overspending issue, but she was concerned about the December trip. She stated she didn't believe anything gained from it could be used in Mrs. Morris' service as a Board member. She stated that she believed that travel should be to improve one's performance as an individual Board member and help better serve the state. Mrs. Waugh explained those were her reasons for making the motion in October. Mrs. Waugh added that she regretted her vote to approve, but several times in the past when travel had been questioned, Board members were told that it because it was within Board policy there was nothing that Board members could do. She stated that she felt sometimes what is legal is not ethical and she didn't feel Mrs. Morris' proposed trip was ethical.

The Board took a break from 9:58 to 10:05 a.m.

#### **ESTABLISHMENT OF A PUBLIC HEARING DATE FOR PROPOSED SECLUSION/RESTRAINT REGULATIONS**

Mr. Rod Bieker, Department of Education General Counsel, reported to the Board that the proposed seclusion and restraint provisions had been approved by the Attorney General and the Department of Administration. He stated the Board had three options: to do nothing; to adopt them as guidelines, which could be done at any time; or continue with the regulation process and set a public hearing date. Mrs. Morris moved, with a second by Mr. Willard, that the State Board set a public hearing on the proposed regulations K.A.R. 91-40-75 through 91-40-79 for Tuesday, February 13, 2007, 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. There were several questions about how to handle a potentially large number of people wishing to testify. Mr. Bieker indicated that, under Board policy, the Chair c limit the amount of time given to each person. It was decided to leave the decision up to Mr. Bieker about moving the hearing to a larger room if it appeared it would be necessary. The motion carried 8-1, with Mrs. Waugh voting "no".

#### **LIST OF SCHOOLS NOT MAKING AYP**

Deputy Commissioner Foster handed out a list of schools and districts not making AYP for 2006. He also handed out a copy of his PowerPoint presentation. He reviewed for the Board NCLB AYP requirements. He pointed out that because of the additional grade levels assessed, more than twice as many students were tested in 2005-2006 compared to the previous year. He reported that 36 districts and 195 schools did not make AYP for the 2005-2006 year, compared to 20 and 121, respectively, in 2004-2005. Mrs. Gamble asked about the drop in the number of schools not making AYP over what had been projected earlier. Dr. Foster reported keeping the AYP targets flat had an impact, as well as the diligent efforts of staff in dealing with problems they noted in the data and dedication to addressing the appeals. He added that he felt the Department had tried to be cognizant of the effect not making AYP had on schools and to remain accessible and flexible as much as possible.

Mr. Foster reviewed the factors in the increased number not making AYP and the impact on schools and districts. He shared a sample 40 cell matrix that illustrated all the possible ways a school or district could

fail to make AYP; demographics on Title I schools; an analysis of the school improvement list; and the AYP summary for the state. Dr. Foster indicated that a draft of the district report card would go to districts November 17<sup>th</sup> and the window for final corrections would remain open until December 1<sup>st</sup>. Dr. Foster also discussed changes in determining the Standard of Excellence and the expansion of it beyond grade level to the building level.

Issues that arose during the discussion included the need to have Title I schools designated on the list of schools not making AYP, even if that information is not a federal requirement. Also discussed was the alignment of QPA with NCLB and the fact that not providing any information regarding a school's QPA status could be misleading about any state consequences under QPA. The time it takes to get the report card information to schools was discussed and Mr. Foster was asked to include a plan to use the previous year's assessment data for determining AYP in its NCLB state accountability plan submitted to the U.S. Department of Education in March, 2007. It was requested that it be an agenda item in January or February. The need to educate all students was stressed as a reason to provide adequate support for non-Title I schools not making AYP, as well as Title I schools, was stressed. Adding a link on district report cards to their Budget-At-A-Glance page was also requested.

Mrs. Morris moved, with a second by Mr. Bacon, that the State Board of Education set the release date of the 2005-2006 State Report Card for the December, 2006 State Board of Education meeting; and that the release date of the List of Schools Not Making AYP for 2006-2007 and for subsequent years be set for the September meeting (respectively) of the State Board of Education. In the discussion that followed, Mr. Bacon asked for information about measures for comparison of how well Kansas schools are doing to other states besides the percent of schools making AYP. The motion carried 9-0.

#### **PRESENTATION BY KANSAS ASSOCIATION OF EDUCATION SERVICE AGENCIES (KAESA)**

Dr. Rita Cook, Executive Director of the Smoky Hill/Central Kansas Education Service, Salina, and Jim Barret, Executive Director/CFO of the Southwest Plains Regional Service Center, Sublette, shared with the Board how Kansas education service centers are organized, their mission, funding, services offered and the challenges they face.

#### **BOARD TRAVEL**

Mrs. Waugh asked that salary and mileage to a KSSD legislative forum in Olathe be added to her requests. Dr. Abrams asked that the Teacher of the Year banquet November 11<sup>th</sup> be deleted from his requests and a meeting with Crossland Construction on November 3<sup>rd</sup> be added. Mr. Bacon requested that the KSSD forum be added to his request, as well. He also requested that the Milken Family Award presentation at Gardner on October 24<sup>th</sup> be added. Mr. Bacon moved, with a second by Mrs. Waugh that the Board travel requests be approved as amended. The motion carried.

#### **EXECUTIVE SESSION**

Mr. Bacon moved, with a second by Mr. Willard that the Board recess into Executive Session for a period of 30 minutes for the purpose of discussing personnel matters of nonelected personnel so the privacy, confidentiality and other rights of such personnel are not violated, and that the open meeting of the Board resume in the Board Room at 11:55 a.m. The motion carried. The open meeting resumed early at 11:45 a.m.

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**ADJOURNMENT**

There being no further business, Chairman Abrams adjourned the meeting at 11:45 a.m.

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Steve Abrams, Chairman

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Penny Plamann, Secretary

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

**November 22, 2006**

**CALL TO ORDER**

Chairman Abrams called the meeting to order at 3:30 p.m. on Wednesday, November 22, 2006, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.

**ROLL CALL**

Chairman Abrams took roll. Members present were:

Steve Abrams	Carol Rupe, by phone
John Bacon	Iris Van Meter, by phone
Kathy Martin, by phone	Bill Wagnon, by phone
Sue Gamble, by phone	Janet Waugh, by phone
Connie Morris, by phone	Ken Willard, by phone

Also present were Board Attorney Dan Biles and the Board Secretary.

**EXECUTIVE SESSION**

Mrs. Martin moved, with a second by Mr. Bacon, that that Board approve the agenda and recess into Executive Session for a period of 20 minutes for the purpose of discussing personnel matters of nonelected personnel so the privacy, confidentiality and other rights of such personnel are not violated, and that the open meeting of the Board resume in the Board Room at 3:55 p.m. The motion carried. The open meeting resumed at 3:55 p.m.

Mrs. Morris asked for the names of the superintendents who were present in the room.

Chairman Abrams reported that he had received a letter of resignation from Commissioner Bob Corkins, to be effective at the end of the business day on Wednesday, November 22, 2006. Chairman Abrams read the letter aloud.

Mr. Bacon moved, with a second by Mr. Willard, that the Board accept the letter of resignation of Bob Corkins as Commissioner immediately, compensate him at his current level of salary and benefits for 30 days, and appoint Dale Dennis Interim Commissioner until such time as a new Commissioner is approved by the Board. Mrs. Martin asked if the motion could be changed to add "*accept* 'with regret'". Both Mr. Bacon and Mr. Willard accepted the change. The motion carried 7-3, with Mrs. Morris, Mrs. Waugh and Mrs. Rupe voting "no".

Dr. Wagnon thanked and congratulated Chairman Abrams for facilitating an amiable transition for the new Board which will be seated in January. He added that it set the stage for a more cooperative working environment among Board members. Mrs. Rupe, Mrs. Gamble, and Mrs. Waugh echoed his comments. Mrs. Martin stated the need for the Board to work in a more genteel manner and to remember that when speaking to the press, as well.

**ADJOURNMENT**

There being no further business, Chairman Abrams adjourned the meeting at 4:05 p.m.

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Steve Abrams, Chairman

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Penny Plamann, Secretary