

DRAFT

**KANSAS STATE BOARD OF EDUCATION
NEW MEMBER ORIENTATION
January 12, 2009**

New and returning members of the Kansas State Board of Education met for an orientation session at 8:30 a.m. on January 12, 2009 in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.

Those attending were new members Carolyn L. Wims-Campbell, Walt Chappell, David Dennis and Sue Storm; and returning members Sally Cauble, Kathy Martin, Jana Shaver, and Janet Waugh.

Issues addressed during the session included agenda development and review; a briefing on ethics by Carol Williams of the Ethics Commission; the legal authority of the Board, covered by Board Attorney Dan Biles; the strategic planning process and the Board's mission, goals and strategic plan; and the legislative and budget process.

Upon adjournment of the issues portion of the meeting, new Board members met with staff on personnel issues and travel and related reimbursements.

The meeting concluded at 4:50 p.m.

DRAFT

KANSAS STATE BOARD OF EDUCATION MEETING MINUTES

January 13, 2009

SWEARING-IN CEREMONY AND RECEPTION

Commissioner Posny welcomed participants and introduced Secretary of State Ron Thornburgh. Secretary Thornburgh administered the oath of office to re-elected Board member, Kathy Martin, District 6, and newly elected members Sue Storm, District 2, Carolyn L. Wims-Campbell, District 4, Walt Chappell, District 8, and David Dennis, District 10. Following the ceremony, members joined in a reception with family, friends, agency staff and members of the education community.

SELECTION OF TEMPORARY CHAIR

As the result of a coin-toss, Mr. Bacon was selected to temporarily chair the meeting until a Chairman was elected.

CALL TO ORDER

Chairman Bacon called the meeting to order at 10:00 a.m. on Tuesday, January 13, 2009, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.

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

The Board stood for recitation of the Pledge of Allegiance.

ELECTION OF CHAIRMAN

Chairman Bacon asked for nominations for Board Chairman. Mr. Willard nominated Mr. Bacon. The nomination was seconded by Mrs. Martin. Mrs. Cauble, with a second by Mrs. Shaver, nominated Mrs. Waugh. Mrs. Martin, with a second by Mr. Dennis, moved that nominations cease. The motion carried. Dr. Chappell asked the nominees what they would do as Chair. Each answered briefly. By signed paper ballot, Mrs. Waugh, received a majority, 7 votes, and was elected Chair for 2009 and 2010.

After assuming the Chair, Mrs. Waugh thanked Board members for the opportunity to serve as Chair and briefly spoke about her goals for the next two years. Noting that Kansas was currently in the top ten academically in every national measure, she stated Board members need to be very proud of that fact because it is indicative of the very good job districts are currently doing. Sharing her goal of moving Kansas education from good to great, she pointed out that everything was in place to accomplish it. She stated, *"I'm excited about the future and know we, at the state level, can provide the leadership necessary to assist our districts in making sure every student is achieving at high levels. Once this is accomplished, not only will we move from good to great, we will be insuring a great future for our students, our state, and our nation."*

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Mrs. Martin asked that the Board to consider opening its meeting with a short devotional for guidance or a moment of silence. She also mentioned that this year was the 40th anniversary of the State Board of Education.

APPROVAL OF AGENDA

Chairman Waugh asked for approval of the agenda. Commissioner Posny indicated the Special Education Advisory Council (SEAC) would like to address the Board earlier in the afternoon than planned. Therefore, she requested that the SEAC report be moved ahead of the item on submittal of the teacher licensure regulations to the Attorney General and the Department of Administration for review. She asked that 18 m. on the Consent Agenda, a request to authorize the Commissioner of Education to enter into a one year contract with the Institute for Excellence & Ethics be deleted as it was a duplicate from the December meeting. She also mentioned that the time to recess should be changed to 4:35 p.m. Dr. Chappell asked to pull several items from the Consent Agenda so they could be discussed by the Board. They were item 18 b., appointment to an unclassified special project position; 18 c., approval of school construction plans; 18 h., recommendations for certification/licensure waivers; 18 j., local inservice education plans; 18 k., l. and n., contracts associated with the Partnership for Character Education; 18 o., a contract related to the Strengthening Youth Mentoring through Community Partnerships Program Grant; and 18 q., recommendations for Kansas Coordinated School Health grants for 2008-09. There being no further changes, Mrs. Martin moved, with a second by Mr. Willard, that the agenda be approved as amended. The motion carried.

APPROVAL OF THE MINUTES

Chairman Waugh asked for approval of the minutes of the December meeting. Mrs. Shaver moved, with a second by Mr. Willard, that the minutes be approved as presented. The motion carried.

ELECTION OF THE VICE CHAIR

Mrs. Cauble, with a second by Ms. Storm, nominated Mrs. Shaver to be Vice-Chair. Mrs. Martin nominated Mr. Bacon, with a second by Mr. Willard. Mrs. Wims-Campbell moved that nominations cease. Ms. Storm seconded the motion. The motion carried. Mr. Chappell asked each nominee to share a little about their qualifications for the position. They both complied with brief remarks. By signed paper ballot, Ms. Shaver received the required majority, 6 votes, and was elected Vice Chair.

The Board took a short break from 10:26 to 10:30 to make new seat assignments.

CITIZENS' OPEN FORUM

Chairman Waugh declared the Citizens' Open Forum open at 10:32 a.m. Addressing the Board was John Richard Shrock, Emporia. Chairman Waugh declared the open forum closed at 10:35 a.m.

ELECTION OF LEGISLATIVE COORDINATOR

Mr. Bacon, with a second by Mrs. Martin, nominated Mr. Willard to be Legislative Coordinator. Mrs. Shaver, with a second by Mrs. Cauble, nominated Ms. Storm. Mrs. Shaver moved that nominations cease. The motion was seconded by Mr. Bacon. The motion carried. By signed paper ballot, Ms. Storm received the required majority, 6 votes, and was elected Legislative Coordinator for 2009 and 2010.

ELECTION OF ASSISTANT LEGISLATIVE COORDINATOR

Mrs. Shaver, with a second by Mrs. Wims-Campbell, nominated Mrs. Cauble to be Assistant Legislative Coordinator. Mr. Bacon, with a second by Mrs. Martin, nominated Dr. Chappell. Mr. Dennis, with a second by Mr. Bacon, nominated Mr. Willard. Ms. Storm, with a second by Mrs. Shaver, moved that nominations cease. The motion carried. By signed paper ballot, Mrs. Cauble received a majority, 6 votes, and was elected Assistant Legislative Coordinator.

APPOINTMENT OF THE BOARD ATTORNEY AND BOARD SECRETARY

Mr. Biles shared with the Board that his appointment the Kansas Supreme Court would prevent him from continuing to represent the Board once he was sworn in. He also reported that statute requires that the Board appoint an Attorney and indicated that his contract would expire January 14th. He suggested that the Board proceed with appointing him, but discuss amending his contract, which would be up for action the following day, to cover some interim period after he assumes his position on the Kansas Supreme Court. He also briefly reported on the type of process the Board was required to use to replace him, but that he would report on the matter more fully at a later time.

Mr. Willard moved, with a second by Mrs. Cauble, that Mr. Dan Biles be reappointed as Board Attorney. The motion carried. Mrs. Martin thanked Mr. Biles for all his years of service and good advice.

Mrs. Shaver moved, with a second by Ms. Storm, that Mrs. Penny Plamann be reappointed as Board Secretary. The motion carried.

The Board took a break from 10:55 to 11:00 a.m.

BOARD MEETING SCHEDULE FOR FEBRUARY 2009 THROUGH JANUARY 2010

There was a discussion of possible conflicts with the proposed schedule, including the request from Commissioner Posny that the Board retreat be moved from February 4th to February 9th. Mrs. Martin moved, with a second by Ms. Storm that the State Board adopt the proposed resolution establishing the meeting schedule for 2009-2010 with a change in the date of the Board retreat to February 9, 2009. The motion carried. A copy of the resolution containing the schedule is attached to these minutes.

ELECTION OF BOARD MEMBERS TO OTHER POSITIONS AND REVIEW OF COMMITTEE APPOINTMENTS

State Board Policy Committee

Mrs. Cauble moved, with a second by Mr. Willard, that Mrs. Shaver, Mrs. Martin and Mrs. Wims-Campbell be elected to the State Board Policy Committee for the 2009-2010 term. The motion carried. Chairman Waugh appointed Mrs. Shaver as Chair of the committee.

Education Commission of the States

Mrs. Shaver nominated, with a second by Ms. Storm, Mrs. Cauble to serve as the Board's representative on the Education Commission of the States (ECS). Mr. Chappell, with a second by Mrs. Cauble, nominated Ms. Storm. There were no other nominations. By signed paper ballot, Mrs. Cauble received a majority, 7 votes, and was elected to represent the State Board on ECS.

Kansas State High School Activities Association (KSHSAA) Board of Directors

Mrs. Cauble moved, with a second by Ms. Storm, that Mr. Dennis be elected to serve as Board representative on the KSHSAA Board of Directors to serve from July, 2009 through June 2011. Mrs. Martin moved, with a second by Mr. Bacon, that nominations cease and Mr. Dennis be elected on a unanimous ballot. The motion carried.

Commissioner Posny discussed Board member membership on committees. Chairman Waugh asked that Board members indicate their preferences for other committee assignments on the forms that had been provided and turn them before the lunch recess. Action by the Board to confirm the appointments would be on Wednesday morning.

COMMISSIONER'S REPORT

Commissioner Posny reported on the privilege she had had in calling the Horizon Award winners, outstanding new teachers nominated by their district for the award. They would be honored at a luncheon at the Kansas Exemplary Educators Network (KEEN) conference at the end of February. She noted that information on the conference would be provided to Board members.

The Commissioner also presented copies of the newly reformatted accountability report, the "Kansas Education Summary", copies of which were handed out to Board members. She reviewed the format and the information contained in the report. Dr. Chappell questioned statistics used in the report and in the discussion that followed asked for graduation and drop-out rate formulas being used by the Department of Education. He also questioned the state assessment gains being reported. Lengthy discussion followed. Dr. Chappell asked for a work session to discuss the issues. A tutorial for new Board members on the use of the School Report Card and other areas of the KSDE website was suggested.

Commissioner Posny also handed out copies of a brochure on implementing new federal race and ethnicity regulations. She explained that the federal guidelines for collecting such data have changed and briefly reviewed what would be required. Dr. Chappell asked what the Department and districts were doing about the problem providing public education services to illegal immigrants. Mr. Biles explained that a U. S. Supreme Court decision had addressed the issue and prohibited schools from asking about the citizenship status of those requesting public education services.

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Dr. Posny shared information on a national child identification program. She reported that the Governor had sought funding from Wal-Mart to implement it in Kansas and has asked to put the State Board logo on the kit packages.

Additionally, the Commissioner shared information regarding the legislatively-created Special Education Funding Task Force. The task force voted to put on hold a recommendation for changes in the existing funding formula for special education until evaluation data was available on the effectiveness of the current multi-tier system of supports initiative. The task force passed a motion to recommend that language be put into regulation that would allow some flexibility in the current formula. Dr. Chappell had several questions regarding special education. In the ensuing discussion, Dr. Posny reported that an orientation session devoted to special education was planned for March.

Dr. Chappell returned to his objections about the accountability report. In the discussion with the Commissioner that followed, he asserted that the statistics on drop-out and graduation rates were misleading and should be clarified before the document is printed and circulated.

The Board recessed for lunch at 12:15 and the meeting resumed at 1:34 p.m.

ACTION TO ACCEPT THE ACCOUNTABILITY REPORT FOR PRINTING

Mrs. Campbell moved, with a second by Mrs. Shaver, that the Board accept the accountability report for printing. Dr. Chappell objected to printing the report until his answers regarding data were addressed, stating he believed the data in the report was misleading. He particularly wanted the drop-out rate for Blacks and Hispanics substantiated.

Mrs. Campbell called for the question. Mrs. Cauble seconded her motion. The motion carried on a vote of 7-3, with Mr. Bacon, Mr. Willard and Dr. Chappell voting "no".

Mrs. Campbell's motion to accept the report passed on a vote of 9-1, with Dr. Chappell voting "no".

RECOGNITION OF SUPERINTENDENT AND PRINCIPALS OF THE YEAR

Deputy Commissioner, Dale Dennis, introduced the Kansas Administrators of the Year. Dr. John Heim, superintendent, Emporia USD 253, was named the 2009 Superintendent of the Year by the Kansas Association of School Administrators; Mr. Ron Vinduska, principal, Seaman High School, Seaman USD 345, Topeka, was named the 2008 MetLife Principal of the Year by the Kansas Association of Secondary School Principals; Mr. James Krone, principal at Atchison Middle School, Atchison USD 409, was named the 2008 Principal of the Year by the Kansas Association of Middle Schools; and Mrs. Kim Christner, principal at Garfield Elementary School, Augusta USD 402, was recognized by the Kansas Association of Elementary School Principals as the 2008 Kansas Distinguished Principal of the Year. The administrators shared successful practices that build instructional capacity to help all students learn and achieve. They were also available to respond to questions by individual Board members. The importance of professional development, collaboration and professional learning communities were a theme that ran through all five presentations.

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The Board took a break at 2:20 and returned at 2:24 p.m.

REPORT FROM THE SPECIAL EDUCATION ADVISORY COMMITTEE

Collen Riley, Director of Special Education Learning Services at KSDE, introduced SEAC's past chairman, Neil Guthrie, who highlighted council activities over the past year. SEAC's primary role is to consult, advise and provide recommendations to the Kansas State Board of Education regarding matters concerning special education services. Mr. Guthrie noted that advocacy for the Multi-Tier System of Support (MTSS) was a high priority for the Council. He explained that MTSS provides a seamless system of support responsive to the needs of all students. Among the activities over the past year, Mr. Guthrie reported that the Council considered its oversight of the use of seclusion and restraint a very important assignment. Mr. Guthrie asked each of the members present to introduce him or herself and identify the area of the special education community he or she represented.

Dr. Chappell stated he believed that the Board needed a dialog and discussion about students whose deficits are not being met and the problems that were preventing them from getting the services they need when they need it. Mr. Guthrie explained MTSS further and discussed what it was accomplishing in changing the culture from "waiting for the student to fail" before providing services to one where appropriate early intervention was provided to all students as needed.

RECOMMENDATIONS OF THE PROFESSIONAL PRACTICES COMMISSION

Kevin Ireland reviewed the make-up and charge of the Professional Practices Commission. Mrs. Cauble moved, with a second by Mrs. Martin, that the State Board adopt the findings of fact and conclusions of the Professional Practices Commission and approve the recommendation of the Commission in cases 08-FC-16 08-FC-17 08-FC-19 08-O-20, 08-FC-21, 08-O-22, 08-FC-25, 08-O-26, and 08-FC-28. The motion carried. (Orders attached).

ACTION TO SUBMITT AMENDED LICENSURE REGULATIONS FOR REVIEW

Pam Coleman, Director of Teacher Education and Licensure (TEAL), Susan Helbert, Assistant Director of TEAL, and Dea Lieber, KSDE General Counsel, appeared before the Board to present the proposed regulation changes for teacher leader and school counselor with the Board. Mrs. Helbert began by walking the Board through the proposed changes.

Mr. Dennis and Mrs. Martin had questions about the evidence-centered assessment instrument that would be required for the teacher leader license. During the discussion, Mrs. Martin indicated her preference that it be an evidence-based portfolio assessment or perhaps an essay, instead of an on-line or paper/pencil assessment. Mr. Dennis shared his belief that the teacher leader license was very important to building teacher capacity and that he didn't want to see an assessment so onerous it would prevent teachers from pursuing it.

Dr. Chappell asked why the teacher leader endorsement was needed; adding that if it is to be assessed, what was the definition of a teacher leader upon which an assessment would be based. Mr. Bacon was also interested a definition of teacher leader. Mrs. Coleman, Chairman Posny and Mrs. Martin and Mrs. Cauble all spoke to Dr. Chappell's questions. Background that lead to the development of the proposed teacher leader endorsement was provided. The Board goals which

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addressed the assessment were shared. The difference in a teacher leader endorsement and an administrator endorsement was explained. Also discussed was the financial impact, which Dr. Posny predicted would be no different than what currently exists, because teachers frequently pursue a master's degree in order to move up the pay scale. The hoped for difference was that pursuing the teacher leader endorsement would help by providing teacher leaders with skills they would use in the classroom and would also impact the practice of others.

Pointing out that approval of the request would allow staff to move forward to begin developing a framework and standards for the endorsement, Mrs. Cauble moved, with a second by Mrs. Shaver that the Board approve the submission of the proposed licensure regulations 91-1-200; 91-1-202, 91-1-203, 91-1-204, 91-1-205 and 91-1-216 to the Department of Administration and Attorney General for review.

Dea Lieber, General Counsel for the Department explained the regulation approval process that would be followed, indicating it could take up to nine months before the Board was actually asked to approve the regulations. During that period, public comment would be received and Board members would be updated on issues relating to the proposed changes.

Dr. Chappell stated that according to a conversation he had had with a Wichita State University education department member, that the universities were not prepared to provide a teacher leader program and did not have the faculty to teach it or the curriculum to teach. Dr. Chappell objected to the time spent on what he stated was a premature effort when there existed a shortage of math, science and vocational education teachers.

The motion carried on a vote of 8-2, with Mr. Bacon and Dr. Chappell voting "no".

FY 2009 AND FY 2010 BUDGET

Deputy Commissioner Dale M. Dennis shared the outlook for the state general fund and the effect the current approved FY 2009 budget would have on balances for FY 2009 and FY 2010. He then reviewed the outlook for the state general fund with revenue adjustments that had been recommended by the Governor. He also reviewed the Governor's education budget proposal for FY 2009 and FY 2009 and share printouts of the impact the recommendations would have school districts throughout the state. Deputy Commissioner Dennis also handed out copies of the House and Senate Committee assignments.

CONSENT AGENDA

Chairman Waugh asked Dr. Chappell if he had had his questions answered by staff regarding the items he had pulled from the Consent Agenda: 18 b., appointment to an unclassified special project position; 18 c., approval of school construction plans; 18 h., recommendations for certification/licensure waivers; 18 j., local inservice education plans; 18 k., l. and n., contracts associated with the Partnership for Character Education; 18 o., a contract related to the Strengthening Youth Mentoring through Community Partnerships Program Grant; and 18 q., recommendations for Kansas Coordinated School Health grants for 2008-09. He indicated staff had talked to him, but he felt the Board needed to discuss the issues.

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Beginning with item 13 b., appointment to an unclassified special project position, Dr. Chappell asked why the Board was being asked to approve an appointment for someone who was already on the job. In the discussion that followed, it was noted that confirmation of the Commissioner's appointments were provided for in Board policy. Dr. Chappell didn't think the Board should spend time on the appointments after the fact and suggested that the policy be changed. The transparency of the Board's actions was mentioned by Mrs. Martin as one reason the confirmation of the Commissioner's appointments to unclassified special projects positions was part of Board policy. Dr. Chappell mentioned that the numbers in the monthly personnel report didn't mean anything. He asked why the Department was adding people to the staff, at time when agencies need to make cuts. He asked why was being asked to approve school construction plans that no one on the Board had reviewed. It was pointed out that the Board's job was not to micromanage the agency. It was mentioned that the issue of appointments could be assigned to the Policy Committee for review, but the Board should vote on the move before it is made by the Chair.

Mr. Dennis moved, with a second by Ms. Storm, that before the issue of Board confirmation of the Commissioner's appointments to special projects position is referred to the Policy Committee it should be voted on by the Board. The motion carried 8-0-2, with Mr. Willard and Mrs. Martin abstaining.

Dr. Chappell moved that there be a Policy Committee review of the Board policy to vote on personnel who have already been hired. The motion died for lack of a second.

Regarding the Board approving school construction plans, Dr. Chappell asked why the Board was voting on projects without knowing what they were or how much they cost. He indicated that he reported that staff had informed him that the buildings have already been approved by architects and the projects may already be underway. Mrs. Lieber read and explained K.S.A. 38-150, a building code statute under the Fire Marshal's Code that required State Board review of school construction plans.

During the Board discussion of Dr. Chappell's concerns, he said he was not elected to be a rubber stamp and since many of the issues on the consent agenda were already decided there was no sense in doing it. He also objected to so many items being lumped together and the money being spent on grants that were not reaching the classroom. He suggested that Board's get into ways that doing things that perhaps should be looked at different was to do them. The use of a consent agenda was explained and Dr. Chappell was told that any Board member who did not approve of an item on it, could pull it off for a separate vote.

Mrs. Cauble stated that she believe Dr. Chappell had been given ample time to get his questions answered. She made a motion that the Board approve all the items on the consent agenda. Mrs. Campbell seconded the motion. Chairman Waugh said that prior to the vote she wanted to urge Dr. Chappell to contact staff prior to the meeting if he had any questions about items on the consent agenda. The motion carried 9-1, with Dr. Chappell voting "no".

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Mrs. Cauble asked, in light of the discussion of issues on the Consent Agenda, that the Commissioner, Chair and Vice Chair give special consideration to items that might be pulled from the Consent Agenda when preparing the monthly agenda

In the consent agenda, the State Board:

- Received the monthly personnel report.
- Confirmed the appointment of Andrew Wagner to the position of Senior Requirements Analyst on the Information Technology team effective December 22, 2008, at an annual salary of \$46,092.80.
- Approved school construction plans for Bishop Carroll Catholic High School, Wichita; USD 410, Durham/Hillsboro/ Lehigh Public Schools; USD 267, Renwick (2); USD 373, Newton (3); USD 369, Burrton; USD 458, Basehor-Linwood; USD 476, Copeland; USD 233, Olathe (2); USD 203,
- Piper – Kansas City; USD 422, Greensburg; USD 467, Leoti; and USD 308, Hutchinson Public Schools.
- Issued an Order, in order for staff to certify the Order to the appropriate county officials, describing the boundaries of new Unified School District No. 110, Phillips County, which is the result of the consolidation of Unified School District No. 238, Smith County, and Unified School District No. 324, Phillips County, effective July 1, 2008, (Order attached).
- Approved the Agreement for Consolidation submitted by USD 425 (Highland) and USD 433 (Midway Schools) which will allow an election to be held on the proposed consolidation.
- Received a copy of the Year-long Agenda.
- Approved the recommendations of the Licensure Review Committee in cases 2553, 2557, 2558, 2563, 2565, 2567, 2571, 2572, 2574, 2575, 2576, 2577 and 2578
- Approved requests for waivers for individuals to serve outside their area of endorsement in districts as follows: *Adaptive Special Education*: Bruce Anspaugh, USD 259; Stacy Kahnt and Linda Cromwell, USD 305; Sherry White, USD 379; Dawn Galusha, USD 428; Rhonda Graham, USD 450; Dominick Dingle, Emily Wells and Jodi Wilson, USD 457; Johnathan Luckey, USD 501; Donald Ruda, D0 605; Kurt Herrel and Steven Zieammermann, D0 617; Kristina Jackson, D0 618; and Christen Ayala, D0 711; *Early Childhood Special Education*: Kimberly Stevens, USD 230; Paul Cramer and Barbara Mercer, USD 257; Suzanne Vogts, USD 419; Kara Pomeroy, Barbara Mercer and Paul Cramer, USD 457; and Angela Funderburk, D0 620; *English as a Second Language*: Raina Ochoa, USD 500; *Extension on number of days under an emergency substitute license to teach adaptive special education*: Jodi Hylton, D0 614; *Extension on the number of days under an emergency substitute license to teach Science - Middle Level*: Vicki Dickinson, USD 453; *French*: Annie LeFebvre, USD 259; *Functional Special Education*: Edgar Collins Jr, USD 259; *Gifted*: Traci Thomson Weiford, USD 259; Martha Wondra, USD 428; and Micheal Beauchamp, USD 465; *Library Media Specialist*: Mary Mitchell, USD 262; *Math*: Dawn Kebert, USD 263; and Beth Sandness, USD 346.

- Accepted the recommendation the Commissioner of Education, approving a Visiting Scholar license for the 2008-09 school year for Frontenac Public Schools, USD 249 and Andra Stefanoni to teach two block schedule classes, Newspaper and Speech/Theatre and oversee the production of the school newspaper, the school newsletter and the district website.
- Approved local inservice education plans for for Bluestem USD 205, Ashland USD 220, South Barber USD 255, Triplains USD 275, Ness City USD 303, Pretty Prairie USD 311, Cunningham USD 332, Royal Valley USD 337, Atchison USD 409, Goessel USD 411, Hoxie Community Schools USD 412, Auburn Washburn USD 437, and Basehor-Linwood USD 458.
- Approved the recommendation for funding Title I School Improvement Grant for 2008-2009 for USD 457, Garden City, in the amount of \$125,000.
- Approved Kansas Coordinated School Health 2008-09 grants as recommended: USD 102 Cimarron-Ensign, \$3,500; USD 109 Republic County, \$3,500; USD 200 Greeley County, \$6,500; USD 211 Norton Community, \$7,250; USD 214 Ulysses, \$8,750; USD 224 Clifton-Clyde, \$3,000; USD 234 Fort Scott, \$8,750; USD 239 North Ottawa County, \$7,250; USD 240 Twin Valley, \$3,500; USD 247 Cherokee, \$11,250; USD 253 Emporia, \$4,500; USD 256 Marmaton Valley, \$3,000; USD 258 Humboldt, \$7,250; USD 259 Wichita (Greiffenstein Elementary), \$1,500; USD 260 Derby, \$9,500; USD 264 Clearwater, \$8,000; USD 265 Goddard, \$16,000; USD 266 Maize, \$4,500; USD 267 Renwick, \$4,000; USD 268 Cheney, \$8,000; USD 305 Salina, \$9,500; USD 309 Nickerson, \$3,750; USD 313 Buhler, \$4,000; USD 340 Jefferson West, \$3,750; USD 345 Seaman, \$16,000; USD 349 Stafford, \$6,500; USD 353 Wellington, \$8,750; USD 358 Oxford, \$3,000; USD 361 Anthony (Anthony Elementary), \$2,000; USD 363 Holcomb, \$12,500; USD 373 Newton (Newton High), \$2,500; USD 377 Atchison County Communities, \$7,250; USD 416 Louisburg, \$4,000; USD 431 Hoisington, \$3,500; USD 437 Auburn-Washburn (Washburn Rural High), \$2,500; USD 442 Nemaha Valley, \$3,500; USD 443 Dodge City, \$9,500; USD 457 Garden City, \$9,500; USD 462 Central, \$3,000; USD 466 Scott County, \$8,000; USD 481 Rural Vista, \$7,250; USD 482 Dighton, \$6,500; and USD 503 Parsons, \$8,000.

Contracts Approved

Authorized the *Commissioner of Education* to negotiate and enter into:

- a one year contract with the Character Education Partnership, as part of the Partnerships in Character Education Program grant, in an amount not to exceed \$47,061;
- a one year contract with Kansas educational service centers, as part of the Partnerships in Character Education Program grant (PCEP), in an amount not to exceed \$100,000; and
- a contract with the Southeast Kansas Education Service Center (Greenbush) to provide evaluative services for the Kansas State Department of Education's Community Partnerships grant from the Office of Juvenile Justice and Delinquency Prevention (OJJPD) in the amount of \$164,561.

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RECESS

There being no further business, Chairman Waugh recessed the meeting at 4:49 p.m.

Janet Waugh, Chairman

Penny Plamann, Secretary

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KANSAS STATE BOARD OF EDUCATION MEETING MINUTES

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CALL TO ORDER

Chairman Waugh called the meeting to order at 9:00 a.m. on Wednesday, January 14, 2009, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.

ROLL CALL

Members present were:

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

Mrs. Shaver was absent because of a family emergency. Mr. Willard had been briefly called out of the room, but was present for the meeting.

APPROVAL OF THE AGENDA

Chairman Waugh asked that an item dealing with audio-video streaming the Board meetings be added to the agenda after the presentation by the report by the Career and Technical Students Organizations (CTSO). Ms. Storm moved, with a second by Mrs. Cauble, that the Board approve the agenda as amended. The motion carried 8-0, with Mrs. Shaver and Mr. Willard absent.

BOARD REPORTS

Board Chairman

Chairman Waugh handed out the list of Board member assignments to committees for members to review.

Board Attorney's Report

Mr. Biles explained the Public Employees Relations Board (PERB) matter for the benefit of the new Board members and gave a brief update of its status. He indicated that a decision from the PERB hearing officer could resolve the matter. If not, a hearing will be set for late February.

He indicated that the Board would need to act on his contract before adjournment. Mrs. Martin moved, with a second by Mr. Dennis, that the Board accept the Mr. Biles' and report and pay his fees for services and expenses for December as presented. The motion carried 8-0, with Mrs. Shaver and Mr. Willard absent.

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Confirmation of Board Member Committee Appointments

Mrs. Wims-Campbell moved, with a second by Mr. Dennis, that the Board committee appointments be confirmed as presented. Mr. Bacon indicated he would not be able to read the Byrd Scholarship applications because the task always required time during his busiest time of the year. In the discussion that followed, Mrs. Denny, Director of Communications and Recognitions Programs, explained how the Byrd Scholarship application process was implemented. Ms. Storm indicated she would be happy to take Mr. Bacon's place for their congressional district.

In the discussion of the assignments, Dr. Chappell expressed his concern that he had been assigned to read the Byrd Scholarship applications, an assignment he had not requested, and had not be assigned to the committees on which he had requested to serve. Mrs. Waugh explained that assignment decisions were based on finding a balance between who had requested a committee assignment, because more than one Board member had expressed interest in many of the same committees, and who it was felt had the expertise and could best serve in the positions.

Mr. Willard returned to the meeting at 9:15 a.m. He requested that he be relieved of his assignment to read Byrd Scholarships, as he would be unable to complete it. After further brief discussion, Mrs. Martin volunteered to replace him. Mrs. Cauble, in the same congressional district, volunteered to be Mrs. Martin's back-up if it turned out later she was unable to take on the assignment. Dr. Chappell initiated discussion about trading other assignments, but Mrs. Cauble objected because she felt thoughtful consideration had been given to making the assignments, particularly in relation to continuity and experience. She pointed out that the committee assignments were different than being asked to read Byrd Scholarships. Mr. Dennis concurred.

Asked if the two changes in Byrd Scholarship assignments were acceptable, Mrs. Wims-Campbell, who had made the motion, and Mr. Dennis, who had made the second, agreed they were. Mrs. Wims-Campbell called the question. It was seconded by Ms. Storm. The motion carried 6-3, with Dr. Chappell, Mr. Willard and Mr. Bacon voting "no".

The motion to confirm the Board Committee assignments as amended passed on a vote of 7-2, with Dr. Chappell and Mr. Bacon voting in opposition. The assignments are included as an attachment to these minutes.

Requests for Future Agenda Items

Dr. Chappell asked the Commissioner, department staff, and Board members to bring ideas to the Board about how to cut expenses without hurting kids.

CAREER AND TECHNICAL STUDENT ORGANIZATION PRESENTATION

Robin Harris, Director of Academic and Technical Education, introduced the students representing Career and Technical Student Organizations. Support for such organizations comes from the Carl D. Perkins Act. The Board received the Career and Technical Student Organizations' (CTSO) report. Student leaders appearing before the Board included: Seth Methvin, President of Business Professional of America (BPA); Caty Compton, President of

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DECA—Association of Marketing Professionals; Matthew Finley, Executive Vice-President of Future Business Leaders of America (FBLA); Megan Sauber, President of Family, Career and Community Leaders of America (FCCLA); Kathy Sexton, Vice-President of FFA—Organization for Agricultural, Food and Natural Resources Students; Dance Bi, President of Health Occupations Students of America (HOSA); Samantha Barney, Historian for Skills USA—Organization for Trade and Industry Students; and Isaac Leihy, Vice-President of Technology Student Association (TSA). Samantha Barney and Seth Methvin addressed the Board on behalf of the Career and Technical Student Organizations.

The Board took a break from 9:50 to 9:55 a.m. Mrs. Cauble returned at 9:58 and Dr. Chappell returned at 10:00 a.m.

VIDEO AND AUDIO STREAMING OF BOARD MEETINGS

Chairman Waugh reported that a question has come from the Information Technology (IT) staff about the audio streaming of the Board meetings. Mark Peres, IT staff member, explained that the Board meetings were being recorded two ways - one from the video stream, which was broadcast throughout the building, and one that only included the audio portion of the meeting. The audio-only version was what was being streamed over the internet to outside listeners. He reported the video recording was the recording archived on the KSDE website. The question was whether the Board would like to have the meetings streamed with video, which would result in fewer files being recorded.

A discussion ensued about the Department's capacity to hold meetings using Interactive Distance Learning.

Returning to the issue, Mr. Dennis moved, with a second by Mrs. Martin, that audio and video be on the same stream that is used to air the Board meetings over the Internet. The motion carried.

Mr. Chappell made a motion, seconded by Mr. Dennis, that staff prepare a report to the Board for the February meeting with information for the Board to consider about holding virtual meeting. Topics brought up in the discussion included various types of technology in addition to IDL that were available, including web meetings from Board members' homes that would include file sharing and the ability for members to share comments between themselves. There was also a concern about quality of transmission. In discussing the timing of the report, adding the report to the retreat agenda was discussed. It was suggested that making a presentation in March would allow staff to more time to prepare a presentation that could demonstrate the differences in available technology. Cost concerns included the installation of the technology that would be necessary, paying for the use of space for hosting sites across the state, and staff time involved to prepare the report. Positive comments included the need for the Board to acquaint itself with the type of technology that is being used in the public sector more often and the savings in time and travel expense for Board members.

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January 14, 2009

In a modified motion agreed to by Dr. Chappell and Mr. Dennis, the requested staff report would be sent to the Board as a read-only information item included in the February Board meeting materials. Chairman Waugh stated she would be unable to vote in favor of the motion because she felt that the request that the information be ready in February was unrealistic. The motion carried 7-2, with Mrs. Waugh and Mrs. Cauble voting “no”.

TEACHING IN KANSAS COMMISSION ACTION PLAN WITH PRIORITIZED GOALS

Pam Coleman, Director of Teacher Education and Licensure (TEAL), presented to the Board a prioritized implementation plan, with associated costs, for the recommendations of the Teaching in Kansas Commission. For the benefit of the new Board members, Mrs. Coleman reviewed the history of the TKC which had been working for over a year to develop recommendation to address areas that had been identified as needing improvement in the efforts of teaching recruitment and retention. Goals and recommendations presented in December addressed needs in each of five areas of improvement: working conditions, regulations and data, image and promotion, salary and benefits, and teacher preparation. At the December meeting the State Board accepted the Teaching in Kansas Commission’s final report and directed staff to bring back the plan of action for implementing its recommendations in January.

Dr. Chappell had several concerns. He was concerned that by receiving the implementation plan in January and being asked to act on it in February was not allowing the Board enough time for input. He was also concerned about the amount of money ultimately involved in implementing all three stages of the plan, stating that the state couldn’t afford it. Dr. Chappell also felt the plan did not address certain teacher shortage areas. The Board’s policy was explained regarding when action is taken on items such as the TKC implementation plan, as well as the process to receive Board member input. It was noted that the TKC’s activities were the direct result of the goal and objectives the Board had adopted for 2007-2008. The opportunities for Board comment were many over that period of time, it was explained. Also discussed was the role the Board plays regarding the administrative affairs of the Department of Education, of which the Commissioner was, by statute, the head.

In other discussion of the plan, online teacher education programs were discussed, with Ms. Storm expressed the hope that requirements for on-line programs consider the importance of interaction with professors and fellow students in determining one’s suitability for the teaching profession and that there be some limit to the amount of on-line credit allowed. Mr. Willard asked for a presentation by an online provider,

Mrs. Campbell expressed her appreciation to the Commission for first prioritizing what it wanted to accomplish before attaching a dollar amount for implementation. She said she believed it showed that the focus was on helping students by providing highly effective teachers for the classroom.

BOARD ATTORNEY’S CONTRACT

Mr. Biles gave the Board several options to consider in making its decision regarding his contract, in light of the fact his current contract would expire at midnight and he would not be sworn in as a Supreme Court Justice until March 6th. He also explained the process required by law to find his replacement.

DRAFT

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MINUTES

January 14, 2009

After exploring options and considering the time that might be involved in finding Mr. Bile's replacement, Mr. Bacon moved that the Board extend Mr. Biles' contract at the current hourly rate until March 5th. The motion was seconded by Mr. Willard.

Mr. Dennis moved, with a second by Ms. Storm, that the Board extend Mr. Bile's contract at the current hourly rate until October 1st, with the condition that his firm, Gates, Biles and Ryan, be available on an as needed basis until then, to allow attorney coverage throughout the whole transition period.

The Board voted first on Mr. Bacon's motion, which failed on a vote of 4-5, with Mrs. Campbell, Mrs. Cauble, Ms. Storm, Mrs. Waugh and Mr. Dennis voting "no".

A vote was taken on Mr. Dennis' motion, which failed on a vote of 5-4, with Mrs. Martin, Mr. Bacon, Mr. Willard and Dr. Chappell voting "no".

Mr. Bacon left the meeting at 11:40 a.m.

Discussion followed about the Board's lack of counsel after midnight January 14th.

Ms. Storm moved, with a second by Mrs. Cauble, that the Board extend Mr. Bile's contract at the current hourly rate until July 1, 2009, with the condition that his firm, Gates, Biles and Ryan, be available until that time to provide attorney coverage. After brief discussion, the motion carried 8-0, with Mr. Bacon and Mrs. Shaver absent.

APPROVAL OF BOARD TRAVEL

Mrs. Martin moved, with a second by Mr. Willard, that the Board travel requests be approved as presented. The motion carried.

ADJOURNMENT

There being no further business, Chairman Waugh adjourned the meeting at 11:50 a.m.

Janet Waugh, Chairman

Penny Plamann, Secretary

RESOLUTION

Be It Resolved that:

The State Board of Education shall hold its regular meeting each month beginning at 10:00 a.m. on the second Tuesday of each month and 9:00 a.m. on the second Wednesday of each month. Said regular meetings shall comply with the following schedule:

Date	Meeting	Location
January 23	Legislative Conference Call - 4:00 p.m.	Topeka
February 9	Board Retreat	Topeka
February 10-11	Regular Board Meeting	Topeka
February 27	Legislative Conference Call - 4:00 p.m.	Topeka
March 10	Regular Board Meeting	Topeka
March 11	Yearly Visit at KSSD & KSSB	Kansas City/Olathe
March 27	Legislative Conference Call - 4:00 p.m.	Topeka
April 13	Pre-meeting activities (<i>if any</i>)	District 5 - Western KS
April 14-15	Regular Board Meeting	District 5 - Western KS
May 12-13	Regular Board Meeting	Topeka
June 9-10	Regular Board Meeting	Topeka
July 14-15	Regular Board Meeting	Topeka
August 11-12	Regular Board Meeting	Topeka
September 8-9	Regular Board Meeting	Topeka
October 12	Pre-meeting activities (<i>if any</i>)	District 2 – Shawnee Mission
October 13-14	Regular Board Meeting	District 2 – Shawnee Mission
November 10*	Regular Board Meeting	Topeka
December 8-9	Regular Board Meeting	Topeka
2010		
January 12-13	Regular Board Meeting	Topeka

If the regular meeting date occurs on a legal holiday or on a holiday specified by the board, such regular meeting shall be held the following day, commencing at the same hour.

CERTIFICATE

This is to certify that the above resolution was duly adopted by the Kansas State Board of Education on the 13th day of January, 2009.

s/ Penny Plamann

Penny Plamann,
Secretary of the State Board of Education.

*Veterans' Day – State Holiday

2009 - 2010 State Board of Education Committee Assignments		
NAME	ELECTED	APPOINTED
Janet Waugh	<ul style="list-style-type: none"> • Chair • Kansas State High School Activities Association (through June 30, 2010) 	<ul style="list-style-type: none"> • Confidence in Public Education Task Force • Kansas Association for Conservation & Environmental Education
Sue Storm	<ul style="list-style-type: none"> • Legislative Coordinator 	<ul style="list-style-type: none"> • Byrd Scholarship Review Committee • Kansas Learning First Alliance • Liaison to Kansas State School for the Blind
John Bacon		<ul style="list-style-type: none"> • Liaison to Kansas State School for the Deaf
Carolyn L. Wims-Campbell	<ul style="list-style-type: none"> • Board Policy Committee 	<ul style="list-style-type: none"> • Byrd Scholarship Review Committee • Early Childhood Stakeholders Committee (Commissioner's appointment)
Sally Cauble	<ul style="list-style-type: none"> • Assistant Legislative Coordinator • Education Commission of the State 	<ul style="list-style-type: none"> • Interstate Migrant Education Council (previous appointment by the Commissioner)
Kathy Martin	<ul style="list-style-type: none"> • Board Policy Committee 	<ul style="list-style-type: none"> • Byrd Scholarship Review Committee • Foundation for Agriculture in the Classroom • Professional Standards Board
Ken Willard	<ul style="list-style-type: none"> • (NASBE) 	<ul style="list-style-type: none"> • Communications Committee
Walt Chappell		<ul style="list-style-type: none"> • Byrd Scholarship Review Committee • Education Equity Advisory Council
Jana Shaver	<ul style="list-style-type: none"> • Vice Chair • Board Policy Committee (Chair) 	<ul style="list-style-type: none"> • Kansas Foundation for Excellence in Education/Kansas Teacher of the Year • Kansas Advisory Committee for Career and Technical Education (Commissioner's appointment)
David Dennis	<ul style="list-style-type: none"> • Kansas High School Activities Association (through June 30, 2011) 	<ul style="list-style-type: none"> • Communications Committee • Virtual Education Task Force (Commissioner's appointment)

BEFORE THE STATE BOARD OF EDUCATION
OF THE STATE OF KANSAS

Kansas State Education Building
120 Southeast Tenth Avenue, Topeka, Kansas 66612-1182
(785) 296-3204

In the Matter of the Application)
of Jesse C. Newman.)
_____)

Case No. 08-FC-16

FINAL ORDER

NOW, on this 13th day of January, 2009, the recommendation of the Professional Practices Commission to deny the application of Jesse C. Newman for an Emergency Substitute Teacher's License comes on for review by the State Board of Education.

WHEREUPON, the State Board of Education, after reviewing the Initial Order of the Professional Practices Commission and being otherwise duly advised in the premises, hereby adopts and incorporates by reference as though fully set forth at length herein the findings of fact and conclusions of the Professional Practices Commission and finds that the application of Jesse C. Newman for an Emergency Substitute Teacher's License should be denied pursuant to K.S.A. 72-1397(b) and K.A.R. 91-22-1a as a consequence of his felonious conduct in committing the crime of Theft.

IT IS THEREFORE ORDERED by the State Board of Education that the application of Jesse C. Newman for an Emergency Substitute Teacher's License be and hereby is denied.

IT IS FURTHER ORDERED by the State Board that notice of the denial be given to all local education agencies of the State of Kansas and to the agency responsible for issuing educator licenses/certificates in each of the other states.

This Order is made and entered this 13th day of January, 2009.

KANSAS STATE BOARD OF EDUCATION

s/ Janet Waugh
By: _____
Janet Waugh, Chairman

Final Order
Jesse C. Newman
Page 2

NOTICE TO APPLICANT:

You may request a reconsideration of the above Order. To do so, you must file a petition for reconsideration with the Secretary to the State Board of Education, at the address stated above, within 15 days after service of this Final Order. The petition must state the specific grounds upon which relief is requested.

The filing of a petition for reconsideration is not a prerequisite for seeking judicial review.

Janet Waugh, Chairman, State Board of Education, 120 S.E. 10th Avenue, Topeka, Kansas 66612-1182 is the agency official to receive a petition for judicial review.

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of January, 2009, a true and correct copy of the above and foregoing Final Order was deposited in the U.S. Mail, postage prepaid, addressed to:

Jesse C. Newman
415 Illinois
Lawrence, Kansas 66044

s/ M. Kevin Ireland

M. Kevin Ireland, Attorney
Office of General Counsel
Kansas State Department of Education

BEFORE THE STATE BOARD OF EDUCATION
OF THE STATE OF KANSAS

Kansas State Education Building
120 Southeast Tenth Avenue, Topeka, Kansas 66612-1182
(785) 296-3204

In the Matter of the Application)
of Susan K. Parks.)
_____)

Case No. 08-FC-17

FINAL ORDER

NOW, on this 13th day of January, 2009, the recommendation of the Professional Practices Commission to deny the application of Susan K. Parks for an Emergency Substitute Teacher's License comes on for review by the State Board of Education.

WHEREUPON, the State Board of Education, after reviewing the Initial Order of the Professional Practices Commission and being otherwise duly advised in the premises, hereby adopts and incorporates by reference as though fully set forth at length herein the findings of fact and conclusions of the Professional Practices Commission and finds that the application of Susan K. Parks for an Emergency Substitute Teacher's License should be denied pursuant to K.S.A. 72-1397(b) and K.A.R. 91-22-1a as a consequence of her felonious conduct in committing the crime of Possession of Cocaine.

IT IS THEREFORE ORDERED by the State Board of Education that the application of Susan K. Parks for an Emergency Substitute Teacher's License be and hereby is denied.

IT IS FURTHER ORDERED by the State Board that notice of the denial be given to all local education agencies of the State of Kansas and to the agency responsible for issuing educator licenses/certificates in each of the other states.

This Order is made and entered this 13th day of January, 2009.

KANSAS STATE BOARD OF EDUCATION

s/ Janet Waugh

By: _____
Janet Waugh, Chairman

Final Order
Susan K. Parks
Page 2

NOTICE TO APPLICANT:

You may request a reconsideration of the above Order. To do so, you must file a petition for reconsideration with the Secretary to the State Board of Education, at the address stated above, within 15 days after service of this Final Order. The petition must state the specific grounds upon which relief is requested.

The filing of a petition for reconsideration is not a prerequisite for seeking judicial review.

Janet Waugh, Chairman, State Board of Education, 120 S.E. 10th Avenue, Topeka, Kansas 66612-1182 is the agency official to receive a petition for judicial review.

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of January, 2009, a true and correct copy of the above and foregoing Final Order was deposited in the U.S. Mail, postage prepaid, addressed to:

Susan K. Parks
5923 Paradise Lane, Apt. C
Great Bend, Kansas 67530

s/ M. Kevin Ireland

M. Kevin Ireland, Attorney
Office of General Counsel
Kansas State Department of Education

BEFORE THE STATE BOARD OF EDUCATION
OF THE STATE OF KANSAS

Kansas State Education Building
120 Southeast Tenth Avenue, Topeka, Kansas 66612-1182
(785) 296-3204

In the Matter of the Application)
of James A. Echols.)
_____)

Case No. 08-FC-19

FINAL ORDER

NOW, on this 13th day of January, 2009, the recommendation of the Professional Practices Commission to deny the application of James A. Echols for an Emergency Substitute Teacher's License comes on for review by the State Board of Education.

WHEREUPON, the State Board of Education, after reviewing the Initial Order of the Professional Practices Commission and being otherwise duly advised in the premises, hereby adopts and incorporates by reference as though fully set forth at length herein the findings of fact and conclusions of the Professional Practices Commission and finds that the application of James A. Echols for an Emergency Substitute Teacher's License should be denied pursuant to K.A.R. 91-22-1a as a consequence of his felonious conduct in committing the crimes of Mail and Wire Fraud while employed in a position of trust.

IT IS THEREFORE ORDERED by the State Board of Education that the application of James A. Echols for an Emergency Substitute Teacher's License be and hereby is denied.

IT IS FURTHER ORDERED by the State Board that notice of the denial be given to all local education agencies of the State of Kansas and to the agency responsible for issuing educator licenses/certificates in each of the other states.

This Order is made and entered this 13th day of January, 2009.

KANSAS STATE BOARD OF EDUCATION

s/ Janet Waugh
By: _____
Janet Waugh, Chairman

Final Order
James A. Echols
Page 2

NOTICE TO APPLICANT:

You may request a reconsideration of the above Order. To do so, you must file a petition for reconsideration with the Secretary to the State Board of Education, at the address stated above, within 15 days after service of this Final Order. The petition must state the specific grounds upon which relief is requested.

The filing of a petition for reconsideration is not a prerequisite for seeking judicial review.

Janet Waugh, Chairman, State Board of Education, 120 S.E. 10th Avenue, Topeka, Kansas 66612-1182 is the agency official to receive a petition for judicial review.

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of January, 2009, a true and correct copy of the above and foregoing Final Order was deposited in the U.S. Mail, postage prepaid, addressed to:

James A. Echols
1876 Minnesota Avenue
Kansas City, Kansas 66102

s/ M. Kevin Ireland

M. Kevin Ireland, Attorney
Office of General Counsel
Kansas State Department of Education

BEFORE THE STATE BOARD OF EDUCATION

OF THE STATE OF KANSAS

Kansas State Education Building
120 Southeast Tenth Avenue, Topeka, Kansas 66612-1182
(785) 296-3204

In the Matter of the Licensure)
of Kimberlee C. Andersen.)
_____)

Case No. 08-O-20

FINAL ORDER

NOW, on this 13th day of January 2009, the recommendation of the Professional Practices Commission to revoke the professional educator's license issued to the Respondent, Kimberlee C. Andersen, comes on for review by the State Board of Education.

WHEREUPON, the State Board of Education, after reviewing the Initial Order of the Professional Practices Commission and being otherwise duly advised in the premises, hereby adopts and incorporates by reference as though fully set forth at length herein the findings of fact and conclusions of the Professional Practices Commission and finds that the Respondent's professional educator's license should be revoked pursuant to K.A.R. 91-22-1a as a consequence of her conduct as a building principal in committing the crime of Theft from an employee/teacher under her supervision.

IT IS THEREFORE ORDERED by the State Board of Education that the Respondent's professional educator's license be and hereby is revoked.

IT IS FURTHER ORDERED by the State Board that notice of the revocation of the Respondent's license be given to all local education agencies of the State of Kansas and to the agency responsible for issuing educator licenses/certificates in each of the other states.

This Order is made and entered this 13th day of January, 2009.

KANSAS STATE BOARD OF EDUCATION

s/ Janet Waugh

By: _____
Janet Waugh, Chairman

Final Order
Kimberlee C. Andersen
Page 2

NOTICE TO RESPONDENT:

You may request a reconsideration of the above Order. To do so, you must file a petition for reconsideration with the Secretary to the State Board of Education, at the address stated above, within 15 days after service of this Final Order. The petition must state the specific grounds upon which relief is requested.

The filing of a petition for reconsideration is not a prerequisite for seeking judicial review.

Janet Waugh, Chairman, State Board of Education, 120 S.E. 10th Avenue, Topeka, Kansas 66612-1182 is the agency official to receive a petition for judicial review.

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of January, 2009, a true and correct copy of the above and foregoing Final Order was deposited in the U.S. Mail, postage prepaid, addressed to:

Kimberlee C. Andersen
4502 A. Hunters Glenn Drive
St. Joseph, MO. 64506

s/ M. Kevin Ireland

M. Kevin Ireland, Attorney
Office of General Counsel
Kansas State Department of Education

BEFORE THE STATE BOARD OF EDUCATION
OF THE STATE OF KANSAS

Kansas State Education Building
120 Southeast Tenth Avenue, Topeka, Kansas 66612-1182
(785) 296-3204

In the Matter of the Licensure) Case No. 08-FC-21
of Donald N. Atkinson.)
_____)

FINAL ORDER

NOW, on this 13th day of January, 2009, the recommendation of the Professional Practices Commission to accept the voluntary surrender and revoke the professional educator's license issued to the Respondent, Donald N. Atkinson, comes on for review by the State Board of Education.

WHEREUPON, the State Board of Education, after reviewing the Initial Order of the Professional Practices Commission and being otherwise duly advised in the premises, hereby adopts and incorporates by reference as though fully set forth at length herein the findings of fact and conclusions of the Professional Practices Commission and finds that the voluntary surrender of the Respondent's professional educator's license should be accepted and his license revoked pursuant to K.A.R. 91-22-1a as a consequence of his conduct as a building principal in committing multiple crimes of Theft.

IT IS THEREFORE ORDERED by the State Board of Education that the voluntary surrender of the Respondent's professional educator's license be and hereby is accepted and his license is revoked.

IT IS FURTHER ORDERED by the State Board that notice of the revocation of the Respondent's license be given to all local education agencies of the State of Kansas and to the agency responsible for issuing educator licenses/certificates in each of the other states.

This Order is made and entered this 13th day of January, 2009.

KANSAS STATE BOARD OF EDUCATION

s/ Janet Waugh
By: _____
Janet Waugh, Chairman

Final Order
Donald N. Atkinson
Page 2

NOTICE TO RESPONDENT:

You may request a reconsideration of the above Order. To do so, you must file a petition for reconsideration with the Secretary to the State Board of Education, at the address stated above, within 15 days after service of this Final Order. The petition must state the specific grounds upon which relief is requested.

The filing of a petition for reconsideration is not a prerequisite for seeking judicial review.

Janet Waugh, Chairman, State Board of Education, 120 S.E. 10th Avenue, Topeka, Kansas 66612-1182 is the agency official to receive a petition for judicial review.

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of January, 2009, a true and correct copy of the above and foregoing Final Order was deposited in the U.S. Mail, postage prepaid, addressed to:

Donald N. Atkinson
1323 Ethereal Circle
Colorado Springs, Colorado 80904

s/ M. Kevin Ireland

M. Kevin Ireland, Attorney
Office of General Counsel
Kansas State Department of Education

BEFORE THE STATE BOARD OF EDUCATION
OF THE STATE OF KANSAS

Kansas State Education Building
120 Southeast Tenth Avenue, Topeka, Kansas 66612-1182
(785) 296-3204

In the Matter of the Licensure) Case No. 08-O-22
of Samuel P. Muff.)
_____)

FINAL ORDER

NOW, on this 13th day of January 2009, the recommendation of the Professional Practices Commission to revoke the professional educator's license issued to the Respondent, Samuel P. Muff, comes on for review by the State Board of Education.

WHEREUPON, the State Board of Education, after reviewing the Initial Order of the Professional Practices Commission and being otherwise duly advised in the premises, hereby adopts and incorporates by reference as though fully set forth at length herein the findings of fact and conclusions of the Professional Practices Commission and finds that the Respondent's professional educator's license should be revoked pursuant to K.A.R. 91-22-1a as a consequence of the Respondent's conduct as a licensed educator in abusing a minor student.

IT IS THEREFORE ORDERED by the State Board of Education that the Respondent's professional educator's license be and hereby is revoked.

IT IS FURTHER ORDERED by the State Board that notice of the revocation of the Respondent's license be given to all local education agencies of the State of Kansas and to the agency responsible for issuing educator licenses/certificates in each of the other states.

This Order is made and entered this 13th day of January, 2009.

KANSAS STATE BOARD OF EDUCATION

s/ Janet Waugh
By: _____
Janet Waugh, Chairman

Final Order
Samuel P. Muff
Page 2

NOTICE TO RESPONDENT:

You may request a reconsideration of the above Order. To do so, you must file a petition for reconsideration with the Secretary to the State Board of Education, at the address stated above, within 15 days after service of this Final Order. The petition must state the specific grounds upon which relief is requested.

The filing of a petition for reconsideration is not a prerequisite for seeking judicial review.

Janet Waugh, Chairman, State Board of Education, 120 S.E. 10th Avenue, Topeka, Kansas 66612-1182 is the agency official to receive a petition for judicial review.

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of January, 2009, a true and correct copy of the above and foregoing Final Order was deposited in the U.S. Mail, postage prepaid, addressed to:

Samuel P. Muff
807 W. 1st
Garnett, Kansas 66032

s/ M. Kevin Ireland

M. Kevin Ireland, Attorney
Office of General Counsel
Kansas State Department of Education

BEFORE THE STATE BOARD OF EDUCATION
OF THE STATE OF KANSAS

Kansas State Education Building
120 Southeast Tenth Avenue, Topeka, Kansas 66612-1182
(785) 296-3204

In the Matter of the Licensure)
of Michael W. Slayton.)
_____)

Case No. 08-FC-25

FINAL ORDER

NOW, on this 13th day of January 2009, the recommendation of the Professional Practices Commission to revoke the educator license issued to the Respondent, Michael W. Slayton, comes on for review by the State Board of Education.

WHEREUPON, the State Board of Education, after reviewing the Initial Order of the Professional Practices Commission and being otherwise duly advised in the premises, hereby adopts and incorporates by reference as though fully set forth at length herein the findings of fact and conclusions of the Professional Practices Commission and finds that the Respondent's educator's license should be revoked pursuant to K.A.R. 91-22-1a as a consequence of the Respondent's felonious conduct in committing the crimes of Tax Evasion and Willful Failure to Account For and Pay Tax.

IT IS THEREFORE ORDERED by the State Board of Education that the Respondent's educator's license be and hereby is revoked.

IT IS FURTHER ORDERED by the State Board that notice of the revocation of the Respondent's license be given to all local education agencies of the State of Kansas and to the agency responsible for issuing educator licenses/certificates in each of the other states.

This Order is made and entered this 13th day of January, 2009.

KANSAS STATE BOARD OF EDUCATION

s/ Janet Waugh
By: _____
Janet Waugh, Chairman

Final Order
Michael W. Slayton
Page 2

NOTICE TO RESPONDENT:

You may request a reconsideration of the above Order. To do so, you must file a petition for reconsideration with the Secretary to the State Board of Education, at the address stated above, within 15 days after service of this Final Order. The petition must state the specific grounds upon which relief is requested.

The filing of a petition for reconsideration is not a prerequisite for seeking judicial review.

Janet Waugh, Chairman, State Board of Education, 120 S.E. 10th Avenue, Topeka, Kansas 66612-1182 is the agency official to receive a petition for judicial review.

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of January, 2009, a true and correct copy of the above and foregoing Final Order was deposited in the U.S. Mail, postage prepaid, addressed to:

Michael W. Slayton
Register No. 15362-031
FCI El Reno
Federal Correctional Institution
P.O. Box 1500
El Reno, OK 73036

s/ M. Kevin Ireland

M. Kevin Ireland, Attorney
Office of General Counsel
Kansas State Department of Education

BEFORE THE STATE BOARD OF EDUCATION
OF THE STATE OF KANSAS

Kansas State Education Building
120 Southeast Tenth Avenue, Topeka, Kansas 66612-1182
(785) 296-3204

In the Matter of the Application)
of Robert A. Archibald.)
_____)

Case No. 08-O-26

FINAL ORDER

NOW, on this 13th day of January, 2009, the recommendation of the Professional Practices Commission to grant the application of Robert A. Archibald for a Restricted Teaching License comes on for review by the State Board of Education.

WHEREUPON, the State Board of Education, after reviewing the Initial Order of the Professional Practices Commission and being otherwise duly advised in the premises, hereby adopts and incorporates by reference as though fully set forth at length herein the findings of fact and conclusions of the Professional Practices Commission and finds that the application of Robert A. Archibald for a Restricted Teaching License should be granted, provided he meets all other requirements for licensure.

IT IS THEREFORE ORDERED by the State Board of Education that the application of Robert A. Archibald for a Restricted Teaching License be and hereby is granted, provided he meets all other requirements for licensure.

This Order is made and entered this 13th day of January, 2009.

KANSAS STATE BOARD OF EDUCATION

s/ Janet Waugh
By: _____
Janet Waugh, Chairman

Final Order
Robert A. Archibald
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NOTICE TO APPLICANT:

You may request a reconsideration of the above Order. To do so, you must file a petition for reconsideration with the Secretary to the State Board of Education, at the address stated above, within 15 days after service of this Final Order. The petition must state the specific grounds upon which relief is requested.

The filing of a petition for reconsideration is not a prerequisite for seeking judicial review.

Janet Waugh, Chairman, State Board of Education, 120 S.E. 10th Avenue, Topeka, Kansas 66612-1182 is the agency official to receive a petition for judicial review.

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of January, 2009, a true and correct copy of the above and foregoing Final Order was deposited in the U.S. Mail, postage prepaid, addressed to:

Robert A. Archibald
9501 W. Britton
Wichita, Kansas 67205

s/ M. Kevin Ireland

M. Kevin Ireland, Attorney
Office of General Counsel
Kansas State Department of Education

BEFORE THE STATE BOARD OF EDUCATION
OF THE STATE OF KANSAS

Kansas State Education Building
120 Southeast Tenth Avenue, Topeka, Kansas 66612-1182
(785) 296-3204

In the Matter of the Licensure) Case No. 08-FC-28
of Richard B. Young.)
_____)

FINAL ORDER

NOW, on this 13th day of January, 2009, the recommendation of the Professional Practices Commission to accept the voluntary surrender and revoke the professional educator's license issued to the Respondent, Richard B. Young, comes on for review by the State Board of Education.

WHEREUPON, the State Board of Education, after reviewing the Initial Order of the Professional Practices Commission and being otherwise duly advised in the premises, hereby adopts and incorporates by reference as though fully set forth at length herein the findings of fact and conclusions of the Professional Practices Commission and finds that the voluntary surrender of the Respondent's professional educator's license should be accepted and his license revoked pursuant to K.A.R. 91-22-1a as a consequence of his felonious conduct in committing multiple crimes involving a child.

IT IS THEREFORE ORDERED by the State Board of Education that the voluntary surrender of the Respondent's professional educator's license be and hereby is accepted and his license is revoked.

IT IS FURTHER ORDERED by the State Board that notice of the revocation of the Respondent's license be given to all local education agencies of the State of Kansas and to the agency responsible for issuing educator licenses/certificates in each of the other states.

This Order is made and entered this 13th day of January, 2009.

KANSAS STATE BOARD OF EDUCATION

s/ Janet Waugh
By: _____
Janet Waugh, Chairman

Final Order
Richard B. Young
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NOTICE TO RESPONDENT:

You may request a reconsideration of the above Order. To do so, you must file a petition for reconsideration with the Secretary to the State Board of Education, at the address stated above, within 15 days after service of this Final Order. The petition must state the specific grounds upon which relief is requested.

The filing of a petition for reconsideration is not a prerequisite for seeking judicial review.

Janet Waugh, Chairman, State Board of Education, 120 S.E. 10th Avenue, Topeka, Kansas 66612-1182 is the agency official to receive a petition for judicial review.

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of January, 2009, a true and correct copy of the above and foregoing Final Order was deposited in the U.S. Mail, postage prepaid, addressed to:

David M. Schauner, General Counsel
K-NEA
715 W. 10th Avenue
Topeka, Kansas 66612
Attorney for Respondent

s/ M. Kevin Ireland

M. Kevin Ireland, Attorney
Office of General Counsel
Kansas State Department of Education

CERTIFICATION OF
OFFICIAL SCHOOL DISTRICT BOUNDARIES

TO: County Clerk and County Appraiser of Smith and Phillips Counties, State of Kansas

The enclosed Order of the Kansas State Board of Education, which sets forth the description of the territory of the following Unified School Districts whose boundaries were altered by transfer, disorganization or consolidation, is hereby certified to you in accordance with K.S.A. 72-7109.

Unified School District No. 238 (West Smith County), Smith County, Kansas
Unified School District No. 324 (Eastern Heights), Phillips County, Kansas

This Certification is made this 15th day of January, 2009, at Topeka, Shawnee County, Kansas.

s/ M. Kevin Ireland

M. Kevin Ireland, Attorney
Office of General Counsel
Kansas State Department of Education
120 SE 10th Avenue
Topeka, Kansas 66612-1182
(785) 296-3204

ORDER DESCRIBING SCHOOL DISTRICT BOUNDARIES

The Kansas State Board of Education, pursuant to K.S.A. 72-7109, makes the herewith Order.

During calendar year 2008, the boundaries of the following school districts were altered by transfer, disorganization or consolidation, pursuant to state law:

Unified School District No. 238 (West Smith County), Smith County, Kansas
Unified School District No. 324 (Eastern Heights), Phillips County, Kansas

On May 24, 2007, the Boards of Education of Unified School District No. 238, Smith County, and Unified School District No. 324, Phillips County, filed with the State Board of Education, in accordance with the provisions of K.S.A. 72-8701 et seq., an Agreement to Consolidate the districts. Effective on July 1, 2008, the two unified school districts were consolidated into Unified School District No. 110, Phillips County, State of Kansas.

This Order is made this 13th day of January, 2009, at Topeka, Shawnee County, Kansas.

KANSAS STATE BOARD OF EDUCATION

s/ Janet Waugh

By: _____
Janet Waugh , Chairman

EXHIBIT A

Description for Combining USD #324 & USD #238 (Smith and Phillips Counties)

Beginning at the NW corner of Section Three (3), Township One (1) South, Range Seventeen (17) West of the Sixth Principle Meridian; thence East along the Kansas-Nebraska State line 19 miles to the NE corner of Section Three (3), Township One (1) South, Range Fourteen (14); thence South 2 miles, West 1 mile, South 8 ½ miles, West ½ mile, South 1 ¼ miles, East ½ mile to the NE corner of Sec. 4-3-14; thence North 1 mile, East ½ mile, South 2 ½ miles, East ½ mile, South 2 ½ miles, West ½ mile, South ¼ mile to the center of Section 27-3-14; thence East ½ mile, South 2 miles, West 1 mile, North ½ mile, West 1 ½ miles, South ½ mile to the center of Section 5-4-14; thence East ½ mile, South 1 mile, East ¼ mile, North ¼ mile, East 1 ¼ miles, South ½ mile to the center of Section 10-4-14; thence East ½ mile, South 1 mile, West 3 miles, North ½ mile, West 1 mile, South ½ mile, West ½ mile to the center of Section 13-4-15; thence South ½ mile, West ½ mile, South ½ mile, West ½ mile, South 3 ½ miles, East 1 ½ miles to the NE corner of Section 12-5-15; thence South 1 ½ miles, East ¼ mile, South ¼ mile, West ¼ mile, South 1 mile, West ½ mile, South ¼ mile to the SW corner of the SE ¼ of Section 24-5-15; thence West 1 mile, North ½ mile, West ½ mile, North ½ mile, East ¼ mile, North ½ mile, West ¾ mile to the center of Section 15-5-15; thence South ½ mile, West ½ mile, South 1 mile, West ½ mile, South ½ mile, West ½ mile, South ½ mile to the SE corner of Section 29-5-15; thence West ½ mile, South ½ mile, West 1 ½ miles, South ½ mile to the SE corner of Section 36-5-16; thence West along the Phillips-Rooks County line to the SW corner of Section 34-5-17; thence North 1 mile, East ½ mile, North 1 mile, West ½ mile, North 7 miles, East 1 mile to the NE corner of Section 22-4-17; thence South ½ mile, East 1 mile, South ½ mile, East ½ mile, North ½ mile, East ½ mile to the NW corner of the SW ¼ of Section 19-4-16; thence North 2 miles, East ½ mile, North ½ mile, West 1 ½ miles, North 1 mile, West 1 mile to the SW corner of Section 35-3-17; thence North 1 mile, East 1 mile, North 2 miles, West ¾ mile, North ½ mile, West 1 ¾ miles to the center of Section 16-3-17; thence North 1 ½ miles, East ½ mile, North 2 ¼ miles, West ½ mile, North 1 ¾ miles, West 1 mile to the SW corner of the SE ¼ of Section 17-2-17; thence North 3 miles, East ½ mile, North 2 miles, East ½ mile, North 2 miles to the NW corner of the NE ¼ of Section 16-1-17; thence East ½ mile, North 2 miles to the point of beginning.

STATE OF KANSAS, COUNTY OF DECATUR, SS:

The undersigned, being a duly bonded, licensed and qualified abstractor, hereby certifies that the foregoing is a true and accurate description.

Dated at Oberlin, Kansas, this 4th day of January, 2008 at 8:00 A.M.

DECATUR COUNTY TITLE & ABSTRACT COMPANY

By: *Theresa L. Bailey*
President