KANSAS STATE BOARD OF EDUCATION
MEETING MINUTES

January 9, 2006

CALL TO ORDER
Chairman Abrams called the meeting to order at 1:31 p.m. on Monday, January 10, 2006, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas. Chairman Abrams announced that the meeting was being broadcast live over the internet via KAN-Ed Live! through the Board of Regents.

Members present were:

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

The Board stood for recitation of the Pledge of Allegiance.

Mr. Bacon arrived at 1:34.

APPROVAL OF THE AGENDA AND THE MINUTES
Chairman Abrams asked that approval of the minutes be postponed until Tuesday or Wednesday. He also asked that agenda item 6, the Update on QPA, be moved to Wednesday, because Dr. Posny had been called to a meeting in Washington, D.C. In its place, he suggested that item 7 scheduled for Wednesday, background information on and rationale for setting the qualifying score for the Art Content Test for teacher licensure, be added to the agenda. Mr. Willard moved, with a second by Mrs. Martin, that the agenda be approved as amended. The motion carried.

PROPOSED AMENDMENTS TO LICENSURE REGULATIONS
Dr. Martha Gage, Director of Teacher Education and Licensure, reviewed proposed changes to licensure regulations. Changes to 91-1-201 and 91-1-202 would amend the regulations to expand the early childhood options for licensure. She reported that changes were designed to increase the supply of early childhood teachers prepared by Kansas institutions and accommodate out-of-state applicants who have completed programs that are not comparable with the existing unified birth through grade 3 license. Early childhood licenses would be expanded to include a unified early childhood license at two levels: birth through kindergarten and the existing birth through grade 3; plus a general education only, early childhood endorsement for pre-kindergarten through grade 3. Changes to the early childhood license levels would be made to 91-1-201 and the endorsements in 91-1-202 would be modified in order to accommodate the expanded options.

Additionally, a change to 91-1-201 would remove early childhood and early childhood through late childhood as available levels for the restricted teaching license. Those levels should be eliminated from the regulations, Dr. Gage reported, because the restricted license is only available for content endorsement programs at the middle/secondary level. She added that the amendments would also clarify that the restricted license is valid for three consecutive school years.

Lastly, changes were recommended to 91-1-205 to amend the conditional license renewal requirements. Dr. Gage explained that the existing regulation limited educators to two conditional licenses, regardless of whether they were employed or not and educators must be employed in order to complete their performance assessment to move to the professional license. The amendments, she noted, would provide access to additional conditional licenses to accommodate educators who received conditional licenses but were not employed full-time. In addition, the amendments would clarify access to additional conditional licenses for educators who are unsuccessful in passing the performance assessment.

Discussion followed and the problems associated with establishing programs at teacher education intuitions for the birth through grade three license were explored. Where programs did exist, several were five-year, and it was noted that was expensive for those who were entering a field where salaries were traditionally quite low. Mr. Rod Bieker, Department General Counsel, reported that the regulations would come back to the Board in February for Board approval to send the changes for review by the Attorney General and the Department of Administration.

QUALIFYING SCORE FOR THE ART CONTENT TEST

Dr. Gage reported that the art test underwent both an initial validation test and a re-validation was done at ETS. The Professional Standards Board studied the results and concurred with ETS that the qualifying score should be established at 156, which was the score that was being recommended to the State Board for approval. After brief discussion, Dr. Wagnon moved, with at second by Mr. Willard, that the Board approve the score of 156 as the Praxis II qualifying score for licensure testing for art as recommended by the Professional Standards Board. The motion carried.

The meeting was running ahead of schedule and Barbara Hinton, of Legislative Post Audit had not yet arrived to make a presentation to the Board on the school finance studies that had been conducted by the Legislative Division of Post Audit. The Board took a break from 1:50 to 2:10 p.m. After the break, the Board asked Deputy Commissioner Dennis if he would make his presentation to the Board on the Kansas Education Comparative Performance and Fiscal System which was scheduled for Wednesday. He agreed to do so.

KANSAS EDUCATION COMPARATIVE PERFORMANCE AND FISCAL SYSTEM

Deputy Commissioner Dennis reported that the 2005 Kansas Legislature had requested that the Department set up a data warehouse, the Kansas Education Comparative Performance and Fiscal System, on the KSDE website that would allow elected officials as well as other interested persons, to compare school district performance and financial data among districts. With the assistant of Todd Lowe, of the Information Technology Team, who had developed the program, Mr. Dennis demonstrated how the site could be used.

REVIEW OF K-12 EDUCATION COST STUDIES BY THE LEGISLATIVE DIVISION OF POST AUDIT

Barbara Hinton, the Legislative Post Auditor, presented the results of both the input-based and outcome-based studies of K-12 education costs performed by the Legislative Division of Post Audit (LDPA) as mandated by the 2005 Legislature. Staff from LDPA handed out copies of the full report as well as an executive summary of the report to Board members. She reported that the input-based approach estimated how much it should cost districts to deliver the curricula, services, and programs mandated by State statute or by high school graduation, State scholarship, and college admission requirements. It did not, however, take student performance outcomes into account, but included an estimate of the reasonable

costs for operating schools and school districts. The outcomes-based approach, she reported, was to estimate how much it should cost districts to meet the educational performance outcome standards set by the State Board of Education and included district expenditures that could contribute to student outcomes. Ms. Hinton reviewed the methodology used to arrive at the resulting recommendations, which were for an increase of $316.2 million from the input-based study (based on a 25 pupil classroom), and $399.3 million from the outcomes-based study. Neither figure included new Supplemental Equalization Aid for Local Option Budgets, or new KPERS contributions. Ms. Hinton and members of her staff responded to Board members' questions and requests for clarification. Dr. William Duncombe, from the Maxwell School's Center for Public Research at Syracuse University, and one of the consultants who had been contracted with to perform the outcomes-based study, also responded to questions. Of particular interest to Mr. Bacon and Chairman Abrams was the correlation noted in the study between spending and outcomes. Dr. Duncombe was asked if he could assist the Board with additional information that might more fully explain the methodology used in arriving at the relationship between spending and performance.

RECESS
There being no further business, the meeting recessed at 4:36 p.m.

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Steve Abrams, Chairman Penny Plamann, Secretary

KANSAS STATE BOARD OF EDUCATION
MEETING MINUTES

January 10, 2006

CALL TO ORDER
Chairman Abrams called the meeting to order at 10:01 a.m. on Tuesday, January 10, 2006, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas. Chairman Abrams announced that the meeting was being broadcast live over the internet via KAN-Ed Live! through the Board of Regents.

All members were present:

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

The Board stood for recitation of the Pledge of Allegiance.

APPROVAL OF THE AGENDA
Mr. Willard moved, with a second by Mr. Bacon, that the agenda be approved as presented. Chairman Abrams indicated that 7 d., action on scholarships for at-risk and special education students, should be pulled from the agenda. Neither Mr. Willard, nor Mr. Bacon, had any objections to modifying the motion to accommodate the Chairman's request. Asked by Mr. Willard if it would be discussed at a later time, Chairman Abrams indicated the issue was being dropped from the agenda. Dr. Wagnon voiced his objection to removing the item and indicated his desire that it be discussed by the Board. There being no further objections, Chairman Abrams asked for a vote on the motion, which passed 7-3, with Mrs. Rupe, Dr. Wagnon, and Mrs. Waugh voting "no".

COMMISSIONER'S REPORT
In addition to what was included in his written report, Commissioner Corkins updated the Board on recent events. He reported that he had attended a retreat with the Learning Services Division (LSD) where staff of the division had identified their thoughts and ideas about the Board's goal for redesigning the K-12 delivery system to meet the state's changing needs. He noted that a lot of wonderful recommendations had developed from the discussion. He also reported that he had had his final meeting of the Transition Team where they considered all of the same issues that were discussed with LSD staff. He noted they had come up with three recommendations which he had decided to forward to the Special Committee of Superintendents, effectively having the Transition Team serve as a subcommittee of that full committee. Mr. Corkins reported that prior to his sharing the Transition Team recommendations with the Special Committee, he had a full brainstorming session with them around the charge which had been given to them: to flesh out their thoughts for appropriate system redesign, visualizing what the educational delivery system might look like in ten years; identifying barriers to accomplishing the necessary changes; and suggesting ways barriers might be overcome. At the end of the day, he presented the Transition Team's three recommendations, which had already been thoroughly discussed throughout the day by the superintendents. In general, the three issues were 1) to try to facilitate promotion of best practices by the

Department; 2) exploration of an alternative licensure process; and 3) pursuit of the development of a longitudinal database that would facilitate the use of a student growth model for student improvement. He indicated that in addition to those three issues, several others had come up during the course of the Superintendents Committee's discussion. No recommendations had yet been finalized by the committee, he reported, but they would be meeting again at the end of January in Wichita in conjunction with the USA convention and would be prepared to present a report to the Board at the February meeting. He indicated that one or two more meetings might be necessary for them to finalize their work. Mrs. Gamble asked if the Council of Superintendents would be included in the process. Mr. Corkins reported that he was involving as many groups as he could in the process to get as much input as he could, including Department staff, the superintendents, and his informal weekly meetings with small groups of superintendents. He invited any recommendations Board members might have to give the ideas that were developing the fullest discussion possible. Mrs. Gamble indicated that initially she had believed that the activities of the Superintendents Committee were of a limited scope within a shorter period of time. Because she felt that the scope and duration had broadened, there should be broader representation of districts across the state. She stated that the Council of Superintendents was in the position to provide the necessary representation and had been initially formed to advise the commissioner and the department on issues that affect the field. Mrs. Rupe agreed with Mrs. Gamble and mentioned that if she had been aware that alternative licensure was to be one of the areas the Committee would be exploring, perhaps she would have appointed someone else. Mr. Corkins said that the charge he had given to the Committee was no more than what the Board had requested, which was to examine system redesign, identify barriers, and make recommendations about how to overcome the barriers, but it was out of the Committee's own discussion that the issue of alternative licensure has arisen. Mr. Corkins stated he had no objections to involving the Council of Superintendents or whatever other review and analysis of the ideas that the Board felt appropriate.

Dr. Morton, Chair of the Special Superintendents Committee was present and was called on to give the Board a brief update on the committee's activities. He reported that the committee had met in Topeka on January 6th. He noted that the committee membership not only represented the state geographically but also was a good cross section of district size. Addressing Board members' concerns, he noted that the Council of Superintendents was represented on the committee by Jill Hackett as well as Brenda Dietrich, the Council's Chair, who he had asked to co-facilitate the special committee. He also reported that he had distributed notes from the January 6th meeting to all of the superintendents in the state in order that they might have the opportunity to comment. Dr. Morton gave a general overview of the meeting, noting that the first part of the discussion was of the current state of education in Kansas and areas where members would like to see improvement. Additionally, they discussed what might prevent the improvements and how they might overcome any barriers. Lastly, they discussed solutions and how they might positively impact Kansas students. Dr. Morton indicated that it was the committee's plan for its next meeting to focus on barriers, prioritize them and further define solutions. The meeting would be held in Wichita on January 26th in conjunction with the USA convention. The committee intended to make a presentation to the Board at the Board's February meeting. Dr. Morton reported that one of the things the committee had discovered was how universal the issues were that face the students, schools and communities across the state. Dr. Wagnon asked if the issues they had discovered were different from those the Board had already been working on. Dr. Morton replied that some of the things they had discussed would validate what the Board had been addressing, but that he hoped the committee would be able to offer some new ideas and suggestions, as well. Mrs. Martin thanked the committee for its work, noting they were looking at some very interesting solutions. Commissioner Corkins added that the solutions the committee had discussed were remarkably aligned with the ideas coming from Department staff.

Also during the discussion of the Commissioner's report, Dr. Wagnon asked about the LSD retreat that was facilitated by Steve Wyckoff and how the ideas that resulted from it were different from the work plan that Deputy Commissioner Posny had developed out of the Board's retreat in 2005. Mr. Corkins reported that it was the latest of a series of meetings, through which white papers and recommendations had been developed. Mr. Corkins indicated he was not able to be at the retreat with Mr. Wyckoff, but had received a full report and had met with the directors and assistant directors of the division later to discuss the ideas that had been generated. He noted that the discussion had been candid and worthwhile and that he intended to have similar meeting with other department staff. He added that it was also a good way to keep the staff informed about the policy and direction of the Board. Dr. Wagnon asked how the meetings had affected Mr. Corkins' perceptions of the department. He indicated that he was very impressed with the professionalism of Department staff in the conduct of their normal activities, as well as other activities.

CITIZENS' OPEN FORUM

Chairman Abrams opened the Citizens' Open Forum at 10:22 a.m. Those addressing the Board were: Ron Johnson, Gardner; Dr. Betty Horton and Sandra Lassiter, Topeka; Donald C. Norwood and Jerry Magliano, Lenexa; David Penny, Lawrence; Chiquita Coggs, Kansas City, representing H.A.R.K. and the North East Kansas City Business Association; Pat McFerron, Oklahoma City, representing Cole, Hargrave & Snodgrass; Brad Neuenswander, Cheney, representing USD 268; Sharon Zoellner, De Soto, representing USD 232; Wendi White, Maize; and Kirk Fast, Ozawkie.

Several Board members asked questions for clarification. Mrs. Rupe stated she would like Mr. Johnson to meet with the staff of KSDE Student Support Services regarding his issues about appropriate educational services for children with autism. She also referred to Mr. Johnson's mention of unencumbered special education dollars that districts carryover at the end of the year on which they earn interest. She pointed out that every district in the state spends money out of their general fund for special education because it is not fully funded. In discussing the issue with Mr. Johnson she indicated that districts frequently put unspent general funds into their special education accounts at the end of the year, where carryover funds are allowed, because they know they will need the money for special education in the following year. Chairman Abrams indicated that Mr. Johnson's concerns should be a future agenda item. Mrs. Gamble asked Mr. Magliano, who had requested Board support of the legislation for a Kansas Academy for Math and Science, for further information about where the academy might be located. They indicated that funding for a study of the location was included in the bill. Dr. Abrams requested that a description of the proposal and what the group would like from the Board be given to Board members prior to the February meeting so that they might discuss it. Mrs. Morris asked if they would be interested in adding entrepreneurship to the math and science proposal. Mr. Magliano indicated that he wasn't certain if it would be a good fit, but that he would not want to second guess how the project would develop once it was funded. Mrs. Waugh asked Mr. Penny to what agency the charter school he proposed would be answerable. In their discussion, he indicated it would be the State Department of Education. Mrs. Gamble asked Brad Neunswander for further information regarding his desire for at-risk funding that was more responsive. He indicated that at-risk should not just be defined by poverty, but should include students who are falling behind grade level. Mrs. Morris, noting that education used about 68% of the state's resources, asked Mr. Neunswander what percent he felt he would need. In the discussion that followed, he indicated he didn't have a statewide figure, but could easily come up with an amount of additional dollars he could use in his district. Mrs. Morris pointed out that there were many needs to be met in the state in addition to education. Chairman Abrams declared the Open Forum closed at 11:14 a.m.

The Board took a break from 11:14 until 11:21 a.m.

RECOGNITION OF KANSAS SUPERINTENDENT AND PRINCIPALS OF THE YEAR
The Board heard presentations from four Kansas administrators, who had recently been honored, about some of the things they were doing to build instructional capacity to help all students learn. They were Mrs. Billie Jo Drake, Principal at Eugene Ware Elementary School in Fort Scott, USD 234, the Kansas Association of Elementary School Principals (KAESP) 2005 National Distinguished Principal; Mrs. Kathleen Sooter, Principal at Logan Junior High School in Topeka, Seaman District, USD 345, the 2005 Kansas Association of Middle School Administrators (KAMSA) Principal of the Year; Mr. Gene Buie, Principal at Anderson County Jr.-Sr. High School in Garnett, USD 365, the 2005 Kansas Association of Secondary School Principals (KASSP)/MetLife High School Principal of the Year; and Dr. John Morton, Superintendent of Newton, USD 373, the Kansas Association of School Administrators (KASA) Superintendent of the Year. After their presentations they answered members' questions and received certificates of recognition from Chairman Abrams. They also had their pictures taken with the Chairman and the Commissioner.

The Board recessed for lunch at 12:15 and returned at 1:30 p.m.

DISCUSSION AND ACTION ON LEGISLATIVE PROPOSALS
Summary of Research on School Vouchers and Charter Schools
Dr. Sherrill Martinez, Director of Planning and Research reported that she and her staff had undertaken a literature review of voucher and charter school research at the request of the Commissioner. She indicated it was their desire to provide data about how Kansas charter schools compare to charter schools nationally; give some background and history of choice movements; and to present a balanced view from researchers with various backgrounds on what they found when they did their research on charter schools and vouchers. She noted that the report also contained short summaries of what they believed were the best scientifically-based research they had found. Those summaries included what questions had been asked, what methods were used and what the finals results were.

Dr. Martinez reported that they found that both vouchers and charter schools shared three main similarities. They were more autonomous than regular public schools; admission was by choice; and there was market accountability--if people don't choose to go to them, they close. Vouchers were different than charter schools because vouchers allow parents to take the money set aside by the state for the education of their child and send their child to any school of their choice, whether public, private, or religious. Dr. Martinez noted that they faced some challenges because of the complexity of the laws governing the relationship between churches and religion and public funding. Charter schools are public schools of choice and usually receive public funds based on the number of students who enroll. She reported that in 2004 charter schools enrolled almost one million children in 3,300 schools in 40 states. She noted that six states, Florida, California, Texas, Arizona, Ohio and Michigan, accounted for about 60% of charter schools and 60% of charter school students. She also noted that charter schools represent 3% of all public schools, 2% of public school students and in Kansas, 0.3% of Kansas students. She directed Board members to the charts in the appendices for how Kansas charter school enrollment demographics compared to charter schools nationally. Dr. Martinez reported that Gallup Poll results showed that vouchers are losing favor with the public, but charter schools are gaining public support if they were required to meet the same accountability requirements as regular public schools and if they did not take funding away from regular public schools.

Dr. Martinez reported that, as she and her staff examined the literature, four major goals of education systems were identified. The first was freedom of choice that would allow families to put their children in the school they preferred. Second was productive efficiency, which would guarantee the best achievement possible for each dollar spent. The third was equity, or allowing all students to attend quality schools. The fourth was social cohesion which would produce a populace that was civically responsible. She noted that the four goals in some ways competed with one another, particularly when choice initiatives with fewer restrictions interfere with initiatives to provide greater equity, such as when parents are allowed to supplement the amount of money provided by a publicly funded voucher in order to pay a higher tuition. Dr. Martinez reviewed the expectations associated with each of the four major goals when considered in the context of school choice, including things to consider to effectively meet those expectations within the framework of each goal. Dr. Martinez also shared suggestions dealing with the four major goals from a RAND study conducted in 2001 for states and districts which are considering moving into system with more choices.

Dr. Martinez reported on problems with education research. They included the problem of subjectivity or bias in assigning meaning to facts and that peer reviews are uncommon. She also reported that there was an absence of any clear identification of curricular or instructional differences existing between the traditional schools and choice schools, as well as other difficulties with research designs.

Mr. Bacon asked that Dr. Martinez provide a copy of her PowerPoint presentation on the study, which she agreed to do. He also asked about revisions she had indicated staff were making to the material that had been given to the Board prior to the meeting. She indicated that a final report would be given to the Board after grammatical errors had been corrected. She noted that all the information in her oral presentation was contained in the copy of the report given to Board members, but perhaps not in the order she had presented it. Dr. Martinez and her staff also provided clarification on several points made in the report in response to questions from the Board.

Mrs. Morris was interested in the concerns that had been voiced by some that charter schools didn't have to meet the same requirements as traditional public schools. Dr. Martinez pointed out that Kansas charter schools are held to the same assessment rules as other public schools, but to have an even playing field for the purpose of measuring the performance of charter schools, many other factors would have to be included, such as comparing the performance of the students in the charter schools, who in many instances are low performers, with similarly performing students in non-charter schools. She indicated it would be important to understand the goals of the charter schools and compare like schools, grade levels and students and follow them over time, beginning before they became charter school students. Dr. Martinez also mentioned other problems with the data in many of the studies, but stated she felt that the data will get better with the development of longitudinal databases because it will be easier to follow individual students. Later in the discussion, Mrs. Morris inquired if it would be possible to generate a list of all the regulations and laws from which charters schools could be exempt. Deputy Commissioner Posny responded it would be a huge undertaking and to gather a list of the types of things that have been waived most commonly nationally would probably be more productive.

Mrs. Rupe commented on the statement that .3% of Kansas students were in charter schools. She stated that she believed the state had a fairly long history of alternative and magnet schools, many of which would fit the definition of a charter school. She indicated that information on the number of students in alternative schools might provide a more accurate picture of choice in the state.

Mr. Bacon was interested in the fact that closure was recommended as a consequence for under-performance by a charter school. He noted that there were other possible consequences that could be considered and pointed out that when traditional public schools underperform they are given increased funding. He indicated that he felt it was a double standard and ran counter to the recommendations that there be a level playing field in requirements for charter schools and other public schools. He suggested that perhaps an exploration of other options would be helpful. Dr. Martinez reported that perhaps the closure option was cited in the literature because in many states charter schools were operated by companies or other external entities which make promises of certain accomplishments within a specific time period and if those promises are not kept they should not be allowed to continue.

Mrs. Gamble asked about the academic performance ranking of the states with the highest number of charters. Dr. Martinez stated she had not looked at state rankings, but noted they were some of the largest states and were probably lower performing than some, which might account for them trying different models, such as charters. She also said information provided in the report showed that students attending those charters were more likely to be minorities and low-income students, but they were also three times more likely to be in an urban setting. Mrs. Gamble also asked for additional information on multiple chartering authorities, primarily because she was interested in entities other than local boards that might have the supervisory authority to oversee the operations of charter schools. She asked if there were any schools granted charters by chartering authorities other than local boards that were also under the authority and received funding from the local school system. Kelly Spurgeon and Tony Moss, Planning and Research staff, offered information from the studies they had examined that indicated that the more rigorous the oversight, the higher the achievement levels charter schools were able to demonstrate. Information from a NAEP survey would seen to indicate that charter schools that are part of a school district tend to due better than stand alone charters. Mrs. Gamble asked if the information regarding vouchers could be removed from the report since the Board was no longer considering vouchers at the present time. Dr. Martinez indicate it could be done easily. Mrs. Gamble also asked about the failure rate of charter schools. Planning and Research staff did not have that information, but Dr. Martinez noted that several factors should be considered in looking at closures in addition to academic failure, such as lack of sustainable funding. It was pointed out that charter schools were not necessarily cheaper alternatives to public schools because quality programming and staff were necessary, particularly for charter schools which were designed to address the learning needs of at-risk students. Different funding authorities and sources for charters schools were discussed.

Additional Funding Proposals for the 2006 Legislature

Commissioner Corkins indicated that several Board members had suggested at the December meeting that in addition to the choice proposals which were being considered that other programs be looked at for possible addition to the Board's funding recommendations for the 2006 legislature. Mentioned at the December meeting was: $300,000 per year for three years to continue the Kansas Academy for Leadership and Technology (KAL-Tech) Program; $2.3 million to fund development of a statewide longitudinal database that would support a student achievement growth model; and funding statewide for all-day kindergarten, which would cost approximately $77 million. Additionally, he noted, a focus on early childhood programs had been recommended. Board discussion and action on each recommendation followed.

Kansas Academy for Leadership and Technology (KAL-Tech) Program
Indicating his support for the program, Mr. Willard moved, with a second by Mr. Bacon, that the Board add to its budget proposal $300,000 per year for three years for KAL-Tech. In the discussion that followed, Mrs. Gamble indicated she would prefer that the Board holdover until next year any decision about funding the program, so that data on its effectiveness could be studied. Dr. Wagnon, indicated he would support the motion, but that he, too, would like to see evidence of its effect on leadership. The motion carried 7-3, with Mrs. Morris, Mrs. Gamble and Mrs. Waugh voting "no".

Statewide Longitudinal Database
Chairman Abrams stated he was convinced the Department needed the capacity to do student growth modeling and that he would support requesting funds for the longitudinal database. Dr. Wagnon moved, with a second by Mrs. Morris, that the Board add $2.3 million to its budget proposal to fund development of the longitudinal database. In the discussion of the proposal, the impact on the personnel needs of the Department was discussed. It was pointed out that the longitudinal database would be another step in the development of a data warehouse and that the KIDS system would become a part of it. The $2.3 million proposal would fund development of the infrastructure through the use of in-house staff and contract services. Additional staff would probably be needed, as well. It was doubtful that the system would lead to any reduction in staff because of the likelihood of an increase in requests for information. It was noted that the quality of the information and the turn-around time in receiving it would improve dramatically. Additionally, local districts would also be able to query the system for their data needs. Funding would be from the state general fund. Mrs. Gamble expressed concern that the Department would be forced to fund the program out of its existing budget. Mrs. Martin stated that use of the longitudinal database would provide the only realistic way AYP could be shown. The motion carried 10-0.

All-Day Kindergarten
Mrs. Rupe reported that the Board heard almost every month from educators that they are adding all-day kindergarten. She added that the Board should encourage it and also endorse paying for the time kindergarten students are in schools, instead of the ½ FTE schools with all-day kindergarten receive. Mrs. Martin stated the proposal wouldn't require that communities add it, but that many communities were already providing it in acknowledgement of the importance of early school readiness. Mrs. Gamble noted that she was a proponent of all-day kindergarten when the Board developed its FY 2007 budget proposal the previous August and questioned the process the Board was following in developing an additional budget request at such a late date. Dr. Wagnon moved that the the Board add funding for all-day kindergarten to its 2006 budget recommendation. Mrs. Rupe seconded the motion. Dr. Wagnon stated he wanted to ensure that it would be voluntary and the staff would develop adequate justification for presentation to the legislature. Mr. Dennis pointed out that the law did not require kindergarten attendance, so the proposal would provide funding for those children who chose to attend in the districts that chose to offer it. He estimated it would cost between $72 and $77 million, because of the considerable parental support for it. Mrs. Waugh indicated that she represented a large number of at-risk students who would benefit from it. She noted, however, that some districts didn't have the facilities to offer it. Mrs. Waugh also encouraged the Board to consider pre-school programs, particularly for at-risk students. Mr. Bacon stated that he had been reluctant to have a statewide all-day kindergarten program, but considering the increase in funding being considered as a result of the school finance case and the results of the Legislative Post Audit cost studies, it was a good opportunity for the Board to indicate its priorities. Mrs. Martin agreed. The motion carried 10-0.

Increased Emphasis on Early Childhood Education Programs
The importance of early childhood programs had been mentioned by Mrs. Martin at the December meeting. In the discussion of how the Board would like to proceed regarding a budget recommendation, doing away with the match for the Parents as Teacher program and full funding for the four-year-old at-risk program were explored. Dr. Posny mentioned there was a need for a program to address 3-4 year olds. It was decided that the Board would undertake a study of early childhood programs and issues over the coming months with the goal of developing an FY 2008 budget recommendation.

The Board took a break from 3:15 to 3:20 p.m.

Changes to the Process for Approving and Funding Public Charter Schools
Mr. Corkins reviewed the proposal to modify the charter school law and summarized the proposed motion that had been prepared for Board consideration. He pointed out that the Board was being asked to make minimal changes that would guarantee funding equal to the base state aid per pupil plus any weighting factors that might apply. He noted it would equate to approximately $5,600 per student compared to the current average of $4,100 in local. He indicated he felt the change would provide a more reliable funding stream and be a base from which charters could negotiate funding with local districts. Also requested would be the addition of an appeal process beyond what was currently provided in the law and would allow a charter that had been denied at the local level to appeal that decision to the State Board. Mr. Corkins pointed out that the State Board currently reviews and approves charter proposals that have been approved by local school boards and this would extend that review by the State Board to those charter proposals that have been denied. He stated that there would be no appeal to the State Board if there had been a fair negotiation at the local level where the proponents and the local school district openly considered a charter proposal. The new procedure to allow an appeal to the State Board would guarantee that no charter proposal would be rejected arbitrarily. He compared it to the charter process in other states where there are independent state boards, or entities such as universities, that have sole authority over granting charters, indicating that the proposal before the Board was nowhere as extreme as those models. Mrs. Morris moved that Kansas State Board of Education, as part of its 2006 legislative package, support changes to the process for approving and funding public charter schools that would 1) allow for an appeal to KSBE if proposals for creating or renewing public charter schools are disapproved by local school boards, and 2) establish the minimum amount of funding for public charter schools to be the Base State Aid Per Pupil plus student weighting factors attributed by the state K-12 finance formula. Mr. Bacon seconded the motion. Discussion followed. Mr. Dennis, in response to a question from Mr. Willard, indicated that the fiscal impact of the funding part of the proposal based on the number of students in existing charter schools would be approximately $2.7 million.

Citing her experience with choices available in the Wichita school district and relating the outcome of a proposal by a Wichita superintendent several years ago for performing arts high school, Mrs. Rupe said she felt it was important to base State Board decisions on what local representatives felt was important. She cautioned that the Board would not necessarily have the benefit of all the information or insights that would inform a local district decision as it considered a charter school proposal. Mrs. Rupe added that she felt that the idea that the possibility for an appeal to the State Board would be bargaining chip for those proposing a charter school, was, in her opinion, really a threat to the local district. She also pointed out that a similar charter school bill in the legislature last year had been proposed by a legislator who owns a school in his community which he wants to turn into a charter. She felt that it was self-serving on his part and inappropriate and that she would not be voting for the motion because she did not want to help his effort. Mrs. Rupe added that she did not want the state running schools or overriding

what local boards think is best for their communities. Later in the discussion she also questioned whether the proposed charter school committee that would evaluate appeals and would be composed of administrators from existing charter schools would be in the position to know better than a local board what was best for the students for that community. Mrs. Waugh agreed that local districts were in the best position to judge what was best for their patrons. She stated that she felt there was nothing more local than a local school board and if a local community is unhappy with the performance of board members they have the opportunity to express that through the local election process. Mrs. Waugh indicated that she was unable to support the proposal because she felt charter approvals should remain a local decision. She added that she felt if the Board approved the motion, the State Board would be saying that it didn't trust local boards to make good decisions.

The issue of who would have authority over a charter school whose petition denial by a local board was overturned at the state level was brought up by several Board members. Mrs. Waugh questioned Commissioner Corkins about what entity a charter school would answer to in such an instance. He indicated that arrangement regarding who would be responsible for different administrative functions or how autonomous a particular charter might be would have been worked out in the process at the local level before it came to the State Board. He added that once it reached the State Board there would be a rubric to evaluate the proposal. Mrs. Waugh asked if a department at the state level that would be in charge of charter schools was a possibility. Mr. Corkins indicated that would be beyond the scope of the motion. Mrs. Waugh stated that she felt that if a local board had denied a charter and the State Board overturned the denial on appeal, it would put both the district and the charter school in a precarious position in their dealings with one another, particularly if the charter school was still dependent on the local board. He added that staff would be no less thorough in evaluating proposals in order to make recommendations to the Board than is the current practice. He also stated that he believed there would be very few appeals and no appeals if local school districts bargain in good faith with charter petitioners. Still seeking clarification, Mrs. Waugh asked if it would then be true that if an appeal was approved the charter school would still be answerable to the local board, noting that all public schools have to answer to someone. Mr. Corkins said it would be difficult to answer that question, because that would be part of the negotiated charter and he could not know what level of autonomy a charter petitioner may propose. He indicated that charters commonly provide for their own board to run it and oversee it, or, as is prevalent in Kansas, the school is run by the local school district. Without a specific example, Mr. Corkins stated he was unable to answer Mrs. Waugh's question, though he added that in an extreme example where a charter proposal rejected by a local board from a petitioner with no desire for a relationship with the local school district, the rubric would take into account the fact there was very little community buy-in and very little support and that information would become part of the Board's deliberation about whether to overrule the local decision.

Mrs. Gamble said the two revisions to the charter school law had been presented as minor changes, but state statutes require that charter schools be under the jurisdiction of local boards. It appeared to her that from what Mr. Corkins had said after an appeal to the State Board, charter schools could be completely separate from the local board and answerable to no one. If that was the case, she stated she had serious reservations about the proposal. Mr. Corkins stated he did not mean to imply that statutory requirements for a minimum level of district oversight would be changed by the proposal before the Board. Mrs. Gamble also asked the Commissioner for a definition of "arbitrary refusal". He indicated that would have to be worked out in the legislative language. The purpose of the motion, he added, was not to spell out every detail of a bill that might be taken to the legislature, but for the Board to embrace the concepts and then work with the legislature in crafting the legislation in a reasonable manner. Mrs. Gamble also asked

several questions about funding which were answered by Mr. Dennis. She indicated that she felt if dollars were going on a per pupil basis to an entity that wanted to have nothing to do with the local district or programs, other than to have them to pay for it; it appeared to her to be very much like a voucher. She felt it was not good public policy or good education policy and she could not support the proposals.

Mr. Willard indicated that he also had questions. He said if the intent of the proposal was to open the door for more charter schools in the state, who will administer and monitor them would be an important issue to address. It could be problematic, he noted, if a charter school was approved over the will of a local school board which would then have to oversee it. He suggested that the Board ask for a change in the law to provide for non-public school charters, with the State Board being the chartering authority, which would eliminate the conflict with the local school district. Mr. Willard added that he felt it was important to resolve the issue of charter school governance before it took the proposal to the legislature.

Mr. Bacon asked about the current appeal process and was told that it allowed for the charter petitioner to amend its plan and resubmit it to the local board. He said he felt that might be problematic. He said he felt that if a group were looking at forming a charter school within its local district it was probably because it felt that the educational needs of its children were not being met. He noted that it probably wouldn't be a large enough group to make a difference in a local board election, particularly in a large district. He stated that he felt that if the Board could give such groups an opportunity to try something different and seek approval of their proposals away from the local conflicts, it would be helpful. He added that the results could be quite meaningful to a group starting the charter, but for the state overall, the effects of the proposal before the Board, he felt, would be minimal. Mr. Bacon noted that when an appeal came before it, the State Board would probably ask the same question as the local board about the quality of the program being proposed and would want to ensure that public funds were being spent correctly. He said he felt it would be an open process that would allow members of the local board who had denied the charter request the opportunity to present their rationale for their action to the State Board. He said he did not view the proposal as giving a rubber stamp to those who would bring appeals to the State Board. Mr. Bacon also stated that he was unclear about some of the issues regarding governance, but assumed that the reporting and accountability requirements would be spelled out in the charter proposal. He added that if there was a request, for instance, to waive the requirement for the state assessments, the Board should probably deny it because there should be some way to measure student performance. Mr. Bacon stated that the Board would also have the opportunity to deny an appeal if it didn't think a proposal was in the best interest of Kansas kids. Mrs. Morris stated that Mr. Bacon had stated very well what she believed regarding the charter school proposals. She added that she, too, was not concerned regarding the question of governance because it would be addressed in the charter proposals and if the Board did not want to be involved in the governance of a charter and that was part of a proposal, it could deny the appeal.

Mrs. Waugh reiterated her confidence in local boards to make the right decisions for their students. Mrs. Martin said she agreed with her 99% of the time, but that there was the possibility of a group in a district that would like to try something different and would be unable to get the support of the local board. Mrs. Martin stated that she believed the Board would see very few appeals, but felt that it was important that there be an appeal process provided in any kind of decision-making.

Mrs. Van Meter told about an issue she was very familiar with. She reported that during the land transfer case of a year ago when the St. Paul school had requested transfer to the Chetopa district, Thayer residents who didn't want their elementary students bussed over bad roads to school in Erie proposed that

there be a charter school in Thayer, but were turned down by the local board. Mrs. Van Meter said that she wanted to see the opportunity provided in similar situations for an appeal to the State Board. She added that she felt it would be a great thing if the Board passed the proposal before it.

There being no further discussion, a vote was taken on the motion. The motion carried 6-4, with Mrs. Gamble, Mrs. Rupe, Dr. Wagnon and Mrs. Waugh voting "no".

The Board took a break from 4:06 to 4:10 p.m.

LEGISLATIVE UPDATE

Deputy Commissioner Dennis reviewed the Governor's FY 2006 and FY 2007 budget recommendations. Both the FY 2006 and FY 2007 recommendations would fully fund consensus estimates. Special education would be funded at 89.3% and 92% of excess costs in FY 2006 and FY 2007, respectively. The recommendations would also add funding for capital outlay state aid, juvenile detention facilities; and declining enrollment state aid. It was pointed out that the Governor's recommendation had not addressed the Legislative Post Audit cost study because of the timing of its release. Mr. Dennis also reviewed the $77.5 million increase recommended by the State Board in its FY 2007 budget. Board action taken earlier the afternoon on additional funding for programs to add to its legislative proposal was not included. He also handed out information comparing the Governor's recommendations for FY 2006 and FY 2007 to the Board's requests, as well as a summary of her recommendations; estimated federal allocations for the 2006-2007 school year; information requirements of the legislature based on the Supreme Court's decision in the school finance case; and 2006 Senate and House committee assignments.

There being no further business, the meeting recessed at 4.29 p.m.

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Steve Abrams, Chairman Penny Plamann, Secretary

KANSAS STATE BOARD OF EDUCATION
MEETING MINUTES

January 11, 2006

CALL TO ORDER
Chairman Abrams called the meeting to order at 9:05 a.m. on Wednesday, January 11, 2006, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas. Chairman Abrams announced that the meeting was being broadcast live over the internet via KAN-Ed Live! through the Board of Regents.

Members present were:

Steve Abrams	Iris Van Meter
John Bacon	Bill Wagnon
Kathy Martin	Janet Waugh
Carol Rupe	Ken Willard

Mrs. Morris arrived at 9:07 and Mrs. Gamble arrived at 9:10 a.m.

APPROVAL OF THE AGENDA
Chairman Abrams asked that approval of the December minutes be added as item 3 a. and that the Update on QPA be added as new item 6, replacing Qualifying Scores for the Art Content Test for Teacher Licensure, which had been handled on Monday. Mr. Bacon moved, with a second by Mrs. Martin, that the agenda be approved as amended. The motion carried 8-0, with Mrs. Morris and Mrs. Gamble not present.

APPROVAL OF THE MINUTES
Dr. Wagnon moved, with a second by Mrs. Martin, that the minutes of the December 2005 meeting be approved as presented. The motion carried 9-0, with Mrs. Gamble absent.

BOARD REPORTS
Chairman
Discussion State Board of Education 2006 Meeting Calendar
Chairman Abrams reported that the Kansas State School for the Deaf (KSSD) and the Kansas State School for the Blind (KSSB) would be on spring break in March, when the Board would typically visit, as had been indicated on the draft schedule that had been included in members' materials. After several options were discussed, Mr. Willard moved, with a second by Mrs. Morris, that the Board postpone its annual visit until May 10th. The motion carried. Mr. Willard moved, with a second by Mrs. Martin, to amend the travel requests for members to be approved later in the meeting to reflect the date change. The motion carried.

Directive to the Special Education Advisory Council Regarding Autism Issues
Chairman Abrams reported that during the breakfast with the Special Education Advisory Council (SEAC) there had been a discussion of the issues regarding autism that had been brought up over the past few months during the Citizens' Open Forum. He stated he would like to direct SEAC to investigate the standards for educating students with autism and common IEP's for students with autism, as well as other related issues that had recently been presented to the Board, with a preliminary report presented at the February Board meeting and a final report at the March meeting. Mrs. Gamble questioned whether

SEAC members, with their varied special education backgrounds, would have the expertise to do what the Chairman had in mind. Mrs. Martin reported that the SEAC Chairman, Bert Moore, had indicated the Council's willingness to assist the Board in whatever way it could and would be happy to look into the autism issues. Mr. Bacon moved that the Board direct SEAC to look into the autism issues as proposed by Chairman Abrams and report to the Board within the timeline he had specified. Mrs. Morris seconded the motion. Dr. Wagnon stated he felt the directive was out of order because he understood that the Council was a committee of the commissioner and should take its direction from him. Mrs. Martin reiterated that in the presentation to Board members who had attended the SEAC breakfast, Chairman Moore noted that SEAC existed to serve the Board and would be happy to take on the assignment as proposed. She added that she felt it was important for the Board to respond to the autism issues that had been brought to the Board and it was appropriate to do so with the help of SEAC which existed to serve the Board as well as the commissioner. Mrs. Gamble stated that she felt if the Board was going to pursue an in-depth investigation and research autism issues, it was beyond the scope of what SEAC was able to do, if the Board wanted a thorough study of the subject. The motion carried 7-3, with Mrs. Gamble, Mrs. Waugh and Dr. Wagnon voting "no".

Mid-Term Board Goal Setting Session

Because it had been brought up at recent meetings that situations and circumstances with the Board had changed over the past six months to a year, Chairman Abrams proposed that the Board hold a mid-term goal setting meeting in conjunction with the February Board meeting. Mrs. Morris moved, with a second by Mr. Bacon, that the Board hold a goal setting session on Monday, February 13th. Discussion followed about whether there was a need for the meeting. Mrs. Gamble stated she saw no need to change the Board's long-established process for establishing its goals that she felt had worked very well in the past. Mr. Bacon indicated that he felt it would be helpful for Commissioner Corkins to have the opportunity to have a conversation with the Board about goals. Mrs. Waugh felt it would be a good idea to have a discussion about the Board's direction, because, as had been mentioned by Mrs. Gamble also, the Board had been asked to respond to proposals and issues at recent Board meetings without having been advised of them in advance. She felt it was important to discuss the direction the majority of the Board wanted to proceed. Mrs. Gamble mentioned that some of the reasons the Board had a process for goal setting every two years were to provide staff with a framework upon which to plan and to direct the Board's budget development. Chairman Abrams, when asked by Mrs. Gamble if his proposal was to establish a new two-year plan, indicated he saw it as covering a one-year period. Mrs. Gamble stated she would be unable to support the motion. Mrs. Rupe recommended that Brenda Welburn, the Executive Director of NASBE, who had facilitated several of the Board's goal setting retreats, including its last one in February 2005, be contacted to facilitate the one being proposed. She added that Mrs. Welburn was familiar with the Board and would be well prepared to help it move from where it had been after its last retreat. Mr. Willard stated he would support the motion for a mid-term session because he believed the things that the Board had recently been attempting to accomplish fit well within the parameters of the goals the Board has established. Because some had generated the criticism that they had not been specifically discussed, he stated he felt revisiting the goals was a good idea and that the Board should make some mid-course corrections if the review called for it. The motion carried 9-1, with Mrs. Gamble voting "no".

Chairman Abrams stated he felt Mrs. Rupe's recommendation to contact Mrs. Welburn had merit and asked if the Board would like to have her contacted about her availability to facilitate. Mrs. Morris stated she was unhappy with the way NASBE had conducted the Board's search for a commissioner and would rather have someone else facilitate. Mrs. Van Meter agreed. Mr. Willard said he had discussed the issues

regarding the search with Mrs. Welburn and she agreed it had not been handled properly. He added that he appreciated her expertise with helping boards establish goals and thought she would be a good choice. Mr. Bacon moved, with a second by Mr. Willard, that Mrs. Welburn be contacted about her availability to facilitate the goal session. Mrs. Waugh asked who might be asked to facilitate if Mrs. Welburn was unavailable. She indicated she would want to be advised and whoever was chosen would have an impact on her attendance. The motion carried 6-3-1, with Mrs. Martin, Mrs. Morris and Mrs. Van Meter voting "no" and Mrs. Gamble abstaining.

Dr. Abrams asked for a report in February from Mr. Biles on school districts' exemption from obscenity laws and literature allowed for study.

Action on 2006 Board Meeting Calendar
It was mentioned that the Board had failed to take action to approve the 2006 calendar after it had been discussed. Mr. Willard moved, with a second by Mrs. Martin, that the 2006 Board Meeting Calendar be approved as amended to accommodate the change in date for visiting KSSD and KSSB. The motion carried. (A copy of the Calendar is included as an attachment to these minutes. It also reflects the addition of the February 13, 2006 goal session.)

Discussion of Media Clipping Service
Commissioner Corkins reported that he had been asked by Deputy Commissioner Dennis to poll Board members on their satisfaction with the media clippings that they had been receiving electronically. It was reported that the service had grown in cost because of media coverage of Board activities over the past year to approximately $28,000 per year. Mr. Dennis had offered to have staff explore some alternatives if the Board so desired. Discussion followed. Several issues to consider were mentioned including the unwieldiness of viewing large scanned files on the computer; customizing clippings for individual Board member areas versus the advantage of having a statewide perspective; and the availability of many newspapers online. Staff was asked to develop alternative proposals to the current method for receiving news clips for presentation at the February meeting.

Legislative Coordinator
Mr. Willard reviewed and commented on the recent actions the Board had taken to add to its 2006 legislative proposal. He invited suggestions from Board members on presenting the issues to the legislature. He mentioned that he had already spoken to a number of legislators about the longitudinal database and that the idea had been well received. He state he felt that it and the modifications to the charter school law had good chances of passage. He also talked about what the Board's role should be regarding the cost study, stating he did not yet have a sense of the degree of involvement the Board should try to have in the initial legislative discussions. Mrs. Rupe agreed that the legislature should deal with the issues that would arise from the cost study before the any Board involvement. Mrs. Martin indicated her willingness to speak to legislators regarding the proposal for all-day kindergarten. Dr. Wagnon asked how the Board's proposals would be presented to the legislature and Commissioner Corkins shared some ideas that he and Mr. Dennis had discussed.

Dr. Wagnon mentioned that he had attended a Northeast Kansas legislative luncheon at which he had been made aware of an idea for four of the districts in Doniphan County to consolidate their high schools into one that would serve all of them. He had been informed of some of the fiscal barriers to the effort and that the districts would be approaching the legislature with a bill to address them. Dr. Wagnon indicated he would like the Board's support of that effort if possible. Chairman Abrams asked staff to bring a report to the Board in February on the issue.

Board Attorney
Mr. Biles indicated that he might need Board input on the cost study at some point, but he didn't think it would be before the next Board meeting. If some discussion with the Board was needed because of a request from the Court, he would arrange a telephone meeting with them. Mr. Biles also reviewed his written report which included information about the federal school finance case. He noted that the plaintiffs in the case had indicated their desire to keep the case open, at least until after the 2006 legislative session, but no word had come from the Court about whether there would be any Court action on the case before then. Mr. Biles also updated the Board and answered questions on the copyright issues associated with the science standards and indicated that suggested revisions had been submitted to the Department by the copyright lawyers that had reviewed them. He reported that once the revisions were made, there would be one final review for any copyright concerns. He also noted that he had been working on a personnel matter at KSSB that may need to come to the Board. Dr. Wagnon moved, with a second by Mr. Bacon, that the Board accept the report and pay Mr. Biles' fees and expenses for December 2005, as presented. The motion carried.

Other Board Member Reports
Dr. Wagnon reported he had attended a technology conference the past fall and was very impressed with Alan November, an education technology expert. Dr. Wagnon reported that Mr. November would be appearing in Topeka on April 7th and urged Board members to attend. Chairman Abrams asked that when a brochure was available it be made available to Board members.

Future Agenda Items
Dr. Wagnon asked for a report from staff on the process used to certify teachers coming from other countries. In light of what she felt was the public's perception that the Board was anti-public schools, Mrs. Waugh asked for a presentation every month from a school that is implementing best practices or innovative programs. In the discussion of her request, Mr. Bacon indicated that he was interested in whatever would produce educated students, whether it came from within the system or not. Mr. Willard suggested that Board members could help in improving the public's perception of the Board by not making comments to the press when the Board took actions they didn't agree with and portraying them in a negative light. He added that he did not feel the Board needed to establish a policy of hearing from schools every month because many times throughout the year the Board heard from exemplary educators. Mrs. Martin felt that there were a lot small things going on in schools every day that were success stories and it would be good to allow a fifteen minute presentation by a school or a Board member about a school in their district at each meeting. Commissioner Corkins stated that the emphasis on best practices should extend beyond the Board Room and into the work of the Department. He noted that Dr. Posny had reported to him that compliance duties were taking up to 90% of KSDE education consultants' time and that providing technical assistance and promoting best practices was a very high priority.

Mr. Bacon asked for a report on the audiostreaming of the Board meetings by KAN-Ed in order help members make a decision at the February meeting about continuing the services. A presentation of the issues related to educational services for autistic students was also requested.

CAREER AND TECHNICAL STUDENT ORGANIZATIONS PRESENTATION
Linda Oborny, Assistant Director, Technical Education, reviewed for the Board its relationship with the Career and Technical Student Organizations (CTSO's) and the role they play in helping students develop leadership and teamwork skills. She noted the legislature was particularly interested in what CTSO's contribute to workforce preparation. She extended a verbal invitation to Board members to attend

the CTSO Citizen's Day luncheon at the close of the meeting, noting that the luncheon was one of the highlights of the year for the students. She introduced representatives of the organizations who were present: Erik Glimpse, Business Professionals of America, from Newton High School; David Heckathorn, DECA, from Derby High School; Riclyn Resco, Future Business Leaders of America, Clifton-Clyde High School; Michael Smith Family, Career and Community Leaders of America, from Goodland High School; Clement Neely, FFA, from Humboldt High School; Dakota Hildebrandt, HOSA, from Independence Community College; Jack Frederick, SkillsUSA, from Wichita High School; and Dawn Zimmerman, Technology Students Association, from Belle Plaine High School. David Heckathorn, DECA President, outlined the organization's year to give the Board an idea of what types of activities students focus on. Dakota Hildebrandt, President of HOSA, shared his personal experience with how the student organizations give students the opportunity to have real world experiences in occupational areas they might be interested in and how his involvement in HOSA had led him to begin pursuing a career as a pharmacist.

Mrs. Morris extended her apologies that she would not be able to attend the luncheon and requested a list of all the organizations and a contact name for each. She told the students how proud she was of them and how much she appreciated the work they were doing.

The Board took a break from 10:20 to 10:25 a.m.

RECOMMENDATIONS OF THE PROFESSIONAL PRACTICES COMMISSION
Mrs. Morris moved, with a second by Mr. Bacon, that the State Board adopted the findings of fact and conclusions of the Professional Practices Commission and approve the recommendations of the Commission in cases 05-FC-22, 05-FC-25, 05-FC-26, 05-FC-27, 05-O-29, 05-FC-32, and 05-FC-34. Mrs. Van Meter asked Mr. Ireland, Department Attorney for the Professional Practices Commission, if there was ever an opportunity for individuals who had their teaching license revoked and turned their lives around to get their license back. Mr. Ireland explained the process and restrictions that would apply in such cases. The motion carried 9-0. Mr. Willard was temporarily out of the room.

QPA UPDATE
Mrs. Morris indicated that she had received a letter from a principal in her district regarding problems and possible revisions to QPA. She noted that the letter had prompted her request for the QPA update. She asked that a copy be distributed to Board members and apologized to Deputy Commissioner Posny for not having provided it to her prior to her presentation. Dr. Posny looked at the letter and indicated that she had received it, as well, and had responded. Dr. Posny said she would get copies of her response and circulate it to Board members and would address and clarify the issues raised during her presentation. In her PowerPoint presentation on Quality Performance Accreditation (QPA) she gave an historical review of school accreditation and how the system had changed with the introduction of QPA in 1992. Dr. Posny indicated that the system moved from one based on inputs to a system based on student results, state assessments and school improvement. Elements of that shift in the Department to a focus on learning included the move to a performance-based accreditation system, a performance-based licensure system for teachers, and the utilization of a standards-based system to guide the performance systems. She shared the issues and factors that had come from the field that influenced the changes in the QPA regulations that went into effect in July 2005 and gave a comparison of the difference in the earlier QPA system and the revised one. She pointed out that the new requirements were based both on performance and quality criteria. Quality indicators, performance indicators, four accreditation designations, and accreditation criteria and consequences are included in the regulations, she reported

In response to earlier questions from Mrs. Morris about what can be waived by schools, Dr. Posny reported that was determined by the Board, which could waive any regulation it chose to. Dr. Posny suggested that as she reviewed for Board members the quality criteria required under QPA, each a separate regulation, Board members might want to keep in mind those that might be waived for charter schools. She pointed out that there were 11 quality criteria that the Board wanted to assure, but she pointed out they were being handled in a very hands-off approach. She indicated that schools were required to go online as part of the QPA annual report and provide the Department with an assurance that they have the quality criteria in place. Dr. Posny indicated that if schools meet the performance criteria established by the Board, it is assumed that they have met the quality criteria. Evidence of those assurances is not looked at unless a school becomes accredited on improvement. Dr. Posny and Dr. Gage, Teacher Education and Licensure, answered several questions about the difference in the QPA regulations that teachers be fully certified to teach in the areas they are assigned and the NCLB requirement that a teacher be highly qualified. Dr. Posny also clarified the issues that were raised in the letter Mrs. Morris had received. The concern had been that in several cases it appeared that if one of the quality criteria was not met, it would mean that a school would not have met another one as well. In discussing the Department's response, Dr. Posny indicated that questions such as those raised in the letter were helpful to staff who wanted to ensure clarity in the information necessary for the field. Her advice, she said would be to have school contact the Department for clarification if it had questions. Dr. Posny stated that she had shared her response to the issues raised in the letter to Mrs. Morris with principals, superintendents and curriculum leaders across the state via Department listserves. She said the issues raised would also be added to the Frequently Asked Questions section of the QPA manual.

Dr. Posny also reviewed the performance criteria. She pointed out that the AYP targets that had been set will change because the assessments will change. She also pointed out that the performance standards applied to all subgroups: economically disadvantaged, students with disabilities, ELL students, and racial/ethnic groups. Dr. Posny reported that NCLB requires that all subgroups be the same size for reporting purposes and because a subgroup size of 40 was granted for students with disabilities, the state will be requesting an amendment to the state accountability plan to move all subgroups from 30 to 40. Mrs. Gamble asked how many schools and districts would have subgroups eliminated from AYP requirements because of the change. Dr. Posny indicated that the data would be run this spring to show that the state would not be holding harmless any more schools than it had previously. Dr. Posny explained that the question was whether to set the performance targets by grade and have more opportunities to miss them even though more subgroups would be exempt, or set them by larger groupings of grades, such as elementary, middle and high school, and having more subgroups included. Dr. Posny pointed out that subgroups are used to identify a school as on improvement, but no subgroup would identify a school as conditionally accredited or not accredited.

Mrs. Gamble discussed what she felt was unnecessary concern about performance standards in the legislature about liability it may be exposing itself to based on the Board's accreditation criteria. Dr. Posny said it would take six years for a school that was currently not able to make AYP in the aggregate to become non-accredited. She added that she did not know of a school in the state in that position. Mrs. Gamble stated that she believed there would be plenty of opportunities for changes in the law over the next six years and that the Board, when it had been establishing the QPA requirements, had been cognizant of that. It was also aware that it did not want schools to be harmed by subgroups, but was mindful of the need to look at all subgroups if achievement by all children was to be raised.

Mrs. Martin mentioned possible problems with the 75% graduation rate, particularly with schools with very small graduating classes. Dr. Posny pointed out that there has to be a group size of at least 10 in order to use the data. Mrs. Martin acknowledged this would be another instance where the school should contact the Department for assistance and direction.

Dr. Posny finished her review of accreditation levels--the triggers and the actions that must be taken as a consequence. She also briefly reviewed the appeal process.

Mr. Willard asked how much of QPA was driven by NCLB. She responded that the performance targets were very clearly aligned with NCLB. Graduation rate was required but had already been used by the state. Dr. Posny noted that even prior to NCLB the Board had been looking at what it should consider as reasonable growth targets for school improvement. The percentages that were considered at that time are very close to the ones that are being seen, she said. Dr. Posny pointed out that the biggest difficulty was the requirement to have 100% of students proficient by 2014. She added that without NCLB the question would be what targets the Board considered reasonable to establish. Mr. Willard asked how progress would be different if the Board were to use a student growth model. Dr. Posny responded that instead of two targets for math and two for reading for K-8 and high school, the state would be looking at 465,000 targets and the question would be what target should be set for each student. She pointed out that the student growth model that was being considered at the federal level still had 100% of students proficient by 2014. Asked by Mr. Willard if the proficiency would be defined the same for each student, she indicated that for the requirements of NCLB they would be the same for each grade level. She added she saw that as a flaw in the system because students learn at different rates. She pointed out that under NCLB time was a constraint because it was the constant and the standards were the variable. If she could change anything, she indicated she would reverse it, making time the variable.

Mrs. Morris asked about waivers that have been granted to schools. Dr. Posny reported that none had been requested because the regulations had just gone into effect. She clarified that the Board had granted many waivers of some of the previous regulations when requested. She pointed out to Mrs. Morris that state accreditation regulations could be waived, but none of the performance requirements of NCLB could.

UPDATE ON STATE ASSESSMENTS

Dr. Posny handed out a test on assessments to Board members that addressed the issues she intended to cover in her presentation. After allowing time for completing the test, Dr. Posny pointed out that many of the questions on the test concerned issues that were brought up in December by a superintendent in the Citizens' Open Forum. One of the major questions that has arisen, she noted, was whether the current system measured student growth over time. Previous assessments, conducted once in elementary, once in middle school and once in high school did not. The assessments that will begin in the spring of 2006 will measure student growth, but with a caveat, she said. The KIDS system will allow the department to follow the progress of a student from one year to the next when grades three through eight are assessed. The caveat is that the standards that are being assessed each year are not set up to be sequential, though they are more so in math than in other subject areas. The result is that even though a child's progress can be seen, between third and fourth grade for instance, a different set of standards and indicators will be assessed each year. The question then becomes what a comparison of fourth grade to third grade performance will show. State assessments are criterion referenced tests designed to show mastery of content in one year, but is not designed to be normed and show growth in a subject area from grade to grade. Dr. Wagnon asked why, if the curriculum is aligned, it isn't also sequential. Dr. Posny pointed

out that the alignment is within the specific grade level, but the standards had not been designed to be aligned from one grade to another. She added that it was possible to do so, but it would be a completely different way of setting up the assessments and the system. Mrs. Morris pointed out that it would still show academic growth. Mr. Willard asked what the impact of having a longitudinal database would be. Dr. Posny, agreeing with Mrs. Morris, said it will show student growth, and that every student every year will have an individual student profile which will reflect back to the specific indicators and standards assessed, giving teachers more information about their students than they have ever had before. Knowing what they need to do for a particular student, will require a knowledge of the standards and indicators that will be assessed in the next year. The Department will do an alignment of some of the baseline skills on grade level assessments that will aid student success on subsequent assessment and will make that information available to teachers.

Dr. Posny reported that many people have mixed feeling about assessments. Many are very concerned about the increase in the number of assessments, but if the Board and the department want to show student growth over time, it will be important to assess every grade in both reading and math. A system that assesses once in elementary, once in middle school and once in high school would not be able to show student growth. She noted, however, that a system that assesses only three times, can effectively measure growth and improvement in the system. Discussion followed about the merits of the two different approaches to assessments. Mrs. Morris indicated she would prefer not to have state assessments every year and that if districts wanted the depth and breadth of specific information on their students that yearly testing could provide, perhaps they could purchase norm-referenced tests that would be able to do that. However, she added, she would not , as the State Board, want to require it. Dr. Posny pointed out that many districts already test each student every year, because up until the coming testing cycle, the state's assessment model was designed to test the system. Part of the request at the Open Forum had been to have not only yearly assessments, but also pre- and post- tests, because that would be the only way to tell if a student had made progress. She stated that she believed testing from one spring to the next adequately provided for pre- and post-assessments. Asked by Mrs. Morris if the system was approaching a state curriculum, Dr. Posny explained that only about sixty items are assessed in each subject area, while much more is taught. The hope is, she said, that the assessment items are the critical pieces of the standards. An advantage of yearly assessments, she added, was that more indicators can be assessed. When one assessment spanned several grades, it was still limited in the number of items because of length of time required to take the assessments.

Dr. Posny reported that another comment brought up at the Open Forum, was that the assessments only tested what an average student should know. She indicated that was not the case, especially with the grade level tests, which will have easy, average and hard items. She explained that the formative test builder that had been created for schools would enable assessing the level at which a student can actually perform and that a very large number of teachers are already using it. In the discussion that followed, Dr. Posny reported on the alternate and modified assessments. She indicated that Kansas is allowed to give the alternate or modified assessment to 3% of all students assessed which equates to 30% of students with disabilities. She added that 70% to 75% of students with disabilities have mild to moderate disabilities, primarily speech and language and learning disabilities.

Dr. Posny reviewed how assessment questions are developed, checked for quality, reviewed and analyzed and piloted. She explained that students taking the computerized assessment last year had approximately nine piloted questions in each subject area. She acknowledged that there were errors in some of the

piloted items, but explained that the discovery of errors was the reason for the pilot. Dr. Posny added that none of the piloted items were included in students' scores.

Dr. Posny responded to a concern that students had to answer more items correctly each year to be considered proficient. She explained that the cut-scores that had been established in 2000 had not changed, but the targets for the percent of students who are proficient or above change every year. She also pointed out that new cut-scores and targets for AYP will be set in August for the assessments given in the spring of 2006.

Dr. Wagnon asked if the Board could be confident that a student who reaches proficiency is in fact proficient, based on state curriculum standards. Dr. Posny stated providing that confidence was part of the statistical work that is done when cut scores are established. Additionally, the standards writers indicate what they think is important for a student to know and when a student's performance on the assessment meets that expectation, one can confidently say they are proficient. She noted that Kansas is one of the few states with a criterion-referenced assessment that is clearly aligned with the state standards. Commissioner Corkins said it was his understanding that the curriculum standards were based on what the average student was expected to know. Dr. Posny advised him that standards covered the depth and breadth of the subject area and represented the ultimate that the state would like a student to know, whereas the assessments cut-scores were based on what the state considered important for students to know to be proficient in that subject.

Lastly, Dr. Posny handed a draft of the timeline for release of assessment results. Because there had not been time to report all the information Dr. Posny had prepared for presentation to the Board, Mrs. Gamble requested that the discussion of assessments be continued in February.

Mrs. Morris left at 11:44 a.m.

CONSENT AGENDA
Mrs. Rupe moved, with a second by Mr. Bacon that the Board approve the Consent Agenda as presented. The motion carried 9-0, with Mrs. Morris absent.

In the Consent Agenda, the State Board:

- Received the monthly personnel report.

- Approved school construction plans for USD 101, Erie; USD 229, Blue Valley; USD 393, Solomon; USD 464, Tonganoxie; USD 503, Parsons; and USD 512, Shawnee Mission.

- Approved the amendment to the Tri-County Interlocal Cooperation Agreement No. 607.

- Approved the Agreement for Consolidation submitted by USD 221, North Central (Haddam) and USD 222 (Washington), Washington County, which would allow an election to be held on the proposed consolidation.

- Approved the Agreement for Consolidation submitted by USD 104 (White Rock) and USD 278 (Mankato), both in Jewell County, Kansas.

- Issued an Order describing the boundaries of the unified school districts that were changed in 2005 and certified the Order to the appropriate county officials.

- Approved requests for waivers for individuals to serve outside their area of endorsement in districts as follows: *Adaptive Special Education:* Harley Douglas III, USD 321, Kaw Valley; Amy Whittemore, USD 330, Mission Valley; Michael Culp, USD 437, Auburn Washburn; Kip Nichols, Derrick Dizmang, Debra Maxfield, and Charles Dillingham; USD 457, Garden City; Jennifer Windholz, USD 489, Hays; Debra Phares, D0 619, Sumner County Educational Services; and William King, D0 637; Southeast Kansas Special Education Interlocal; *Interrelated:* Jill Bichelmeyer and Jill Hanson, USD 232, De Soto; Julie Pope, USD 368, Paola; Ryan Smith, USD 450, Shawnee Heights; Paula Hoffman, USD 480, Liberal; Anna Lane and Meredith Fewins, D0 603, ANW Special Education Cooperative; Jean Fitch, D0 605, South Central Kansas Special Education Cooperative; and Gera Cochren and Allison Sailors, D0 615, Brown County Kansas Special Education Cooperative; *Journalism:* Carla Kuhn, USD 305, Salina; and *Library Media Specialist:* Catherine Wilcox, USD 470, Arkansas City.

- Accepted the recommendations of the Evaluation Review Committee for "Continuing Accreditation" through March 31, 2010 for Fort Hays State University; "Accreditation with Conditions" through March 1, 2006 for MidAmerica Nazarene University; "Accreditation" through March 31, 2010 for Bethel College; "Accreditation with Conditions" through March 1, 2006 for Tabor College; "New Program Approved with Stipulation" through December 31, 2009 for Tabor College; "New Program Approved with Stipulation" through December 31, 2007 for Sterling College; and "Approved" through December 31, 2011 for Ottawa University.

- Accepted the recommendations of the Licensure Review Committee in cases 2215, 2233, 2236, 2237, 2238, and 2245.

- Approved State Improvement Grant (SIG) LEA Phase II Implementation subgrants for Marais des Cygnes Valley, USD 456, and Osage City, USD 420, in an amount not to exceed $47,000 per LEA.

- Issued an order authorizing USD 239, North Ottawa County, to hold an election on the question of issuing bonds in excess of the district's general bond debt limitation.

Contracts Authorized
The State Board of Education authorized the Commissioner to negotiate and enter into contracts with:

- the Center for Educational Testing and Evaluation at the University of Kansas, in an amount not to exceed $57,280 to fund reliability and standard setting studies to be completed for implementation September 1, 2006, and to assist in setting the qualifying score for the Kansas Performance Assessment.;

- the University of Kansas Research Center in an amount not to exceed $209,909 and Emporia State University Jones Institute in an amount not to exceed $205,070 to provide professional development to special education teachers in the area of scientifically based reading research;

- the High Plains Educational Cooperative in an amount not to exceed $34,677.00 for a member of its staff to provide assistance to KSDE in the writing of the alternate assessments for students with disabilities, to facilitate training provided to the field, and to coordinate the Kansas Alternate Assessment Advisory Committee meetings;

- USD 512 Shawnee Mission for the development of an interactive web-based instructional decision-making application and database, in a contract amount not to exceed $20,700;

- the Southeast Kansas Education Service Center at Greenbush, in an amount not to exceed $25,000, for the inclusion of additional data elements into the Connect Kansas online data collection system and to assist in the development of tools/materials for school districts and communities as part of their substance abuse and violence prevention efforts;

- Via Language for translation of special education documents, including dispute resolution forms, parent involvement surveys, and parent rights documents, from English to Spanish, Russian and German, in a contract amount not to exceed $13,800; and

- the Community Access Network (CAN), in an amount not to exceed $25,000,to (1) supplement the existing on-line system with local/regional program information related to substance abuse and violence prevention for school-age children; (2) increase awareness of the multiple programs/services available to assist districts and communities in promoting prevention efforts among youth; and (3) promote easier access to routinely updated information regarding programs to promote healthy behaviors and improved school achievement among youth in Kansas.

APPROVAL OF BOARD TRAVEL
Mrs. Rupe moved, with a second by Mr. Bacon that the travel requests be approved as amended to reflect the change in the date for the Board's visits to KSSD and KSSB. The motion carried 9-0, with Mrs. Morris absent.

Chairman Abrams announced that Mrs. Welburn was unavailable on the date the Board had established for its goal setting session in February. After discussing the matter, it was suggested that a staff member for a state service center be contacted. Dr. Abrams indicated that he would be in touch with Board members about who was available.

ADJOURNMENT
There being no further business, Chairman Abrams adjourned the meeting at 11:50 p.m.

_____ _____
Steve Abrams, Chairman Penny Plamann, Secretary

Kansas State Board of Education

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Janet Waugh *District 1*	Sue Gamble *District 2*	John W. Bacon *District 3*	Bill Wagnon *District 4*	Connie Morris *District 5*
Kathy Martin *District 6*	Kenneth Willard *District 7*	Carol Rupe *District 8*	Iris Van Meter *District 9*	Steve Abrams *District 10*

2006 Calendar of Meetings
Kansas State Board of Education

The public is invited to speak at the Citizens' Open Forum which takes place the Tuesday of Board meetings at 10:30 a.m. Agendas are available by calling 785-296-3203. They are also posted, along with meeting materials at www.ksde.org under "Board" a week prior to the meeting.

Date	Meeting	Location
January 27	Legislative Conference Call - 4:00 p.m.	Topeka
February 13	Board Planning Retreat	Topeka
February 14-15	Regular Board Meeting	Topeka
February 24	Legislative Conference Call - 4:00 p.m.	Topeka
March 14	Regular Board Meeting	Topeka
March 15	Regular Board Meeting	Topeka
March 31	Legislative Conference Call - 4:00 p.m.	Topeka
April 10	Pre-meeting activities *(if any)*	District 8 – Wichita
April 11-12	Regular Board Meeting	District 8
May 9-10	Regular Board Meeting	Topeka
May 10	Yearly Visit at KSSD & KSSB	Olathe/Kansas City
June 13-14	Regular Board Meeting	Topeka
July 11-12	Regular Board Meeting	Topeka
August 8-9	Regular Board Meeting	Topeka
September 12-13	Regular Board Meeting	Topeka
October 9	Pre-meeting activities *(if any)*	District 10 – South Central KS
October 10-11	Regular Board Meeting	District 10
November 14-15	Regular Board Meeting	Topeka
December 11	New member orientation *(if applicable)*	Topeka
December 12-13	Regular Board Meeting	Topeka
2007		
January 8	New member orientation *(if applicable)*	Topeka
January 9-10	Regular Board Meeting	Topeka

All meetings will be held in the Board Room of the Education Building, 120 SE 10th Avenue, Topeka, KS, unless otherwise noted. Conference calls originate in the Commissioner's Office, Education Building, and are open to the public.