APPROVED

KANSAS STATE BOARD OF EDUCATION
Meeting Minutes

June 14, 2011

CALL TO ORDER

Chairman Dennis called the June meeting of the State Board of Education to order at 10:00 a.m., June 14, 2011 in the Board Room of the Kansas Education Building, 120 SE 10th Avenue, Topeka, Kansas.

6/14/11 Part 1 session audio archive (00:00:12)

ROLL CALL

All members were present:

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

STATE BOARD MISSION STATEMENT, MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Chairman Dennis read the Board Mission Statement and then called for a moment of silence. The moment of silence was followed by the recitation of the Pledge of Allegiance.

APPROVAL OF THE AGENDA

(00:02:51) **MOTION**

Chairman Dennis indicated that Board members had received revised information regarding the SEAC appointments, as well as a listing of grantee information for items 16 k., l. and n. He also asked to to add an executive session to the agenda at the end of the day as item 17. Mrs. Wims-Campbell moved, with a second by Chairman Dennis, that the agenda be approved with the changes. Dr. Chappell asked to amend the motion and pull from the Consent Agenda items 16 c., e., f., j., n., o., s., w., x., y., bb., and ee. Ms. Storm asked to pull item 17 i., indicating she would talk with staff during the day and try to get her questions answered so it could go back on the Consent Agenda. Mrs. Wims-Campbell, who made the motion, stating her confidence in staff recommendations, would not accept Dr. Chappell's amendment, but agreed to Ms. Storm's. The motion with the accepted amendments carried 9-1, with Chappell voting in opposition.

APPROVAL OF MINUTES

(00:09:21) **MOTION**

Mrs. Wims-Campbell moved, with a second by Chairman Dennis, that the minutes of the May meeting be approved as presented. The motion carried 10-0.

COMMISSIONER'S REPORT

(00:09:49)

Commissioner DeBacker presented an update to the Board on the class of 2010 graduation rate for Kansas based on the newly required U.S. Department of Education's regulations for calculating graduation using a 4-year or 5-year adjusted cohort rate. Dr. DeBacker explained that the state's target graduation rate for 2009-2010 was 80 percent. Kansas has met the target, posting a 4-year adjusted cohort graduation rate of 80.36 percent. The 5-year adjusted cohort graduation rate would be 74.87 percent. Dr. DeBacker explained that the 2009-2010 graduation rates are baseline data. Because they're calculated differently than previous graduation rates no comparisons can be made between previous graduation data and the 2009-2010 graduation rates. Among the questions and concerns mentioned was what the impact might be on a school's graduation rate of home-schooled students only attending high school part time.

CITIZENS' OPEN FORUM

(00:37:14)

Chairman Dennis declared the Citizen's Open Forum open at 10:35 a.m. Tom Krebs, Kansas Associations of School Board, Topeka, presented information on the new KASB initiative that would focus on school improvement, efficiency, tax policy and teachers. Peg Dunlap, K-NEA,

Topeka, spoke against the educator fingerprinting proposal the Board would be considering later in the day. John Richard Schrock, Emporia, addressed the Board about homeschooling, as well as the publication, *The Kansas School Naturalist,* copies of which he made available to Board members. Chairman Dennis closed the Forum at 10:47 a.m.

BREAK
(00:46:58)

The Board took a break at 10:47 and returned at 11:03 a.m.

LICENSED PERSONNEL REPORT
(01:03:20)

Director of Teacher Education and Licensure (TEAL) Pam Coleman introduced Lori Adams, education program consultant for the TEAL team, who presented the 2010-2011 Licensed Personnel Report, which provides self-reported data on gender, ethnicity, age, experience and salary information for Kansas educators. Information collected annually from October through February is used for a variety of purposes, including teacher retention and professional development programs. Board members expressed concern over a trend in the data that shows an increasing loss of teachers over the past few years. Two specific requests regarding staff follow up were made. The first from Mr. Bacon who requested information regarding the number of people who tested but did not pass content areas assessments for endorsement. The second was from Mrs. Cauble who inquired if teacher ethnicity was growing in numbers comparable to the growth of student ethnicity in the state.

APPOINTMENTS TO THE SPECIAL EDUCATION ADVISORY COUNCIL (SEAC)
(01:57:09)

Colleen Riley, Director of Special Education Services presented the SEAC appointment information for Board action. Mrs. Cauble moved, with a second by Mrs. Martin that the State Board accept staff recommendations and appoint members in the categories noted to the Special Education Advisory Council to serve from July 1, 2011 through June 2014: Public Charter Schools -Terry Fehrenbach; Administrator of Exceptional Programs - Dr. Ann Elliott; Juvenile Justice - Penny Hoffman; Other state agencies involved in the financing or delivery of related services to exceptional children - Deb Young; Foster Care Agency - Anne Roberts; Parent of a child with Giftedness - Vicki Sharp; Parent of a child or person with a disability - SueAnn Wanklyn; State Official - Luanne Barron; and Homeless Children - Larry Katzif. The motion carried unanimously.

ADOPTION OF PROPOSED TEACHER LICENSURE REGULATIONS
(02:07:00)

Mrs. Cauble moved, with a second by Mrs. Martin that the State Board of Education adopt proposed teacher licensure regulations 91-1-200; 91-1-201, 91-1-202, 91-1-203, 91-1-204, 91-1-230, 91-1-231, 91-1-232, 91-1-235 and 91-1-236. On a roll call vote the motion carried 10-0:

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

BREAK
(01:28:25)

The Board took a break at 12:07 p.m. until 12:15 p.m. They returned for a working lunch at 12:15 p.m.

KANSAS OPEN MEETINGS ACT (KOMA) TRAINING
6/14/11 p.m. Part 2 session audio archive (00:00:16)

KOMA training for State Board members was conducted as a result of the Shawnee County District Attorney's ruling that a technical violation of KOMA occurred in December 2010. Board Attorney Mark Ferguson reviewed the requirements of KOMA for the Board. Mr. Bacon was not in attendance. It was noted that upcoming public training by the Attorney General's office would also be available.

The Board took a break from1:20 until the meeting resumed at 1:31 p.m. **BREAK** (01:04:38)

TEACHER LICENSURE REGULATION 91-1-214 REQUIRING FINGERPRINT CHECKS OF EDUCATOR

Following the public hearing and staff response to proposed amendments to licensure regulation 91-1-214, Criminal history records check, at the May Board meeting, the Board directed staff to bring a revised amendment of the regulation back to the Board for consideration at the June meeting. The proposal would require all currently licensed educators who have never under gone the fingerprint based record check to do so within one year of the effective date of the regulation. This would then allow KBI and KSDE to coordinate enrollment of all licensed educators in the Rap Back program that provides arrest records in a timely manner and ensures that all licensed educators will be held accountable for any actionable offenses throughout their career. (01:15:55))

After discussion of current remedies when it is discovered that an educator has committed an offense that might result in suspension or loss of license, Mrs. Shaver moved, with a second by Mrs. Cauble, that the Board approve submittal of proposed amendments to Teacher Licensure Regulation K.A.R. 91-1-214 to the Department of Administration and Attorney General for review. More discussion followed with many Board members expressing the opinion that the focus should be on ensuring compliance with existing statute and regulation that require county attorneys to notify KSDE whenever a licensed educator has been convicted of an offense that could result in license revocation and requires superintendents to notify KSDE when an educator has been arrested or convicted of such offenses. The motion failed on a vote of 4-6, with Chappell, Martin, Willard, Bacon, Wims-Campbell and Storm voting in opposition. **MOTION** (01:32:50)

During brief discussion that followed the vote, it was agreed that a letter should be sent to the Attorney General requesting enforcement of statute of K.S.A. 2010 Supp. 72-1397(c) requiring reporting by county and district attorneys. What suspension of superintendents might means in regard to the reporting of crimes possibly affecting teacher licensure as per K.A.R. 91-22-1(a)was requested.

The Board took a break at 2:29 and returned at 2:39 p.m. **BREAK** (02:11:11)

PRESENTATION ON THE KANSAS EDUCATORS EVALUATION PROTOCOL (KEEP)

A panel of representatives from the new Kansas Educator Evaluation Protocol (KEEP) workgroups discussed the progress made toward developing an educator evaluation instrument and evaluation instrument elements that will by piloted by select school districts during the 2011-12 school year. The initiative is in response to the Board's goal of providing an effective educator in every classroom and effective, visionary leaders in every school. Districts receiving School Improvement Grants (SIG) will be encouraged to participate. Next steps will include integrating the evaluation and the data instruments as part of the process for producing good information for the determination of student growth. Because so many people had been involved in the development of KEEP, it was requested that thank you letters from the Board be sent to participants and to members of other similar committees. 6/14/11 p.m. Part 3 session audio archive (00:00:20)

ADDITIONAL ACTION REGARDING PROPOSED TEACHER LICENSURE REGULATION 91-1-214

Mr. Willard moved, with a second by Mrs. Martin, that the State Board send a letter to the Attorney General about the safety and well-being of students and the lack of participation by county and district attorneys as required by K.S.A. 2010 Supp. 72-1397 (c) in the reporting of crimes possibly affecting teacher licensure to TEAL on a monthly basis. The motion carried 10-0. Additionally, enforcement of K.A.R. 91-22-1(a) requiring reporting by superintendents was directed. (01:03:30) **MOTION**

LEGISLATIVE MATTERS

(01:05:50) Deputy Commissioner of Education Dale Dennis provided Board members with an update on education legislation that passed during the 2011 legislative session and answered Board members' questions. He also went over budgets options for the Board to consider and act on at the July meeting.

BREAK The Board took a break at 4:35 and returned at 4:48 p.m.
(01:57:31)

STRATEGIC AGENDA IMPLEMENTATION

(02:10:55) A document with the Board's goals and objectives to which had been added staff strategies to implement them was distributed and explained by Commissioner DeBacker. An in-depth discussion would be held at the July meeting in order to give Board members an opportunity to review it.

CONSENT AGENDA

(02:15:52) Ms. Storm indicated that she had received the information she needed regarding the seclusion and restraint item she had pulled earlier from the Consent Agenda and that it could be returned for the vote. Chairman Dennis moved, with a second by Mrs. Wims-Campbell, that the Consent Agenda be approved as presented. Brief discussion followed. The motion carried 9-1, with Chappell voting in opposition. In the Consent Agenda the Board :

MOTION

- Received the monthly personnel report.
- Confirmed the appointments of James Bless to the position of System Software Staff Consultant on the Information Technology team effective May 1, 2011, at an annual salary of $56,118.40; Jenae Soller to the position of Administrative Specialist on the Special Education Services team effective May 9, 2011, at an annual salary of $29,744.00; and Wesley Loewen to the position of Project Manager on the Information Technology team effective May 16, 2011, at an annual salary of $58,884.80.
- Accepted the recommendations of the Evaluation Review Committee for Emporia State University and Ottawa University programs as follows: ESU - Approved" status with no areas for improvement through December 31, 2015 for Art (I, PreK-12); Building Leadership (A, PreK-12); Business (I, 6-12); Chemistry (I, 6-12); District Leadership (A, PreK-12); Early Childhood Unified (A, B-Gr3); Earth and Space Science (I, 6-12); Elementary (I, K-6); English (I, 5-8); English (I, 6-12); ESOL (A, PreK-12); Gifted (A, K-6, 6-12); Health (I, PreK-12); History Comprehensive (I, 5-8); History and Government (I, 6-12); Journalism (I, 6-12); Library Media Specialist (A, PreK-12); Mathematics (I, 5-8); Mathematics (I, 6-12); Music Instrumental (I, PreK-12); Music Vocal (I, PreK-12); Physical Education (I, PreK-12); Physics (I, 6-12); Psychology (I, 6-12); Reading Specialist (A, PreK-12); School Counselor (A, PreK-12); School Psychologist (A, PreK-12); Science (I, 5-8); and Speech/Theatre (I, 6-12); "Approved" status with areas for improvement through December 31, 2015 for Adaptive (A, K-6, 6-12); Biology (I, 6-12); Foreign Language (I, PreK-12) French, Spanish; and "Approved with Stipulation" through December 31, 2013 for Foreign Language (I, PreK-12) German New Program; and Ottawa University - "Approved with Stipulation" through December 31, 2013 for Music Instrumental (I, PreK-12) New Program; Music Vocal (I, PreK-12) New Program; Speech/Theatre (I, 6-12) New Program.
- Approved the one-year Education Flexibility Partnership (Ed-Flex) waiver requests for the following districts: USD 107 Rock Hills, USD 234 Fort Scott, USD 253 Emporia, USD 255 South Barber, USD 257 Iola, USD 259 Wichita, USD 305 Salina, USD 323 Rock Creek, USD 331 Kingman-Norwich, USD 383 Manhattan-Ogden, USD 400 Smoky Valley, USD 415 Hiawatha, USD 437 Auburn Washburn, USD 467 Wichita County Schools -Leoti, USD 475 Geary County Schools, USD 483 Kismet Plains, USD 490 El Dorado, USD 497 Lawrence, USD 501 Topeka, USD 503 Parsons, USD 505 Chetopa-St. Paul and USD 506 Labette County.
- Approved School Breakfast Program Waivers for the 2011-2012 school year for USD 115 Nemaha Central: St. Benedict School, B & B High School, Nemaha Valley High School; USD 203 Piper: Piper Elementary (PK-4), Piper Middle, Piper Elementary East, Piper High; USD 206 Remington-Whitewater: Remington High; USD 232 De Soto:

Belmont Elementary, Mill Creek Middle, Clear Creek Elementary, Monticello Trails Middle, Horizon Elementary, Mill Valley High, Mize Elementary, De Soto High, Prairie Ridge Elementary, Riverview Elementary; USD 233 Olathe: Arbor Creek Elementary, Bentwood Elementary, Brougham Elementary, Cedar Creek Elementary, Green Springs Elementary, Heatherstone Elementary, Heartland Learning Center, Heritage Elementary, Madison Place Elementary, Mahaffie Elementary, Manchester Park Elementary, Meadow Lane Elementary, Prairie Center Elementary, Regency Place Elementary, Sunnyside Elementary, Woodland Elementary; USD 267 Renwick: Andale Elementary-Middle, Andale High, Colwich Elementary, Garden Plain High, Garden Plain Elementary, St. Marks Elementary (Charter); USD 270 Plainville: Plainville High; USD 306 SE of Saline: Southeast of Saline Elementary, Southeast of Saline Jr/Sr HS; USD 336 Holton: Holton High; USD 345 Seaman, W Indianola Elementary, North Fairview Elementary, Elmont Elementary, Pleasant Hill Elementary, USD 356 Conway Springs, Conway Springs Middle, Conway Springs High; USD 365 Garnett: Mont Ida Elementary; USD 372 Silver Lake: Silver Lake Elementary, Silver Lake Jr/Sr High; USD 381 Spearville: Spearville Elementary, Spearville Jr/Sr High; USD 411 Goessel: Goessel Jr/Sr High; USD 412 Hoxie: Hoxie Grade; USD 419 Canton-Galva: Canton-Galva High; USD 448 Inman: Inman Elementary, Inman Jr/Sr High; USD 458 Basehor-Linwood: Basehor Elementary, Glenwood Ridge Elementary, Basehor-Linwood Middle, Basehor-Linwood High; USD 460 Hesston: , Hesston High School; USD 473 Chapman: Chapman High; and USD 512 Shawnee Mission: Brookwood Elementary, Highlands Elementary, Trailwood Elementary.

- Awarded a discretionary grant for FY 2012 to the Kansas Teacher of the Year Program totaling $10,000.
- Approved the following recommendations from the Special Education Advisory Council regarding seclusion and restraint: 1) Change KSBE terminology describing incidents of seclusion and restraint under the umbrella of emergency safety interventions; 2) KSDE collect data regarding incidents of restraint; 3) KSDE collect data on use of Positive Behavior Instructional Supports in all public schools; 4) KSDE collect data on the proper training of emergency safety interventions; 5) Data collections concerning seclusion and restraint be collected on all students involved (general and special education students) and 5) KSDE should monitor the discussions concerning legislation on seclusion and restraint at the general level to endure that Kansas regulations mirror the federal position in either education legislation or reauthorization of ESEA and/or the IDEA.
- Approved 2011-2012 school year Parents as Teachers grants for DO 602, Northwest Kansas Education Service Center, $40,850; DO 608, Northeast Kansas Education Service Center, $385,085; DO 609, Southeast Kansas Education Service Center, $483,222; DO 626, Southwest Plains Regional Service Center, $62,252; DO 629, Smoky Hill Education Service Center, $8,894; IL 636, North Central Kansas Special Education Cooperative, $43,578; USD 108, Washington//Barnes/Linn/Hanover, $24,743; USD 210, Hugoton, $21,818; USD 214, Ulysses, $32,832; USD 218, Elkhart, $28,052; USD 227, Jetmore, $16,082; USD 229, Blue Valley, $349,076; USD 231, Gardner/Edgerton, $62,810; USD 232, DeSoto, $113,922; USD 233, Olathe (Kansas City Area Consortium), $1,268,667; USD 239, North Ottawa, $20,946; USD 240, Twin Valley, $23,898; USD 259, Wichita, $155,307; USD 260, Derby, $122,652; USD 261, Haysville, $122,337; USD 263, Mulvane, $16,328; USD 265, Goddard, $36,026; USD 266, Maize, $110,794; USD 268, Cheney, $49,578; USD 270, Plainville, $18,676; USD 273, Beloit Consortium, $86,560; USD 305, Salina, $76,383; USD 306, Southeast of Saline, $33,720; USD 308, Hutchinson Public Schools, $134,338; USD 320, Wamego, $18,595; USD 321, Kaw Valley Schools, $25,586; USD 323, Rock Creek, $26,215; USD 333, Learning Cooperative of North Central Kansas, $48,097; USD 337, Royal Valley, $40,321; USD 348, Baldwin City, $84,483; USD 349, Stafford/St. John, $31,829; USD 353, Wellington, $23,026; USD 368, Paola Consortium, $121,678; USD 373, Harvey County Parent Education Consortium, $57,921; USD 379, Twin Lakes, $60,846; USD 380, Vermillion, $20,912; USD 382, Pratt Consortium, $21,488; USD 383, Manhattan/Ogden, $200,006; USD 393, Solomon, $14,066; USD 394, Rose Hill, $32,336; USD 405, Lyons Special Services Cooperative, $55,879; USD 410, Marion County Parents As Teachers, $60,776; USD 412, Hoxie, $14,802; USD 428, Great Bend Consortium, $19,557; USD 435, Abilene, $55,191; USD 437, Auburn-Washburn/Shawnee Heights, $117,012; USD 443, Dodge City (previous w/Consortium), $39,705; USD 445, Coffeyville, $84,478; USD 457, Garden City, $183,343; USD 458, Basehor-Linwood, $42,925; USD 465, Winfield, $56,644; USD 469, Lansing, $37,853; USD 470, Arkansas City, $83,999; USD 473, Chapman, $24,349; USD 475, Geary County, $133,620; USD 479, Crest, $15,181; USD 487, Herington Consortium, $34,090; USD 489, Hays Consortium, $243,820; USD 495, Fort Larned, $21,739; USD 497, Lawrence,

$104,495; USD 498, Valley Heights/Marysville, $58,237; USD 501, Topeka, $471,154; USD 506, Labette County, $18,645; USD 507, Satanta, $10,289; USD 509, South Haven Consortium, $56,784; USD 511, Attica, $30,112; and USD 512, Shawnee Mission, $386,125; for a total of $7,237,635.

- Approved funding for Kansas After School Enhancement Continuation Grants for the 2011-2012 school year as follows: *Community/Faith Based Organizations:* Boys & Girls Club of Coffeyville, $15,050; Boys & Girls Club of Hutchinson, $15,050; Boys & Girls Club of Manhattan, $10,924; Cherry Street Youth Center (Chanute), $14,551; Extension Education Foundation, $9,993; Inter-Faith Ministries (Wichita); $15,050; Valley Heights Area Community, $15,050; and Education and Action Center, Wichita YMCA, $15,051; and *School Districts:* USD 204 Bonner Springs, $11,163; USD 282, West Elk, $3,581; USD 310, Fairfield, $8,801; USD 373, Newton, $10,050; USD 383, Manhattan-Ogden, $11,049; USD 446, Independence, $8,443, USD 475, Geary County, $8,644; and USD 500, Kansas City, $15,050.
- Approved funding for Middle School After School Activity Advancement Continuation Grants for the 2011-2012 school year as follows: *School Districts:* USD 244, Burlington, 13,174; USD 309, Nickerson, $8,694; USD 310, Fairfield, $6,424; USD 408, Marion-Florence, $10,301; USD 475, Geary County, $13,174; USD 491, Eudora, $13,174; USD 497, Lawrence, $13,174; USD 500, Kansas City, $13,174; and *Community/Faith-Based Organizations:* Boys & Girls Club of Hutchinson, $9,734, Boys & Girls Club of Manhattan, $10,800, and Boys & Girls Club of Topeka, $13,174.
- Approved a grant in the amount of $50,000, from July 1 - December 31, 2011, for the Kansas Youth Empowerment Academy to facilitate the development and implementation of a Kansas Disability Inclusion Plan and serve as the liaison between national service programs, current and potential participants and the Kansas Volunteer Commission.
- Approved 2011-2012 21st Century Community Learning Centers (21st CCLC) Program grant as follows (dollar amounts with an asterisk indicate supplemental grant funds are requested): *Continuation Grants - Unified School Districts:* USD 216, Deerfield, $92,565*; USD 232, De Soto, $89,722*; USD 253, Emporia, $109,711*; USD 261, Haysville, $117,197*; USD 290, Ottawa, $94,403*; USD 305, Salina, $85,449*; USD 309, Nickerson, $101,385*; USD 349, Stafford, $79,030*; USD 466, Scott County, $80,000; USD 470, Arkansas City, $86,057*; USD 480, Liberal, $99,928; USD 500, Kansas City (Welborn), $105,000*; USD 500, Kansas City (Frances Willard), $100,000; and USD 503, Parsons, $96,905; *Community/Faith Based Organizations:* Boys & Girls Club of Hutchinson (Avenue A), $123,875*; Boys & Girls Club of Hutchinson (Lincoln), $98,005*; Boys & Girls Club of Hutchinson (McCandless), $97,900*; Boys & Girls Club of Lawrence (Broken Arrow), $117,264*; Boys & Girls Club of Lawrence (Hillcrest), $117,463*; Boys & Girls Club of Lawrence (Schwegler), $115,411*; Boys & Girls Club of Manhattan, $118,673*; Catholic Charities of Wichita, $86,507*; *New Grants: Unified School Districts*: USD 210, Hugoton, $67,465**; USD 214, Ulysses, $69,325**; USD 244, Burlington, $70,000**; USD 290, Ottawa, $83,081; USD 343, Perry-Lecompton, $97,413; USD 374, Sublette, $95,506; USD 379, Clay Center, $99,639; USD 383, Manhattan-Ogden, $70,000**; USD 428, Great Bend, $70,000**; USD 435, Abilene, $70,000**; USD 497 (), $70,000**; USD 497 (),$70,000**; USD 500 Kansas City (), $70,000**; USD 500 Kansas City (), $70,000**; USD 500 Kansas City (), $70,000**USD 501 Topeka (Scott Computer Magnet), 100,000; and USD 501 Topeka (Topeka West High School), $100,000; and *Community/Faith Based Organizations:* Boys & Girls Club of Lawrence (Cordley),$99,942.
- Approved 2011-2012 IDEA Title VI-B Special Education Targeted Improvement grants for USD 202, Turner School District, $29,443; USD 229, Blue Valley, $121,200USD 230, Spring Hill School District, $12,761USD 231; Gardner-Edgerton-Antioch School District, $23,887USD 232; De Soto, $29,134; USD 233; Olathe School District, $145,814; USD 234; Ft. Scott, $18,986; USD 244; Coffey County Special Ed Cooperative - Burlington, $17,741; USD 253; Flint Hills Special Ed Cooperative - Emporia, $59,213; USD 259; Wichita Public Schools, $351,381; USD 260, Derby Public Schools, $47,609; USD 261, Haysville Public Schools, $36,813; USD 263, Mulvane Special Education, $18,094; USD 273, Beloit Special Ed Cooperative, $22,801; USD 282, West Elk, $17,225; USD 290, Ottawa Public Schools, $19,229; USD 305, Central Kansas Cooperative - Salina, $111,383; USD 308, Hutchinson Public Schools, $44,846; USD 320, Special Services Cooperative Wamego, $25,870; USD 321, Kaw Valley Schools, $12,978; USD 330, Wabaunsee East, $10,865; USD 333, Learning Cooperative North Central KS, $35,407; USD 336, Holton Sp Ed

Cooperative, $30,887; USD 345, Seaman Public Schools, $27,035; USD 353, Wellington Public Schools, $16,708; USD 364, Marshall County Cooperative - Marysville, $14,402; USD 368, East Central KS Special Ed Cooperative - Paola, $68,962; USD 372, Silver Lake, $11,420; USD 373, Harvey County Special Ed Cooperative - Newton, $39,845; USD 379, Twin Lakes Cooperative - Clay Center, $26,142; USD 383, Manhattan-Ogden School District, $43,550; USD 389, Eureka, $10,315; USD 405, Rice County Special Services Cooperative - Lyons, $22,084; USD 407, Russell County, $13,693; USD 409, Atchison Public Schools, $18,908; USD 418, McPherson Co Special Ed Cooperative - McPherson, $38,785; USD 428, Barton County Special Ed Cooperative - Great Bend, $39,231; USD 437, Auburn-Washburn, $40,066; USD 442, Marshall/Nemaha, $16,675; USD 450, Shawnee Heights, $27,193; USD 457, Garden City, $61,864; USD 465, Cowley County Special Services Cooperative - Winfield, $51,810; USD 475, Junction City/Geary County, $48,398; USD 480, Liberal, $33,084; USD 489, Hays West Central KS Special Ed Cooperative - Hays, $34,343; USD 490, Butler Co. Special Ed – El Dorado, $95,605; USD 495, Tri County Special Services – Larned, $22,228; USD 497, Lawrence, $79,744; USD 500, Wyandotte County Special Ed Cooperative, $172,158; USD 501, Topeka Public Schools, $116,195; USD 512, Shawnee Mission, $216,822; D0 602, NW KS Service Center – Oakley, $56,958; D0 603, ANW Cooperative - Humboldt, $54,270; D0 605, South Central KS Special Ed Cooperative - Pratt, $63,064; D0 607, Tri County Special Ed Cooperative – Independence, $70,872; D0 608, NE KS Service Center – Lecompton, $39,236; D0 610, Reno County Cooperative – Hutchinson, $41,548; D0 611, High Plains Cooperative – Ulysses, $83,680; D0 613, SW Area Cooperative – Ensign, $77,120; D0 614, East Central KS Cooperative – Baldwin City, $26,430; D0 615, Brown County Special Ed – Hiawatha, $20,703; D0 616, Doniphan County Special Ed Cooperative – Bendena, $15,693; D0 617, Marion County Special Ed Cooperative – Florence, $26,637; D0 618, Sedgwick County – Goddard, $118,456; D0 619, Sumner County Interlocal – Wellington, $18,612; D0 620, Three Lakes Cooperative – Lyndon, $33,019; D0 636, NCK Special Ed Cooperative- Glade, $37,736; D0 637, SEK Interlocal – Pittsburg, $95,795; S0 319/8574, Kansas Juvenile Correctional Complex, $10,342; S0 604/8428-8432, KS School for the Blind, $4,300; S0 610/884-886, KS School for the Deaf, $9,235; 3140-8567, Department of Corrections, $2,006; and 8614, Parsons State Hospital, $2,705.

- Accepted the recommendations of the Licensure Review Committee as follows: *To approve* in cases 2693, Mary Patry; 2701, Brianna Boulanger; 2694, Lauren Elkin; 2704, Diana Sloan; 2708, Veronica Christiansen; 2710, Jennifer Burrios; and 2712, Angela Cook; *To deny* in cases cases 2702, Shelley Cavin; and 2703, Denise Wharton.
- Accepted the recommendation for a licensure waiver in *Gifted Education* for Joni Reed, USD 368.
- Approved Enhancing Education Through Technology (EETT)/ARRA grant awards for *Phase 9 Year 1:* USD 501, Topeka Public Schools, French Middle School, $85,000; USD 470, Arkansas City, Ark City Middle School, $49,700; USD 457, Garden City Schools, Elementary; /Elementary; $85,000; USD 450, Shawnee Heights, Shawnee Heights Middle School, $85,000; USD 435, Abilene Public Schools, $80,100; USD 308, Hutchinson; $79,182; USD 260, Derby Public Schools in partnership with USD 460, Hesston, $85,000; USD 259, Wichita Public Schools, Franklin Elementary; $67,250; USD 480 Liberal, $85,000; and alternate awardees , Buhler, USD 313 ($66,774); Newton, USD 373 ($85,000); and Sublette, USD 374 ($55,000); *Phase 8 Year 2* in the amount of $25,500: USD 253, Emporia Public Schools, Lowther South Elementary; USD 308, Hutchinson Public Schools, Avenue A Elementary; USD 331–Kingman, Norwich, Kingman Elementary; USD 343 Perry, Lecompton, USD 252, Southern Lyon County, Neosho Rapids Elementary and Olpe Elementary; USD 259, Wichita Public Schools, Enterprise Elementary; USD 313, Buhler Public Schools, Prairie Hills Middle School; USD 244, Burlington Schools, Burlington Middle School; USD 505, Chetopa, St. Paul, Chetopa Junior High; USD 315, Colby Public Schools, Colby Middle School; USD 258, Humboldt Public Schools, Humboldt Middle School; USD 309, Nickerson South Hutchinson, Reno Valley Middle School in partnership with USD 495 Larned Middle School; USD 358–Oxford, Oxford Middle School and USD 335 Jackson Heights Middle School; USD 349–Stafford Public Schools; and USD 214, Ulysses Public Schools, Kepley Middle School; and *for the Phase 8 TRC Grant Teams (teachers/facilitators) who are interested in sharing the expertise they've developed this year in providing summer professional learning opportunities for other staff in their school/district:* USD 253, Emporia Public Schools, Lowther South Elementary, $1,443; USD 331, Kingman-Norwich, Kingman Elementary;$1,400; USD 343, Perry, Lecompton, $2,317.50; USD 345, Seaman, Elmont Elementary, $1,443; USD 252, Southern Lyon County, Neosho Rapids Elementary; /Olpe Elementary; $1,443; USD 259, Wichita Public Schools, Enterprise Elementary, $2,317.50; USD 313, Buhler Public Schools, Prairie Hills Middle School,

$1,443; USD 244, Burlington Schools, Burlington Middle School, $1,443; USD 505, Chetopa, St. Paul, Chetopa Junior High, $ 1,443; USD 315, Colby Public Schools, Colby Middle School, $2,317.50; USD 258, Humboldt Public Schools, Humboldt Middle School, $1,443; USD 309, Nickerson South Hutchinson, Reno Valley Middle School in partnership with USD 495, Larned Middle School, $2,317.50; USD 358, Oxford, Oxford Middle School in partnership with USD 335 Jackson Heights Middle School, $1,443; and USD 214, Ulysses Public Schools, Kepley Middle School; $2,317.50.

- Approved additional funding of Title II Part B Math and Science Partnership Grants for 2011-2012 contingent upon demonstration that applicants are meeting grant requirements for Coffeyville USD 445 in partnership with USD 234, USD 247, USD 257, USD 436, USD 503, USD 504, Pittsburg State University and SEKESC (Service Center #609) in the amount of $8,816.50; Emporia State University in partnership with: USD 253 & Sacred Heart & St. Joseph Catholic Schools (Emporia) in the amount of $8,536.00; Hutchinson USD 308 in partnership with USD 349, Holy Cross Catholic Elementary (Hutchinson), Wichita State University, Tabor College, and ESSDACK (Service Center #622) in the amount of $11,727.00; Salina USD 305 in partnership with Kansas Wesleyan University and Kansas State University at Salina in the amount of $4,216.00; Emporia State University in partnership with USD 243, USD 244, USD 251, USD 252, USD 287, USD 288, USD 390, and USD 456 in the amount of $7,597.00; Kansas State University in partnership with USD 320, USD 378, USD 379, USD 383, USD 475; and USD 500 in the amount of $8,004.96; and Wichita USD 259 in partnership with Wichita State University in the amount of $4,800.00.

Contracts Approved:
The State Board authorized the *Superintendent the Kansas State School for the Blind's (KSSB)* to*:*

- renew a contract with Accessible Arts, Inc. for arts-related services for students attending KSSB in exchange for KSSB facility use and statewide outreach services in the Arts (drama, movement, dance, visual arts, music) for Kansas individuals with disabilities in an amount not to exceed $134,000; and
- enter into two contracts for out-of-state tuition for the 2011 Extended School Year (summer school) Program: in an amount not to exceed $2,600 with the Lee's Summit, MO School District; and in an amount not to exceed $1,500 with the Liberty, MO School District for two students.

The State Board authorized the *Commissioner of Education* to negotiate and:

- continue a contract with Career Communications to allow the Career Standards and Assessment Services staff at the Kansas State Department of Education to continue services for American Career publications, resources, and instructional trainings, in an amount not to exceed $25,000;
- continue a contract with Career Communications to allow the Career Standards and Assessment Services staff at the Kansas State Department of Education to continue services for American Career publications, resources, and instructional trainings, in an amount not to exceed $25,000;
- continue a contract with the Southern Regional Education Board (SREB) for High Schools That Work (HSTW) and Technology Centers That Work (TCTW) membership fees and consortium activities through Carl D. Perkins in an amount not to exceed $29,000;
- continue a multi-vendor contract to support career and technical industry-recognized certifications/credentials for career and technical education student concentrators in a contract amount not to exceed $420,000;
- enter into a contract with Dr. Susan Duron to evaluate the Kansas Migrant Education Program in an amount not to exceed $11,200;
- continue a contract with the Kansas Department of Health & Environment and the Kansas Department of Social & Rehabilitative Services to support the Coordinating Council on Early Childhood Developmental Services with the contract amount not to exceed $43,000;
- continue a contract with the Kansas Department of Health & Environment (KDHE) for the continued support of an interagency information/resource service for persons with disabilities to provide toll-free telephone access to information on health, social service and education services and resources available from public supported

program and special grant projects, in an amount not to exceed $25,000;

- continue a contract with Topeka City of Character to provide support services for the Character Education Program grant to provide evaluation and support services at the rate of $44 per hour; plus reimbursement for reasonable and necessary expenses incurred as a direct result of providing the requested services including in-state and out-of-state travel in an amount not to exceed $9,200. Provided, the total amount of this contract shall not exceed $45,900;
- continue a contract with Coyote Consulting, LLC to provide statewide coordination services for the Partnership in Character Education grant at the rate of $44 per hour; plus reimbursement for reasonable and necessary expenses incurred as a direct result of providing the requested services including in-state and out-of-state travel in an amount not to exceed $15,414. Provided, the total amount of this contract shall not exceed $69,250;
- continue a contract with the Technical Assistance for Excellence in Special Education Center for Persons with Disabilities Center (TAESE) for continued technical assistance and support, data programing to generate required public reports and data analysis for the Kansas State Performance Plan (SPP) and Annual Performance Report (APR) in the amount not to exceed $1,398,080 during the period of July 1,2011 through June 30, 2015;
- continue a contract with Families Together, Inc., to serve as parental involvement consultants in an amount not to exceed $247,020;
- enter into a contract from July 1, 2011 through June 30, 2012 with Ron Nitcher for the purpose of preparing the Department's annual federal indirect cost proposal for submission to the U.S. Department of Education, assist in all activities related to completing the federal financial compliance audits for FY 2012, and assist the Director of Fiscal Services and Operations in the preparation of the agency's annual budget request with the contract, amount not to exceed $60,000.
- enter into a contract with the National Center for the Improvement of Educational Assessment (NCIEA) for technical assistance with implementing the Student Growth Percentile (SGP) model in Kansas for an amount not to exceed $1,500 per day or a total of $30,000;
- enter into a contract with the Kansas Center for Safe and Prepared Schools (KC-SPS), to provide emergency operation training services for Kansas schools in the amount of $50,000 - revised to be per year for 4 years with the total contract not to exceed $200,000;
- amend the existing contract with eScholar LLC to include capability to locate students as they enroll in districts in other states in an amount not exceed $75,000; and
- enter into a sole source contract with the American Alliance of Health, Physical Education, Recreation and Dance (AAHPERD)/National Association for Sport and Physical Education (NASPE) for the Let's Move in Kansas Schools project in an amount shall not exceed $200,000;

EXECUTIVE SESSION

Mrs. Wims-Campbell moved that the Board recess into executive session at 5:05 p.m. for a period of 15 minutes for consultation with an attorney which would be deemed privileged in the Attorney-Client relationship, in order to protect the privilege and the Board's communications with its attorney on legal matters; with the open meeting to resume in the Board Room at 5:20 p.m. Commissioner DeBacker, General Counsel Whelan and attorney Kevin Ireland were invited to participate. Mr. Dennis seconded the motion which carried 10-0. The open meeting resumed at 5:20, at which time Mrs. Wims-Campbell, with a second by member Dennis, moved to extend the executive session for an additional 15 minutes, until 5:33. The motion carried 10-0. The open meeting resumed at 5:33 p.m. (02:22:57)

RECESS

There being no further business, the meeting was recessed at 5:35 p.m.

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David Dennis, Chairman Penny Plamann, Secretary

APPROVED

KANSAS STATE BOARD OF EDUCATION
Meeting Minutes

June 15, 2011

CALL TO ORDER

Chairman Dennis called the meeting of the State Board of Education to order at 9:00 a.m., June 15, 2011 in the Board Room of the Kansas Education Building, 120 SE 10th Avenue, Topeka, Kansas.

6/15/11 Part I session audio archive (00:00:21)

ROLL CALL

All members were present:

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

APPROVAL OF THE AGENDA

Mrs. Wims-Campbell, moved with a second by Chairman Dennis, that the agenda be approved as presented. Member Chappell asked for an executive session to discuss the board attorney's contract. It was deemed inappropriate to discuss it in executive session and after further discussion, Chairman Dennis suggested that the agenda as presented be approved, with the option to open it for amendment to discuss the issue if additional information about the contract and the renewal procedure became available. Dr. Chappell agreed with the suggestion and the motion carried 10-0.

(00:00:43)
MOTION

PRESENTATION BY LIBERAL PUBLIC SCHOOLS - DISTRICT IMPROVEMENT AND SCHOOL IMPROVEMENT GRANT (SIG)

Representatives from the Liberal Public School District gave a presentation on their turnaround achievement results, accomplished with help from the implementation of the School Improvement Grant (SIG) and programs such as Learning First. Liberal is currently in its fifth year of being on improvement and is in the corrective action phase for both reading and math. The presentation highlighted South Middle School which has been on improvement for five years and through redesigned strategies and systems achieved Adequate Yearly Progress (AYP) last year. Board congratulations and questions followed the presentation.

(00:05:57)

The Board took a break from 10:41 to 10:51 a.m.

BREAK
(01:40:51)

UPDATE ON THE KANSAS SYSTEM OF DISTRICT AND SCHOOL SUPPORT

Board members also received an evaluation overview of the Kansas Learning Network (KLN) by staff of the Learning Services Division and the Commissioner. KLN works with schools and districts on improvement to identify and help implement changes to improve school performance. Results of the first cohort were shared to demonstrate the effectiveness of the program thus far, showing student progress in all five of the pilot districts. This year the network serves 26 districts and 37 schools. Among the challenges KSDE is facing in the coming year is redesigning the required technical support for districts and schools to meet the expected increased demand as more districts and schools are placed on improvement, at the same time the agency will have fewer resources and more federal requirements. It was noted that recommendations would be brought to the Board at the July meeting. Brief discussion followed.

6/15/11 Part I session audio archive (00:00:09)

INFORMATION ON THE BOARD ATTORNEY'S CONTRACT

(00:43:19) Chairman Dennis shared information provided to him regarding renewal of the Board Attorney's contract. As negotiated through the State procurement process, the contract is renewal for a one year period each year for a total of four years, with the requirement that the attorney notify the Division of Purchases of the intention to renew. Mr. Ferguson had sent the appropriate letter to the Division of Purchases in a timely fashion, with a copy e-mailed to Board members. The Board could take action to sever the contract, but if no action is taken, the contract is automatically renewed for the additional year.

MOTION
(00:45:14) Dr. Chappell moved, with a second by Mr. Bacon, that the Board amend the agenda and add a discussion of the Board attorney's contract. The motion failed on a vote of 4-6, with Waugh, Wims-Campbell, Dennis, Storm, Cauble and Shaver voting in opposition.

BOARD REPORTS

Chairman
(00:46:40) Chairman Dennis asked for a motion to pay NASBE membership dues for 2012. Mrs. Shaver moved that the Board pay the NASBE dues, but exclude the $5,000 for the Kansas Professional Development (KPPD) account. The motion was clarified to include payment to NASBE to cover $24,835 for 2012 NASBE membership dues; $130 for 2012 NCOSEA membership dues; $20 for a 2012 subscription for Board members to the *NASBE Standard* magazine; and $706.39 to make up a deficit in the Kansas Professional Development Fund. Mrs. Waugh stating her support for NASBE, but noting the budget reductions for FY 2012, seconded the motion. Discussion followed. The motion carried 10-0.

Chairman Dennis asked Board members to consider possible savings in light of the budget reductions and stated his concern about members asking the Department to provide information that required considerable additional work to produce. He noted the effects the cut-backs were having on the agency staff. He suggested that the Board might want to look at a policy to address such requests.

He also commented on the effect on all Board members when one member violated the attorney-client privilege by sharing privileged communications to newspapers or other outside sources. An option the Board could consider would be to rescind the right to receive such information from any member committing such a violation.

Mr. Dennis also reported on several other meetings he had attended, including a Virtual Schools Advisory Committee meeting and the recent NASBE Board of Directors meeting. Because of the current delay in the reauthorization of ESEA, he indicated that he had asked the Department to calculate AYP based on the current year's targets, as well as the 2009-2010 targets included in the Board's waiver request to U.S. D.O.E. He indicated he would encourage the Board in August to use the 2009-2010 targets regardless of action taken or not taken by U.S. D.O.E. Mr. Dennis reported that CCSSO would be considering its participation in next year's NASBE legislative conference. The Commissioner was asked to share with CCSSO of the value of a joint NASBE/CCSSO legislative conference.

Attorney
(01:15:00) Board Attorney Ferguson reported on recent activities on behalf of the Board, including information on the status of the Petrella litigation. Mr. Ferguson updated the Board on a report to the District Attorney by Doug Wright of a possible KOMA violation by the Board when several Board members were seen having dinner at a local restaurant. He indicated that affidavits had been developed for member signatures to send to the District Attorney.

He also indicated that a decision had been made by the judge in the Terrance Vick appeal. He reported that the issue would be remanded back to the Professional Practices Commission and

MOTION
(01:15:00)

would require Board action to do so. Mrs. Wims-Campbell moved, with a second by Mrs. Waugh, that based upon the decision of Shawnee County District Court Judge Frank Theis dated May 23, 2011, that the Board approve a plan to direct the Professional Practices Commission (PPC) to reconsider the request for licensure of Terrance Vick and conduct a comprehensive due process hearing regarding the facts and circumstances surrounding the application, with the understanding that outside counsel will assist with the evidentiary hearing. The PPC is then directed to make a detailed recommendation to the Board based upon the record presented. Discussion followed about whether rehabilitation should be referred to specifically in the motion. The motion carried 10-0. The timeline for the process was also discussed.

BREAK
(01:36:10)

The Board took a break from 12:28 to 12:34 p.m.

Other Board Member Reports
(01:43:10)

Ms. Storm reported on upcoming salary negotiations with the Kansas School for the Deaf and her participation on a NASBE study group. Mrs. Cauble reported on several activities, including the recent NASBE Government Affairs Committee she had attended.

MOTION
(02:12:27)

As a result of Mrs. Cauble's comments regarding the lack of action by Congress in reauthorizing ESEA, Mrs. Martin moved, with a second by Dr. Chappell that staff be directed to draft letters from the Board to the Governor and to members of the Kansas Congressional delegation regarding the Kansas request for a waiver to use 2009-2010 targets to determine AYP and the desire of the Board that ESEA not be reauthorized using a piecemeal approach; and draft another letter with a similar message that could be modified for individual Board member use to send to each of their Congressional representatives in the House and Senate. The motion carried 10-0.

Also arising from comments made by Mrs. Cauble was direction to staff to investigate the establishment of a 501(c)3 State education foundation similar to the one in Colorado.

Mrs. Shaver and Mrs. Martin reported on the Common Core Standards implementation meeting they had attended in Chicago, noting that KSDE staff seemed well on the way with its plans. The department efforts were commended.

Dr.Chappell reported on a statement he had joined with others across the country in signing – "**Closing the Door on Innovation Why One National Curriculum Is Bad for America -** *A Critical Response to the Shanker Institute Manifesto and the U.S. Department of Education's Initiative to Develop a National Curriculum and National Assessments Based on National Standards".* He stated his many reasons for his position, including the cost of implementing common standards.

Mrs. Martin and Mr. Willard reported on the Kansas Excellence in Education conference they had attended in Hutchinson. Mrs. Wims-Campbell reported on several activities, including the annual meeting of the Kansas Alliance of Black Educators.

REQUESTS FOR FUTURE AGENDA ITEMS

Chairman Dennis requested a presentation on the growth model that would possibly be used in Kansas. An update on Virtual Schools was requested. Mrs. Martin requested that Clifton-Clyde school district and the Kansas City Kansas school district be invited to the August meeting to share information about their respective programs being developed to meet the requirements of NCLB. Mr. Willard noted that the McPherson district would need to be on the July agenda for Board approval of its state assessment waiver request for an additional year for its C3 program. Mrs. Waugh asked for a presentation by the Kansas Council for Economic Education. Dr. Chappell asked for a presentation on a financial literacy program jointly sponsored by the Kansas Securities and Kansas Banking Commissioners. Mrs. Shaver requested a presentation on the Let's Move program.

As an additional follow-up item, Mrs. Cauble asked that permanent Board member meeting folders be used that would include the reasons for executive sessions and the Board's strategic agenda on the inside covers.

ACT ON BOARD MEMBER TRAVEL REQUESTS

MOTION (03:00:29) Mrs. Martin moved, with a second by Mrs. Wims-Campbell, that the Board approve travel requests. Mrs. Wims-Campbell asked that mileage be added to her request for the negotiations team meetings. The motion carried 10-0.

ADJOURNMENT There being no further business, Chairman Dennis adjourned the meeting at 1:45 p.m.

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David Dennis, Chairman Penny Plamann, Secretary