

**KANSAS STATE BOARD OF EDUCATION
MEETING MINUTES**

December 14, 2004

CALL TO ORDER

Chairman Waugh called the meeting to order at 10:01 a.m. on Tuesday, December 14, 2004, 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	Iris Van Meter
John Bacon	Bill Wagnon
Sue Gamble	Janet Waugh
Connie Morris	Ken Willard
Carol Rupe	Bruce Wyatt

The Board stood for recitation of the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Chairman Waugh asked that item 12, the discussion of the school finance lawsuit, be dropped because a decision had not yet been issued by the Kansas Supreme Court.? Mrs. Gamble moved, with a second by Mr. Willard, that the agenda be approved as amended.? The motion carried.

APPROVAL OF THE MINUTES

Dr. Wagnon moved, with a second by Mr. Wyatt, that the minutes of the November meeting be approved as presented.? The motion carried.

COMMISSIONER'S REPORT

Commissioner Tompkins handed out a progress report on the Board's strategic goals which included a comparison of assessment results for 2001-2004.? He also polled Board members on dates for the Board retreat.? It was agreed that the retreat would be held February 4th and 5th at ESSDACK in Hutchinson and would begin at 4 p.m. on Friday and end at 2 p.m. on Saturday.? It was also decided that Brenda Wellburn, NASBE Executive Director, would be contacted to check on her availability to facilitate.

KANSAS ASSOCIATION OF SECONDARY SCHOOL PRINCIPALS (KASSP) UPDATE

Gene Haydock, principal at Halstead High School and executive director of KASSP,? accompanied by Andy Metsker, Principal of Pleasant Ridge High School, Easton, updated the Board on a \$25,000 grant from the Gates Foundation the association had recently received? to host a state conference on a high school reform proposal developed at the national level entitled Breaking Ranks II. ?He handed out and reviewed a synopsis of activity and goals, as well as a copy of Breaking Ranks II, which contains thirty-one recommendations related to school reform.? Mr. Haydock explained that schools have been invited to form teams to develop improvement plans to implement the reform recommendations.? Training has been provided to develop six trainers who will train principals as part of the April 11th conference.? Mr. Metsker noted that many of the high school reform goals match the Board's goals.

CITIZENS' OPEN FORUM

Chairman Waugh declared the Citizens' Open Forum open at 10:30 a.m. Those addressing the Board were: Harry McDonald, Olathe; John van Koppel, Leawood; Dorothy Shoup, Scranton; Greg Lassey, Caney; Ben Whiteside and Bob Albers, both from Towanda, representing Circle USD 375; John Richard Schrock, Emporia; John Calvert, Lake Quivira; Kirk Fast, Ozawkie; Dr. James Owen, Topeka,

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representing Auburn-Washburn USD 437; Jim Markos, Augusta, representing USD 402; Chuck Korte, Augusta, representing Northridge Developers; and David Alfaro, Augusta, representing the City of Augusta. Chairman Waugh declared the citizens' forum closed at 11:08 a.m.

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The Board took a break from 11:08 to 11:16 a.m.

2004 MILKEN FAMILY FOUNDATION NATIONAL EDUCATOR AWARD WINNERS

Victoria Vicki N. Seeger, a third-grade teacher at Pleasant Hill Elementary School, Seaman USD 345, and Jaime Jim Armend•z, Principal at Ogden Elementary School in Ogden, Manhattan-Ogden USD 383, recently were recognized by the Milken Family Foundation as outstanding educators. They addressed the Board about how they address the challenges they face in helping students achieve high academic standards. At the conclusion of their remarks they were presented with certificates of recognition and had their photographs taken with the Chairman and the Commissioner.

PETITION TO TRANSFER TERRITORY

Kansas Department of Education attorney, Kevin Ireland, reviewed the petition by USD 402, Augusta, to transfer territory from USD 375, Circle, as well as restating his recommendation as the hearing officer. He noted that, after the Board had originally been presented with the petition in June, the districts had had two mediation sessions, but had been unable to reach an agreement on the transfer request. Asked by Mr. Wyatt if his recommendation to deny the request was in line with State Board policies, Mr. Ireland stated, it was his opinion that it was. Mr. Wyatt moved, with a second by Mrs. Gamble, that the Board adopt the report of the hearing officer and deny the petition to transfer territory from USD 375 to USD 402. A discussion followed about possible solutions that had been discussed during the mediation. Mr. Ireland stated that the proceedings from the mediation sessions were confidential. The motion carried on a vote of 10-0. Several Board members expressed frustration with the position the Board was put in requiring them to make a decision in cases where districts could not come to a satisfactory agreement. Dr. Abrams requested that the Chairman direct the Policy Committee to review the Board guidelines to determine if there are other options the Board might follow in dealing with land transfer requests. Chairman Waugh directed the Policy Committee as requested.

The Board recessed for lunch at 12:06 and returned at 1:36 p.m.

CURRICULUM STANDARDS

History/Government Standards

Assistant Commissioner Posny introduced Maureen Donegan, Curriculum Coordinator, Olathe Public Schools, a member of the History/Government standards writing committee, who was present to answer any questions about the committee's responses to Board member suggestions received since the November meeting. Mrs. Gamble moved, with a second by Dr. Wagnon, that the State Board approve the History/Government standards with the changes recommended by the committee in response to Board members' questions. Mr. Wyatt stated he could not support the changes and would vote against the motion. Mr. Willard thanked the committee for its willingness to make changes requested by Board members. Mrs. Gamble commended the committee for responding to Board members' concerns without losing the focus of the standards, noting that the changes would not affect the standards, themselves, but only the teaching examples. Dr. Abrams and Mrs. Morris also thanked the committee for their willingness to work with them. The motion carried 9-1, with Mr. Wyatt voting no.

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Writing Standard

Mrs. Gamble moved, with a second by Mr. Willard, that the State Board approve the Writing Standard as presented. The motion carried 10-0.

Science Standards

Steve Case and Carol Williamson, Co-chairs of the Science Standards writing committee presented a progress report on the committee's activities, including a review of the revision process; the timeline the committee had followed; the working guidelines of the committee; reasons for the revision of the standards; and a review of changes incorporated into Draft One that had been mailed to the Board. Those changes covered standardizing the format in line with other Kansas curriculum standards; improved coverage of earth science; a decrease in the amount covered in life science; the addition of teacher notes; additional specificity in the indicators; and revision of the introduction to reflect the changes. They indicated there were very few proposed changes in the standards and benchmarks and little change in the content of the indicators. They shared some examples of changes in the language of the indicators to bring clarity to what will be measured. The number one issue discussed by the committee in the development of Draft One, they noted, was assessment of the standards and the concern that the assessments were driving instruction and limiting the curriculum. Other Draft One issues concerned program assessment vs. assessment of individual student results; match of grade span to assessment; and end-of-opportunity-to-learn assessments for senior high.

Considerations as the committee develops Draft Two would include labeling of document pages by single grade, correcting writing errors and errors in content, clarifying statements based on input from the field review and public hearings, vertical alignment of the standards, and areas of continued committee discussion. Those areas of continued committee discussion were outlined. Dr. Case indicated that they were comprised of issues upon which the committee had not reached consensus and included, among other issues, evolution, procedures for scientific investigations and the testing of scientific hypotheses, and the history and nature of science. Once the concerns, comments and revisions were incorporated, Draft Two would be submitted for an external review. Dr. Case and Mrs. Williamson also reviewed responses from the field.

Several Board members brought up a letter that had been mailed to the Board and to members of the science writing committee from several members of the committee who were suggesting revisions which they felt reflected a significant and substantive viewpoint that should be considered by the Board and the public during the public comment period in January.? Asked why the proposals had not been considered by the writing committee in the development of Draft One, Dr. Case and Ms. Williamson reviewed the process that had been followed and explained that the individuals had had an opportunity to have their concerns addressed but had not done so within the timeframe established.? They further indicated that those proposals were some of the areas of discussion they had reported would be addressed in the development of Draft Two.??? Mr. Bacon asked if there were minutes of the committee meetings that included any motions made and the votes on them.? Ms. Williamson indicated that she had prepared meeting summaries.?? Mr. Bacon asked that they be made available to the Board.? He also indicated that he felt it was important that the concerns of the minority be included in the draft brought to the public hearings.? Mr. Willard concurred.? Dr. Wagon commended the committee on its work and reviewed for clarity how the second draft would be developed.? He indicated that he felt it would be appropriate for the Board to see the draft made available to the external reviewers as it would allow the Board? to see what accommodations had been made.? Mrs. Gamble noted that because it had been stated that the committee?s procedure was to reach consensus on items contained in the standards and lacking that, required a two-

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thirds majority, or 14 votes, it appeared the minority would not have the opportunity to have its concerns incorporated into any draft of the standards.? She also noted that it appeared that some of the information presented in the minority letter had been mis-cited.? She asked if it would be possible to have any minority proposals reviewed when the external reviewers looked at Draft Two of the standards.

Mr. Bacon also indicated that he would like to see the glossary reinstated in the document.? He asked if dropping it had been voted on by the committee.? Dr. Case reported that it had not been voted on but had been discussed and that a consensus to include the glossary terms in the teachers notes had been reached in the discussion.? Other issues discussed were the definition of a theory and how a theory was developed; the depth and breadth of the standards; why student level data was not available from science assessment results; what the committee would recommend for senior high assessments; and comments from the field that certain indicators may or may not be developmentally appropriate.? Mrs. Morris expressed her frustration with the timeline and indicated she would like adequate time to review the standards and to have them reviewed by others that certain Board members consider experts.

Dr. Posny concluded the presentation by bringing the Board up to date on the status of the request for proposals for an external review of the standards.

CONSENT AGENDA

Mrs. Gamble moved, with a second by Dr. Wagon, 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 Felicia Wilcox to the position of Senior Administrative Assistant in the Community Services Office, State and Federal Programs team, effective October 31, 2004 at an annual salary of \$21,445; Karen Seals to the position of Education Program Consultant in the Planning and Research team, effective November 16, 2004 at an annual salary of \$45,635; and James Swan to the position of Programmer III in the Computer Information and Communications Services team, effective November 29, 2004 at an annual salary of \$44,554.

? Approved school construction plans for Our Lady of Guadalupe Catholic School, Topeka; USD 261, Haysville; USD 233, Olathe; USD 321, Kaw Valley Schools; USD 353, Wellington; USD 465, Winfield (2); and Hiawatha Mennonite.

? Approved the submission of the proposed revised licensure regulation 91-1-203, and new regulations 91-1-220 and 91-1-221, which replace 91-1-213 to the Department of Administration and Attorney General for review.

? Approved requests for waivers for individuals to serve outside their area of endorsement in districts as follows: *Adaptive Special Education*: ?Jamie Gowen, Donna Reiche, Arthur Shook, Mark Vossen, and Melissa Voth, USD 259, Wichita; Trisha Kellenbarger, USD 260, Derby; Jenny Plantz, USD 261, Haysville; Renee Lehman, USD 263, Mulvane; Stephanie Becker, Valerie Bradford, Victoria Bruner, and Tina Lawrence, USD 305, Central Kansas Cooperative; Randy Koons, USD 315, Colby; Amy Whittemore, USD 330, Mission Valley; Molly Ryan, USD 364, Marysville; Anne Hobbs, USD 442, Nemaha Valley; Charles Dillingham, Derrick Dizmang, Debra Maxfield, Breanna Ozburn, and Sandra

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Schmidt, USD 457, Garden City; Tabatha Goering, USD 475, Geary County; Paulette Orr, USD 495, Tri County Special Services; James Brauer, Elaine Roberts, and Lisa Schneider, USD 500, Kansas City; Desirae Blythe, Cynthia Fehr, Carolyn Leck, Cindy Lemmons, Tammy Mentzer, Jill Seiboldt, Amy Shannon, and William Wilson, D0 603, ANW Special Education Cooperative; Renee Arnold, D0 607, Tri-County Special Education Interlocal; Barbara Colwell, D0 608 Northeast Kansas Education Service Center; Cayla Rankin and Andrea Zwirn, D0 611, High Plains Educational Cooperative; David Keil and Tamara Ogorzoka, D0 613, Southwest Kansas Area Cooperative; Edward Blincoe, Lora Good and Kristin Gayden, D0 619, Sumner County Education Services Interlocal; Dianne Dodson, Angela Harris, Olivia Higbie, Christy Meiers, Lonnie Morford, Kenneth Swart and Ryan Vaughn, D0 620, Three Lakes Educational Cooperative; Aaron Beckman and Racele Bilby, D0 636, North Central Kansas Special Education Cooperative; *Early Childhood Handicapped*:? Cary Carter, Beth Olson and Robin Pfannenstiel, USD 308, Hutchinson; Abby Dunford, USD 330, Mission Valley; Amy Toll, USD 383, Manhattan; Maria Elena Morales, Beth Munyan, Michelle Solorzano and Annette Wyatt, USD 457, Garden City; Samantha Reeves, USD 495, Tri County Special Services; Dena Terrell, D0 603, ANW Education Cooperative; and Kimberly Nelson, D0 637, Southeast Kansas Interlocal; *English*: Marilyn Morford, USD 255, South Barber; *Functional Special Education*: Sharon Reed, D0 608, Northeast Kansas Educational Service Center; *Gifted*: Valerie Mattie, USD 232, DeSoto; Barton Kuhlmann, USD 244, Burlington; Denise Bowen, Carlotta Linrud and Lisa Wright, USD 259, Wichita; Sarah Dickerson,

USD 260, Derby; Mickey Woolard, USD 497, Lawrence; and Linda Miller, D0 615, Brown County Special Education Interlocal; *History & Government*: S. Jared Wigger, USD 105, Rawlins County; and Bill Pitko, USD 389, Eureka; *Interrelated Special Education*: Matthew Pickrell, USD 305, Central Kansas Cooperative; and Lisa Johnson, DO 611, High Plains Educational Cooperative; *Music*: Alice Collett, USD 314, Brewster; and *Physical Education*: Gregg Webb, USD 491, Eudora.

? Appointed Robert Gibbens to serve on the Professional Standards Board as a representative of area vocational school teachers for a three year term from July 1, 2004 to June 30, 2007; and Rick Henry as a representative of building level public senior high school administrators to fill an unexpired term to run through June 30, 2005.

? Approved a Visiting Scholar license for Scott Plummer to be employed full-time to teach math at the Kansas State School for the Deaf, valid from August 24, 2004 to June 30, 2005.

? Approved accredited status for USD 321, Emmett Elementary; USD 361, Anthony Elementary; USD 416, Louisburg Middle School; and USD 460, Hesston Middle School and Hesston High School.

? Approved the waiver of K.A.R. 91-31-24 for Baldwin Elementary Intermediate, USD 348, to allow it to waive conducting its first on-site visit before December, 2004, and instead conduct its accreditation visit in Spring, 2005 (in its second year of Cycle I QPA).

? Approved the waiver of K.A.R. 91-31-24 and? 91-31-16(a) for Burlington High School, USD 244, ? to allow it to conduct its Cycle III QPA/NCA accreditation visit on February 14, 2005.

? Approved inservice plans for: USD 211 Norton Community Schools; USD 290 Ottawa Schools; USD 294 Oberlin; USD 344 Pleasanton; USD 404 Riverton; USD 428 Great Bend; and USD 457 Garden City.

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? Issued FY 2005 licenses to commercial driver training schools: Behind The Wheel Inc., Overland Park, KS; Behind The Wheel Defensive Driving School, Wichita, KS; Buggin' and Cruisin' Driving School Inc. Olathe, KS; BWB Driving Academy, Olathe, KS; Cyr's Driving School Inc., Wichita, KS; Drive-Right School of Lawrence, Lawrence, KS; Drive-Right School of Wichita, Wichita, KS; Harder Performance Driving School, Overland Park, KS; HyPlains Driving School Inc., Garden City, KS; Little Apple Driving School, Manhattan, KS; Midstate Driving School, Salina, KS; Midwest Driving School, Lawrence, KS; Midwest Motorcycle Training Ctr LLC, Olathe, KS; Motorcycle Rider Education, Wichita, KS; Northeast Kansas Driving School LLC, Atchison, KS ; Pro-Tech Driving School, Inc., Hutchinson, KS; Royal Driving School, Salina, KS; Safety First Driving School, Liberal, KS; Sunflower Driving School, Topeka, KS; Topeka Driving School Inc., Topeka, KS; Twin City Driver Education, Overland Park, KS; Varsolona Driving School, Frontenac, KS; Wichita Collegiate Driver Training School, Wichita, KS; and Wichita Driving School, Wichita, KS.

? Approved 21st Century Community Learning Centers Continuation Grants for 2005 for USD 214 Ulysses - \$327,096; USD 256 Marmaton Valley - \$123,018; USD 260 Derby -? \$250,000; USD 365

ROLL CALL

All members were present:

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

APPROVAL OF THE AGENDA

Mr. Wyatt moved, with a second by Mrs. Gamble, that the Board approve the agenda as presented.? The motion carried.

BOARD REPORTS

Board Chairman

Chairman Waugh congratulated Mr. Willard on his appointment to the NASBE Board of Directors representing the Central Area.? She also reported on her attendance at an International Studies meeting and how important international studies and a knowledge of languages is to the State of Kansas because of agriculture and trade.

Board Attorney

Mr. Biles reported that a Supreme Court decision in the state school finance case was still being awaited.? Dr. Abrams moved, with a second by Mr. Bacon, that the Board pay Mr. Biles? fees for services and expenses for November as presented.? The motion carried.

Other Board Member Reports

Dr. Wagnon reported on an ECS Steering Committee meeting he had attended.? He indicated that ECS was scaling back on its activities because of reduced finances.? He also reported that ECS has recently released a report about readying students for postsecondary education.? He noted that a dialogue with the Kansas Board of Regents was important for an aligned P-16 education.?

Mrs. Gamble reported on her trip to China.? She noted that Kansas was on the right track ? that students need to build on skills in from kindergarten through 12th grade as they do in Kansas schools.

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Requests for Future Agenda Items

Dr. Wagnon asked that a task force be formed to review KSBE regulations with the goal of simplifying and clarifying them and eliminating those no longer necessary in order to allow the system to be more flexible to meet achievement goals.? Mrs. Morris indicated that Gary Singleton, CEO of Heartspring, Inc., would like to make a presentation to the Board.

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LEGISLATIVE MATTERS

FY 2005 and FY 2006 Budget

Kansas State School for the Deaf

Bob Maile, Superintendent of the Kansas State School for the Deaf (KSSD), reviewed the KSSD budget appeal. He reported that they would ask for funding to: continue the east wing renovation of the Roth Building; continue progress toward salary parity for teachers; reinstate capital outlay funds for technology, auditory training and media equipment; and replace two vehicles for student transportation.

Kansas State School for the Blind

Bill Daugherty, Superintendent of the Kansas State School for the Blind (KSSB), reviewed the KSSB budget appeal. He reported that KSSB is appealing the proposed reduction of \$100,000 in the FY 2005 budget. He indicated that the rationale used by the Division of Budget (DOB) in making the recommendation for the reduction would also carry forward to the FY 2006 budget. The DOB proposal was based upon the fact that FY 2004 expenditures were less than the appropriated amount. Mr. Daugherty explained the unique circumstances that caused the spending reductions in FY 2004, noting they were not likely to recur.

Kansas State Department of Education

Deputy Commissioner Dennis discussed with the Board the Division of Budget's recommendations for KSDE's FY 2005 and FY 2006 budget and reviewed what the department had appealed. He pointed out that because revenues to districts were higher because of assessed valuations, less state aid from the state general fund had been needed for FY 2004. He indicated that the Department's FY 2005 appeal had recommended that the \$33 million savings be used in FY 2005 to fund the current law for bsapp, increasing it to \$3,890 per pupil; fund statutory programs not currently funded by the Legislature, including Inservice Education Aid and the Mentor Teacher Program; and increase funding for special education. Also included in the FY 2005 appeal would be additional funding for juvenile detention facilities and funding to help the Department pay its lease surcharge that had been assessed to maintain the Judicial Center, the State Capitol Building and Cedar Crest. Reappropriation of \$159,000 from the Tobacco Settlement Proceeds was also requested for the Parents as Teachers program. The FY 2006 appeal also included the Board's request for a \$184 increase in bsapp; funding of special education excess costs at 90%; funding for the proposed new K-3 Reading and Math Literacy Program; and increased funding for Juvenile Detention Facilities due to raising the bsapp. Additional items requested included: \$175,000 to upgrade outdated technology hardware and software including personal computers, printers, network servers, wireless network, and back-up software and tape drive needed to store electronic files off-site for the Department; and authorization to replace six aging state-owned vehicles that will exceed the 100,000 mile threshold for vehicle replacement during FY 2006.

He also reviewed consensus estimates through November of FY 2005 and projected state general fund ending balances through the end of FY 2006. He noted that increases in state general fund balances could be taken up by additional KPERS employer contributions; Regents Research Initiatives Debt Service; KPERS Death and Disability; SRS and Aging Caseloads; Demand Transfers; KAN-ED; and KPERS Pension Obligation Bond Payments. He predicted that none of the additional state general fund projected for FY 2006 would go to education. Discussion followed about the fact that \$33 million that had not been used and yet test scores were increasing. Mr. Dennis pointed out that it was not the case that the \$33 million had not been used, but had come from sources other than the state general fund. Mr. Dennis indicated that current assessment scores are a reflection of the efforts over the past few years and that the impact of funding problems wouldn't normally be felt for about 3 years.

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Legislative Update

Mr. Dennis reported that the Legislative Education Planning Committee would be recommending an increase of special education funding to 88% of excess cost.? He also reported that the Select Committee on School Finance would not be meeting until after the Supreme Court decision in the state school finance case was announced.? Mr. Dennis also reviewed possible changes in leadership of the Senate Education Committee and the Senate Ways and Means Committee.

The Board took a break from 10:40 to 10:50 a.m.

ALLOCATION OF DISTRICT RESOURCES TO INSTRUCTION

Mr. Dennis reviewed materials that had been sent to the Board.? They included the definition of major functions outlined by the National Center for Educational Statistics handbook and charts illustrating the percent of current expenditures by function for Kansas compared to the United States average and median percents and to neighboring states, Nebraska, Missouri, Oklahoma, Iowa and Colorado, by functions and the U.S. median. ?Also included were tables for each function ranking all states sorted low to high by percent of total expenditures spent in that function that compared Kansas to all states and the national average.? In the discussion that followed, Mr. Willard pointed out that the information would be more useful if it could be used to tell districts that if a certain action were taken and spending was directed to certain areas, results would increase.? The usefulness of tying results to expenditures was explored, with several suggestions made, including showcasing schools that are doing well, showcasing best practices, and helping districts with making expenditures in areas that will have the most impact.? Mr. Wyatt mentioned that factors in successful schools included a combination of leadership, planning and adequate funding.? He pointed out the success of the Junction City school district which received, in addition to state funding, federal impact aid because of Fort Riley and was able to use the additional funds to implement effective programs.

REPORT ON TEACHER SUPPORT SYSTEMS

Assistant Commissioner Alexa Posny and Director of Teacher Education and Licensure, Martha Gage, reported to the Board on changes that have occurred at the state level over the past five years to support teachers.? Additionally, they reported on what progress had been made on the goals the Board had established in 2001.? Commissioner Tompkins suggested that the Board?s planning retreat in February would provide a good opportunity for the Board to look at further things that could be done.

APPROVAL OF BOARD TRAVEL

Chairman Waugh asked that the hearing on science standards on January 6th in Kansas City be added to her travel request.? Mr. Bacon moved, with a second by Mrs. Gamble, that the Board travel requests be approved as amended.? The motion carried.

Mr. Wyatt took a moment and thanked the Board for all they had done for education during his tenure.? He also thanked the staff of the department, many of whom Board members do not meet, for the many things they do for the Board. ?*He also thanked his family - his wife, Margaret, daughter Jessica, and son Alexander, for all their work and support over the years.*

ADJOURNMENT

There being no further business, Chairman Waugh adjourned the meeting at 11:55 a.m.?

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Janet Waugh, Chairman?? Penny
Plamann, Secretary