KANSAS STATE BOARD OF EDUCATION
MEETING MINUTES

February 8, 2005

CALL TO ORDER
Chairman Abrams called the meeting to order at 10:00 a.m. on Tuesday, February 8, 2005, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.

ROLL CALL
All members were present:

Steve Abrams	Carol Rupe
John Bacon	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 AGENDA
Chairman Abrams asked for approval of the agenda. ?Mrs. Morris asked that items 14 b., appointments to unclassified positions; 14 h., a contract with the University of Kansas Center for Research Inc., to develop Reading First web based professional development materials; and 14 j., Title II Part B Mathematics and Science Partnership grants, be pulled from the Consent Agenda.? ?Mr. Bacon, with a second by Mr. Willard, moved that the agenda be approved as amended.? The motion carried.

APPROVAL OF THE MINUTES
Chairman Abrams asked for approval of the January minutes.? Mrs. Morris moved, with a second by Mr. Bacon, that the minutes be approved presented.? The motion carried.

COMMISSIONER?S REPORT
As part of his report, Commissioner Tompkins passed out a summary of the discussion at the Board retreat, as well a one-page document with the Board?s Goals and Objectives which were developed at the retreat. He asked the Board for any comments.? Mr. Willard moved, with a second by Mrs. Van Meter, that the Board adopt the Goals and Objectives for 2005-2006.? The motion carried unanimously.?

Commissioner Tompkins also handed out a summary of the President?s proposed budget for education programs and discussed with the Board which programs were proposed for elimination.? He also reminded Board members of the Kansas Exemplary Educators Network (KEEN) conference later in the week.? Commissioner Tompkins called on Assistant Commissioner Posny to provide an update on activities of the Science Standards Writing Committee.? She offered clarification about the process.?

Mrs. Morris stated that regarding the discussion at the retreat about providing Board members with an electronic list of school districts and contact information within their districts, she would prefer to have statewide information.? Mrs. Morris also asked to be informed of all presentations made by KSDE staff in the state.? Mrs. Gamble indicated she was just interested in information regarding her own district. Mrs. Morris asked when information would be available about the annual KSDE conference and expressed concern about the

appropriateness of education associations and unions making presentations at the conference.? Commissioner Tompkins volunteered to review presentations over the past few years and bring a summary to the Board in March.

CITIZENS? OPEN FORUM
Chairman Abrams declared the Citizens' Open Forum open at 10:28 a.m.? Those addressing the Board were: Michelle Markel, Olathe; John Richard Schrock, Emporia; Tad Carlisle, Wamego; Michael Hughes, representing Families United for Public Education, Shawnee; Phyllis Setchlell, representing Concerned Women of America, Shawnee Mission; Dr. John Millam, Overland Park; Harry McDonald, representing Kansas Citizens for Science, Olathe; Janet Johnson, Topeka; Rev. Douglas Phenix, Topeka; John Calvert, Lake Quivira; and Ivy LaGrone, Topeka.?? Chairman Abrams declared the open forum closed at 11:02 a.m.

The Board took a break from 11:02 until 11:12 a.m.

PETITION TO DISORGANIZE USD 301, UTICA
Kansas Department of Education General Counsel, Rod Bieker, asked for the Board?s approval of the request from USD 301, Utica, Ness County to disorganize and transfer its territory.? Mr. Willard moved, with a second by Mrs. Martin, that the Board adopt the Report of the Hearing Officer and approve the Petition to Disorganize USD No. 301 (Utica) Ness County, and transfer its territory to the five adjoining unified school districts as recommended in the Petition.? Mrs. Morris asked for clarification, which Mr. Bieker provided, about the process used by the district in making its decision.? Mrs. Morris stated her concern about the district?s plan for disposition of its equipment and personal property by offering it to the City of Utica for one dollar.? Mrs. Morris moved that the motion be amended to have the equipment and personal property be dispersed to the five adjoining district on a student pro-rata basis.? The motion died for lack of a second. ?Mr. Willard?s motion carried on a vote of 9-1, with Mrs. Morris voting ?no?.

2005 KANSAS TEACHER OF THE YEAR PANEL
2005 Kansas Teacher of the Year, ?Brett Potts, biology teacher at Blue Valley Northwest High School, Blue Valley USD 229, and the seven 2005 Regional Teachers of the Year: ?Joyce Anschutz, first-grade teacher at Jefferson Elementary School, Great Bend USD 428; Marilyn Bolton, foreign language teacher at Buhler High School, Buhler USD 313; ?Alma Cook, first-grade teacher at Lincoln Elementary School, Baxter Springs USD 508; ?Anne Farmer, language arts and forensics teacher at Douglass High School, Douglass USD 396; Jeff Handley, social sciences teacher at Washburn Rural High School, Auburn Washburn USD 437;? Terry Hedge, multi-age grades 3 and 4 teacher at Edwardsville Elementary School, Bonner Springs USD 204; and Gary Wilkerson, kindergarten teacher at Tanglewood Elementary School, Derby USD 260, addressed the Board about issues important to them as classroom teachers.? They also answered questions from the Board.? At the conclusion, they were presented with certificates of recognition and had their pictures taken with Chairman Abrams and Commissioner Tompkins.

The Board recessed for lunch at 12:05 and returned at 1:30 pm.

PUBLIC HEARING ON SCHOOL CONDUCT RULE REGULATION 91-15-1
Chairman Abrams opened the public hearing on proposed amendments to School Conduct Rule Regulation, 91-15-1, at 1:30 p.m.? No one requested to speak to the amendments to the regulations. Chairman Abrams declared the public hearing closed at 1:31 p.m.

PUBLIC HEARING ON EDUCATIONAL EXCELLENCE GRANTS REGULATIONS

91-35-1 THROUGH 91-35-4
Chairman Abrams opened the public hearing on the revocation of Educational Excellence Grants Regulations, 91-35-1 through 91-35-4 at 1:31 p.m.? No one requested to speak to the revocation of the regulations.?? Chairman Abrams declared the public hearing closed at 1:32 p.m.

ACTION ON REGULATIONS
Because there had been no opposition or testimony on the regulation changes being proposed, the Board agreed to amend the agenda and vote on them.

Amendments to School Conduct Rule Regulation, 91-15-1
Dr. Wagnon moved, with a second by Mr. Bacon, that the State Board adopt the amendments to the School Conduct Regulation, 91-15-1.? The motion carried on a roll call vote 10-0 as follows:

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

Revocation of Educational Excellence Grants Regulations 91-35-1 through 91-35-4
Dr. Wagnon moved, with a second by Mr. Bacon, that the State Board revoke the Educational Excellence Grants Regulations 91-35-1 through 91-35-4. The motion carried on a roll call vote 10-0 as follows:

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

WHITE PAPERS ON THE BOARD?S CORE PRINCIPLES OF SYSTEM REDESIGN
Continuing with the white papers which had been commissioned to guide the Board?s future policy agendas and legislative proposals, two white papers were presented addressing core principles of system redesign.? Dr. Steve Wyckoff presented the first of the two on flexibility and adaptability. ?Board members requested a copy of Dr. Wyckoff?s PowerPoint presentation.? ?Dr. Bev Nichols, who? wrote ?the second paper which was on data, was unable to be present and Assistant Commissioner Posny presented it for her.? Dr. Posny facilitated the discussion of issues raised by the presentations and recorded Board members? responses for future discussion.? As a follow-up to an issue raised in the discussion, Dr. Posny was asked to provide Mrs. Morris with samples of instruments that measure creativity.? Dr. Wagnon asked staff to come up with a work plan based on the recommendations made in each white paper.

The Board took a break from 2:50 until 3:04 p.m.

LEGISLATIVE MATTERS
FY 2005 and FY 2006 Budget
Deputy Commissioner Dennis handed out a summary and reviewed the Senate Ways and Means subcommittee?s recommendations for the FY 2006 KSDE budget.? Mr. Dennis handed out a chart of federal education budget

recommendations and a written summary of highlights.? Updating the Board on the status of the FY 2006 budgets for the Kansas State School for the Deaf and the Kansas State School for the Blind, he handed out summaries from each school on the items they would be appealing.? In both cases, reductions in salaries were the issues that would be addressed.?

Mr. Dennis also reviewed the Senate Education Committee?s proposed 3-year school finance plan and proposed Framework for K-12 Finance and Reform, developed to address the issues raised in the recent Supreme Court decision on school finance and answered Board members? questions.? Mrs. Morris asked for the Governor?s complete budget proposal for the State of Kansas.? Mr. Dennis also reviewed state general fund receipts and projections.

Update on Education Legislation
Chairman Abrams brought up the issue of school district staff who had been called to active duty and whose families were experiencing a financial hardship as a result.?? He indicated he would like to add a request to the Board?s legislative package for the legislature to address the problem.? Mrs. Gamble moved, with a second by Mrs. Martin, the Board add to its legislative package a request for introduction of a bill that would help school district personnel who, when called up for active duty, suffer a loss of income, by making up the difference with state funds.? The motion carried 10-0.

Chairman Abrams asked about a bill that had been introduced that would eliminate candy and soda machines from schools and would have the State Board establish nutritional standards for schools.? He asked if it would be appropriate to write a letter to the legislature informing its members that the State Board has health and physical education standards which will come up for review in the summer.? Several Board members expressed concern over the bill.? Mrs. Rupe noted that lack of physical activity was the main problem with childhood obesity, not just empty calories.? The idea that the issue should be dealt with locally was also mentioned.? Mr. Dennis asked Jodi Mackey, Director of Child Nutrition and Wellness, to update the Board on activities currently underway in the Department.? She shared information about wellness policies passed by Congress and plans by the Department to develop a prototype policy that would lay out options to help districts make
their schools healthier.? She indicated that preliminary discussions with the Sunflower Foundation could possibly result in funding to support training, as well as small implementation grants.? Asked if Mr. Willard and Mrs. Martin should inform the legislature when the issue comes up, Mrs. Mackey indicated that the Senate Committee had been made aware of the Department?s current activities.

DISCUSSION REGARDING SUITABLE EDUCATION
Information had been provided to the Board about statutory and regulatory requirements for a suitable education in Kansas, as well as a list of the items from the Augenblick and Myers study which were not already covered in statute or regulation.? Discussion of the topic had been planned in anticipation of it becoming an issue in the legislature as a result of the State Supreme Court decision on school finance.? Dr. Tompkins and Mr. Dennis indicated it wasn?t currently a hot issue with the legislature.? Responding to a question from Mrs. Gamble, Mr. Dennis indicated the legislative committees had the QPA regulations that went into effect this year.? Dr. Wagnon asked if there was an effort to convert elements of a suitable education into actual costs.? Mr. Willard and Chairman Abrams indicated that it appeared that the oversight committee, the 2010 Commission, included in the Senate?s Framework for K-12 Finance Reform, would be formed this year and would be charged with studying

current and future needs and recommend adjustments as needed in coming years.? Mr. Willard mentioned that the Kansas House of Representative?s plan was due out in the coming week.

DISCUSSION OF ASPECTS OF FINANCIAL ACCOUNTABILITY
Deputy Commissioner Dennis reviewed the many ways school district financial information is available on the KSDE website.? Mr. Dennis was asked to add to the KSDE website, a method for comparing financial information for school districts randomly selected by a user.? Chairman Abrams had provided a proposed

form that school districts could use to report building level budgets.? Several Board members felt it could be helpful for local boards to have costs per building, though it was pointed out that information would only be valuable if it was accurate.? Mr. Willard noted that a standardized report form could solve problems with inaccuracies.? Mr. Dennis mention two possible obstacles to having building level budgets. One would be developing a condensed format.? The other would be getting the legislature to enact legislation requiring it.? Mr. Dennis mentioned it would also pose problems for accurately reporting costs associated with special education cooperatives.

CONSENT AGENDA
Mrs. Morris indicated she had received answers to her questions. She also suggested that new staff being appointed be introduced to the Board.? Dr. Wagnon moved, with a second by Mr. Bacon, that the consent agenda be approved as presented.? The motion carried.

In the consent agenda, the State Board:

? Received the monthly personnel report.

? Confirmed the appointments of the following individuals: Connie Manzo to the position of Education Program Consultant on the Planning and Research team, effective January 16, 2005 at an annual salary of $45,635; Aimee D. Grubb-Portillo to the position of Administrative Assistant on the Computer Information and Communications Services team, effective January 16, 2005 at an annual salary of $19,427; and Howard Shuler to the position of Project Director, The Wallace Foundation Grant in the Office of the Commissioner, effective January 16, 2005 at an annual salary of $48,922.

? Approved school construction plans for Ft. Leavenworth Schools, USD 207; St. Michael the Archangel, Leawood; Columbus, USD 493; and St. Cecilia Catholic School, Haysville.

? Approved requests for waivers for individuals to serve outside their area of endorsement in districts as follows: *Adaptive Special Education:* Jill Hanson, USD 232, DeSoto; Joe Serna, USD 290, Ottawa; Lesa Whetstone (Peitz), USD 457, Garden City; Sally Hoffsommer-Brecheisen, D0? 614, East Central Kansas Cooperative; and Sondra Mae Chauza and Allison Sailors, D0 615, Brown County Kansas Special Education? Interlocal; *Early Childhood Special Education:* Angela Feuerborn, USD 253, Emporia; Robyn A. Butler, USD 259, Wichita; Heather Durler, USD 457, Garden City; and Christin Marie Cox, USD 490, Butler County Special Education Cooperataive; *Functional Special Education:* ?Donald McFarland, D0 618, ?Sedgwick County Cooperative Interlocal; *Gifted:* Traci Romero, USD 457, Garden City; *Middle-Level Science:* Moriah Ruhnke, USD 470 Arkansas City; and *Technology Education:* Dustin McGuire, USD 389, Eureka.

? Approved accredited status for USD 286 Sedan High School; USD 475 Ware Elementary and Fort Riley Middle; St. Joseph Elementary (Conway Springs) and Trinity Catholic High (Hutchinson).

? Approved the waiver of K.A.R. 91-31-24 for St. Patrick Catholic School, Bldg # 3744, Kingman, to allow it to waive conducting its second cycle accreditation visit and maintain its "accredited" status as it enters the revised QPA system on July 1, 2005.

? Issued an FY 2005 license to commercial driver training school Horizon's Driving Academy, Salina, KS, from February 9, 2005 through December 31, 2005.

? Approved the continuation of the Title II Part B Mathematics and Science Partnership Grants to USD 253 Emporia, $99,986; USD 259 Wichita, $100,000; USD 409 Atchison, $99,456; USD 470 Arkansas City, $82,000; USD 501 Topeka, $100,000; Midwest Associated Colleges Consortium, $97,000; and Kansas State University, $99,994.

? Approved Individuals with Disabilities Education Act (IDEA) State Improvement Grant LEA Phase I Planning subgrants in an amount of $8,500 each to Valley Falls USD 338; Osage City USD 420; Marais Des Cygnes Valley USD 456; Liberal USD 480; Fredonia USD 484; and Elwood USD 486.

? Approved requests from USD 249, Frontenac, USD 446, Independence, and USD 469, Lansing, granting them authority to hold elections on the question of issuing bonds in excess of the districts? general bond debt limitation.

Contracts Approved
Authorized the Commissioner of Education to negotiate and:

? ?continue a contract with the University of Kansas Center for Research Inc., to develop Reading First web based professional development materials, with the contract amount not to exceed $78,510;

? continue a contract with Research & Training Associates, INC. (RTA) to conduct the second year evaluation of the Reading First Program with the contract amount not to exceed $96,984 annually; and

? enter into a contract with the Kansas Department of Health and Environment (KDHE) for the purpose of completing on-site health inspections of Summer Food Service Program (SFSP) meal preparation and service sites at the rate of $100 per inspection, not to exceed $13,300.

EXECUTIVE SESSION
Dr. Wagnon moved, with a second by Mr. Willard, that the Board recess into Executive Session for a period of 20 minutes for the purpose of discussing personnel matters of nonelected personnel so the privacy, confidentiality and other rights of such personnel are not violated, and that the open meeting of the Board resume in the Board room at 4:55 p.m.? The motion carried.? The open meeting resumed at 4:55 p.m.

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

??
Steve Abrams, Chairman?? Penny Plamann, Secretary

KANSAS STATE BOARD OF EDUCATION
MEETING MINUTES

February 9, 2005

CALL TO ORDER
Chairman Abrams called the meeting to order at 9:00 a.m. on Wednesday, February 9, 2005, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.?

ROLL CALL
Members present were:

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

Dr. Wagnon arrived later.

APPROVAL OF THE AGENDA
Chairman Abrams noted the need to add an executive session and suggested that it be added as replacement item 5 at 9:30 a.m., since action on regulations, noted as item 5 on the agenda, had taken place the previous day.? Mr. Willard moved, with a second by Mr. Bacon, that the Board approve the agenda as amended.? The motion carried 9-0, with Dr. Wagnon absent.

BOARD REPORTS
Board Chairman
Chairman Abrams, concerning nominations from state boards for NASBE offices for 2006, deferred to Mr. Willard, currently serving on the NASBE Board of Directors representing the Central Area.? Mr. Willard reported that he was currently filling one year of a two-year term which would be up in December.? He indicated that if the Board so desired, he would be willing to be nominated for a two-year term.? Mr. Willard spoke about the important opportunity NASBE provides to state boards of education, allowing them to work together on important educational issues at the national level, by communicating with lawmakers and federal policy makers.?? Mr. Willard was asked if he would recommend anyone else for any of the open positions and he suggested Bradley

Bryant from Georgia, for the position of President-elect.? Mr. Bryant was currently serving as a Southern Area Director.? Mrs. Martin moved, with a second by Mr. Bacon, that the State Board nominate Mr. Willard for NASBE Central Area Director by unanimous acclamation.? The motion carried 9-0, with Dr. Wagnon absent.? Mr. Willard moved, with a second by Mr. Bacon, that the State Board nominate Bradley Bryant for the President-elect of NASBE.? The motion carried 9-0.

Chairman Abrams asked for volunteers to attend graduations ceremonies at the Kansas State School for the Deaf (KSSD) and the Kansas State School for the Blind (KSSB).? Mrs. Martin and Mrs. Van Meter volunteered.? Mr. Bacon moved, with a second by Mr. Willard, that the Board designate Mrs. Martin to attend graduation ceremonies at KSSD and Mrs. Van Meter to attend graduation ceremonies at KSSB.? The motion carried 9-0.

Letter on Administrative Reorganization
Chairman Abrams reported on a meeting with legislative leadership.? He said there was a move in the legislature to consolidate districts and he would like the Board?s permission to go on record against forced consolidation if schools were still meeting the educational needs of their students, but would support local districts? decisions regarding administrative reorganization.? Mr. Willard moved, with a second by Mr. Bacon, that the Board allow Chairman Abrams to send a letter to legislative leadership regarding the Board?s position on administrative reorganization.? Mrs. Gamble stated that opposing consolidation would go against the Board?s best interests and she would be a opposed to the Board developing a consolidation plan, when responsibility for decisions regarding school consolidation belong with the legislature.? Mr. Willard suggested that if the discussion were to occur in the legislature, the Board should be part of it and make recommendations based on its experience with districts.

Dr. Wagnon arrived at 9:13 a.m.

In the discussion that followed, several Board members offered suggestions about what a letter on the issue should contain.? It was decided that a draft would be brought to the Board for its review later in the morning and the motion was temporarily tabled.

Legislative Coordinator
Mr. Willard mentioned that the issue of administrative reorganization was being discussed and that he would like to see the Board send a letter.? He also indicated that a House school finance plan was scheduled to be introduced the following week.?

Board Attorney?s Report
Mr. Biles indicated that he had made several presentations on the school finance case to legislative committees.? He noted that in April, the Board will be asked what its position is.? ?Mr. Bacon moved, with a second by Mrs. Morris, that the Board pay Mr. Biles? fees for services and expenses for January as presented.? The motion carried.

Other Board Member Reports
Mrs. Morris thanked the Board for the memorial donation it had made when her father-in-law died.? She brought a quilt that was an example of those that are distributed to the homeless through the organization the donation went to.?? Mrs. Gamble indicated that she had been invited to attend a seminar on educational governance in the global age.? If the Board had no objections, she said she would like to attend.? No objections were voiced.

Future Agenda Items

It was requested that the goals and objectives developed by the board at its retreat be used as a framework for developing future Board agendas.

Other
Commissioner Tompkins handed out a letter notifying the Board of his retirement in June.? He thanked Board members for their kindnesses, encouragement and support over the last nine years.? Dr. Wagnon moved, with a second by Mr. Willard, that the Board accept the Commissioner?s plans for retirement with profound and deeply-felt regret.? The motion carried 7-3, with Mrs. Gamble, Mrs. Rupe, and Mrs. Waugh voting ?no?.

The Board took a break from 9:45 to 9:55 a.m.

Page 3
MINUTES
February 9, 2005

EXECUTIVE SESSION
Mr. Bacon moved, with a second by Mr. Willard, that the Board recess into Executive Session for a period of 15 minutes for the purpose of discussing personnel matters of nonelected personnel so the privacy, confidentiality and other rights of such personnel not be violated, and that the open meeting of the Board resume in the Board room at 10:10 a.m.? The motion carried.? The open meeting resumed at 10:10 a.m.

NEW COMMISSIONER SEARCH
Dr. Wagnon moved, with a second by Mr. Bacon, that the Policy Committee meet with the Department Director of Personnel and work on a timeline for the search to replace the Commissioner.? The motion carried 10-0.

Letter on Administrative Reorganization
Chairman Abrams passed out a draft of a letter on administrative reorganization and asked the Board?s permission to send it to legislative leadership.? Several changes were requested in the letter to which Chairman Abrams agreed.? The motion carried 7-3, with Mrs. Gamble, Mrs. Rupe and Mrs. Waugh voting ?no?.

RESOLUTION FORMING A BOARD SCIENCE HEARING COMMITTEE
Chairman Abrams circulated copies of a resolution regarding the science curriculum standards.? If the resolution were adopted, the Department would be directed to post the minority report, a report written by Dr. William Harris and signed by seven members of the science standards writing committee, as well as the science standards proposed by the science standards writing committee.? The Department would also be directed to establish an interactive area on its website to collect public comments on the science writing committee?s draft of the standards and the minority report.? Additionally, a Board science hearing subcommittee would be formed which would conduct hearings to investigate the merits of the two opposing views, with experts representing both sides invited to make presentations.? A full copy of the resolution is attached to these minutes.? ?Mrs. Waugh asked who had drafted the resolution.? Chairman Abrams indicated he had.? Dr. Wagnon moved, with a second by Mrs. Waugh, that the Board recess for ten minutes.? The motion failed on a vote of 4-6, with Chairman Abrams, Mr. Bacon, Mrs. Martin, Mrs. Morris, Mrs. Van Meter and Mr. Willard voting ?no?.?

In discussing the resolution, several issues were raised.? Mrs. Waugh asked what the rationale behind the resolution was.? Chairman Abrams referred her to the first paragraph where it stated there was significant difference of opinion among members of the science writing committee.? Because of the disagreement, it was felt there was a need to hear scientific testimony on the areas of controversy, instead of public comment.? Mrs. Gamble asked what part John Calvert had played in development of the resolution.? Chairman Abrams said that Mr.

Calvert had suggested it and that he agreed with Mr. Calvert that there should be hearings.?

Additionally, two issues regarding policy came up.? Mrs. Rupe stated the Board should follow the policy it had established for development and revision of curriculum standards regardless of any controversy within the committee.? Mrs. Rupe expressed objection to deciding science standards based on a popular vote, the potential for which existed by having public comments made on the Board website. The manner in which the science standards subcommittee was created in 1999 was raised and Mrs. Waugh expressed doubts about Board members now, as then, having the expertise to determine what good science is.? She agreed that the Board should follow its practice for the development of standards through the committees of experts it appoints.? Dr. Wagnon indicated he needed more time to reflect on what was being proposed

in the resolution.? He remarked that he felt it was an extraordinary departure from Board practice to act without time to reflect on such an important issue.? Dr. Wagnon stated he felt it went against Board policy to develop a Board subcommittee for the purpose proposed.? He also objected to drawing on the resources of the Department to fund the proposed hearings at a time when it was fiscally inappropriate.? Additionally, Mrs. Gamble questioned how the Board would be able to get volunteers to serve on its committees, when the Board called their work into question and decided to set up a separate and competing hearing process.? Mrs. Morris indicated that Board policy didn?t prohibit the creation of the subcommittee.?

Another issue raised in the discussion was how to deal with responses from other experts regarding the minority report, or other concerns about the proposed standards.? Mrs. Gamble stated she had gone to one of the books which was cited as a source of many of the examples in the minority report.? She reported that because she had found many of the examples used in the report to be inaccurate she had sent the report to the author who was being referenced for him to critique.? She reported he responded that the report was full of misrepresentations and misstatements.? Mrs. Gamble indicated she could not be a party to putting out information on the Department website that was inaccurate and untrue because it would compromise the Board?s integrity.? She requested that if the Harris report were to be put on the website, the information refuting it which pointed out its inaccuracies also be posted.? She asked if other concerns, such as those would be added to the website as well.? Dr. Abrams responded that it would be good for the Harris report and others to be put up for discussion.? Mrs. Gamble also stated that the twenty-six member science standards committee had addressed the objections raised in the minority report and the majority had agreed that the report had no merit.? She also mentioned that the minority report had been peer reviewed and had been debunked.? Asked how other opinions should be submitted, Dr. Abrams indicated they should be sent to the Commissioner.? Dr. Wagnon also expressed concern about elevating one set of reservations about the majority report above others and asked if all concerns would be included.?

Mrs. Waugh suggested that the Harris report be sent for external review along with the science standards writing committee?s draft and have the external reviewers tell the Board what they thought of the report.? Mrs. Morris asked if the hearings would replace the external review, stating that she liked the resolution because it embraced both sides of the issue and would bring it to an elevated level of intelligence and responsibility.? She would like the hearings done in a more professional manner with give and take between the people who speak.?

In discussion in support of the resolution, the need for the Board to hear from experts was emphasized.? Chairman Abrams stated that the hearings would be open to the public but would be discussions between experts.?? He added that the hearings were not directed at any members of the science standards committee and were not meant in any

manner to be disrespectful of its work.? Mrs. Martin praised the work of the science standards writing committee, but added that she wanted to hear from scientists in the field and have them, in a qualitative discussion, address each others arguments.? Mr. Willard stated that the hearing would make it clear what the issues are and would show that removing evolution from the standards is not the issue.? He stated he felt it was important to hear from the experts and to get the issues out into the open, including the fact that the Board is not trying to get evolution out of the standards.? He added he felt it would be helpful to the Board, the public and the press.?? Mr. Bacon stated he thought that the experts will want to come and present their case.?

Mrs. Gamble expressed her reservations that the hearings would resolve the issues. She stated she was fearful that the innocuous additions of a few words would redefining science and would not be fair to Kansas students.?

Mr. Bacon moved, with a second by Mrs. Van Meter, that the Board adopt the Resolution Regarding the Science Curriculum Standards, with Dr. Abrams serving as Chair, Mrs. Martin as Vice Chair, and the third position being offered to Mrs. Rupe, who declined.? It was also offered to Mrs. Gamble, Mrs. Waugh and Dr. Waugh, all of whom declined.? Mrs. Morris agreed to serve as the third member.? The motion carried 6-4, with Mrs. Gamble, Mrs. Rupe, Dr. Wagnon and Mrs. Waugh voting ?no?.

CONTRACT FOR EXTERNAL REVIEW OF THE REVISED SCIENCE STANDARDS

Mrs. Van Meter moved, with a second by Mr. Bacon, that action on the contract for the external review of the revised Kansas science standards be tabled and that the external review be postponed until a later date.
In response to Mrs. Gamble?s question about requesting that a specific organization, such as the Fordham Foundation, be asked to review the standards, it was noted that the Fordham Foundation usually reviews state curriculum standards anyway.?? The motion carried 6-4, with Mrs. Gamble, Mrs. Rupe, Dr. Wagnon and Mrs. Waugh voting ?no?.

Mrs. Rupe asked if the postponement of the external review would delay the next draft of the standards.? Chairman Abrams indicated it would but that it would be done as expeditiously as possible.

The Board took a break from 11:10 to 11:15 a.m.? Dr. Wagnon left because of a previous commitment.

DISCUSSION OF SCIENCE HEARINGS

Mrs. Waugh mentioned that the co-chairs of the science standards writing committee would like some direction on how to proceed with the committee?s hearings on the committee?s draft of the standards.? Dr. Steven Case said the committee would like public input on the whole body of the standards, not just the hot-button issues, and that much of the comment at the hearings had been directed to those issues.? Carol Williamson added that it would be helpful for the Board to provide some language to differentiate between the two sets of hearings.? Chairman Abrams said that the Board hearings would be a scientific discussion and would not include comments from the public.? It was asked if the science standards writing committee should refer comments dealing with the controversial issues to the Board subcommittee.? Chairman Abrams replied that he would want the committee to run the public hearings as they wished and that the website could handle the overflow of comments.? Mrs. Morris added that the committee?s hearing were for the public to comment and the Board hearings would be for the experts.? This was echoed by Mrs. Martin who added that the website would also allow the public to have a voice.

DISCUSSION OF STATE ASSESSMENTS
Dr. John Poggio, from the Center for Educational Testing and Evaluation (CETE), discussed assessment issues with the Board, including an update on the development and implementation of the 2005-2006 assessments.

Mr. Willard left at 12:04 p.m.

Because the meeting was running late the discussion of the NASBE report on athletics and achievement was postponed until a later date.

Page 6
MINUTES
February 9, 2005

APPROVAL OF BOARD TRAVEL
Dr. Abrams asked to have the science standards hearing in Topeka on February 23rd added to his travel requests.? Mrs. Gamble, Mrs. Morris and Mrs. Waugh asked to have it added to theirs as well. Mr. Bacon moved, with a second by Mrs. Van Meter, that the Board travel requests be approved as amended.? The motion carried 8-0, with Dr. Wagnon and Mr. Willard absent.

ADJOURNMENT
There being no further business, Chairman Abrams adjourned the meeting at 12:09 p.m.?

_____??
_____
Steve Abrams, Chairman?? Penny Plamann, Secretary

RESOLUTION REGARDING THE SCIENCE CURRICULUM STANDARDS

WHEREAS, there seems to be significant disagreement within the Science Curriculum Writing Committee regarding revisions to the proposed science curriculum standards about issues that seem to be of legal and scientific substance, particularly with respect to the issue of the definition of science and the issue of origins and evolution;

WHEREAS, the controversy appears to mirror a controversy within the legal and scientific communities about these issues;

WHEREAS, the disagreement is reflected in proposed changes to the Science Curriculum Standards reflected in proposals offered by a significant minority of the Science Curriculum Writing committee, presented by Harris, et al, which is hereinafter referred to as the Minority Report;

WHEREAS, it is believed that there is a significant need for public education to be responsive to the needs of its patrons;

WHEREAS, it would be helpful to the Board?s decision to gather additional information regarding the controversy from the public and also from scientific experts on both sides of the issue,

NOW THEREFORE,

BE IT RESOLVED, that the Kansas Dept of Education is hereby directed to post not later than February 10, 2005, a copy of the Minority Report along with the current draft of the Science Writing Committee on the Department?s web site, in an area that is easily accessible by the public;

BE IT FURTHER RESOLVED, that the Kansas Dept of Education is hereby directed to post not later than February 17, 2005 on its web site a facility or web page that will effectively collect comments from the public regarding the various proposed changes to the Science Curriculum Standards , either contained within the Science Curriculum Standards Draft or contained within the Minority Report, which facility will gather (a) the specific comments about any aspect of the proposed Science Curriculum Standards, and (b) the name, email address, city and state of respondent.?

BE IT FURTHER RESOLVED, that the Kansas Dept of Education will make the raw data available to the members of the Board, and will deliver to the KSBE a report that will organize the data into categories of; (a) how many respondents were within Kansas; (b) the number of respondents that generally supported and generally opposed the various areas of input;

BE IT FURTHER RESOLVED, that a State Board Science Hearing Committee of the KSBE is hereby established to conduct hearings focused on the areas of disagreement outlined by the majority and minority positions of the Science Writing Committee, consisting of Steve Abrams, as Chair,? Kathy Martin, as Vice-Chair, and Connie Morris, with such committee hereinafter referred to as the Science Hearing Committee.

BE IT FURTHER RESOLVED, that actions of the Science Hearing Committee shall be effected by a majority vote of its members at a duly called meeting with a quorum present,

BE IT FURTHER RESOLVED, that the Science Hearing Committee shall have the authority to conduct hearings to investigate the merits of the two opposing views offered by the Kansas Science Curriculum Writing Committee at such places and times as it deems appropriate in accordance with such rules and procedures at it may from time to time establish;

BE IT FURTHER RESOLVED, that the Science Hearing Committee is authorized to incur expenses for the reasonable travel expenses for witnesses that are called by the Science Hearing? Committee to testify at the hearing, for the expenses of providing adequate facilities for its hearings, and for the services of a court reporter to record the proceedings of its hearings, with the funds for such expenses to be drawn from the general operating funds of the Kansas Department of Education;

BE IT FURTHER RESOLVED, that the Commissioner of Education will provide, through the Kansas Department of Education, such support services and aid as the Science Hearing Committee may request; and

BE IT FURTHER RESOLVED, that at the conclusion of its deliberations, the Science Hearing Committee will prepare a report to the Board of its findings and conclusions and present such report to the Board not later than June 15, 2005.