TUESDAY, JULY 14, 2015
MEETING AGENDA

Landon State Office Bld.
900 SW Jackson St.
Board Room, Ste 102
Topeka, KS 66612

9:30 - 9:55 a.m.

10:00 a.m.

10:05 a.m.

10:30 a.m.

11:00 a.m.

11:15 a.m.

Noon

1:30 p.m.

2:00 p.m.

2:10 p.m.

2:20 p.m.

3:05 p.m.

3:15 p.m.

AI—Action Item
RI—Receive Item, for possible action
DI—Discussion Item
at a future date
IO—Information Only

1. Call to Order
2. Roll Call
3. Mission Statement, Moment of Silence and Pledge of Allegiance
(AI) 4. Approval of Agenda
(AI) 5. Approval of June Minutes page 5

(IO) 6. Commissioner’s Report page 27

(IO) 7. Citizens’ Open Forum page 29

(IO) 8. Recognize National Teachers Hall of Fame Inductee from Kansas pg 31

(RI) 9. Receive Licensed Personnel Report page 33

Lunch

(RI) 10. Receive Emergency Safety Intervention Draft Regulations to Comply with New Legislation page 47

(AI) 11. Act on appointments to the Emergency Safety Intervention Task Force page 49

(AI) 12. Act on Kansas Curricular Standards for Visual Arts page 51

(AI) 13. Act on Innovative Districts’ Specialized Certificate Recommendation pg 53

Break

(IO) 14. Implementation of KCCR Science Standards Quarterly Update page 57

PRE-MEETING ACTIVITY
Reception for New Commissioner of Education - Dr. Randy Watson
Board Room, Suite 102, Landon State Office Building
3:30 p.m.
(AI) 15. Legislative Matters page 59
   - Discuss options and approve budget recommendations for FY 2017

4:05 p.m.
16. Consent Agenda
   (RI) a. Receive monthly personnel report page 67
   (AI) b. Act on appointments to unclassified special project positions page 69
   (AI) c. Act to approve local in-service education plans page 71
   (AI) d. Act on Visiting Scholar applications page 73
   (AI) e. Act on recommendations of the Licensure Review Committee page 75
   (AI) f. Act on program recommendations from the Evaluation Review Committee page 79
   (AI) g. Act to approve South Central Kansas Education Service Center Interlocal Agreement page 93

Continuation Grants from Federal Formula Grant Funds
   (AI) h. Act on recommendations for funding of the Migrant Family Literacy grant requests page 121
   (AI) i. Act on recommendation to fund a Kansas 21st Century Community Learning Centers supplemental award page 123

New Contract from Federal Set Aside Funds for Mandated Activities
   (AI) j. Act on contract with the Kansas Association of Independent and Religious Schools for the reimbursement of funds for professional development of non-public school teachers and leaders page 125

Tuition Contracts and Contracts for Related Services
   (AI) k. Authorize contracts for out-of-state tuition for students attending KSSD for the 2015-16 school year page 127
   (AI) l. Authorize contracts for out-of-state tuition for students attending KSSB for the 2015-16 school year page 129
   (AI) m. Authorize renewal of a contract with Accessible Arts, Inc. for related services and KSSB facility use page 131
   (AI) n. Authorize renewal of a contract with Helen Keller Regional Office for Deaf-Blind Adults for facility use at KSSD page 133
   (AI) o. Authorize renewal of a contract between KSSD and the Kansas Department of Health and Environment for a hearing aid loan bank page 135

4:15 p.m.
RECESS
WEDNESDAY, JULY 15, 2015
MEETING AGENDA

Landon State Office Bld.
900 SW Jackson St.
Board Room, Ste 102
Topeka, KS 66612

AI—Action Item
DI—Discussion Item
RI—Receive Item, for possible action
at a future date
IO—Information Only

1. Call to Order
2. Roll Call
3. Approval of Agenda

4. Act on recommendations of the Professional Practices Commission pg 139 & pg 182
5. Report on survey concerning recess in elementary schools page 199
6. Board Reports & Requests for Future Agenda Items page 207

Break

7. Act to appoint delegate to the NASBE Annual Conference page 209
8. Act on Board Member Travel page 211

9. Assessment Discussion: Process for establishing cut scores for the Kansas Assessments page 213

ADJOURN

Noon to 2:00 p.m.

Board Policy Committee Meeting (Conference Room 600 North)

Next Board Meeting: Aug. 11 at KSDE        Board Planning Retreat: Aug. 12 and 13 at KSHSAA Offices
CALL TO ORDER
Chairman Jim McNiece called the monthly meeting of the State Board of Education to order at 10 a.m. Tuesday, June 9, 2015, in the Board Room at the Landon State Office Building, 900 SW Jackson St., Topeka, Kansas.

ROLL CALL
The following Board members were present:
Kathy Busch  Carolyn Wims-Campbell  Sally Cauble
Deena Horst  Jim McNiece  Jim Porter
Steve Roberts  Ken Willard

Board members John Bacon and Janet Waugh were absent.

STATE BOARD MISSION STATEMENT, MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE
Chairman McNiece read the Board’s Mission Statement. He then asked for a moment of silence after which the Pledge of Allegiance was recited.

APPROVAL OF AGENDA
Mrs. Cauble moved to approve the agenda acknowledging notification that Item 12 “Professional Practices Commission Recommendations” would require action on nine cases and not 10 as presented. Mrs. Horst seconded. Motion carried 8-0.

APPROVAL OF THE MAY MEETING MINUTES
Mrs. Cauble moved to approve the minutes of the May Board meeting. Mrs. Horst seconded. Motion carried 8-0.

COMMISSIONER’S REPORT
Interim Commissioner Brad Neuenswander reported on his experience last month with the U.S.-China State/Provincial Education Delegation that traveled to Shanghai. He joined other selected Council of Chief State School Officers to meet with educational leaders there and learn about China’s school system. Mr. Neuenswander commented on similarities and differences as related to professional development, assessments, classroom technology, teacher evaluations and reform efforts.

CITIZENS’ OPEN FORUM
Chairman McNiece declared the Citizens’ Forum open at 10:25 a.m. Speakers and their topics were:
Rick Pappas representing Kansas Association for Health, Physical Education, Recreation and Dance — Kansas recess survey results; Tom Brungardt, Milford — licensing of teachers; Daniel Klaassen representing KNEA — opposition to removing teacher licensure requirements; Christy Leving representing National Board of Professional Teaching Standards — licensing of teachers; Erica Huggard representing KNEA — teaching license waiver; Meagan Meneley representing Kansas World Language Association — world language education in Kansas; Nora Kelting, Newton — recommending at least one year of world language study for students; Stephanie French representing Kansas Association of Teachers of Spanish and Portuguese — advocating for seal of biliteracy for graduating seniors based on proficiency; Jane Bodecker Johnson, USD 440 — incorporating world languages in the career and technical education pathways. Chairman McNiece declared the Citizens’ Forum closed at 11:05 a.m.
The Board took a break until 11:12 a.m.

**ASSESSMENT UPDATE**

Dr. Marianne Perie with the Center for Educational Testing and Evaluation (CETE) gave a recap of the assessment year in Kansas. In her summary, she noted that there were no successful cyberattacks in 2015; minimal problems were resolved quickly; tests took less time than expected; and the data analysis is under way. Dr. Perie also reported on the field testing of performance tasks, the need for more volunteers to score the performance tasks, and the timetable for setting cut scores. She shared sample formats of scoring reports that would be used to inform schools and parents about test results. KSDE staff Beth Fultz and Dr. Scott Smith revealed assessment survey feedback concerning technology, test administration, content and accommodations.

**LUNCH**

At noon, Chairman McNiece recessed the meeting for lunch until 1:30 p.m. Board member John Bacon was in attendance for the afternoon session.

**UPDATE ON COALITION OF INNOVATIVE DISTRICTS’ CERTIFICATE PROPOSAL**

Superintendents Dr. Randy Watson and Dr. Cynthia Lane reported on the latest developments in the Coalition of Innovative School Districts’ request for a waiver from teacher licensure in special circumstances. The proposal would allow the six designated Innovative School Districts to issue a specialized certificate in instances when it was difficult to identify appropriate candidates prepared through existing licensure options or when the district was developing an innovative program outside the scope of current licensure options. Coalition members have met with deans from schools of education in both the regents system and private institutions to gain their input. Coalition sub-committee members Dr. Howard Smith from Pittsburg State University and Dr. Amy Hogan from Ottawa University addressed the Board. Dr. Lane reviewed updates to the Coalition’s Position Statement on the certificate and reiterated qualifications required for eligibility. Several members of the Coalition presented specific examples of how the proposal could be utilized in their school districts.

**INTRODUCTION OF CAREER PATHWAY COORDINATOR AND INITIATIVES**

Kathleen Cochran was introduced as the first Career Pathway Coordinator, which is a new liaison position created to serve both the Kansas State Department of Education and the Kansas Board of Regents. She will work closely with the KSDE/KBOR College and Career Ready Task Force to align secondary and postsecondary expectations within career pathway options for students. Connie Beene from KBOR was present to help answer questions. Ms. Cochran begins in her new position July 1.

**PRESENTATION ON TEACHER LICENSURE: ROUTES TO THE CLASSROOM**

Dr. Scott Myers, Director of Teacher Licensure and Accreditation, along with Assistant Director Susan Helbert reviewed a timeline of changes and increased flexibility in teacher licensure since the 1970s. Mrs. Helbert then outlined multiple ways an individual may be credentialed to teach in Kansas, from the traditional teacher preparation programs through options that are based on occupational skill and experience without requiring additional pedagogy. A diagram of all the routes to the classroom was provided to the Board, and she explained the specifics of each. She answered questions about the STEM license for those who possess a degree in one of the approved subject areas of science, technology, engineering and math, as well as questions about the other alternate routes and endorsement additions. Mrs. Cauble recommended that the chart of available licensure routes be distributed to principals, superintendents, service centers and other educational organizations.

**BREAK**

The Board took a break from 3:27 to 3:40 p.m.
ACTION ON RECOMMENDATIONS OF THE PROFESSIONAL PRACTICES COMMISSION
Calin Kendall, Chairman of the Professional Practices Commission, presented the recommendations of the PPC on nine licensure cases following hearings March 30, 2015. Chairman McNiece informed Board members that Case 15-PPC-05 Sarah Coursen, which was originally on the agenda, would not be considered this month. Ms. Wims-Campbell moved to vote separately on the following cases: 15-PPC-07 Kelly Lillis, 15-PPC-09 Diego Garcia, 15-PPC-06 Gabriel Moyer, 15-PPC-10 Michael Offerman and 15-PPC-13 Austin Russell. Mr. Roberts seconded. Motion carried 9-0. Mr. Roberts moved to collectively approve the recommendations of the Professional Practices Commission on cases 15-PPC-04 Allan Hammond, 15-PPC-08 Bradley Deal, 15-PPC-11 Kraig Hilmes and 15-PPC-12 Nathan Roth. Ms. Wims-Campbell seconded. Motion carried 9-0.

Mrs. Busch moved to approve the recommendations of the PPC on case 15-PPC-07 Kelly Lillis. Mr. Porter seconded. Motion carried 9-0. Mr. Porter moved to adopt the findings of the PPC on case 15-PPC-09 Diego Garcia. Mr. Willard seconded. Motion carried 8-1 with Ms. Wims-Campbell in opposition. Mrs. Cauble moved to approve the recommendations of the PPC on case 15-PPC-06 Gabriel Moyer. Mr. Robert seconded. Motion failed on a vote of 4-4-1 with Mr. Willard, Mr. Bacon, Ms. Wims-Campbell and Mrs. Horst opposing and Mr. Porter abstaining. Mrs. Busch moved to approve the recommendations of the PPC on case 15-PPC-10 Michael Offerman. Mr. Willard seconded. Motion carried 9-0. Ms. Wims-Campbell moved to approve the recommendations of the PPC on case 15-PPC-13 Austin Russell. Mrs. Horst seconded. Motion carried 9-0.

In separate action, Mrs. Busch moved to remand case 14-PPC-35 Karen Hannah back to the Professional Practices Commission for findings pursuant to K.A.R. 91-22-5a (c). Mrs. Cauble seconded. Motion carried 9-0. Mr. Kendall then offered closing remarks about the important work of the PPC as he ends his term as Chairman.

REPORT ON GENERAL COUNSEL’S REVIEW OF LICENSURE/RENEWAL APPLICATIONS
In July 2014, the Kansas State Board of Education gave the KSDE Office of the General Counsel discretion to clear applicants for teacher licensure using framework suggested by that office. General Counsel Scott Gordon reviewed the criminal history background check process and reiterated the specific guidelines approved by the Board last year. He reported that since then his office has cleared 77 applications, including new and renewal licenses, using these guidelines without involvement of the Professional Practices Commission or the State Board. This process has helped reduce the backlog of licensure cases awaiting approval.

LEGISLATIVE MATTERS
Deputy Commissioner Dale Dennis updated Board members on amendments to the Block Grant Program and effects of proposed reductions under consideration by the legislature, which was still in session. In preparation for next month’s discussion on budget recommendations for Fiscal Year 2017, Mr. Dennis provided the Board with a history of funding for education aid programs and projected costs of options. The opportunity to make recommendations is allowed even though state agency budgets are now on a two-year cycle. He shared other legislative information and a summary of KSDE’s projected operating budget shortfall.

CONSENT AGENDA
Mrs. Horst moved to approve the Consent Agenda. Ms. Wims-Campbell seconded. Motion carried 9-0. In the Consent Agenda, the Board:

- received the monthly Personnel Report for May.
- confirmed the appointment of Shivani Shrivastava as Database Administrator on the Fiscal Services and Operations team effective June 8, 2015 at an annual salary of $61,984.
• approved the Education Flexibility Partnership (Ed-Flex) waiver request for USD 383 Manhattan.
• accepted the following recommendations for licensure waivers valid for one school year:
  *Adaptive Special Education* — William Duncan, USD 259; Abraham Rosales-Camacho, DO613.
• approved the local in-service education plans for USD 207 Fort Leavenworth, USD 348 Baldwin City, USD 399 Paradise, USD 453 Leavenworth, and USD 471 Dexter.
• authorized USD 284, Chase County (Chase County), to hold an election on the question of issuing bonds in excess of the district’s general bond debt limitation.
• approved funding for the 2015-16 Kansas Preschool Program Grant awards as follows: Sedgwick County $686,366; Dodge City $176,599; Shawnee County $447,978; Douglas County $354,837; Reno County $503,174; Crawford County $212,787; Manhattan $439,140; Geary County $431,001; South Central Kansas $389,291; Shawnee Mission $238,556; The Opportunity Project (Wichita) $331,832; and Kansas City Kansas $588,251.
• approved continued and expansion funding of the 2015-16 Parents as Teachers grants as follows:
  - USD 204 Bonner Springs $16,336; USD 210 Hugoton $25,851; USD 214 Ulysses $35,150; USD 227 Jetmore $17,700; USD 229 Blue Valley $402,315; USD 231 Gardner/Edgerton $65,191; USD 232 DeSoto $113,922; USD 233 Olathe (Kansas City Area Consortium) $1,112,197; USD 239 North Ottawa $25,252; USD 240 Twin Valley $23,898; USD 259 Wichita $317,000; USD 260 Derby $128,268; USD 261 Haysville $127,000; USD 263 Mulvane $16,328; USD 265 Goddard $65,716; USD 266 Maize $119,066; USD 273 Beloit Consortium $95,000; USD 305 Salina $79,283; USD 306 Southeast of Saline $36,667; USD 308 Hutchinson Public Schools $139,438; USD 320 Wamego $26,635; USD 321 Kaw Valley Schools $26,557; USD 323 Rock Creek $34,654; USD 333 Learning Cooperative of North Central Kansas $49,923; USD 337 Royal Valley $41,000; USD 348 Baldwin City $84,483; USD 349 Stafford/St. John $17,971; USD 359 Argonia Consortium $64,615; USD 368 Paola Consortium $140,480; USD 373 Harvey County Parent Education Consortium $60,120; USD 379 Clay Center $63,157; USD 380 Vermillion $24,236; USD 382 Pratt Consortium $14,997; USD 383 Manhattan/Ogden $209,000; USD 393 Solomon $20,903; USD 394 Rose Hill $33,563; USD 405 Lyons Special Services Cooperative $60,424; USD 410 Marion County Parents As Teachers $75,345; USD 428 Great Bend Consortium $27,075; USD 435 Abilene $64,652; USD 437 Auburn-Washburn/Shawnee Heights $98,592; USD 443 Dodge City $39,705; USD 445 Coffeyville $90,185; USD 457 Garden City $190,304; USD 458 Basehor-Linwood $43,930; USD 465 Winfield $64,788; USD 469 Lansing $37,853; USD 473 Chapman $27,184; USD 475 Geary County $133,620; USD 479 Crest $16,969; USD 482 Dighton $20,000; USD 487 Herington Consortium $35,916; USD 489 Hays $184,478; USD 495 Fort Larned $24,047; USD 497 Lawrence $138,000; USD 498 Valley Heights/Marysville $63,000; USD 501 Topeka $498,946; USD 506 Labette County $19,352; USD 507 Satanta $12,984; USD 512 Shawnee Mission $367,936; DO 602 Northwest Kansas Education Service Center $35,062; DO 608 Keystone Learning Services/Northeast Kansas Education Service Center $392,000; DO 609 Southeast Kansas Education Service Center $501,569; DO 629 Smoky Hill Education Service Center $26,154; and IL 636 North Central Kansas Special Education Cooperative $73,693.

*authorized the Commissioner of Education to negotiate and*

• enter into a contract with a vendor to work with KSDE to conduct a content analysis and develop a website to house a Physical Education curriculum resource outlined in a grant provided by the Kansas Health Foundation in an amount not to exceed $55,500;
• amend the contract with the Kansas Department of Agriculture for the purpose of completing on-site health inspections of unlicensed Summer Food Service Program meal preparation and service sites at the rate of $150 per inspection in an amount not to exceed $34,500;
- continue a contract with the Kansas Educational Leadership Institute to assist the Kansas State Department of Education in the development of a principal mentoring program in an amount not to exceed $27,000;
- enter into a contract with Eighty Four Productions, Inc. for the purpose of a keynote presentation at the 2015 KSDE Annual Conference in an amount not to exceed $12,000.

RECESS
At 4:55 p.m., Chairman McNiece recessed Tuesday’s Board meeting until 9 a.m. Wednesday.

____________________________________  ___________________________________
Jim McNiece, Chairman                               Peggy Hill, Secretary
KANSAS STATE BOARD OF EDUCATION
Meeting Minutes
June 10, 2015

CALL TO ORDER
Chairman Jim McNiece called the Wednesday, June 10, meeting of the State Board of Education to order at 9 a.m. in the Board Room at the Landon State Office Building, 900 SW Jackson St., Topeka, Kansas.

ROLL CALL
The following Board members were present:
John Bacon  Kathy Busch  Carolyn Wims-Campbell
Sally Cauble  Deena Horst  Jim McNiece
Jim Porter  Steve Roberts  Ken Willard

Board member Janet Waugh was absent.

APPROVAL OF AGENDA
Mrs. Horst moved to approve the agenda. Mrs. Busch seconded. Motion carried 8-0 with Mr. Willard absent for the vote.

INFORMATION ON SCHOOL DISTRICT BULLYING POLICIES AND PROCEDURES
As an introduction to school district bullying policies and procedures, KSDE General Counsel Scott Gordon presented a history of the State Board’s efforts on the topic, including an official statement on bullying in February 2011 and a declaration for anti-bullying awareness week each October. He reviewed Kansas statues in place that address bullying in schools as well as common definitions of bullying. Education Program Consultant Kent Reed explained initiatives of safe and supportive schools. He shared a sample school district policy, discussed ways the state statute’s requirements are monitored, and described options that students and parents have to report bullying issues.

RECEIVE KANSAS CURRICULAR STANDARDS FOR VISUAL ARTS
Education Program Consultant Joyce Huser introduced members of the revision committee who explained the process writers and reviewers went through to update the standards. The focus of the revised standards is to help students become more visually literate with greater cognitive and problem-solving skills. The updated standards incorporate both college and career readiness and the Rose Capacities, plus align with national standards of fine arts disciplines. A time for questions followed. The State Board will vote on the Kansas Curricular Standards for Visual Arts in July.

ACTION ON NEGOTIATED AGREEMENT WITH KANSAS STATE SCHOOL FOR THE DEAF NEA
On behalf of the negotiations bargaining team, Board Attorney Mark Ferguson presented the Professional Agreement between the Kansas State School for the Deaf NEA and the Kansas State Board of Education. He reported that the NEA has already ratified the agreement so he asked that the State Board consider taking action at this meeting. KSSD could then proceed with issuing contracts. Ms. Wims-Campbell moved to depart from Board policy and allow this “receive” agenda item to be an “action” item. Mrs. Busch seconded. Motion carried 9-0. Mrs. Horst then moved to approve the Professional Agreement between the KSSD NEA and the Kansas State Board of Education for the term Aug. 1, 2015 to July 31, 2016. Ms. Wims-Campbell seconded. Motion carried 8-1 with Mr. Roberts in opposition.

The Board took a break until 10:40 a.m.
ACTION ON NEW APPOINTMENTS

**Licensure Review Committee**, presented by Dr. Scott Myers — The LRC reviews qualifications of applicants desire to be licensed in Kansas, but don’t fully meet Kansas regulations for licensure. Mr. Willard moved to appoint Bruce Major to fill an opening on the committee for a secondary level classroom teacher. Mr. Roberts seconded. Motion carried 8-0 with Ms. Wims-Campbell absent for the vote. Mr. Roberts moved to appoint Dale Jean Probst to fill an opening for special education classroom teacher. Mr. Willard seconded. Motion carried 8-0 with Ms. Wims-Campbell absent for the vote. Both terms are effective July 1, 2015 through June 30, 2018.

**Professional Standards Board**, presented by Dr. Scott Myers — The PSB develops and recommends rules and regulations for professional standards governing educator preparation and certification. Mrs. Busch moved to approve the four recommendations to fill vacancies as presented: Bill Biermann, Kyle Stadalman, Maria Worthington and Patrick Reilly to the Professional Standards Board with their terms effective July 1, 2015 through June 30, 2018. Mr. Willard seconded. Motion carried 8-0 with Ms. Wims-Campbell not present for the vote.

**Professional Practices Commission**, presented by Scott Gordon — The PPC hears cases arising under rules and regulations adopted by the State Board involving the issuance, suspension, revocation or the reinstatement of teacher and school administrator licenses. Three positions are open. Mrs. Cuble moved to appoint Justin Henry to the PPC representing K-12 level administrators and Ginger Riddle representing secondary level teachers. Mrs. Busch seconded. Motion carried 9-0. Mr. Bacon moved to appoint John McKinney to represent secondary level administrators. Mr. Roberts seconded. Motion carried 8-1 with Ms. Wims-Campbell in opposition. All three terms are effective July 1, 2015 through June 30, 2018.

**Special Education Advisory Council**, presented by Colleen Reilly — The SEAC works collaboratively to provide leadership for continuous improvement of educational systems to ensure equity and enhance learning for all students in Kansas, and serves as a liaison between the statewide populace and the Kansas State Board of Education. Four vacancies are up for consideration. Mrs. Horst moved to appoint Rebekah Helget representing administrator of exceptional programs to complete a vacated term. Mrs. Busch seconded. Motion carried 9-0. Ms. Wims-Campbell moved to appoint Tina Gibson through June 30, 2018 representing general education teachers. Mrs. Busch seconded. Motion carried 9-0. Mr. Willard moved to appoint Amy Dejmal, representing a state agency involved in financing or delivery of services to exceptional children, to complete a vacated term. Mrs. Busch seconded. Motion carried 9-0. Mrs. Horst moved to appoint Deb Young through June 30, 2018 representing a parent of a child or person with a disability. Ms. Wims-Campbell seconded. Motion carried 9-0. A vacancy for a public charter schools representative remains open.

COMMITTEE/BOARD REPORTS & FUTURE AGENDA ITEMS

Legislative — Mr. Willard reported on conditions at the Statehouse through the extended session.

Policy — Mrs. Busch announced that the committee will discuss the redline version of updates in July and August with plans to bring recommendations to the Board as early as September.

Communication — Mr. McNiece announced that there will be a welcome reception for new Commissioner Dr. Randy Watson at 9:30 a.m. on Tuesday, July 14, just before the regular Board meeting.

Other — Mrs. Busch updated members on activities associated with the NASBE leadership stipend, including attendance at the United School Administrators of Kansas convention, the June 23 new superintendents meeting at KSDE, and the mentor/mentee session with KELI Sept. 10 in Manhattan.
Board Attorney Mark Ferguson shared updates on legal issues and cases during his monthly report, including work on a residential structure lease arrangement at the Kansas State School for the Deaf.

During individual Board member reports, Mrs. Horst attended advocacy meetings of the Kansas Association of School Boards; Mrs. Busch attended the USA-Kansas annual convention and the Chamber of Commerce visioning session in Wichita; Mr. Roberts participated in the NASBE regional meeting in St. Louis; Mr. Porter reported on the USA-Kansas convention; Ms. Wims-Campbell attended a promotion ceremony at Williams Science and Fine Arts Magnet School; Mrs. Cauble participated in the dedication of a one-room school house in Dodge City; Mr. McNiece attended the KASB advocacy meeting, the USA-Kansas convention, the Chamber of Commerce visioning session, and will be attending the NASBE Board of Directors’ meeting June 18-19.

During his Chairman’s Report, Mr. McNiece reviewed the upcoming Board schedule, which will include a one-day business meeting on Aug. 11 followed by a strategic planning retreat on Aug. 12 and half day on Aug. 13. Strategic planning will continue on Sept. 9, following a one-day business meeting on the 8th.

**Requests for Future Agenda Items:** Mr. Roberts asked for a discussion on math classes that are offered/required for all students vs. students interested in the STEM fields; Mr. Porter asked to continue discussions about placing competent, well qualified people in the classroom and reducing barrier issues; Ms. Wims-Campbell would like to discuss results of the Kansas Recess Survey, addressing schools that offer limited recess time to elementary students; both Ms. Wims-Campbell and Mrs. Cauble suggested the topic of issuing a seal of biliteracy for high school seniors who have shown proficiency in a foreign language.

**BOARD MEMBER TRAVEL**
Additions to the travel requests were: Ms. Wims-Campbell June 10 (afternoon) and June 11 KSHSAA Executive Board meeting; Mrs. Busch June 23 KSSA new superintendent workshop. Mrs. Cauble moved to approve the travel requests and additions. Mr. Willard seconded. Motion carried 9-0.

**RECOGNITION OF INTERIM COMMISSIONER**
Chairman McNiece concluded the meeting by expressing appreciation to Mr. Neuenswander for assuming the interim role of Commissioner of Education the past 14 months. He recognized the extra work necessary to lead the agency and organize the state visioning tour, then provided a letter acknowledging the special efforts of holding dual positions.

**ADJOURNMENT**
Chairman McNiece adjourned the meeting at 11:55 a.m.
KANSAS STATE BOARD OF EDUCATION
Meeting Minutes
May 12, 2015

CALL TO ORDER
Chairman Jim McNiece called the monthly meeting of the State Board of Education to order at 10 a.m. Tuesday, May 12, 2015, in the Board Room at the Landon State Office Building, 900 SW Jackson St., Topeka, Kansas. He welcomed Deputy Commissioner Dale Dennis at the Board table in the absence of Interim Commissioner Brad Neuenswander, who was with the U.S. education delegation in China. He also welcomed incoming Commissioner Dr. Randy Watson in the audience.

ROLL CALL
The following Board members were present:
John Bacon  Kathy Busch  Carolyn Wims-Campbell
Sally Cauble  Deena Horst  Jim McNiece
Jim Porter  Janet Waugh  Ken Willard

Board member Steve Roberts was absent.

STATE BOARD MISSION STATEMENT, MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE
Chairman McNiece read the Board’s Mission Statement. He then asked for a moment of silence after which the Pledge of Allegiance was recited.

APPROVAL OF AMENDED AGENDA
Chairman McNiece announced that Consent Agenda Item 18“i” (State Board Attorney contract bid) would be voted on separately. Mrs. Horst moved to approve the amended agenda. Mrs. Cauble seconded. Motion carried 9-0.

APPROVAL OF THE APRIL MEETING MINUTES
Mr. Willard moved to approve the minutes of the April Board meeting. Mrs. Horst seconded. Motion carried 9-0.

UPDATE ON KSDE EARLY LEARNING PROGRAMS
Early Childhood Coordinator Gayle Stuber presented a status report on the current action plan for implementing the State Board’s Goal to “Promote and encourage best practices for early childhood programs.” The school readiness framework supports an increase in family engagement, utilizing the Multi-Tier System of Supports, and setting a foundation of early learning standards. She also shared a two-year timeline of action the State Board has taken to support early learning programs. Education Program Consultants Janet Newton and Vera Stroup-Rentier discussed the role of Parents as Teachers and early childhood special education services respectively. The presenters then answered questions.

CITIZENS’ OPEN FORUM
Chairman McNiece declared the Citizens’ Forum open at 10:57 a.m. Speakers and their topics were:
Lesli Elyn Bailey, Bonner Springs — bullying in schools; Linda Schukman, Leavenworth — objections to Coalition for Innovative Districts specialized certificate proposal; Idalia Shuman, KNEA — objections to licensure waiver; Bill Gies, Bethany College — correlation between physical activity and student success in the classroom; Mark Tallman, Kansas Association of School Boards — KASB summer advocacy tours, research on school finance and school staffing; Earl McIntosh, Topeka — racism and white privilege. Chairman McNiece declared the Citizens’ Forum closed at 11:22 a.m.
The Board took a break from 11:25 to 11:30 a.m.

**THIRD QUARTER REPORTS FROM KANSAS STATE SCHOOL FOR THE BLIND & KANSAS STATE SCHOOL FOR THE DEAF**

Madeleine Burkindine, Superintendent of the Kansas State School for the Blind and the Kansas State School for the Deaf, first reported on activities at KSSB. She highlighted the following activities since the last quarterly report: annual transition orientation for students 18-21, outreach services (including regional Chat ‘n Chews and orientation outings), regional Braille Challenge (five students advanced to nationals), and participation at low vision clinics. She then shared news from KSSD. This included work of the bilingual department, a college and career fair to give students experience with interviews, and a Battle of the Books competition with Gallaudet University.

**UPDATE ON COALITION OF INNOVATIVE DISTRICTS**

The Coalition of Innovative Districts Board met April 30. The agenda included discussions with Deans of Education from universities and colleges in Kansas about the Coalition’s proposed specialized certificate. Dr. Randy Watson reported that a subcommittee, which includes two representatives from higher education, has been created to further discuss possible licensure exemptions. Other meeting topics included USD 364 Marysville’s exemption request on a 60-day window for teacher evaluations.

**LUNCH**

At 12:10 p.m., Chairman McNiece recessed the meeting for lunch until 1:30 p.m.

**INFORMATION ON KANSAS EDUCATIONAL LEADERSHIP INSTITUTE**

The Kansas Educational Leadership Institute (KELI) at Manhattan has a new executive director. Dr. Dan Yunk introduced himself and shared some of his career experience before joining the organization. KELI works with multiple partners, including the Kansas State Department of Education, for mentoring and induction of school leaders. Dr. Yunk provided Board members with information on the individualized, on-site training given to new superintendents and principals, plus those new to school administration in Kansas. He described plans to host a session with mentors and mentees on Sept. 10 in partnership with the State Board. In addition to KELI’s current focus, there are plans to work with assistant superintendents and special education directors.

**INFORMATION ON EDUCATIONAL PROGRAMS AT KANSAS COSMOSPHERE**

Education programming at the Kansas Cosmosphere and Space Center in Hutchinson is being revitalized. Dr. Ed Berger is Chair of Revitalization at the Cosmosphere and spoke about the increased emphasis on science, technology, engineering and mathematics (STEM) programs, tailored for multiple grade levels. Tracey Tomme, Director of Education, showcased ways that interactive activities are designed for students to inspire learning and innovation about the STEM areas.

**BREAK**

The Board took a break until 2:45 p.m.

**ACTION ON KANSAS CURRICULAR STANDARDS FOR SCHOOL COUNSELING**

The revision committee’s final recommendations on the Kansas Curricular Standards for School Counseling were presented to the State Board in April in anticipation of action this month. Kent Reed introduced the committee co-chairs who stood for questions. There was no discussion. Mrs. Busch moved to approve the 2015 Kansas Curricular Standards for School Counseling. Mr. Porter seconded. Motion carried 9-0.

**ACTION ON PROGRAM STANDARDS: EARLY CHILDHOOD UNIFIED, LEADERSHIP, SPECIAL ED.**

Educator preparation standards help establish what is taught in higher education teacher preparation programs. Six sets of program standards were received in April for the Board’s review. Dr. Scott Myers, Director of Teacher Licensure and Accreditation, introduced three members of the revision
committees who stood for questions. Mrs. Horst moved to approve the revised educator preparation program standards for Birth-Kindergarten Early Childhood Unified, Birth-Grade 3 Early Childhood Unified, Building Leadership, District Leadership, Low Incidence Special Education and High Incidence Special Education. Ms. Wims-Campbell seconded. Motion carried 9-0.

**ACTION ON NEW APPOINTMENT TO THE PROFESSIONAL STANDARDS ADVISORY BOARD**

Dr. Scott Myers presented the recommendation of Rod Stewart to serve a partial term and fill a vacated position on the Professional Standards Board. Mr. Stewart is from Washington County Schools and would represent local school boards. Mrs. Horst moved to appoint Rod Stewart to a partial term on the Professional Standards Board effective May 12, 2015 through June 30, 2016. Mrs. Cauble seconded. Motion carried 9-0.

**INFORMATION ON DEVELOPMENT OF ACCREDITATION REGULATIONS**

Dr. Scott Myers and Education Program Consultant Kelly Slaton described the work taking place around developing regulation language for the new accreditation model “Kansas Education Systems Accreditation” (KESA). Ms. Slaton gave an overview of the proposed revisions to Kansas K-12 Accreditation Regulations, identifying significant carryovers and changes. She also distributed a printout comparison of the current QPA with the proposed KESA. Discussion followed, but no action was scheduled.

**ACTION ON ACCREDITATION OF SCHOOLS FOR 2015-16**

Mrs. Busch moved to accredit all public Kansas schools and all independent Kansas schools currently participating in Quality Performance Accreditation (QPA), as recommended by the Accreditation Advisory Council. Mrs. Waugh seconded. Motion carried 8-0. Mr. Porter recused himself from the discussion and vote. Schools will maintain their current accreditation status for 2015-16 while the transition continues between QPA and the new accreditation model.

**LEGISLATIVE MATTERS**

In his summary of education-related legislation, Deputy Commissioner Dale Dennis reviewed provisions of House Sub. for Senate Bill 7 which makes appropriations for K-12 education for fiscal years 2015, 2016 and 2017, and repeals the existing school finance formula. He also noted components of legislation that would extend the current working after retirement provisions of the Kansas Public Employees Retirement System. KSDE General Counsel Scott Gordon reported on the bill concerning Emergency Safety Intervention and the creation of an ESI Task Force.

**CONSENT AGENDA**

Mr. Porter moved to approve the Consent Agenda excluding Item 18 “i” (State Board Attorney contract bid) for separate action. Mrs. Busch seconded. Motion carried 9-0. In the Consent Agenda, the Board:

- received the monthly Personnel Report for April.
- reappointed Darrel Kohlman to the Licensure Review Committee with his term effective July 1, 2015 through June 30, 2018.
- accepted the recommendations of the Licensure Review Committee as follows: Approved Cases — 3027 Benjamin Matthews, 3028 Kara Johnson, 3037 Michelle McKnight, 3040 Jessica Tipton.
• approved recommendations for the 2015-16 AmeriCorps Kansas Grant Awards as follows: Ashby House $67,644; YWCA—Girls on the Run $68,637; Boys and Girls Club of Lawrence $222,990; Kansas Department of Wildlife and Parks $491,908; Harvesters Community Food Network $68,648; Kansas City Kansas Public School District $148,625; United of Douglas County $260,000; YMCA—Youth Volunteer Corps $67,150. Total: $1,395,602.

• approved maintaining the current educator licensure fees for 2015-16, effective July 1, 2015.

• approved recommendations of the School Breakfast Program Waiver Committee to grant breakfast waivers for the 2015-16 school year to the following: Piper Elementary, Piper Elementary East, Piper Middle and Piper High in USD 203; Mize Elementary and Prairie Ridge Elementary in USD 232; Arbor Creek Elementary, Cedar Creek Elementary, Madison Place Elementary, Manchester Park Elementary, Meadow Lane Elementary, Regency Place Elementary, Sunnyside Elementary and Heartland Learning Center in USD 233; Andale Elementary and Middle, Colwich Elementary, Garden Plain Elementary, St. Marks Elementary, Andale High and Garden Plain High in USD 267; Southeast of Saline Elementary and Southeast of Saline Junior/Senior High in USD 306; Elmont Elementary, North Fairview, Pleasant Hill Elementary and West Indianola in USD 345; Mont Ida Elementary in USD 365; Silver Lake Junior/Senior High in USD 372; and Hesston High in USD 460.

• approved recommendations for funding the Migrant Summer Services Grants as follows: USD 102 Cimarron $8,000; USD 216 Deerfield $4,500; USD 253 Emporia $35,000; USD 259 Wichita $4,250; USD 316 Golden Plains $7,000; USD 443 Dodge City $21,235; USD 445 Coffeyville $18,444; USD 457 Garden City $23,000; USD 500 Kansas City Kansas $50,000; USD 501 Topeka $14,092; D0 602 Northwest Kansas Educational Service Center $14,479. Total $200,000.

• approved a final allocation not to exceed $155,000 for Kansas Safe and Supportive Schools (S3) grantees through the grant period which ends Sept. 30, 2015. Those approved are: USD 101 Erie, USD 214 Ulysses, USD 216 Deerfield, USD 224 Clifton-Clyde, USD 240 Twin Valley, USD 250 Pittsburg, USD 257 Iola, USD 259 Wichita, USD 268 Cheney, USD 286 Chautauqua County, USD 331 Kingman-Norwich, USD 333 Concordia, USD 340 Jefferson West, USD 348 Baldwin, USD 365 Anderson County, USD 375 Circle, USD 378 Riley County, USD 383 Manhattan-Ogden, USD 463 Udall, USD 491 Eudora, USD 501 Topeka, USD 504 Oswego, USD 506 Labette County, Catholic Diocese of Salina, Thomas More Prep-Marian.

• approved recommendations for funding the Kansas 21st Century Community Learning Centers Supplemental Awards for 2015-16 as follows: Wichita $65,486; Topeka French/Jardine $56,103; Topeka Quincy $47,924; Catholic Charities $34,707; Goodland $39,384; Humboldt $43,533; Iola $75,000; Manhattan Bergman $75,000; Manhattan Ogden $75,000; Manhattan Northview $75,000; Ottawa Middle School $71,734; Boys and Girls Club of Lawrence (Cordley) $12,730; Boys and Girls Club of Lawrence (Kennedy) $10,443; Boys and Girls Club of Lawrence (New York) $14,253; Boys and Girls Club of Lawrence (Pinckney) $10,660; Boys and Girls Club of Lawrence (Woodlawn) $10,660. Total $717,617.

• approved funding the Kansas 21st Century Community Learning Centers Continuation Grants for 2015-16 as follows: USD 435 Abilene $50,000; USD 470 Arkansas City $100,000; Asbury United Methodist Church $60,000; Big Brothers/Big Sisters $54,219; Boys & Girls Club of Lawrence (Cordley) $60,000; Boys & Girls Club of Lawrence (Kennedy) $60,000; Boys & Girls Club of Lawrence (New York) $75,000; Boys & Girls Club of Lawrence (Pinckney) $60,000; Boys & Girls Club of Manhattan (Bluemont) $75,000; Boys & Girls Club of Manhattan (Lee) $60,000; Boys & Girls Club of Topeka (Logan) $200,000; USD 244 Burlington $60,000; Catholic Charities of Wichita (St. Patrick’s) $75,000; USD 247 Cherokee $60,000; USD 379 Clay Center $60,000; USD 379 Clay Center (Middle School) $100,000; USD 379 Clay Center (Wakefield) $60,000; USD 315 Colby $75,000; USD 232 De Soto $60,000; USD 216
• approved IDEA Title VI-B Special Education Targeted Improvement Plan grants for 2015-16 as follows: USD 115 Marshall/Nemaha $16,675; USD 202 Turner School District $31,443; USD 207 Ft. Leavenworth $14,386; USD 229 Blue Valley $118,200; USD 230 Spring Hill School District $14,761; USD 231 Gardner-Edgerton-Antioch School District $24,887; USD 232 De Soto $29,134; USD 233 Olathe School District $145,814; USD 234 Ft Scott $18,986; USD 244 Coffey County SpEd Coop - Burlington $17,741; USD 253 Flint Hills SpEd Coop - Emporia $60,213; USD 259 Wichita Public Schools $346,381; USD 260 Derby Public Schools $50,609; USD 261 Haysville Public Schools $75,000; USD 263 Mulvane Special Education $18,094; USD 273 Beloit SpEd Coop $22,801; USD 282 West Elk $17,225; USD 290 Ottawa Public Schools $21,229; USD 305 Central Kansas Coop - Salina $111,383; USD 308 Hutchinson Public Schools $42,846; USD 320 Special Svcs Coop Wamego $25,870; USD 321 Kaw Valley Schools $10,978; USD 330 Mission Valley $10,865; USD 333 Learning Coop North Central KS $35,407; USD 336 Holton SpEd Coop $30,887; USD 345 Seaman Public Schools $27,035; USD 353 Wellington Public Schools $18,708; USD 364 Marshall County Coop - Marysville $14,402; USD 368 East Central KS SpEd Coop - Paola (incl. Lakemary) $69,587; USD 372 Silver Lake $11,420; USD 373 Harvey County SpEd Coop - Newton $40,845; USD 379 Twin Lakes Coop - Clay Center $26,142; USD 383 Manhattan-Ogden School District $43,550; USD 389 Eureka $12,315; USD 405 Rice County Sp Svc Coop - Lyons $22,084; USD 407 Russell County $13,693; USD 409 Atchison Public Schools $20,908; USD 418 McPherson Co SpEd Coop - McPherson $38,785; USD 428 Barton County SpEd Coop - Great Bend $38,731; USD 437 Auburn-Washburn $40,066; USD 450 Shawnee Heights $27,193; USD 453 Leavenworth - Lansing $24,953; USD 457 Garden City $92,649; USD 458 Basehor-Linwood $17,283; USD 465 Cowley County Sp Svc Coop - Winfield $53,477; USD 469 Lansing $19,440; USD 475 Junction City/Geary County $51,398; USD 480 Liberal $33,084; USD 489 Hays West Central KS SpEd Coop - Hays $34,343; USD 495 Tri County Sp Svc - Larned $20,895; USD 497 Lawrence $76,744;
USD 500 Wyandotte County SpEd Coop $175,158; USD 501 Topeka Public Schools $116,195; USD 512 Shawnee Mission $216,822; D0 602 NW KS Svc Cntr - Oakley $57,958; D0 603 ANW Coop - Humboldt $55,520; D0 605 South Central KS SpEd Coop - Pratt $64,064; D0 607 Tri County SpEd Coop - Independence $71,872; D0 608 NE KS Svc Cntr - Lecompton $43,710; D0 610 Reno County Coop - Hutchinson $41,548; D0 611 High Plains Coop - Ulysses $76,130; D0 613 SW Area Coop - Ensign $77,120; D0 614 East Central KS Coop - Baldwin City $27,097; D0 615 Brown County SpEd - Hiawatha $20,703; D0 616 Doniphan County SpEd Coop - Bendena $16,093; D0 617 Marion County SpEd Coop - Florence $26,237; D0 618 Sedgwick County - Goddard $118,123; D0 619 Sumner County Interlocal - Wellington $19,012; D0 620 Three Lakes Coop - Lyndon $33,019; D0 636 NCK Special Ed Coop - Glade $37,736; D0 637 SEK Interlocal - Pittsburg $95,872; D0 638 Butler Co SpEd Interlocal El Dorado $96,160; S0 319/D0 609 Parsons State Hospital $2,705; S0 525/D0 609 KS State Penitentiary $3,006; and S0 610 KS School for the Deaf $10,235.

Approved recommendations for funding the continuation of the Kansas Middle School After School Advancement Grants for the 2015-16 school year as follows: USD 408 Marion-Florence $13,837; USD 475 Geary County $16,709; USD 491 Eudora $16,710; USD 497 Lawrence $16,709; USD 500 Kansas City $16,709; Boys and Girls Club of Hutchinson $13,280; and Boys and Girls Club of Topeka $16,710. Total $125,000.


Authorized the Commissioner of Education to negotiate and initiate a bid process to enter into a contract for the purpose of developing a mass communication approach to providing the field with information regarding Inter Rater Agreement with a contract amount not to exceed $30,000;

Enter into a contract with Utah State University, Technical Assistance for Excellence in Special Education Center for Persons with Disabilities, to continue to provide technical assistance and support, data programming to generate required public reports, and data analysis for the Kansas State Performance Plan and Annual Performance Report to meet the requirements under the federal Individuals with Disabilities Education Act for the period July 1, 2015 through June 30, 2020 in an amount not to exceed $1,375,000;

Authorize the Kansas State School for the Deaf and Kansas State School for the Blind’s Superintendent to enter into a four contracts for out-of-state tuition for six students to attend the 2015 Extended School Year programs as follows: Hardin-Central C-2 School District (Hardin, Mo.) in an amount not to exceed $4,500, Liberty School District (Liberty, Mo.) in an amount not to exceed $1,500, Smithville School District (Smithville, Mo.) in an amount not to exceed $3,000 and Center School District (Kansas City, Mo.) in an amount not to exceed $1,500.

Separate Action on Consent Agenda Item

A separate vote was taken on Consent Item 18 “i.” Ms. Wims-Campbell moved to approve the contract with Gates, Shields and Ferguson, P.A. for providing legal services to the Kansas State Board of Education for the period of July 1, 2015 to June 30, 2016 with the option of four one-year extensions. Mrs. Waugh seconded. Motion carried 8-1 with Mr. Bacon in opposition.
RECESS
At 4:25 p.m., Chairman McNiece recessed Tuesday's Board meeting until 9 a.m. Wednesday.

Jim McNiece, Chairman

Peggy Hill, Secretary
CALL TO ORDER
Chairman Jim McNiece called the Wednesday, May 13, meeting of the State Board of Education to order at 9 a.m. in the Board Room at the Landon State Office Building, 900 SW Jackson St., Topeka, Kansas.

ROLL CALL
The following Board members were present:
John Bacon
Kathy Busch
Carolyn Wims-Campbell
Deena Horst
Jim McNiece
Jim Porter
Janet Waugh
Ken Willard

Board members Sally Cauble and Steve Roberts were absent. Interim Commissioner Brad Neuenswander was also absent.

APPROVAL OF AGENDA
Mrs. Waugh moved to approve the agenda as presented. Mrs. Horst seconded. Motion carried 7-0, with Mr. Willard not present for the vote.

ACTION ON RECOMMENDATIONS OF THE PROFESSIONAL PRACTICES COMMISSION
Calin Kendall, Chairman of the Professional Practices Commission, presented the recommendations of the PPC following hearings Feb. 26 and 27 on licensure case 14-PPC-14. Mrs. Busch moved to adopt the findings and recommendations of the Professional Practices Commission regarding the professional licensure of Kelly Dockter. Mrs. Horst seconded. Motion carried 7-0, with Mr. Willard not present for the vote.

INFORMATION ON KANSAS MUSIC EDUCATORS ASSOCIATION
The mission of the Kansas Music Educators Association (KMEA) is to support music educators by fostering leadership, providing professional development, and promoting the advocacy of music learning in schools and communities. KMEA President Martha Gabel, Olathe, provided an overview of the organization and its work with professional development, mentoring and assistance to pre-service music educators. Other highlights included:
- opportunities for students, such as competitions and scholarships
- revision of Kansas music standards
- impact of budget cuts on school music programs
- collaboration with KSDE and the Kansas State High School Activities Association

UPDATE ON FUNDRAISING EXEMPTION POLICY AND PROFESSIONAL STANDARDS RULE
Cheryl Johnson, Director of Child Nutrition and Wellness, and Jill Ladd, Team Nutrition Project Director, shared an update on how the Fundraising Exemption Policy has been working since it was approved by the Board in May, 2014. The policy allows one food fundraiser per school organization per semester that does not meet the USDA’s Nutrition Standards for All Foods Sold in School during the school day on the school grounds. Mrs. Johnson provided results of a survey sent to schools revealing little concern over the policy. Mrs. Ladd talked about the Smart Snacks in School program, including creative efforts by participating schools. Finally, Mrs. Johnson explained the Professional Standards Rule (effective July 1, 2015) concerning hiring standards for new nutrition program directors.
ASSESSMENT UPDATE

During this month’s state assessment update by Dr. Scott Smith, Board members learned the percentage of students who had completed tests in various subjects. The testing window closes May 15. They also learned that KSDE has secured enough volunteers for the first stage of assessment cut score setting. Volunteers in the grade-appropriate content panels will meet July 21-24 in Topeka. The Kansas Assessment Advisory Council is scheduled to meet in Mulvane June 2 to review feedback, which will be shared with the State Board. A tentative timetable was presented for the release of results. An online assessment feedback form has been posted on the KSDE website. Discussion followed.

BREAK

The Board took a break until 11:10 a.m.

KANSAS LEARNING NETWORK UPDATE

The Kansas Learning Network is a model the state uses to provide support and technical assistance to Title I schools identified as Priority and Focus based on performance. School Improvement Coordinator Tammy Mitchell reminded the Board that there are 66 focus schools and 33 priority schools in 19 districts. She described the role of KLN implementation coaches who work to implement the indicators of effective practice. This is the third year of the program, and it will be extended to a fourth year for monitoring. She noted that a new cohort of schools will be identified in 2016.

COMMITTEE/BOARD REPORTS & FUTURE AGENDA ITEMS

Legislative — Mrs. Horst reported attending conference committee meetings.

Policy — Mrs. Waugh announced that the Policy Committee had met on Tuesday and will be delegating some of the guidelines to other departments for updating.

Communication — Mr. McNiece noted that a joint message of thanks on behalf of the Board and KSDE was sent electronically during National Teacher Appreciation Week in May. He stated that a few additions have been made to the online Resource List for Board members. He also encouraged them to share good news about activities in their districts.

Other — Mrs. Busch asked Board members to review events and opportunities associated with the NASBE leadership stipend, particularly summer events targeted toward new principals and superintendents.

ATTORNEY’S REPORT

Board Attorney Mark Ferguson reported that teacher negotiations are ongoing with the Kansas State School for the Deaf. He anticipates presenting a tentative agreement at the June Board meeting. The summary of his monthly activity was provided.

INDIVIDUAL MEMBER REPORTS

During individual Board member reports, Mrs. Horst attended the Royal Valley Middle School history fair; Mr. Porter participated in the Vision Chamber Tour in Pittsburg; Mrs. Waugh attended a dinner hosted by Education Week and also the Governor’s Scholars Program with fellow Board members Ms. Wims-Campbell, Mrs. Horst and Mr. Porter; Ms. Wims-Campbell attended the Kansas PTA Convention and the KSHSAA Executive Board meeting; Mrs. Busch visited school districts in her area about licensure; Mr. McNiece attended the Schools of Character program in Topeka.

CHAIRMAN’S REPORT

For internal Board business, Chairman McNiece asked for a confirmation of appointments to national committees. Mr. Porter moved to approve John Bacon to serve on the National Association of State Boards of Education (NASBE) finance committee and Carolyn Wims-Campbell to serve on the NASBE nominations committee. Mrs. Horst seconded. Motion carried 8-0.
He also announced that a letter signing would occur at 2 p.m. (May 13) in the Statehouse with members of the House Education Committee encouraging local school boards to pass and implement a policy on financial literacy suitable for their districts. He also mentioned these upcoming events: NASBE regional meeting in St. Louis May 29, Presidential Awards for Excellence in Math and Science Teaching June 22, Board Retreat Aug. 12 and 13.

Requests for Future Agenda Items: Mr. Horst would like reports from other arts education associations throughout the year; Mr. Porter requested a presentation on alternative licensure paths and information on where gaps may still exist to fill needs; Mr. McNiece would like to invite the top Schools of Character to be recognized at a Board meeting; Ms. Wims-Campbell and Mr. Bacon requested bullying in schools be an agenda topic; Mrs. Busch asked for an overview of the alternative licensure process, specifically about reciprocal states and National Board Certified Teachers.

BOARD MEMBER TRAVEL
Additions to the travel requests were: Ms. Wims-Campbell June 18 NASBE nominations committee, Mrs. Horst June 8 KASB Summer Advocacy Meeting, Mr. McNiece June 6 KASB workshop, June 22 Presidential Awards for Excellence in Math and Science Teaching and June 23 new superintendent workshop. Mrs. Horst moved to approve the travel requests and additions. Mr. Porter seconded. Motion carried 8-0.

ADJOURNMENT
Chairman McNiece adjourned the meeting at 12:33 p.m.

____________________________________
Jim McNiece, Chairman

___________________________________
Peggy Hill, Secretary
To: Kansas State Board of Education
From: Commissioner Randy Watson
Subject: Commissioner’s Report
Date: 06/23/2015

Dr. Randy Watson will provide his first official report to the State Board as the new Kansas Commissioner of Education.
To: Kansas State Board of Education

From: Peggy Hill

Subject: Citizens’ Open Forum

**Board Goals:** Develop active communication and partnerships with families, communities, business stakeholders, constituents and policy partners

During the Citizens’ Open Forum, the State Board of Education provides an opportunity for citizens to share views about topics of interest or issues currently being considered by the State Board.

Each speaker shall be allowed to speak for three minutes. Any person wishing to speak shall complete a presenter’s card, giving his or her name and address, and the name of any group he or she is representing. (Ref. Board Policy 1012)

If written material is submitted, 13 copies should be provided.
To: Commissioner Randy Watson  
From: Denise Kahler, Dale Dennis  
Subject: Recognition of 2015 Kansas Teacher Inducted into National Teachers Hall of Fame  
Date: 06/19/2015  
Board Goals: Provide an effective educator in every classroom

The Kansas State Board of Education will have the opportunity to hear from Susan M. Rippe, a science teacher at Olathe Northwest High School (Olathe USD 233), who was recently inducted into the National Teachers Hall of Fame. A veteran teacher of 32 years, Rippe currently teaches 11th- and 12th-grade college biology. From 2003 through 2008, she taught 10th-grade aerospace and engineering chemistry at Olathe Northwest High School. From 1983 through 2003, she taught in Wichita USD 259. Rippe is the 2000 Kansas Teacher of the Year. She is the 10th Kansas teacher inducted into the National Teachers Hall of Fame.

She will briefly share with you what she believes to be the greatest opportunity/opportunities for educators in Kansas. She also will be available to respond to questions from Board members.

The National Teachers Hall of Fame, located in Emporia, was founded in 1989 by Emporia State University, the university's Alumni Association, the City of Emporia, Emporia USD 253, and the Emporia Area Chamber of Commerce as a tribute to our nation's most important profession - teaching. The Hall of Fame is committed to drawing the public's attention to exceptional Pre-kindergarten through Grade 12 teachers through a museum, teacher resource center, and recognition program that honors five of the nation's most outstanding educators each year.

Communications and Recognition Programs  
Phone: 785-296-4876  
Fax: 785-296-7933
Information about the professional and demographic characteristics of licensed personnel in state accredited schools across Kansas is collected within the Educator Data Collection System (EDCS). Each school year, every district enters into EDCS self-reported data for all their licensed staff through the Licensed Personnel Report (LPR) submission. Demographic and assignment data for all licensed staff is then pulled from the EDCS into an annual summary report. Data is presented in aggregate form at the state level in a summary report. This provides a snapshot of the characteristics of licensed educators in public schools in Kansas for any given school year. Data collected within EDCS is also utilized to meet other KSDE, state and federal reporting requirements. The summary report for the 2014-15 school year is attached.

A presentation by staff will include highlights from the summary report. Additional data on license types, trends and retention will also be presented. Staff will be available to respond to questions.
The Licensed Personnel Report (LPR) summarizes the personnel information collected from all state accredited schools in Kansas for the 2014-2015 school year.

Section 1: State Demographics

A. **Total Licensed Personnel and Gender Disaggregation:**

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Licensed Personnel</td>
<td>44,012</td>
<td>100.00%</td>
</tr>
<tr>
<td>Gender</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Female</td>
<td>33,050</td>
<td>75.09%</td>
</tr>
<tr>
<td>Male</td>
<td>10,962</td>
<td>24.91%</td>
</tr>
</tbody>
</table>

B. **Educator Entrance Code:**

Districts report the entrance status of each licensed personnel about whether they are a returning employee, new teacher, etc. in the demographics section of the Licensed Personnel Report. If a staff member is reported in a licensed position with multiple Unified School District’s (USD’s), an individual would be represented more than one time in the entrance code data.

<table>
<thead>
<tr>
<th>Entrance Code:</th>
<th>Number</th>
<th>Percent</th>
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</thead>
<tbody>
<tr>
<td>Educator from another Kansas USD</td>
<td>2,001</td>
<td>4.55%</td>
</tr>
<tr>
<td>New Teacher from Kansas College</td>
<td>1,610</td>
<td>3.66%</td>
</tr>
<tr>
<td>New Teacher from Out-of-State College</td>
<td>275</td>
<td>0.62%</td>
</tr>
<tr>
<td>Experienced teacher returning from another area of employment</td>
<td>156</td>
<td>0.35%</td>
</tr>
<tr>
<td>Experienced teacher from outside Kansas</td>
<td>461</td>
<td>1.05%</td>
</tr>
<tr>
<td>Experienced teacher coming from a Private School</td>
<td>99</td>
<td>0.22%</td>
</tr>
<tr>
<td>Returning employee</td>
<td>38,932</td>
<td>88.46%</td>
</tr>
<tr>
<td>Other</td>
<td>682</td>
<td>1.55%</td>
</tr>
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</table>
### C. Ethnicity:

All districts report the race and ethnicity which most clearly reflects the individual’s recognition of their community or with which the individual most identifies. If a staff member is reported in a licensed position with multiple USD’s, an individual would be represented more than one time in the race and ethnicity data.

<table>
<thead>
<tr>
<th>Race &amp; Ethnicity</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hispanic or Latino</td>
<td>1,017</td>
<td>2.31%</td>
</tr>
<tr>
<td>Non-Hispanic or Latino</td>
<td>42,995</td>
<td>97.69%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Race &amp; Ethnicity</th>
<th>2014-2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number</td>
<td>Percent</td>
</tr>
<tr>
<td>------------------------</td>
<td>----------</td>
</tr>
<tr>
<td><strong>Hispanic or Latino</strong></td>
<td>1,017</td>
</tr>
<tr>
<td>American Indian or Alaska Native</td>
<td>123</td>
</tr>
<tr>
<td>Asian</td>
<td>8</td>
</tr>
<tr>
<td>Native Hawaiian or Other Pacific Islander</td>
<td>12</td>
</tr>
<tr>
<td>Black or African American</td>
<td>16</td>
</tr>
<tr>
<td>White</td>
<td>912</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Race &amp; Ethnicity</th>
<th>2014-2015</th>
</tr>
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<tbody>
<tr>
<td>Number</td>
<td>Percent</td>
</tr>
<tr>
<td>------------------------</td>
<td>----------</td>
</tr>
<tr>
<td><strong>Non-Hispanic or Latino</strong></td>
<td>42,995</td>
</tr>
<tr>
<td>American Indian or Alaska Native</td>
<td>454</td>
</tr>
<tr>
<td>Asian</td>
<td>261</td>
</tr>
<tr>
<td>Native Hawaiian or Other Pacific Islander</td>
<td>58</td>
</tr>
<tr>
<td>Black or African American</td>
<td>836</td>
</tr>
<tr>
<td>White</td>
<td>41,709</td>
</tr>
</tbody>
</table>

### D. Licensed Personnel – Age Grouping:

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>20-24</td>
<td>1,494</td>
<td>3.39%</td>
</tr>
<tr>
<td>25-29</td>
<td>5,343</td>
<td>12.14%</td>
</tr>
<tr>
<td>30-34</td>
<td>5,780</td>
<td>13.13%</td>
</tr>
<tr>
<td>35-39</td>
<td>5,457</td>
<td>12.40%</td>
</tr>
<tr>
<td>40-44</td>
<td>5,569</td>
<td>12.65%</td>
</tr>
<tr>
<td>45-49</td>
<td>5,370</td>
<td>12.20%</td>
</tr>
<tr>
<td>50-54</td>
<td>5,447</td>
<td>12.38%</td>
</tr>
<tr>
<td>55-59</td>
<td>5,061</td>
<td>11.50%</td>
</tr>
<tr>
<td>60-64</td>
<td>3,253</td>
<td>7.39%</td>
</tr>
<tr>
<td>65 and over</td>
<td>1,115</td>
<td>2.53%</td>
</tr>
<tr>
<td>Not Reported</td>
<td>123</td>
<td>0.28%</td>
</tr>
</tbody>
</table>
E. Licensed Personnel – Age Grouping by Educator Type:

<table>
<thead>
<tr>
<th>Assignments:</th>
<th>Teachers</th>
<th>Special Educators</th>
<th>Principals</th>
<th>Superintendents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age Group</td>
<td>Number</td>
<td>Percent</td>
<td>Number</td>
<td>Percent</td>
</tr>
<tr>
<td>20-24</td>
<td>3,751</td>
<td>3.76%</td>
<td>322</td>
<td>2.37%</td>
</tr>
<tr>
<td>25-29</td>
<td>13,766</td>
<td>13.80%</td>
<td>1,416</td>
<td>10.42%</td>
</tr>
<tr>
<td>30-34</td>
<td>13,970</td>
<td>14.00%</td>
<td>1,406</td>
<td>10.35%</td>
</tr>
<tr>
<td>35-39</td>
<td>12,520</td>
<td>12.55%</td>
<td>1,545</td>
<td>11.37%</td>
</tr>
<tr>
<td>40-44</td>
<td>12,510</td>
<td>12.54%</td>
<td>1,732</td>
<td>12.75%</td>
</tr>
<tr>
<td>45-49</td>
<td>11,698</td>
<td>11.72%</td>
<td>1,710</td>
<td>12.59%</td>
</tr>
<tr>
<td>50-54</td>
<td>11,781</td>
<td>11.81%</td>
<td>1,866</td>
<td>13.74%</td>
</tr>
<tr>
<td>55-59</td>
<td>10,816</td>
<td>10.84%</td>
<td>1,935</td>
<td>14.25%</td>
</tr>
<tr>
<td>60-64</td>
<td>6,793</td>
<td>6.81%</td>
<td>1,246</td>
<td>9.17%</td>
</tr>
<tr>
<td>65 and over</td>
<td>2,184</td>
<td>2.19%</td>
<td>405</td>
<td>2.98%</td>
</tr>
<tr>
<td>Total</td>
<td>99,789</td>
<td>100.00%</td>
<td>13,583</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

F. Licensed Personnel – Total Years of Experience:

<table>
<thead>
<tr>
<th>Total Years of Experience</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>2,529</td>
<td>5.75%</td>
</tr>
<tr>
<td>1-4</td>
<td>7,650</td>
<td>17.38%</td>
</tr>
<tr>
<td>5-9</td>
<td>7,802</td>
<td>17.73%</td>
</tr>
<tr>
<td>10-14</td>
<td>6,727</td>
<td>15.28%</td>
</tr>
<tr>
<td>15-19</td>
<td>6,217</td>
<td>14.13%</td>
</tr>
<tr>
<td>20-24</td>
<td>4,812</td>
<td>10.93%</td>
</tr>
<tr>
<td>25-29</td>
<td>3,648</td>
<td>8.29%</td>
</tr>
<tr>
<td>30-34</td>
<td>2,554</td>
<td>5.80%</td>
</tr>
<tr>
<td>35-39</td>
<td>1,504</td>
<td>3.42%</td>
</tr>
<tr>
<td>40-44</td>
<td>476</td>
<td>1.08%</td>
</tr>
<tr>
<td>45-49</td>
<td>81</td>
<td>0.18%</td>
</tr>
<tr>
<td>50 or over</td>
<td>12</td>
<td>0.03%</td>
</tr>
</tbody>
</table>
### G. Licensed Personnel – Total Years of Experience by Educator Type:

<table>
<thead>
<tr>
<th>Assignments:</th>
<th>Teachers</th>
<th>Special Educators</th>
<th>Principals</th>
<th>Superintendents</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Years Accredited Experience In Kansas</strong></td>
<td><strong>Number</strong></td>
<td><strong>Percent</strong></td>
<td><strong>Number</strong></td>
<td><strong>Percent</strong></td>
</tr>
<tr>
<td>0</td>
<td>5,585</td>
<td>5.60%</td>
<td>824</td>
<td>6.07%</td>
</tr>
<tr>
<td>1-4</td>
<td>19,121</td>
<td>19.16%</td>
<td>2,521</td>
<td>18.56%</td>
</tr>
<tr>
<td>5-9</td>
<td>18,203</td>
<td>18.24%</td>
<td>2,364</td>
<td>17.40%</td>
</tr>
<tr>
<td>10-14</td>
<td>14,857</td>
<td>14.89%</td>
<td>2,073</td>
<td>15.26%</td>
</tr>
<tr>
<td>15-19</td>
<td>13,607</td>
<td>13.64%</td>
<td>2,130</td>
<td>15.68%</td>
</tr>
<tr>
<td>20-24</td>
<td>10,556</td>
<td>10.58%</td>
<td>1,433</td>
<td>10.55%</td>
</tr>
<tr>
<td>25-29</td>
<td>7,907</td>
<td>7.92%</td>
<td>1,015</td>
<td>7.47%</td>
</tr>
<tr>
<td>30-34</td>
<td>5,391</td>
<td>5.40%</td>
<td>748</td>
<td>5.51%</td>
</tr>
<tr>
<td>35-39</td>
<td>3,266</td>
<td>3.27%</td>
<td>383</td>
<td>2.82%</td>
</tr>
<tr>
<td>40-44</td>
<td>1,093</td>
<td>1.10%</td>
<td>79</td>
<td>0.58%</td>
</tr>
<tr>
<td>45-49</td>
<td>196</td>
<td>0.20%</td>
<td>9</td>
<td>0.07%</td>
</tr>
<tr>
<td>50 or over</td>
<td>7</td>
<td>0.01%</td>
<td>4</td>
<td>0.03%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>99,789</strong></td>
<td><strong>100.00%</strong></td>
<td><strong>13,583</strong></td>
<td><strong>100.00%</strong></td>
</tr>
</tbody>
</table>

### H. Exit Reason by Educator Type:

If a staff member is deleted by a USD from the Licensed Personnel Report, an exit reason must be selected.

<table>
<thead>
<tr>
<th>Exit Reason</th>
<th>Teachers</th>
<th>Special Educators</th>
<th>Principals</th>
<th>Superintendents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic Study</td>
<td>78</td>
<td>3</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Accepted Administrative Position</td>
<td>223</td>
<td>12</td>
<td>60</td>
<td>12</td>
</tr>
<tr>
<td>Deceased</td>
<td>70</td>
<td>5</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Health</td>
<td>43</td>
<td>10</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Moved to another Kansas USD</td>
<td>2,174</td>
<td>276</td>
<td>26</td>
<td>17</td>
</tr>
<tr>
<td>Leave of Absence</td>
<td>59</td>
<td>7</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Left Profession</td>
<td>740</td>
<td>70</td>
<td>18</td>
<td>7</td>
</tr>
<tr>
<td>Military</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Moved from Area</td>
<td>499</td>
<td>65</td>
<td>7</td>
<td>14</td>
</tr>
<tr>
<td>Out of State</td>
<td>654</td>
<td>62</td>
<td>20</td>
<td>7</td>
</tr>
<tr>
<td>Private School</td>
<td>78</td>
<td>6</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Reduction in Force</td>
<td>80</td>
<td>2</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>Retirement</td>
<td>2,326</td>
<td>201</td>
<td>75</td>
<td>44</td>
</tr>
<tr>
<td>Termination</td>
<td>637</td>
<td>106</td>
<td>11</td>
<td>8</td>
</tr>
</tbody>
</table>
I.  *Kansas Exit Trend Data – Teacher only:*

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Deceased</td>
<td>28</td>
<td>42</td>
<td>28</td>
<td>70</td>
</tr>
<tr>
<td>Left Profession</td>
<td>491</td>
<td>669</td>
<td>717</td>
<td>740</td>
</tr>
<tr>
<td>Military</td>
<td>11</td>
<td>12</td>
<td>19</td>
<td>5</td>
</tr>
<tr>
<td>Out of State</td>
<td>399</td>
<td>413</td>
<td>468</td>
<td>654</td>
</tr>
<tr>
<td>Reduction in Force</td>
<td>118</td>
<td>83</td>
<td>79</td>
<td>80</td>
</tr>
<tr>
<td>Retirement</td>
<td>1,260</td>
<td>2,084</td>
<td>2,199</td>
<td>2,326</td>
</tr>
<tr>
<td>Termination</td>
<td>577</td>
<td>580</td>
<td>569</td>
<td>637</td>
</tr>
</tbody>
</table>

Section 2: New teacher retention


The data compiled for New Teacher Retention represents the educators that were given an entrance code of “New Teacher from Kansas College” or “New Teacher from Out-of-State College.” The data represents a cohort of new teachers. We are able to track that group of teachers by their teacher identification number throughout their career. If a teacher is reported in the LPR whether they are with the same school district or a different one, they would be represented as a retained teacher the following year.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2010-2011</td>
<td>1,422</td>
<td>1,422 100.00%</td>
<td></td>
<td>1,410 99.16%</td>
<td></td>
<td>1,330 93.53%</td>
<td></td>
<td>1,212 85.23%</td>
<td></td>
<td>1,142 80.31%</td>
<td></td>
</tr>
<tr>
<td>2011-2012</td>
<td>1,621</td>
<td>1,621 100.00%</td>
<td></td>
<td>1,623 100.12%</td>
<td></td>
<td>1,510 93.15%</td>
<td></td>
<td>1,399 93.15%</td>
<td></td>
<td>1,399 93.15%</td>
<td></td>
</tr>
<tr>
<td>2012-2013</td>
<td>1,858</td>
<td>1,858 100.00%</td>
<td></td>
<td>1,863 100.00%</td>
<td></td>
<td>1,916 100.00%</td>
<td></td>
<td>1,897 99.01%</td>
<td></td>
<td>1,897 99.01%</td>
<td></td>
</tr>
<tr>
<td>2013-2014</td>
<td>1,916</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2014-2015</td>
<td>1,889</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Section 3: Salary

A. *Average salary and age disaggregated by Educator Type:*

<table>
<thead>
<tr>
<th>Educator Type</th>
<th>Average Salary</th>
<th>2014-2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary/Pre-School Teacher</td>
<td>$49,207</td>
<td>41.23</td>
</tr>
<tr>
<td>Middle School Teacher</td>
<td>$51,730</td>
<td>42.96</td>
</tr>
<tr>
<td>Secondary Teacher</td>
<td>$52,699</td>
<td>43.75</td>
</tr>
<tr>
<td>SPED/ESOL Teacher</td>
<td>$51,627</td>
<td>44.88</td>
</tr>
<tr>
<td>Career and Technical Education</td>
<td>$53,000</td>
<td>44.05</td>
</tr>
<tr>
<td>School Specialist</td>
<td>$58,663</td>
<td>47.64</td>
</tr>
<tr>
<td>School Support</td>
<td>$56,033</td>
<td>46.27</td>
</tr>
<tr>
<td>Leadership/Administration</td>
<td>$87,178</td>
<td>48.19</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Educator Type</th>
<th>Average Salary</th>
<th>Average Age by Educator Type</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Mean</td>
</tr>
<tr>
<td>Elementary/Pre-School Teacher</td>
<td>$49,207</td>
<td>41.23</td>
</tr>
<tr>
<td>Middle School Teacher</td>
<td>$51,730</td>
<td>42.96</td>
</tr>
<tr>
<td>Secondary Teacher</td>
<td>$52,699</td>
<td>43.75</td>
</tr>
<tr>
<td>SPED/ESOL Teacher</td>
<td>$51,627</td>
<td>44.88</td>
</tr>
<tr>
<td>Career and Technical Education</td>
<td>$53,000</td>
<td>44.05</td>
</tr>
<tr>
<td>School Specialist</td>
<td>$58,663</td>
<td>47.64</td>
</tr>
<tr>
<td>School Support</td>
<td>$56,033</td>
<td>46.27</td>
</tr>
<tr>
<td>Leadership/Administration</td>
<td>$87,178</td>
<td>48.19</td>
</tr>
</tbody>
</table>

B. *Average salary by years of experience:*

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>$35,453</td>
<td>$35,835</td>
<td>$36,508</td>
<td>$37,373</td>
</tr>
<tr>
<td>1-4</td>
<td>$37,667</td>
<td>$38,438</td>
<td>$38,798</td>
<td>$39,534</td>
</tr>
<tr>
<td>5-9</td>
<td>$41,318</td>
<td>$42,404</td>
<td>$42,970</td>
<td>$43,736</td>
</tr>
<tr>
<td>10-14</td>
<td>$45,802</td>
<td>$46,807</td>
<td>$47,275</td>
<td>$47,946</td>
</tr>
<tr>
<td>15-19</td>
<td>$49,521</td>
<td>$50,430</td>
<td>$50,923</td>
<td>$51,967</td>
</tr>
<tr>
<td>20-24</td>
<td>$52,383</td>
<td>$53,211</td>
<td>$53,304</td>
<td>$54,369</td>
</tr>
<tr>
<td>25-29</td>
<td>$54,708</td>
<td>$55,423</td>
<td>$55,743</td>
<td>$56,618</td>
</tr>
<tr>
<td>30-34</td>
<td>$55,570</td>
<td>$56,475</td>
<td>$56,343</td>
<td>$56,539</td>
</tr>
<tr>
<td>35-39</td>
<td>$54,833</td>
<td>$55,313</td>
<td>$55,442</td>
<td>$55,813</td>
</tr>
<tr>
<td>40-44</td>
<td>$54,223</td>
<td>$54,680</td>
<td>$54,596</td>
<td>$54,708</td>
</tr>
<tr>
<td>45-49</td>
<td>$52,500</td>
<td>$53,289</td>
<td>$51,797</td>
<td>$52,686</td>
</tr>
<tr>
<td>50 or over</td>
<td>$35,114</td>
<td>$29,878</td>
<td>$26,954</td>
<td>$41,380</td>
</tr>
</tbody>
</table>
Section 4: Assignment Data

Some individuals teach in more than one building and/or more than one assignment; an individual may be duplicated either within or across qualification categories.

A. **Licensure qualification by assignments:**

<table>
<thead>
<tr>
<th>Subject Category</th>
<th>Full Licensure</th>
<th>Licensed Unqualified</th>
<th>Provisionally Licensed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percent</td>
<td>Number</td>
</tr>
<tr>
<td>Art</td>
<td>4,023</td>
<td>90.18%</td>
<td>193</td>
</tr>
<tr>
<td>Elementary</td>
<td>24,623</td>
<td>95.47%</td>
<td>342</td>
</tr>
<tr>
<td>English Language Arts</td>
<td>8,620</td>
<td>85.12%</td>
<td>781</td>
</tr>
<tr>
<td>ESL/Bilingual</td>
<td>480</td>
<td>85.71%</td>
<td>21</td>
</tr>
<tr>
<td>History / Government</td>
<td>6,043</td>
<td>86.23%</td>
<td>493</td>
</tr>
<tr>
<td>Mathematics</td>
<td>8,422</td>
<td>84.81%</td>
<td>756</td>
</tr>
<tr>
<td>Music</td>
<td>2,472</td>
<td>92.55%</td>
<td>74</td>
</tr>
<tr>
<td>Science</td>
<td>5,594</td>
<td>85.29%</td>
<td>631</td>
</tr>
<tr>
<td>Speech/Theatre</td>
<td>1,071</td>
<td>82.13%</td>
<td>183</td>
</tr>
<tr>
<td>World Languages</td>
<td>2,611</td>
<td>89.33%</td>
<td>149</td>
</tr>
</tbody>
</table>

**Explanation of terms:**
- **Fully Licensed** – the staff member has full licensure in the area of assignment
- **Licensed Unqualified** – the staff member is licensed as a teacher in Kansas, but does not hold an endorsement for the area of assignment
- **Provisionally Licensed** – the staff member is licensed as a teacher in Kansas, and holds a provisional endorsement license for the area of assignment
Section 5: No Child Left Behind (NCLB) Highly Qualified Teacher data

Tables below compare the percentage of classes taught by NCLB “Highly Qualified” teachers in high and low poverty schools. Elementary and secondary buildings were sorted by total free and reduced lunch enrollment to determine the socioeconomic status of the building.

A. Highly Qualified Classes by Elementary Building Socioeconomic Status:

<table>
<thead>
<tr>
<th>Assignment Categories</th>
<th>Number of Classes</th>
<th>HQ Classes</th>
<th>% HQ</th>
<th>Number of Classes</th>
<th>HQ Classes</th>
<th>% HQ</th>
<th>Number of Classes</th>
<th>HQ Classes</th>
<th>% HQ</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Elementary Buildings</td>
<td>12,635</td>
<td>12,635</td>
<td>96.84%</td>
<td>4,111</td>
<td>4,980</td>
<td>97.71%</td>
<td>4,654</td>
<td>4,066</td>
<td>90.60%</td>
</tr>
<tr>
<td>High Poverty Buildings</td>
<td>12,635</td>
<td>12,635</td>
<td>96.84%</td>
<td>4,980</td>
<td>4,980</td>
<td>100.00%</td>
<td>4,654</td>
<td>4,066</td>
<td>89.78%</td>
</tr>
<tr>
<td>Low Poverty Buildings</td>
<td>12,635</td>
<td>12,635</td>
<td>96.84%</td>
<td>4,980</td>
<td>4,980</td>
<td>100.00%</td>
<td>4,654</td>
<td>4,066</td>
<td>89.78%</td>
</tr>
</tbody>
</table>

B. Highly Qualified Classes by Secondary Building Socioeconomic Status:

<table>
<thead>
<tr>
<th>Assignment Categories</th>
<th>Number of Classes</th>
<th>HQ Classes</th>
<th>% HQ</th>
<th>Number of Classes</th>
<th>HQ Classes</th>
<th>% HQ</th>
<th>Number of Classes</th>
<th>HQ Classes</th>
<th>% HQ</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Secondary Buildings</td>
<td>18,842</td>
<td>18,842</td>
<td>99.99%</td>
<td>4,730</td>
<td>4,730</td>
<td>100.00%</td>
<td>5,211</td>
<td>5,211</td>
<td>99.99%</td>
</tr>
<tr>
<td>High Poverty Buildings</td>
<td>18,842</td>
<td>18,842</td>
<td>99.99%</td>
<td>4,730</td>
<td>4,730</td>
<td>100.00%</td>
<td>5,211</td>
<td>5,211</td>
<td>99.99%</td>
</tr>
<tr>
<td>Low Poverty Buildings</td>
<td>18,842</td>
<td>18,842</td>
<td>99.99%</td>
<td>4,730</td>
<td>4,730</td>
<td>100.00%</td>
<td>5,211</td>
<td>5,211</td>
<td>99.99%</td>
</tr>
</tbody>
</table>
C. *Highly Qualified Classes by Special Education (SPED) or English to Speakers of Other Languages (ESOL)*:

**English to Speakers of Other Languages (ESOL):**

<table>
<thead>
<tr>
<th>Core Content Classes</th>
<th>Number of Classes</th>
<th>HQ Classes</th>
<th>% HQ</th>
</tr>
</thead>
<tbody>
<tr>
<td>ESOL – Elementary</td>
<td>59</td>
<td>59</td>
<td>100%</td>
</tr>
<tr>
<td>ESOL – English Language Arts</td>
<td>243</td>
<td>233</td>
<td>95.88%</td>
</tr>
<tr>
<td>ESOL – History &amp; Government</td>
<td>65</td>
<td>33</td>
<td>50.77%</td>
</tr>
<tr>
<td>ESOL – Mathematics</td>
<td>51</td>
<td>27</td>
<td>52.94%</td>
</tr>
<tr>
<td>ESOL – Science</td>
<td>35</td>
<td>32</td>
<td>91.43%</td>
</tr>
<tr>
<td>ESOL – World Languages</td>
<td>19</td>
<td>19</td>
<td>100%</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>1,152</strong></td>
<td><strong>1,061</strong></td>
<td><strong>92.10%</strong></td>
</tr>
</tbody>
</table>

**Special Education (SPED):**

<table>
<thead>
<tr>
<th>Core Content Classes</th>
<th>Number of Classes</th>
<th>HQ Classes</th>
<th>% HQ</th>
</tr>
</thead>
<tbody>
<tr>
<td>SPED – Art</td>
<td>270</td>
<td>165</td>
<td>61.11%</td>
</tr>
<tr>
<td>SPED - Elementary</td>
<td>2,962</td>
<td>1,565</td>
<td>52.84%</td>
</tr>
<tr>
<td>SPED - English Language Arts</td>
<td>9,765</td>
<td>5,115</td>
<td>52.37%</td>
</tr>
<tr>
<td>SPED - History &amp; Government</td>
<td>5,336</td>
<td>2,647</td>
<td>49.61%</td>
</tr>
<tr>
<td>SPED - Mathematics</td>
<td>7,178</td>
<td>4,095</td>
<td>57.05%</td>
</tr>
<tr>
<td>SPED - Science</td>
<td>4,058</td>
<td>1,991</td>
<td>49.06%</td>
</tr>
<tr>
<td>SPED - Speech/Theatre</td>
<td>256</td>
<td>128</td>
<td>50.00%</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>47,380</strong></td>
<td><strong>26,867</strong></td>
<td><strong>56.71%</strong></td>
</tr>
</tbody>
</table>
Section 6: Restricted License Teachers

A. Restricted license teachers by recommending institution:

Data is total enrollment in the restricted teaching program by institution.

<table>
<thead>
<tr>
<th>Recommending Institution</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baker University</td>
<td>16</td>
<td>11</td>
<td>11</td>
<td>14</td>
</tr>
<tr>
<td>Emporia State University</td>
<td>12</td>
<td>31</td>
<td>23</td>
<td>15</td>
</tr>
<tr>
<td>Fort Hays State University</td>
<td>71</td>
<td>89</td>
<td>77</td>
<td>123</td>
</tr>
<tr>
<td>MidAmerica Nazarene University</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Pittsburg State University</td>
<td>22</td>
<td>12</td>
<td>9</td>
<td>6</td>
</tr>
<tr>
<td>Southwestern College</td>
<td>9</td>
<td>7</td>
<td>9</td>
<td>1</td>
</tr>
<tr>
<td>Sterling College</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Washburn University</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Wichita State University</td>
<td>33</td>
<td>29</td>
<td>35</td>
<td>37</td>
</tr>
</tbody>
</table>

B. Restricted license teachers by assignment area:

Some individuals teach in more than one building and/or more than one assignment; an individual may be represented with multiple assignments. The 2015 data represents subjects taught by Restricted License holders, rather than assignments.

<table>
<thead>
<tr>
<th>Subject</th>
<th>2011 Assignments</th>
<th>2012 Courses</th>
<th>2013 Course</th>
<th>2014 Subject</th>
<th>2015 Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture</td>
<td>3</td>
<td>19</td>
<td>12</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Architecture and Construction</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Art</td>
<td>10</td>
<td>113</td>
<td>59</td>
<td>14</td>
<td>39</td>
</tr>
<tr>
<td>Biology</td>
<td>24</td>
<td>72</td>
<td>57</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Business and Marketing</td>
<td>9</td>
<td>111</td>
<td>128</td>
<td>8</td>
<td>19</td>
</tr>
<tr>
<td>Chemistry</td>
<td>16</td>
<td>44</td>
<td>32</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Earth Space Science</td>
<td>1</td>
<td>7</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>English Language Arts</td>
<td>35</td>
<td>106</td>
<td>141</td>
<td>43</td>
<td>50</td>
</tr>
<tr>
<td>Family &amp; Consumer Science</td>
<td>1</td>
<td>12</td>
<td>36</td>
<td>8</td>
<td>3</td>
</tr>
<tr>
<td>French</td>
<td>12</td>
<td>14</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>German</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health</td>
<td>6</td>
<td>9</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>History &amp; Government</td>
<td>6</td>
<td>43</td>
<td>50</td>
<td>24</td>
<td>20</td>
</tr>
<tr>
<td>Journalism</td>
<td>5</td>
<td>46</td>
<td>29</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>Library</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mathematics</td>
<td>24</td>
<td>137</td>
<td>120</td>
<td>40</td>
<td>41</td>
</tr>
<tr>
<td>Music</td>
<td>11</td>
<td>76</td>
<td>33</td>
<td>4</td>
<td>11</td>
</tr>
<tr>
<td>Physical Education</td>
<td>2</td>
<td>72</td>
<td>75</td>
<td>11</td>
<td>16</td>
</tr>
<tr>
<td>Physics</td>
<td>3</td>
<td>2</td>
<td>4</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Psychology</td>
<td>2</td>
<td></td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Speech/Theatre</td>
<td>17.5</td>
<td>8</td>
<td>9</td>
<td>21</td>
<td></td>
</tr>
<tr>
<td>Counselor</td>
<td>3</td>
<td>2</td>
<td>4</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Science</td>
<td>10</td>
<td>48</td>
<td>68</td>
<td>46</td>
<td>56</td>
</tr>
<tr>
<td>Spanish</td>
<td>22</td>
<td>40</td>
<td>72</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Technology Education</td>
<td>7</td>
<td>7</td>
<td>6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>World Languages</td>
<td></td>
<td></td>
<td></td>
<td>29</td>
<td>30</td>
</tr>
</tbody>
</table>
Section 7: Career and Technical Education

A. Career and Technical Education Assignments by Subject Categories:

Some individuals teach in more than one building and/or more than one assignment; an individual may be duplicated either within or across subject categories.

<table>
<thead>
<tr>
<th>Subject Categories</th>
<th>Assignments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture</td>
<td>1,138</td>
</tr>
<tr>
<td>Art</td>
<td>96</td>
</tr>
<tr>
<td>Business and Marketing</td>
<td>1,330</td>
</tr>
<tr>
<td>Computer and Information Sciences</td>
<td>936</td>
</tr>
<tr>
<td>Family &amp; Consumer Science</td>
<td>969</td>
</tr>
<tr>
<td>Health Care Science</td>
<td>184</td>
</tr>
<tr>
<td>Human Services</td>
<td>115</td>
</tr>
<tr>
<td>Journalism</td>
<td>0</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>0</td>
</tr>
<tr>
<td>Physical, Health, and Safety Education</td>
<td>148</td>
</tr>
<tr>
<td>Public, Protective, and Government Service</td>
<td>0</td>
</tr>
<tr>
<td>Science</td>
<td>175</td>
</tr>
<tr>
<td>Speech/Theatre</td>
<td>0</td>
</tr>
<tr>
<td>Technology Education</td>
<td>1,022</td>
</tr>
</tbody>
</table>
Section 8: Licensure waiver data

State Board of Education Regulation 91-31-42 allows a school accredited through the Quality Performance Accreditation System to request a licensure waiver to assign an individual to teach in a subject or at a grade level not authorized by the teacher's Kansas teaching certificate/license. The intent of a licensure waiver is to allow a school district to utilize the expertise of teaching staff to meet the educational needs of students.

A. Waivers by subject area:

<table>
<thead>
<tr>
<th>Subject</th>
<th>Waivers Issued</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adaptive Special Education</td>
<td>412</td>
</tr>
<tr>
<td>Biology</td>
<td>1</td>
</tr>
<tr>
<td>Chemistry</td>
<td>2</td>
</tr>
<tr>
<td>Deaf or Hard-of-Hearing</td>
<td>2</td>
</tr>
<tr>
<td>Early Childhood Unified Special Education</td>
<td>47</td>
</tr>
<tr>
<td>General Education</td>
<td>8</td>
</tr>
<tr>
<td>Earth and Space Science</td>
<td>1</td>
</tr>
<tr>
<td>English to Speakers of Other Languages</td>
<td>23</td>
</tr>
<tr>
<td>Functional Special Education</td>
<td>47</td>
</tr>
<tr>
<td>Gifted</td>
<td>32</td>
</tr>
<tr>
<td>Library Media</td>
<td>7</td>
</tr>
<tr>
<td>Physics</td>
<td>1</td>
</tr>
<tr>
<td>Mathematics</td>
<td>3</td>
</tr>
<tr>
<td>Middle Science</td>
<td>1</td>
</tr>
<tr>
<td>Science</td>
<td>2</td>
</tr>
<tr>
<td>Visually Impaired</td>
<td>7</td>
</tr>
<tr>
<td>Extension of the number of days</td>
<td>9</td>
</tr>
</tbody>
</table>
To: Commissioner Randy Watson  
From: Colleen Riley, Brad Neuenswander  
Subject: Emergency Safety Intervention Regulations  
Date: 06/15/2015  
Board Goals: Provide a flexible and efficient delivery system to meet our students’ varied and changing needs

Early Childhood, Special Education, and Title Services staff will review Senate Substitute for Substitute for House Bill 2170, the Freedom from Unsafe Restraint and Seclusion Act, which became law upon publication in the Kansas Register on June 4, 2015. This law will require changes to the Kansas State Board of Education's Emergency Safety Intervention regulations, K.A.R. 91-42-1 to -2. Staff will present the necessary changes to these regulations for review.
REQUEST AND RECOMMENDATION FOR BOARD ACTION

Staff Initiating: Colleen Riley
Director: Colleen Riley
Deputy Commissioner: Brad Neuenswander
Commissioner: Randy Watson

Item Title:
Appointments to the Emergency Safety Intervention Task Force

Board Goals:
Governmental responsibility

Recommended Motion:
It is moved that the Kansas State Board of Education act on appointments to the Emergency Safety Intervention Task Force.

Explanation of Situation Requiring Action:
Senate Substitute for Substitute for House Bill 2170, the Freedom from Unsafe Restraint and Seclusion Act, was passed by the Kansas legislature and signed by the governor on May 27, 2015. The provisions of this act went into effect upon publication in the Kansas Register on June 4, 2015. Section 7 of this act establishes the Emergency Safety Intervention Task Force. This task force will consist of 17 members. Two of these members must be appointed by the Kansas State Board of Education. One of these members must be a member of the Kansas State Board of Education and one must be an attorney for the Kansas State Department of Education.

The Emergency Safety Intervention Task Force will study and review the use of emergency safety interventions and prepare a report on its findings and recommendations concerning the use of such interventions. The task force’s report must be submitted to the governor and the legislature on or before Jan. 20, 2016.

The act requires that the State Board of Education task force member call an organizational meeting of the task force on or before Aug. 1, 2015. Kansas State Department of Education staff notified all of the organizations required to make appointments for this task force. An organizational meeting of the task force will be held the first week of August 2015.
REQUEST AND RECOMMENDATION FOR BOARD ACTION

Staff Initiating: Joyce Huser
Director: Scott Smith
Deputy Commissioner: Brad Neuenswander
Commissioner: Randy Watson

Item Title:
Act on Kansas Curricular Standards for Visual Arts

Board Goals:
Provide a flexible and efficient delivery system to meet our students’ varied and changing needs

Recommended Motion:
It is moved that the Kansas State Board of Education approve the 2015 Kansas Curricular Standards for Visual Arts.

Explanation of Situation Requiring Action:
Recommendations for revisions to the Kansas Curricular Standards for Visual Arts were presented to the State Board of Education for review on June 10, 2015. These standards were updated to align with the national visual arts standards and to address what students in Kansas should know and understand to prepare for college and careers beyond high school. The standards revision committee and Career Standards and Assessment Services recommend approval of the revised curricular standards for visual arts.
REQUEST AND RECOMMENDATION FOR BOARD ACTION

Item Title:  
Act on Coalition of Innovative Districts’ Specialized Certificate Recommendation

Board Goals:  
Governmental responsibility

Recommended Motion:  
It is moved that the Kansas State Board of Education approve the Coalition of Innovative Districts’ Specialized Teaching Certificate application and process for use by approved Innovative Districts to hire non-licensed professional employees or licensed professional employees in areas outside of their area(s) of licensure.

Explanation of Situation Requiring Action:  
At the June State Board meeting, superintendents from the Coalition of Innovative Districts reviewed specifications of the Coalition’s proposed Specialized Teaching Certificate and outlined situations where use of this waiver from licensure would be merited. The Certificate is intended for use by approved Innovative Districts to hire non-licensed professional employees or licensed professional employees in areas outside of their area(s) of licensure to fill teacher vacancies. A position statement on “Issuance of a Certification Option to Teacher Licensure” was also reviewed. Following months of discussion, the Coalition now seeks the State Board’s acceptance of issuing specialized certificates and grant of authority to implement the process.

Attached documents: Position Statement, process for approval and application.
Position Statement
Issues of a Certification Option to Teacher Licensure

The Coalition of Innovative School Districts (CISD) is seeking a waiver from Kansas Teacher Licensure. The waiver will be sought in those instances when it is difficult to identify appropriate candidates prepared through existing licensure options, or when the district is developing an innovative program outside the scope of current licensure options.

The processes for implementing the waiver will be transparent, including clear procedures to hire the most qualified candidates. The focus for selection will always be on candidates who will make the greatest impact on student learning and future success. When exercising this option, our intent is to be prudent, judicious, and thoughtful as we consider the best pathway to achieve district goals related to student success.

When making decisions about the most qualified applicant, a variety of factors will be considered including licensure, professional degree or certification, professional experience, references, and level of education. The selected candidates will be issued a “certificate” upon approval of the local school board and CISD board. The “certificate” is effective for a one-year period, renewable upon local board approval, and is not transferrable to any other Kansas school district.

Certified teachers are held to meet the same performance standards and will be evaluated following the same evaluation procedures established for fully licensed teachers. Examining the impact on student achievement and effective teaching practice is of great importance. CISD will explicitly report, on a biannual basis, on the implementation of the teacher certification process to the local, Coalition, and state boards of education.

CISD is committed to work with the State Board of Education, Kansas State Department of Education, Deans from schools of education within Kansas, Kansas National Education Association, and local education associations to identify best practice and recommend additional avenues for ensuring recruitment and retention of the most qualified teachers in Kansas schools.
<table>
<thead>
<tr>
<th>Application for Specialized Certificate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coalition of Innovative School Districts (CISD)</td>
</tr>
</tbody>
</table>

**Date of Application:**

**CISD District Name:**

**Applicant Full Legal Name:**

**Recommended Professional Employee assignment and content area(s):**

**Does applicant hold a valid Kansas Teaching License?**
- [ ] Yes
  - Content area(s) __________________;________________;________________
  - Effective Dates of License ___/___/___ to ___/___/___
- [ ] No

**Does applicant hold a valid teaching license in a state other than Kansas?**
- [ ] Yes
  - Content area(s) __________________;________________;________________
  - Effective Dates of License ___/___/___ to ___/___/___
- [ ] No

**Applicant completed and passed all LEA pre-employment hiring procedures including Background Check**
- [ ] Yes
- [ ] No

**DATE applicant been approved by local BOE ___/___/___**

**Term of Specialized Certificate:**
- [ ] One Year
  - Approval Dates ___/___/___ to ___/___/___
- [ ] Renewal
  - Approval Dates ___/___/___ to ___/___/___

**Rationale for Filling Vacancy with Certificated Professional (attach additional sheet if necessary):**

**Name:**

**Signature:**

**Position:**

**Date:**

**Specialized Certificate Approval:**
- [ ] Yes
- [ ] No

**Authorized by:**

**Position:**

**Signature:**

**Date:**

(June 2015)
I. Innovative School District identifies the need to hire a qualified candidate (see Position Statement) and provides, in written form, the rationale for use of a “Certificated” employee.

II. Innovative School District Certificate may not be granted for positions that include federal requirements such as Special Education and Title funded positions.

III. Innovative School District completes the background check and fingerprinting process on qualified candidate as required by Kansas Statutes.

IV. Candidate is recommended by for approval to the local Board of Education.

V. Innovative School District completes the Coalition of Innovative School District (CISD) Application for Specialized Certificate Approval form and submits to the CISD Board for approval. The Certificate will specify the endorsement area(s) and qualified candidate will only be authorized to teach in the area(s) designated on the certificate. The Certificate will be valid for a period of one year and may be renewed on an annual basis.

VI. Following local and CISD board approval, the Innovative School District issues Specialized Certificate to the qualified candidate and sends a copy of the Certificate to the CISD Board and State Board of Education.

VII. The Innovative School District Specialized Certificate is not transferrable. The certificate will automatically become void upon resignation or termination from the hiring district. The Innovative School District will notify the CISD Board and KSDE when an employee holding a Certificate separates from employment.

VIII. The hiring Innovative School District will be responsible for providing any training, professional development, evaluation, and support needed for teachers hired under the CISD Specialized Certificate program (see Position Statement).

IX. CISD will include in the bi-annual report to State Board of Education the number and area of placement of Specialized Certificate teachers in Kansas.

X. KSDE will provide necessary support to the CISD to implement and manage the Specialized Certificate Program as needed.

XI. Continuous employment of a certified employee is at the discretion of the local board of education. The local board of education is responsible for defining the terms and conditions of the professional employee’s employment.
To: Commissioner Randy Watson  
From: Matt Krehbiel, Scott Smith, Brad Neuenswander  
Subject: Quarterly Update on implementation of KCCRS for science  
Date: 06/15/2015  
Board Goals: Provide a flexible and efficient delivery system to meet our students’ varied and changing needs

Matt Krehbiel will provide an update on science education initiatives surrounding the implementation of the KCCRS for science.
To: Commissioner Randy Watson  
From: Dale Dennis  
Subject: Legislative Matters  
Date: 06/18/2015  
Board Goals: Governmental responsibility

DISCUSS FY 2017 BUDGET OPTIONS

Attached are budget options for FY 2017 to be discussed at the July meeting. Due to the large size of the agency budget, we hope that the State Board is able to make decisions in July for the FY 2017 budget. This will allow KSDE staff to proceed with the preparation of the budget and comply with the Sept. 15, 2015 due date.
DISCUSS FY 2017 KSDE BUDGET

Listed below are options to begin the discussion on recommendations for the FY 2017 KSDE budget.

**BLOCK GRANT—2015-16**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General State Aid</td>
<td>$2,556,094,089</td>
</tr>
<tr>
<td>Supplemental General State A</td>
<td></td>
</tr>
<tr>
<td>id (Local Option Budget)</td>
<td>$448,422,918</td>
</tr>
<tr>
<td>Capital Outlay State Aid</td>
<td>$27,302,500</td>
</tr>
<tr>
<td>Virtual State Aid</td>
<td>$26,254,238</td>
</tr>
<tr>
<td>Special Mill Levies</td>
<td>$45,673,934</td>
</tr>
<tr>
<td>KPERS</td>
<td>$353,246,057</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$3,456,993,736</strong></td>
</tr>
</tbody>
</table>

**BLOCK GRANT**

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015-16</td>
<td>$3,456,993,736</td>
</tr>
<tr>
<td>2016-17</td>
<td>3,472,370,586</td>
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</table>

Options:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016-17</td>
<td>$34,723,706</td>
<td>1%</td>
</tr>
<tr>
<td>2016-17</td>
<td>69,447,412</td>
<td>2%</td>
</tr>
<tr>
<td>2016-17</td>
<td>104,171,118</td>
<td>3%</td>
</tr>
<tr>
<td>2016-17</td>
<td>138,894,823</td>
<td>4%</td>
</tr>
<tr>
<td>2016-17</td>
<td>173,618,529</td>
<td>5%</td>
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</table>

**BLOCK GRANT—KPERS**

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012-13</td>
<td>$278,721,115</td>
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<td>2013-14</td>
<td>312,267,165</td>
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<td>2014-15</td>
<td>314,800,003</td>
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<td>2015-16</td>
<td>353,246,058</td>
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<td>2016-17</td>
<td>353,714,973</td>
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### SPECIAL EDUCATION

**History:**

<table>
<thead>
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<th>Year</th>
<th>Cost</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008-09</td>
<td>$427,753,137 (92.0%)</td>
<td></td>
</tr>
<tr>
<td>2009-10</td>
<td>$367,540,630 (88.7%)</td>
<td>(Rec. $56,517,000-ARRA)</td>
</tr>
<tr>
<td>2010-11</td>
<td>$389,404,843 (92.0%)</td>
<td>(Rec. $54,454,000-ARRA)</td>
</tr>
<tr>
<td>2011-12</td>
<td>$428,140,397 (88.4%)</td>
<td></td>
</tr>
<tr>
<td>2012-13</td>
<td>$427,724,000 (82.8%)</td>
<td></td>
</tr>
<tr>
<td>2013-14</td>
<td>$427,717,000 (80.1%)</td>
<td></td>
</tr>
<tr>
<td>2014-15</td>
<td>$428,360,566 (78.0%)</td>
<td></td>
</tr>
<tr>
<td>2015-16 KSA 72-978 &amp; 978a</td>
<td>$515,350,711 (92.0%)</td>
<td></td>
</tr>
<tr>
<td>2015-16</td>
<td>$466,803,180 (85.0%)</td>
<td></td>
</tr>
<tr>
<td>2015-16</td>
<td>$434,902,949 (MOE)</td>
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</tr>
</tbody>
</table>

**Options:**

<table>
<thead>
<tr>
<th>Year</th>
<th>Cost</th>
<th>Additional Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016-17 KSA 72-978 &amp; 978a</td>
<td>$525,657,725 (92.0%)</td>
<td>$90,754,776</td>
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<tr>
<td>2016-17</td>
<td>$485,662,028 (85.0%)</td>
<td>$50,759,079</td>
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<tr>
<td>2016-17</td>
<td>$434,902,949 (MOE)</td>
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### ALL-DAY KINDERGARTEN

**Options:**

<table>
<thead>
<tr>
<th>Year</th>
<th>Cost</th>
<th>Additional Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016-17</td>
<td>Implement all at once (BSAPP @ $4,300)</td>
<td>$95,000,000</td>
</tr>
<tr>
<td>2016-17</td>
<td>Implement over 5-year period (BSAPP @ $4,300)</td>
<td>$19,000,000 per year</td>
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### PARENTS AS TEACHERS

Helps parent become child's first teacher. Improves school readiness and provides screening for undetected health problems, disabilities, and developmental delays. Serve an estimated 18,000 children and parents.

**History:**

<table>
<thead>
<tr>
<th>Year</th>
<th>Cost</th>
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</thead>
<tbody>
<tr>
<td>2008-09</td>
<td>$7,567,000</td>
</tr>
<tr>
<td>2009-10</td>
<td>$7,567,000</td>
</tr>
<tr>
<td>2010-11</td>
<td>$7,359,130</td>
</tr>
<tr>
<td>2011-12</td>
<td>$7,237,635</td>
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<tr>
<td>2012-13</td>
<td>$7,237,635</td>
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<tr>
<td>2013-14</td>
<td>$7,237,635</td>
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<tr>
<td>2014-15</td>
<td>$7,237,635</td>
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<tr>
<td>2015-16</td>
<td>$7,237,635</td>
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</table>

**Options:**

<table>
<thead>
<tr>
<th>Year</th>
<th>Cost</th>
<th>Additional Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016-17</td>
<td>Increase number of children by 1,000</td>
<td>$460,000</td>
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<tr>
<td>2016-17</td>
<td>Increase number of children by 2,000</td>
<td>$920,000</td>
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<tr>
<td>2016-17</td>
<td>Fund at 2015-16 level</td>
<td>$0</td>
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</table>
MENTOR TEACHER PROGRAM

Voluntary program that provides probationary teachers with three years of professional support and assistance by an on-site mentor.

<table>
<thead>
<tr>
<th>History:</th>
<th>2008-09</th>
<th>$1,650,000</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2009-10</td>
<td>$1,450,000</td>
</tr>
<tr>
<td></td>
<td>2010-11</td>
<td>$1,450,000</td>
</tr>
<tr>
<td></td>
<td>2011-12</td>
<td>$0</td>
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<tr>
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<tr>
<td></td>
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<tr>
<td></td>
<td>2014-15</td>
<td>$0</td>
</tr>
<tr>
<td></td>
<td>2015-16</td>
<td>$0</td>
</tr>
</tbody>
</table>

Options: 2016-17 KSA 72-1412 Fund 100% of law $3,000,000

PROFESSIONAL DEVELOPMENT

State law allows a district to receive state aid up to one-half percent of its general fund budget or 50 percent of its actual expenditures, whichever is less.

<table>
<thead>
<tr>
<th>History:</th>
<th>2008-09</th>
<th>$1,750,000</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2009-10</td>
<td>$0</td>
</tr>
<tr>
<td></td>
<td>2010-11</td>
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<tr>
<td></td>
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<tr>
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<td>2014-15</td>
<td>$0</td>
</tr>
<tr>
<td></td>
<td>2015-16</td>
<td>$0</td>
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</tbody>
</table>

Options: 2016-17 KSA 72-9601 Fund 100% of law $10,000,000

2016-17 Fund 75% of law $7,500,000

2016-17 Fund 50% of law $5,000,000
**SCHOOL LUNCH**

Reimburse local education agencies six cents per school lunch as provided by Kansas law.

<table>
<thead>
<tr>
<th>History:</th>
<th>2008-09</th>
<th>$2,510,486 (4.4 cents per lunch)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2009-10</td>
<td>$2,435,171 (4.3 cents per lunch)</td>
</tr>
<tr>
<td></td>
<td>2010-11</td>
<td>$2,435,171 (4.3 cents per lunch)</td>
</tr>
<tr>
<td></td>
<td>2011-12</td>
<td>$2,487,458 (4.3 cents per lunch)</td>
</tr>
<tr>
<td></td>
<td>2012-13</td>
<td>$2,510,486 (4.4 cents per lunch)</td>
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<tr>
<td></td>
<td>2013-14</td>
<td>$2,510,486 (4.4 cents per lunch)</td>
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<tr>
<td></td>
<td>2014-15</td>
<td>$2,510,486 (4.4 cents per lunch)</td>
</tr>
<tr>
<td></td>
<td>2015-16</td>
<td>$2,510,486 (4.4 cents per lunch)</td>
</tr>
</tbody>
</table>

**Options:**
- **2016-17** KSA 72-5112: $3,586,000 (6.0 cents per lunch)
- **2016-17** Maintenance of Effort: $0

**Additional Cost**
- **2016-17** KSA 72-5112: $1,075,514
- **2016-17** Maintenance of Effort: $0

**AGRICULTURE IN THE CLASSROOM**

<table>
<thead>
<tr>
<th>History:</th>
<th>2008-09</th>
<th>$35,000</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2009-10</td>
<td>$35,000</td>
</tr>
<tr>
<td></td>
<td>2010-11</td>
<td>$35,000</td>
</tr>
<tr>
<td></td>
<td>2011-12</td>
<td>$0</td>
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<tr>
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<td></td>
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<tr>
<td></td>
<td>2014-15</td>
<td>$0</td>
</tr>
<tr>
<td></td>
<td>2015-16</td>
<td>$0</td>
</tr>
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</table>

**Options:**
- **2016-17** Fund at 2010-11 level: $35,000

**Additional Cost**
- **2016-17** Fund at 2010-11 level: $35,000

**COMMUNITIES IN SCHOOLS**

<table>
<thead>
<tr>
<th>History:</th>
<th>2008-09</th>
<th>$35,000</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2009-10</td>
<td>$35,000</td>
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<tr>
<td></td>
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<tr>
<td></td>
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<td>$0</td>
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<tr>
<td></td>
<td>2013-14</td>
<td>$250,000</td>
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<tr>
<td></td>
<td>2014-15</td>
<td>$250,000</td>
</tr>
<tr>
<td></td>
<td>2015-16</td>
<td>$0</td>
</tr>
</tbody>
</table>

**Options:**
- **2016-17** Fund at 2010-11 Level: $35,000
- **2016-17** Fund at 2014-15 level: $250,000
### KANSAS ASSOCIATION OF CONSERVATION AND ENVIRONMENTAL EDUCATION

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008-09</td>
<td>$35,000</td>
</tr>
<tr>
<td>2009-10</td>
<td>$0</td>
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<tr>
<td>2010-11</td>
<td>$0</td>
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<tr>
<td>2011-12</td>
<td>$0</td>
</tr>
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<td>2012-13</td>
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</tr>
<tr>
<td>2014-15</td>
<td>$0</td>
</tr>
<tr>
<td>2015-16</td>
<td>$0</td>
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**Additional Cost Options:**

<table>
<thead>
<tr>
<th>Year</th>
<th>Option Description</th>
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</tr>
</thead>
<tbody>
<tr>
<td>2016-17</td>
<td>Fund at 2008-09 level</td>
<td>$35,000</td>
</tr>
<tr>
<td>2016-17</td>
<td>Fund at 2015-16 level</td>
<td>$0</td>
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### NATIONAL BOARD CERTIFICATION

<table>
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<tbody>
<tr>
<td>2008-09</td>
<td>$285,000</td>
</tr>
<tr>
<td>2009-10</td>
<td>$55,000 (scholarships only)</td>
</tr>
<tr>
<td>2010-11</td>
<td>$55,000 (scholarships only)</td>
</tr>
<tr>
<td>2011-12</td>
<td>$50,000 (scholarships only)</td>
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<td>2012-13</td>
<td>$16,694</td>
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<tr>
<td>2014-15</td>
<td>$327,500</td>
</tr>
<tr>
<td>2015-16</td>
<td>$327,500</td>
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</table>

**Additional Cost Options:**

<table>
<thead>
<tr>
<th>Year</th>
<th>Option Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016-17</td>
<td>KSA 72-1398 Fund law--$327,500</td>
<td>$0</td>
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</table>

### PRE-K PILOT

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>2009-10</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>2010-11</td>
<td>$4,880,370</td>
</tr>
<tr>
<td>2011-12</td>
<td>$4,799,812</td>
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<td>2012-13</td>
<td>$4,799,812</td>
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<td>$4,799,812</td>
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<tr>
<td>2015-16</td>
<td>$4,799,812</td>
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**Additional Cost Options:**

<table>
<thead>
<tr>
<th>Year</th>
<th>Option Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016-17</td>
<td>Fund at 2009-10 level</td>
<td>$200,188</td>
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<tr>
<td>2016-17</td>
<td>Fund at 2015-16 level</td>
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</table>
TECHNICAL EDUCATION - TRANSPORTATION

History:

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<th>Year</th>
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<tbody>
<tr>
<td>2012-13</td>
<td>$554,442</td>
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<td>$650,000</td>
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<td>2014-15</td>
<td>$650,000</td>
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<tr>
<td>2015-16</td>
<td>$650,000</td>
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Options:

<table>
<thead>
<tr>
<th>Year</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016-17</td>
<td>Increase funding--$1,350,000</td>
</tr>
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</table>

Additional Cost: $700,000

DISCRETIONARY GRANTS

Appropriation for Discretionary Grants is as follows.

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<tr>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>After School Programs</td>
<td>$375,000</td>
<td>$187,500</td>
<td>$187,500</td>
<td>$187,500</td>
<td>$187,500</td>
<td>$187,500</td>
<td>$375,000</td>
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<tr>
<td>Middle School</td>
<td>$250,000</td>
<td>$125,000</td>
<td>$125,000</td>
<td>$125,000</td>
<td>$125,000</td>
<td>$125,000</td>
<td>$250,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$625,000</td>
<td>$312,500</td>
<td>$312,500</td>
<td>$312,500</td>
<td>$312,500</td>
<td>$312,500</td>
<td>$625,000</td>
</tr>
</tbody>
</table>

NOTE: The Division of the Budget is estimating the consumer price index (cost of living) will increase 2.3 percent in fiscal year 2017.
To: Commissioner Randy Watson  
From: Gwen Kramer, Wendy Fritz  
Subject: Personnel Report  
Date: 6/22/2015  

Board Goals: Governmental Responsibility

<table>
<thead>
<tr>
<th></th>
<th>July</th>
<th>Aug</th>
<th>Sept</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>June</th>
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<tbody>
<tr>
<td><strong>Total New Hires</strong></td>
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<td>3</td>
<td>5</td>
<td>6</td>
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<td>3</td>
</tr>
<tr>
<td>Unclassified Special Project</td>
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<tr>
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<tr>
<td><strong>Total Separations</strong></td>
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<td>4</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>4</td>
<td>1</td>
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<tr>
<td>Unclassified Regular (leadership)</td>
<td>0</td>
<td>2</td>
<td>0</td>
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<tr>
<td><strong>Recruiting (data on 1st day of month)</strong></td>
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<td>7</td>
<td>17</td>
<td>7</td>
<td>4</td>
<td>3</td>
<td>6</td>
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<td>6</td>
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Total Employees 227* (PPE 5/9/2015). Count does not include Board Members.

*Excludes classified temporaries and agency reallocations, promotions, demotions, and transfers. Includes employees terminating to go to a different state agency (which are not included in annual turnover rate calculations).
REQUEST AND RECOMMENDATION FOR BOARD ACTION

Staff Initiating: Gwen Kramer
Director: Wendy Fritz
Commissioner: Randy Watson

Item Title:
Appointments of Persons to Unclassified Special Projects Positions

Board Goals:
Governmental responsibility

Recommended Motion:
It is moved that the Kansas State Board of Education confirm the appointments of:

Claude Collins to the position of Applications Developer III on the Information Technology Team effective May 26, 2015 at an annual salary of $50,918.40. This position is funded by the Teacher and Administration Fee Fund and Title II improving Teacher Quality.

Tracy Gallaway to the position of Senior Trainer on the Information Technology Team effective June 8, 2015 at an annual salary of $50,918.40. This position is funded by the State General Fund, KIDS and Information Technology Enterprise Data System.

Sarah Vanderpool to the position of Public Service Executive II (Data Compliance Officer) on the Information Technology Team effective June 8, 2015 at an annual salary of $53,414.40. This position is funded by the State General Fund and Indirect Cost.

Julie Ewing to the position of Education Program Consultant on the Early Childhood, Special Education, and Title Services Team effective July 5, 2015 at an annual salary of $56,118.40. This position is funded by the State General Fund and Educational Deprived Child.

Explanation of Situation Requiring Action:

Claude Collins will manage the advanced technical work required to support the complex federal and state reporting requirements for teacher education and licensure and the technical design, development, integration and enhancement needs of the KSDE's Teacher Education and Licensure systems. The primary focus of the systems is to collect data used to report the alignment of instruction and curriculum with state standards, teacher pre-service and in-service professional development, and the factors that lead to successful student transitions from high school into postsecondary education and/or work.

Tracy Gallaway will manage and deliver training in support of data collection and reporting systems in districts and schools in order to meet state and federal reporting requirements and to ensure the quality of the data collected. Responsibilities involve professional educational work of a specialized nature, which includes developing training materials for software applications and associated work processes; delivering and/or assisting with the delivery of training; surveying participants for training

(continued)
program enhancements; enhancing training materials based on participant feedback; and identifying and implementing multiple methods for advertising. This position provides feedback to the application enhancement process by communicating with school and district staff to help them resolve issues regarding application use. The position works independently as well as serves as a senior consultant providing expertise and leadership to other technical team members as they train users on complex data systems. The position functions as a senior consultant to staff and agency leadership to determine complex system documentation and training strategies.

**Sarah Vanderpool** will manage and administer data governance policies and procedures for KSDE data. This position will ensure components of the KSDE Data Governance Program are monitored and maintained. This position manages complex work across KSDE program areas, in conjunction with KSDE General Counsel and data custodians to assure authority, control and integrity of KSDE data. The position will be responsible for data classification and data access role classification. The position serves as data request compliance manager, managing data requests throughout the approval and data distribution process for both internal and external customers. The position is responsible to chair the agency Data Governance and Review Boards and participates in the Data Steward Workgroup. The position is responsible for data sharing agreement initiation and monitoring. The position is responsible for timeliness and accuracy of all Federally required data submissions. The position serves as a KSDE Data Custodian and works closely with Kansas Board of Regents, other state agencies, and state programs to ensure the security and privacy of data from KSDE's Enterprise Data System (EDS). The position provides guidance to KSDE leadership to ensure they are informed of data issues and policies.

**Julie Ewing** will manage partial requirements of federal programs including Elementary and Secondary Education Act, including Title III, Kansas ESOL, and school improvement.
REQUEST AND RECOMMENDATION FOR BOARD ACTION

Staff Initiating: Scott Myers
Director: Scott Myers
Deputy Commissioner: Brad Neuenswander
Commissioner: Randy Watson

**Item Title:**
Act to approve local in-service education plans

**Board Goals:**
Provide an effective educator in every classroom

**Recommended Motion:**
It is moved that the Kansas State Board of Education act to approve the in-service education plans for Bonner Springs USD 204, Comanche USD 300, Golden Plains USD 316, Scott County USD 466 and Liberal USD 480.

**Explanation of Situation Requiring Action:**
In provisions of K.S.A. 72-9604, the State Board is charged with setting standards and criteria by which LEAs will establish and maintain an in-service education program for their licensed personnel. Additionally, the state education budget provides state funds, when available, to be used to reimburse portions of the LEAs' in-service activities. Finally, LEAs must have approved by the State Board of Education a five-year in-service plan that includes appropriate activities for which reimbursement is available.

Specifically, S.B.R. 91-1-216(a)(b) stipulates that LEAs must develop and implement an in-service plan that includes the following: 1) establishment of a professional development council; 2) an assessment of in-service needs; 3) identification of goals and objectives; 4) identification of activities; and 5) evaluative criteria.

Over the years, almost all of the guidelines and report formats for the Kansas In-service Program have been merged into the Quality Performance Accreditation system. As a result, school districts have focused their in-service resources on the targets established by their respective buildings as identified through the school improvement process.

In compliance with S.B.R. 91-1-216(c) and S.B.R. 91-1-217(b)(3), the education agencies listed in the motion have submitted a proposed five-year in-service education plan. State department staff members have reviewed the plans using the State Board of Education approved criteria, and recommend approval of the plans.
REQUEST AND RECOMMENDATION FOR BOARD ACTION

Item Title:
Act on Recommendations for Visiting Scholar licenses

Board Goals:
Provide an effective educator in every classroom

Recommended Motion:
It is moved that the Kansas State Board of Education accept the recommendations of Randy Watson, Commissioner of Education, regarding Visiting Scholar licenses.

Explanation of Situation Requiring Action:
Blue Valley USD 229 - Center for Advanced Professional Studies (CAPS) program
Janet Graham

Blue Valley USD 229 is requesting that Janet Graham be granted a renewal of a Visiting Scholar license valid for the 2015-16 school year. Ms. Graham will continue as a CAPS instructor, responsible for Global Business courses within the CAPS Business/Tech/Media Strand. She will be teaching Global Marketing and Business Development and World Language and Business Leadership. The CAPS program provides students with the opportunity to explore career opportunities in many core areas and to learn directly from practitioners. Students have the opportunity to have virtual internships with CAPS global business partners.

The CAPS Global Business courses receive college credit through Johnson County Community College, College Now Program. The CAPS schedule offers morning and afternoon sessions each 2.5 hours (six periods) every day for a full semester, replicated second semester.

Ms. Graham participated in appropriate professional learning while employed in this position during the past two school years.

Janet Graham continues to provide a unique learning opportunity for students in the CAPS program. I recommend that the request for renewal of a Visiting Scholar license, valid for the 2015-16 school year for Janet Graham be approved, based on continuing to meet two of the three established criteria and completion of appropriate professional learning during her two years of teaching as a Visiting Scholar.

Blue Valley USD 229 - Center for Advanced Professional Studies (CAPS) program
Robin Bacon

Blue Valley USD 229 is requesting that Robin Bacon be granted the renewal of a Visiting Scholar license valid for the 2015-16 school year. Ms. Bacon will responsible for the course Foundations of Medicine II that is part of the CAPS Human Services Strand. The CAPS program provides students with the

(continued)
opportunity to explore career opportunities in many core areas. This course is the second semester of Foundations of Medicine. Students experience case-based instruction and will perform in an interprofessional team, responding to computerized human mannequin simulators.

The course receives college credit through Johnson County Community College, College Now Program. The CAPS schedule offers morning and afternoon sessions (six periods) of 2.5 hours every day for a full semester, replicated second semester. Ms. Bacon participated in appropriate professional learning while employed in this position during the past three school years.

Robin Bacon continues to provide a unique educational opportunity for students in the CAPS program. I recommend that the request for renewal of a Visiting Scholar license valid for the 2015-16 school year for Robin Bacon be approved, based on continuing to meet two of the three established criteria, and appropriate professional learning during her three years of teaching as a Visiting Scholar.

Blue Valley USD 229 - Center for Advanced Professional Studies (CAPS) program

Marjorie Holloway

Blue Valley USD 229 is requesting that Marjorie Holloway be granted renewal of a Visiting Scholar license valid for the 2015-16 school year. Ms. Holloway will be responsible for the course Foundations of Medicine II that is part of the CAPS Human Services Strand. The CAPS program provides students with the opportunity to explore career opportunities. This course is the second semester of Foundations of Medicine. Students experience case-based instruction and will perform in an interprofessional team, responding to computerized human mannequin simulators.

The course receives college credit through Johnson County Community College, College Now Program. The CAPS schedule offers morning and afternoon sessions (six periods) of 2.5 hours every day for a full semester, replicated second semester. Ms. Holloway participated in appropriate professional learning while employed in this position during the past two school years.

Marjorie Holloway continues to provide a unique educational opportunity for students in the CAPS program. I recommend that the request for renewal of a Visiting Scholar license valid for the 2015-16 school year for Marjorie Holloway be approved, based on continuing to meet all three of the established criteria, and appropriate professional learning during her two years of teaching as a Visiting Scholar.

Criteria for a Visiting Scholar license:

A. Advanced course of study or extensive training in the area of licensure requested
B. Outstanding distinction or exceptional talent in the field
C. Significant recent occupational experience which is related to the field
REQUEST AND RECOMMENDATION FOR BOARD ACTION

Staff Initiating: Scott Myers   Director: Scott Myers   Deputy Commissioner: Brad Neuenswander   Commissioner: Randy Watson

Item Title:
Act on Recommendations of the Licensure Review Committee

Board Goals:
Provide a flexible and efficient delivery system to meet our students’ varied and changing needs

Recommended Motion:
It is moved that the Kansas State Board of Education accept the recommendations of the Licensure Review Committee.

Explanation of Situation Requiring Action:
Recommendations of the Licensure Review Committee need approval of the State Board of Education. Certificates/licenses will be issued to those applicants whose appeals are granted.
Case 3015
Precious Clark requested initial Kansas licensure for PreK-12 adaptive special education and all middle level 5-8 areas. Linda Schukman made a motion to recommend approval of a provisional license for PreK-12 high incidence (adaptive) special education with full licensure contingent upon completion of college coursework in classroom management, methods of teaching, methods of teaching reading to meet the identified deficient professional standards, and completion of a high incident (adaptive) special education program through a Kansas college to meet all of the high incidence (adaptive) special education standards. The motion was seconded by Carla Maneth and the Licensure Review Committee approved the motion unanimously. The applicant is no longer pursuing licensure in all middle level 5-8 areas.

Case 3029
Emily McCall requested initial Kansas licensure for 6-12 speech/theatre. Heidi Bolt made a motion to recommend denial of this license based on lack of knowledge and performance to meet professional education standards 1, 2 and 5-8, and speech/theatre standards 2 and 4-6. The committee also requests that the applicant bring a plan of study signed by the licensure officer at a Kansas college that addresses the deficient standards to the personal appearance. The motion was seconded by Linda Schukman and the Licensure Review Committee approved the motion unanimously. The applicant did not submit a plan of study from a Kansas college and did not request a personal appearance.

Case 3030
Joseph Janner requested initial Kansas licensure for secondary 6-12 English language arts, middle level 5-8 English language arts, and K-6 and 6-12 high incidence (adaptive) special education. Pamela Schukman made a motion to recommend approval of a provisional license for secondary 6-12 English language arts and middle level 5-8 English language arts with full licensure contingent upon completion of college coursework through a Kansas college in classroom management, assessment, history of the English language, secondary methods of English language arts, and human growth and development or educational psychology to meet the deficient professional education standards and English language arts standards. The motion was seconded by Linda Schukman and the Licensure Review Committee approved the motion unanimously. The applicant is no longer pursuing licensure in K-6 and 6-12 high incidence (adaptive) special education.

Case 3031
Mahmoud Al-Hini requested a professional level Kansas license for K-6 elementary education and PreK-12 building leadership. Pamela Amott made a motion to recommend approval of a professional level Kansas license for K-6 elementary education and PreK-12 building leadership based on completion of an approved program for both areas of certification, educational background, and acceptance of non-accredited teaching and building leadership experience to count for recency and the 3 years of recent accredited building leadership experience required by regulation for a professional level license. The motion was seconded by Jan Wilson and the Licensure Review Committee approved the motion unanimously.

Case 3033
Megan Burleson requested initial Kansas licensure for PreK-12 physical education, PreK-12 health, and secondary 6-12 English language arts. Pamela Amott made a motion to recommend denial of this license based on lack of knowledge and performance to meet professional education standards, PreK-12 health standards, and secondary 6-12 English language arts standards. The applicant did not submit a plan of...
study. The motion was seconded by Jan Wilson and the Licensure Review Committee approved the motion unanimously.

Case 3035
Tamara Williams requested initial Kansas licensure for K-6 elementary education. Linda Schukman made a motion to recommend denial of this license based on lack of knowledge and performance to meet professional education standards and elementary education standards. The committee also requests that the applicant bring a plan of study signed by the licensure officer at a Kansas college that addresses the deficient standards to the personal appearance. The motion was seconded by Annie Diederich and the Licensure Review Committee approved the motion unanimously. The applicant did not submit a plan of study from a Kansas college and did not request a personal appearance.

Case 3038
Connie Redic requested initial Kansas licensure for middle level 5-8 science. Carla Maneth made a motion to recommend approval of initial Kansas licensure for middle level 5-8 science based on achievement of certification in Texas through an alternative route and clarification of educational background and teaching experience. The motion was seconded by Pamela Amott and the Licensure Review Committee approved the motion unanimously.

Case 3039
Debra White requested initial Kansas licensure for PreK-3 early childhood education. Carla Maneth made a motion to recommend denial of this license based on lack of knowledge and performance to meet professional education standards and PreK-3 early childhood education standards. The motion was seconded by Annie Diederich and the Licensure Review Committee approved the motion unanimously. The applicant is no longer pursuing Kansas licensure.

Case 3045
Richard Geraci requested Kansas licensure for PreK-12 building and district leadership. Pamela Amott made a motion to recommend approval of this license based on achievement of certification in New Mexico, educational background, and acceptance of seven years of unaccredited administrative experience to count for one year of the required five years of accredited experience required by regulation. The motion was seconded by Linda Schukman and the Licensure Review Committee approved the motion unanimously.

Case 3046
Bonnie Ray requested Kansas licensure for secondary 6-12 English language arts. Pamela Amott made a motion to recommend approval of this license based on completion of an alternative route in Louisiana, educational background, and acceptance of her eleven years of non-accredited experience to count for the required five years of unaccredited teaching experience and recency required by regulation. The motion was seconded by Linda Schukman and the Licensure Review Committee approved the motion unanimously.

Case 3047
Scott Palich requested Kansas licensure for K-6 and 6-12 high incidence (adaptive) special education. Pamela Amott made a motion to recommend approval of this license based on achievement of certification in Arizona through an alternative route, educational background, teaching experience, and meeting new licensure regulations to be issued a professional level license; to substitute for the program and regular education competencies verification required by regulation. The motion was seconded by Carla Maneth and the licensure review committee approved the motion unanimously.
REQUEST AND RECOMMENDATION FOR BOARD ACTION

Item Title:
Act on Program Approval Recommendations of the Evaluation Review Committee

Board Goals:
Provide an effective educator in every classroom

Recommended Motion:
It is moved that the Kansas State Board of Education accept the following recommendations of the Evaluation Review Committee for "Program Approval" for Kansas State University, McPherson College, Ottawa University, Southwestern College and University of Saint Mary.

Explanation of Situation Requiring Action:
Following the institutional application and receipt of a complete institutional report, a review team of trained evaluators was appointed to review programs for the above institutions based on adopted State Board policies, procedures, and regulations. These are available for review by any member or members of the State Board. The review team's report and the institution's response to the report, along with the institutional report and/or institutional progress report, were submitted to the Evaluation Review Committee (ERC) of the Teaching and School Administration Professional Standards Advisory Board. The ERC, in accordance with procedures adopted by the State Board, prepared a written initial recommendation regarding the appropriate status to be assigned to the teacher education program.

The initial recommendation was submitted to the teacher education institution and the institution was given 30 days to request a hearing to appeal the initial recommendation. If requested, the ERC conducted a hearing and prepared a written final recommendation regarding the appropriate status to be assigned to the teacher education program. If a request for a hearing was not submitted, the initial recommendation became the final recommendation. These final recommendations have been submitted to appropriate representatives of the teacher education institutions and are now submitted to the State Board, as attached, for consideration and approval of the ERC recommendations for program approval status.

A copy of the regulations covering this process is also attached. Staff will be on hand to answer any questions.

*If approved, new programs are always assigned the "new program approved with stipulation" status.
June 4, 2015

To: Brad Neuenswander, Interim Commissioner

From: Evaluation Review Committee

Subject: Final Recommendation for program approvals for Kansas State University

Introductory Statement:

On April 23, 2015, the Evaluation Review Committee reviewed the application for program approvals for Kansas State University.

Documents that were received and considered include the Institutional Program Reports, KSDE Team Reports, and Institutional Rejoinders to the KSDE Team Reports.

PROGRAM APPROVAL RECOMMENDATION

Recommend “Approved” for the following programs through December 31, 2022.

Elementary (I, K-6) Continuing Program
Areas for Improvement:
Standards 1-7
None

Biology (I, 6-12) Continuing Program
Areas for Improvement
Standards 1-18
None

Chemistry (I, 6-12) Continuing Program
Areas for Improvement:
Standards 1-13
None

Earth & Space Science (I, 6-12) Continuing Program
Areas for Improvement:
Standards 1-14
None

Physics (I, 6-12) Continuing Program
Areas for Improvement:
Standards 1-13
None

Business (I, 6-12) Continuing Program
Areas for Improvement:
Standards 1-8
None

English (I, 6-12) Continuing Program
Areas for Improvement:
Standards 1-4
None

Family and Consumer Science (I, 6-12) Continuing Program
Areas for Improvement:
Standards 1-5
None

Journalism (I, 6-12) Continuing Program
Areas for Improvement:
Standards 1-7
None

History, Government, and Social Studies (I, 6-12) Continuing Program
Areas for Improvement:
Standards 1-10
None

Speech/Theatre (I, 6-12) Continuing Program
Areas for Improvement:
Standards 1-6
None

Art (I, PreK-12) Continuing Program
Areas for Improvement:
Standards 1-7
None

Music (I, PreK-12) Continuing Program
Areas for Improvement:
Standards 1-9
None

High Incidence Special Ed (A, K-6, 6-12) Continuing Program
Areas for Improvement:
Standards 1-8
None

Low Incidence Special Ed (A, K-6, 6-12) Continuing Program
Areas for Improvement:
Standards 1-8
None

Building Leadership (A, PreK-12) Continuing Program
Areas for Improvement:
Standards 1-6
None

District Leadership (A, PreK-12) Continuing Program
Areas for Improvement:
Standards 1-6
None

School Counselor (A, PreK-12) Continuing Program
Areas for Improvement:
Standards 1-10
None

Reading Specialist (A, PreK-12) Continuing Program
Areas for Improvement:
Standards 1-5
None
June 4, 2015

To: Brad Neuenswander, Interim Commissioner

From: Evaluation Review Committee

Subject: Final Recommendation for program approvals for McPherson College

Introductory Statement:

On April 23, 2015, the Evaluation Review Committee reviewed the application for program approvals for McPherson College.

Documents that were received and considered include the Institutional Program Reports KSDE Team Report, and Institutional Rejoinder to the KSDE Team Report.

PROGRAM APPROVAL RECOMMENDATION

Recommend “Approved” for the following program through June 30, 2022.

Psychology (I, 6-12) Continued Program
Areas for Improvement:
Standards 1-3
None
June 4, 2015

To: Brad Neuenswander, Interim Commissioner

From: Evaluation Review Committee

Subject: Final Recommendation for program approvals for Ottawa University

**Introductory Statement:**

On April 23, 2015, the Evaluation Review Committee reviewed the application for program approvals for Ottawa University.

Documents that were received and considered include the Institutional Program Reports, KSDE Team Report, and Institutional Rejoinders to the KSDE Team Reports.

**PROGRAM APPROVAL RECOMMENDATION**

Recommend “New Program Approved With Stipulation” for the following program through June 30, 2017.

**ECU (I, B-Gr3) New Program**

**Areas for Improvement:**

**Standards 1-13**

None

**Gifted (A, PreK-12) New Program**

**Areas for Improvement:**

**Standards 1-8**

None
June 4, 2015

To: Brad Neuenswander, Interim Commissioner

From: Evaluation Review Committee

Subject: Final Recommendation for program approvals for Southwestern College

Introductory Statement:

On April 23, 2015, the Evaluation Review Committee reviewed the application for program approvals for Southwestern College.

Documents that were received and considered include the Institutional Program Reports, KSDE Team Report, and Institutional Rejoinders to the KSDE Team Reports.

PROGRAM APPROVAL RECOMMENDATION

Recommend “Approved” for the following program through June 30, 2022:

High Incidence (Adaptive) Special Education (A, K-6, 6-12) Continuing Program
Areas for Improvement:
Standards 1-8
None

Restricted (I5-8, 6-12, PK-12) Continuing Program
Areas for Improvement:
Standards 1-13
None
June 4, 2015

To: Brad Neuenswander, Interim Commissioner

From: Evaluation Review Committee

Subject: Final Recommendation for program approvals for University of Saint Mary

**Introductory Statement:**

On April 23, 2015, the Evaluation Review Committee reviewed the application for new program approval for University of Saint Mary.

Documents that were received and considered include the Institutional Program Report, KSDE Team Report, and Institutional Rejoinder to the KSDE Team Report.

**PROGRAM APPROVAL RECOMMENDATION**

Recommend “New Program Approved With Stipulation” for the following program through June 30, 2017

**Gifted (A, K-6, 5-8, 6-12) New Program**

Areas for Improvement:

**Standards 1-8**

None
PROGRAM REVIEW PROCESS

The responsibilities of the Commissioner and State Board regarding unit accreditation under regulations 91-1-231(d), 91-1-232b and 91-1-70a are as follows:

KSDE’s Evaluation Review Committee (ERC) renders program approval recommendations for the initial teacher preparation and advanced program levels of the unit.

PROGRAM DECISIONS

New program approval decisions are:
- New Program Approved with Stipulation
- Not Approved.

Renewal program decisions are:
- Approved
- Approved with Stipulation
- Not Approved.
The responsibilities of the Commissioner and State Board regarding program approval are under regulations 91-1-235 and 91-1-236.

91-1-235. Procedures for initial approval of teacher education programs.

(a) Application.

(1) Each teacher education institution that desires to have any new program approved by the state board shall submit an application for program approval to the commissioner. The application shall be submitted at least 12 months before the date of implementation.

(2) Each institution shall submit with its application a program report containing a detailed description of each proposed program, including program coursework based on standards approved by the state board, and the performance-based assessment system that will be utilized to collect performance data on candidates' knowledge and skills. Each program report shall be in the form and shall contain the information prescribed by the commissioner. The program report shall include confirmation that the candidates in the program will be required to complete the following:

(A) Coursework that constitutes a major in the subject at the institution or that is equivalent to a major; and

(B) at least 12 weeks of student teaching.

(b) Review team. Upon receipt of a program report, a review team shall be appointed by the commissioner to analyze the program report. The chairperson of the review team shall be designated by the commissioner. The number of review team members shall be determined by the commissioner, based upon the scope of the program to be reviewed. An institution may challenge the appointment of a team member only on the basis of a conflict of interest.

(c) Program review process.

(1) In accordance with procedures adopted by the state board, a review team shall examine and analyze the proposed program report and shall prepare a report expressing the findings and conclusions of the review team. The report shall be submitted to the commissioner. The report shall be forwarded by the commissioner to an appropriate representative of the teacher education institution.

(2) An institution may prepare a response to the review team's report. This response shall be prepared and submitted to the commissioner within 45 days of receipt of the review team's report. The review team's report, any response by the institution, and any other supporting documentation shall be forwarded to the evaluation review committee by the commissioner.

(d) Initial recommendation. The evaluation review committee, in accordance with procedures adopted by the state board, shall prepare a written initial recommendation regarding the appropriate status to be assigned to the proposed program, which shall include a statement of the findings and conclusions of the evaluation review committee. The recommendation shall be submitted to an appropriate representative of the teacher education institution and to the commissioner.

(e) Request for hearing.

(1) Within 30 days of the receipt of an initial recommendation of the evaluation review committee, the teacher education institution may submit a written request to the evaluation review committee for a hearing before the committee to appeal the initial recommendation. This request shall specify, in detail, the basis for the appeal, including an identification of each item disputed by the institution.

(2) If a request for a hearing is submitted, the evaluation review committee shall conduct a hearing. The committee shall then prepare a written final recommendation regarding the appropriate status to be assigned to the proposed program, which shall include a statement of the findings and conclusions of the evaluation review committee. The final recommendation shall be submitted to an appropriate representative of the teacher education institution and to the commissioner. The
final recommendation shall be submitted by the commissioner to the state board for its consideration and determination.

(3) If a request for a hearing is not submitted within the time allowed under paragraph (1) of this subsection, the initial recommendation of the evaluation review committee shall become the final recommendation of the review committee. The committee's final recommendation shall be submitted by the commissioner to the state board for its consideration and determination.

(f) Approval status. Each new program shall be approved with stipulation or not approved.

(g) Annual report.

(1) If a new program is approved with stipulation, the institution shall submit a progress report to the commissioner within 60 days after completion of the second semester of operation of the program, and thereafter in each of the institution's annual reports that are due on or before July 30.

(2) Each progress report shall be submitted by the commissioner to the evaluation review committee for its examination and analysis. Following review of the progress report, the evaluation review committee may remove any areas for improvement and change the status to approved until the institution’s next program review.

(h) Change of approval status.

(1) At any time, the approval status of a teacher education program may be changed by the state board if, after providing an opportunity for a hearing, the state board finds that the institution either has failed to meet substantially the program standards or has materially changed the program. For just cause, the duration of the approval status of a program may be extended by the state board. The duration of the current approval status of a program shall be extended automatically if the program is in the process of being reevaluated by the state board. This extension shall be counted as part of any subsequent approval period of a program.

(2) At the time of an institution's next on-site visit, the new program shall be reviewed pursuant to K.A.R. 91-1-236.

(3) For licensure purposes, each teacher education program that is approved with stipulation shall be considered to be approved. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective Aug. 6, 2004; amended Aug. 12, 2011.)

91-1-236. Procedures for renewing approval of teacher education program.

(a) Application for program renewal.

(1) Each teacher education institution that desires to have the state board renew the approval status of one or more of its teacher education programs shall submit to the commissioner an application for program renewal. The application shall be submitted at least 12 months before the expiration of the current approval period of the program or programs.

(2) Each institution shall also submit a program report, which shall be in the form and shall contain the information prescribed by the commissioner. The program report shall be submitted at least six months before the expiration of the current approval period of the program or programs. The program report shall include confirmation that the candidates in the program will be required to complete the following:
   (A) Coursework that constitutes a major in the subject at the institution or that is equivalent to a major; and
   (B) at least 12 weeks of student teaching.

(b) Review team. Upon receipt of a complete program report, a review team shall be appointed by the commissioner to analyze the program report. The chairperson of the review team shall be designated by the commissioner. The number of review team members shall be determined by the
commissioner, based upon the scope of the program or programs to be reviewed. An institution may challenge the appointment of a review team member only on the basis of a conflict of interest.

(c) Program review process.
(1) In accordance with procedures adopted by the state board, each review team shall examine and analyze the program report and prepare a review report expressing the findings and conclusions of the review team. The review team's report shall be submitted to the commissioner. The report shall be forwarded by the commissioner to an appropriate representative of the teacher education institution.

(2) Any institution may prepare a written response to the review team's report. Each response shall be prepared and submitted to the commissioner within 45 days of receipt of the review team's report. The review team's report, any response filed by the institution, and any other supporting documentation shall be forwarded by the commissioner to the evaluation review committee.

(d) Initial recommendation. The evaluation review committee, in accordance with procedures adopted by the state board, shall prepare a written initial recommendation regarding the appropriate status to be assigned to the program or programs, which shall include a statement of the findings and conclusions of the evaluation review committee. The recommendation shall be submitted to an appropriate representative of the teacher education institution and to the commissioner.

(e) Request for hearing.
(1) Within 30 days of the receipt of an initial recommendation of the evaluation review committee, the teacher education institution may submit a written request to the commissioner for a hearing before the evaluation review committee to appeal the initial recommendation of the committee. This request shall specify, in detail, the basis for the appeal, including an identification of each item disputed by the institution.

(2) If a request for a hearing is submitted, the evaluation review committee shall conduct a hearing. The committee shall then prepare a written final recommendation regarding the appropriate status to be assigned to the program or programs, which shall include a statement of the findings and conclusions of the evaluation review committee. The final recommendation shall be submitted to an appropriate representative of the teacher education institution and to the commissioner. The final recommendation shall be submitted by the commissioner to the state board for its consideration and determination of program approval status according to paragraph (f)(1).

(3) If a request for a hearing is not submitted within the time allowed under paragraph (1) of this subsection, the initial recommendation of the evaluation review committee shall become the final recommendation of the review committee. The committee's final recommendation shall be submitted by the commissioner to the state board for its consideration and determination.

(f) Approval status.
(1) The status assigned to any teacher education program specified in this regulation shall be approved, approved with stipulation, or not approved.

(2) Subject to subsequent action by the state board, the assignment of approved status to a teacher education program shall be effective for seven academic years. However, the state board, at any time, may change the approval status of a program if, after providing an opportunity for a hearing, the state board finds that the institution either has failed to meet substantially the program standards adopted by the state board or has made a material change in a program. For just cause, the duration of the approval status of a program may be extended by the state board. The duration of the approval status of a program shall be extended automatically if the program is in the process of being reevaluated by the state board.

(3) (A) If a program is approved with stipulation, that status shall be effective for the period of time specified by the state board, which shall not exceed seven years.

(B) If any program of a teacher education institution is approved with stipulation, the institution shall include in an upgrade report to the commissioner the steps that the institution has taken and the progress that the institution has made during the previous academic year to address the deficiencies that were identified in the initial program review.
(C) The upgrade report shall be submitted by the commissioner to the evaluation review committee for its examination and analysis. After this examination and analysis, the evaluation review committee shall prepare a written recommendation regarding the status to be assigned to the teacher education program for the succeeding academic years. The recommendation shall include a statement of the findings and conclusions of the evaluation review committee. The recommendation shall be submitted to an appropriate representative of the teacher education institution and to the commissioner. If the institution does not agree with this recommendation, the institution may request a hearing according to the provisions in subsection (e).

(D) For licensure purposes, each teacher education program that is approved with stipulation shall be considered to be approved.

(4) Students shall be allowed two full, consecutive, regular semesters following the notification of final action by the state board to complete a program that is not approved. Summers and interterms shall not be counted as part of the two regular semesters. Students who finish within these two regular semesters may be recommended for licensure by the college or university.

(Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective Aug. 6, 2004; amended Aug. 12, 2011.)
REQUEST AND RECOMMENDATION FOR BOARD ACTION

Staff Initiating: Kelli Broers
Director: Scott Gordon
Commissioner: Randy Watson

Item Title:
Act on Interlocal Agreement to create South Central Kansas Education Service Center

Board Goals:
Governmental responsibility

Recommended Motion:
It is moved that the Kansas State Board of Education approve the Interlocal Agreements to create the South Central Kansas Education Service Center.

Explanation of Situation Requiring Action:
The participating school districts (USD #s 263, 264, 357, 358, 359, 385 and 396) drafted and approved these agreements to create the South Central Kansas Education Service Center. One agreement addresses special education services. The second agreement addresses all other educational services to be provided by the Center. Prior to becoming effective, an interlocal cooperation agreement between school boards must be approved by the Office of the Attorney General and the State Board of Education. K.S.A. 12-2901 et. seq., as amended, and K.S.A. 72-8230. The Office of the Attorney General and the Kansas State Department of Education have reviewed and approved these agreements. It is recommended the State Board of Education also approve the agreements. The agreements are attached for review.
INTERLOCAL AGREEMENT

This Interlocal Agreement is made pursuant to the provisions of K.S.A. 12-2901, et seq. and K.S.A. 72-8230. It is made with the sincere desire of all cooperating unified school districts to work together for the mutual benefit of all children we serve and we the undersigned hereby and herein formally join together in an atmosphere of trust and confidence to modify the interlocal agreement, which was effective July 1, 2010, which created a separate legal entity known as the South Central Kansas Education Service Center (hereinafter referred to as the “Center”).

The following unified school districts, by and through their respective boards of education, have each adopted a resolution authorizing the unified school districts to enter into this Interlocal Agreement (hereinafter referred to as “Agreement”):

Unified School District No. 263
Unified School District No. 264
Unified School District No. 357
Unified School District No. 358
Unified School District No. 359
Unified School District No. 385
Unified School District No. 396

PURPOSE

The purpose of the Center shall be to cooperatively provide educational services in the area of special education. All other educational services provided by the Center are addressed by a separate interlocal agreement.

BOARD OF DIRECTORS AND OFFICERS

The Center shall be governed by a board of directors consisting of at least one member from the board of education at each unified school district entering into the Agreement. Each board of education shall appoint its representative to the board of directors on an annual basis. The term of office of the members of the board of directors shall expire concurrently with their term of office as board of education members. Vacancies in the membership of the board of directors shall be filled within thirty (30) days from the date of the vacancy by appointment of the member by the appropriate board of education. In addition to the board member appointed to serve as a member of the board of directors for the Center, each unified school district may designate an alternate board member to represent their district on the board of directors in the absence of the appointed member. Any replacement so designated shall have the power or authority to act on behalf of the appointing board provided the Executive Director of the Center has been informed of the name of the designated alternate.

The board of directors shall meet at such times and places as may be decided by said board. The board shall elect from its members a president and vice-president who shall serve in the absence or incapacity of the president. The board shall also designate three individuals, one to act as Executive Director of the Center, one as Clerk of the Center, and one as Treasurer of the Center. The Executive Director, Clerk, and Treasurer shall receive compensation and shall perform such duties as prescribed by the board.
The board of directors shall adopt policies, rules, and regulations to implement this Agreement including, but not necessarily limited to, procedures for financing the operation of the Center, acquisition of property, employment of personnel, personnel policies and procedures, student policies and procedures, budget preparation and administration, establishment of curriculum, and such other polices, rules, and regulations normally adopted by a board of education of a unified school district.

METHOD OF FINANCING

Each unified school district which is a party to this Agreement agrees to finance the operation of the Center in the manner hereinafter specified. The funds required to operate the Center shall be derived from fees charged by the Center for contracted services provided to unified school districts, community colleges, and other educational institutions, districts, and organizations, plus funds anticipated to be received from state and federal projects.

The budget of the Center shall be established by the board of directors on or before August 1 preceding the school year for which said budget is proposed.

Each unified school district which is a party to this Agreement agrees that it will levy, subject to any statutory limitations, each year an amount sufficient to pay its proportionate share of the Center’s budget, as determined by the Board, should it become necessary to finance the Center, in whole or in part, from property tax sources. If the amount the board of directors of the Center determines exceeds the amount a member unified school district can legally raise, the board of directors of said Center shall immediately reduce the overall budget of said Center to an amount which will not cause any member unified school district to be assessed an amount beyond its legal authority to raise.

ACQUISITION AND DISPOSITION OF PROPERTY

All property, both real and personal, acquired by the Center shall be taken in the name of the Center and shall be the property of the Center and not the property of a participating unified school district. If any such property is sold while this Agreement is in effect, the proceeds of such sale shall be paid into the treasury of the Center and may be expended in any lawful manner as directed by the board of directors of said Center. Upon complete termination of this Agreement, the board of directors shall have the authority to distribute said property as herein provided, to member unified school districts that have entered into this Agreement. If the distribution of said property cannot be agreed upon by at least two-thirds of the members of the board of directors, the board of directors shall sell such property, at either private or public sale, and the proceeds of said sale shall be paid into the treasury of the Center. All monies in the treasury of the Center at the time of complete termination shall be distributed in equal shares to each member unified school district which has entered into the Agreement and which is a member of the Center at the time of such termination.

TERMINATION OF AGREEMENT

A member school district may withdraw from this Agreement only by following the provisions set forth in K.S.A. 72-8230. Any school district that withdraws from this agreement prior to complete termination shall not be entitled to any property of the Service Center or any cash refund.
INDEMNIFICATION

Pursuant to K.S.A. 72-8201a, each member school district shall be solely responsible for its actions or failure to act and shall not indemnify or hold harmless against damages, injury, or death resulting from the actions or failure to act on the part of any other school district that is a party to this Agreement.

MANDATORY PROVISIONS

This Agreement shall be governed by and interpreted in accordance with the laws of the state of Kansas, as required by K.S.A. 72-8201b. In accordance with K.S.A. 72-8201c, the mandatory contract provisions prescribed by the Kansas Department of Administration in form DA-146a, as amended, are hereby incorporated by reference.

TERM

Upon approval by the Attorney General and the State Board of Education and filing of this Agreement with register of deeds in the county in which the center is located and with the Secretary of State, this Agreement shall be effective on July 1, 2015. The term of this Agreement shall be perpetual pursuant to K.S.A. 72-8230.

This Agreement is subject to change or termination by the Legislature.

This Agreement may be changed by affirmative vote of not less than two-thirds of the contracting school districts.

This Agreement shall not be effective unless and until approved by the Attorney General of the State of Kansas, in the manner provided in K.S.A. 12-2904(g), approved by the State Board of Education, and filed with the register of deeds in the county in which the Center is located and with the Secretary of State.

EXECUTED THIS 8th day of June, 2015, by the presidents and clerks of the following unified school districts.
CONTRACTUAL PROVISIONS ATTACHMENT

Important: This form contains mandatory contract provisions and must be attached to or incorporated in all copies of any contractual agreement. If it is attached to the vendor/contractor's standard contract form, then that form must be altered to contain the following provision:

"The Provisions found in Contractual Provisions Attachment (Form DA-146a, Rev. 06-12), which is attached hereto, are hereby incorporated in this contract and made a part thereof."

The parties agree that the following provisions are hereby incorporated into the contract to which it is attached and made a part thereof, said contract being the ___ day of ___ , 20__

1. Terms Herein Controlling Provisions: It is expressly agreed that the terms of each and every provision in this attachment shall prevail and control over the terms of any other conflicting provision in any other document relating to and a part of the contract in which this attachment is incorporated. Any terms that conflict or could be interpreted to conflict with this attachment are nullified.

2. Kansas Law and Venue: This contract shall be subject to, governed by, and construed according to the laws of the State of Kansas, and jurisdiction and venue of any suit in connection with this contract shall reside only in courts located in the State of Kansas.

3. Termination Due To Lack Of Funding Appropriation: If, in the judgment of the Director of Accounts and Reports, Department of Administration, sufficient funds are not appropriated to continue the function performed in this agreement and for the payment of the charges hereunder, State may terminate this agreement at the end of its current fiscal year. State agrees to give written notice of termination to contractor at least 30 days prior to the end of its current fiscal year, and shall give such notice for a greater period prior to the end of such fiscal year as may be provided in this contract, except that such notice shall not be required prior to 90 days before the end of such fiscal year. Contractor shall have the right, at the end of such fiscal year, to take possession of any equipment provided State under the contract. State will pay to the contractor all regular contractual payments incurred through the end of such fiscal year, plus contractual charges incidental to the return of any such equipment. Upon termination of the agreement by State, title to any such equipment shall revert to contractor at the end of the State's current fiscal year. The termination of the contract pursuant to this paragraph shall not cause any penalty to be charged to the agency or the contractor.

4. Disclaimer Of Liability: No provision of this contract will be given effect that attempts to require the State of Kansas or its agencies to defend, hold harmless, or indemnify any contractor or third party for any acts or omissions. The liability of the State of Kansas is defined under the Kansas Tort Claims Act (K.S.A. 75-6101 et seq.).

5. Anti-Discrimination Clause: The contractor agrees: (a) to comply with the Kansas Act Against Discrimination (K.S.A. 44-1001 et seq.) and the Kansas Age Discrimination in Employment Act (K.S.A. 44-1111 et seq.) and the applicable provisions of the Americans With Disabilities Act (42 U.S.C. 12101 et seq.) (ADA) and to not discriminate against any person because of race, religion, color, sex, disability, national origin or ancestry, or age in the admission or access to, or treatment or employment in, its programs or activities; (b) to include all solicitations or advertisements for employees, the phrase "equal opportunity employer"; (c) to comply with the reporting requirements set out at K.S.A. 44-1031 and K.S.A. 44-1115; (d) to include those provisions in every subcontract or purchase order so that they are binding upon such subcontractor or vendor; (e) that a failure to comply with the reporting requirements of (c) above or if the contractor is found guilty of any violation of such acts by the Kansas Human Rights Commission, such violation shall constitute a breach of contract and the contract may be cancelled, terminated or suspended, in whole or in part, by the contracting state agency or the Kansas Department of Administration; (f) if it is determined that the contractor has violated applicable provisions of ADA, such violation shall constitute a breach of contract and the contract may be cancelled, terminated or suspended, in whole or in part, by the contracting state agency or the Kansas Department of Administration. Contractor agrees to comply with all applicable state and federal anti-discrimination laws.

The provisions of this paragraph number 5 (with the exception of those provisions relating to the ADA) are not applicable to a contractor who employs fewer than four employees during the term of such contract or whose contracts with the contracting State agency cumulatively total $5,000 or less during the fiscal year of such agency.

6. Acceptance Of Contract: This contract shall not be considered accepted, approved or otherwise effective until the statutorily required approvals and certifications have been given.

7. Arbitration, Damages, Warranties: Notwithstanding any language to the contrary, no interpretation of this contract shall find that the State or its agencies have agreed to binding arbitration, or the payment of damages or penalties. Further, the State of Kansas and its agencies do not agree to pay attorney fees, costs, or late payment charges beyond those available under the Kansas Prompt Payment Act (K.S.A. 75-6403), and no provision will be given effect that attempts to exclude, modify, disclaim or otherwise attempt to limit any damages available to the State of Kansas or its agencies at law, including but not limited to the implied warranties of merchantability and fitness for a particular purpose.

8. Representative's Authority To Contract: By signing this contract, the representative of the contractor thereby represents that such person is duly authorized by the contractor to execute this contract on behalf of the contractor and that the contractor agrees to be bound by the provisions thereof.

9. Responsibility For Taxes: The State of Kansas and its agencies shall not be responsible for, nor indemnify a contractor for, any federal, state or local taxes which may be imposed or levied upon the subject matter of this contract.

10. Insurance: The State of Kansas and its agencies shall not be required to purchase any insurance against loss or damage to property or any other subject matter relating to this contract, nor shall this contract require them to establish a "self-insurance" fund to protect against any such loss or damage. Subject to the provisions of the Kansas Tort Claims Act (K.S.A. 75-6101 et seq.), the contractor shall bear the risk of any loss or damage to any property in which the contractor holds title.

11. Information: No provision of this contract shall be construed as limiting Legislative Division of Post Audit from having access to information pursuant to K.S.A. 46-1101 et seq.

12. The Eleventh Amendment: "The Eleventh Amendment is an inherent and incumbent protection with the State of Kansas and need not be reserved, but prudence requires the State to reiterate that nothing related to this contract shall be deemed a waiver of the Eleventh Amendment."  

13. Campaign Contributions / Lobbying: Funds provided through a grant award or contract shall not be given or received in exchange for the making of a campaign contribution. No part of the funds provided through this contract shall be used to influence or attempt to influence an officer or employee of any State of Kansas agency or a member of the Legislature regarding any pending legislation or the awarding, extension, continuation, renewal, amendment or modification of any government contract, grant, loan, or cooperative agreement.
President, Board of Education
Unified School District No. 263,
Sedgwick County, Kansas

ATTEST:

Clerk of the Board
Stephanie Carlson
President, Board of Education
Unified School District No. 264,
Sedgwick County, Kansas

ATTEST:

Darla Hall
Clerk of the Board
President, Board of Education
Unified School District No. 357,
Sumner County, Kansas

ATTEST:

Becky E. Shivers
Clerk of the Board
President, Board of Education
Unified School District No. 358,
Sumner County, Kansas

ATTEST:

[Signature]
Clerk of the Board
President, Board of Education
Unified School District No. 359,
Sumner County, Kansas

ATTEST:

Clerk of the Board
President, Board of Education
Unified School District No. 385,
Butler County, Kansas

ATTEST:

[Signature]
Clerk of the Board
Burt E. Angel  
President, Board of Education  
Unified School District No. 396,  
Butler County, Kansas

ATTEST:

Carrie L. Shores  
Clerk of the Board
APPROVED BY:
Derek Schmidt, Attorney General
Kansas Attorney General’s Office

By  
Authorized Representative
Assistant Attorney General
APPROVED BY:

Kansas State Board of Education

By________________________
Authorized Representative
INTERLOCAL AGREEMENT

This Interlocal Agreement is made pursuant to the provisions of K.S.A. 12-2901, et seq. and K.S.A. 72-8230. It is made with the sincere desire of all cooperating unified school districts to work together for the mutual benefit of all children we serve and we the undersigned hereby and herein formally join together in an atmosphere of trust and confidence to form a separate legal entity known as the South Central Kansas Education Service Center (hereinafter referred to as the “Center”).

The following unified school districts, by and through their respective boards of education, have each adopted a resolution authorizing the unified school districts to enter into this Interlocal Agreement (hereinafter referred to as “Agreement”):

Unified School District No. 263
Unified School District No. 264
Unified School District No. 357
Unified School District No. 358
Unified School District No. 359
Unified School District No. 385
Unified School District No. 396

PURPOSE

The purpose of the Center shall be to cooperatively provide educational services in the areas of professional development, data processing, vocational education, career education, media service, curriculum development, in-service training for staff, and any other area authorized by law, such member unified school districts desire to provide on a cooperative basis. The provision of special education services by the Center is addressed by separate interlocal agreement.

BOARD OF DIRECTORS AND OFFICERS

The Center shall be governed by a board of directors consisting of at least one member from the board of education at each unified school district entering into the Agreement. Each board of education shall appoint its representative to the board of directors on an annual basis. The term of office of the members of the board of directors shall expire concurrently with their term of office as board of education members. Vacancies in the membership of the board of directors shall be filled within thirty (30) days from the date of the vacancy by appointment of the member by the appropriate board of education. In addition to the board member appointed to serve as a member of the board of directors for the Center, each unified school district may designate an alternate board member to represent their district on the board of directors in the absence of the appointed member. Any replacement so designated shall have the power or authority to act on behalf of the appointing board provided the Executive Director of the Center has been informed of the name of the designated alternate.

The board of directors shall meet at such times and places as may be decided by said board. The board shall elect from its members a president and vice-president who shall serve in the absence or incapacity of the president. The board shall also designate three individuals, one to act as Executive Director of the Center, one as Clerk of the Center, and one as Treasurer of the Center. The Executive Director, Clerk, and Treasurer shall receive compensation and shall perform such
duties as prescribed by the board.

The board of directors shall adopt policies, rules, and regulations to implement this Agreement including, but not necessarily limited to, procedures for financing the operation of the Center, acquisition of property, employment of personnel, personnel policies and procedures, student policies and procedures, budget preparation and administration, establishment of curriculum, and such other polices, rules, and regulations normally adopted by a board of education of a unified school district.

METHOD OF FINANCING

Each unified school district which is a party to this Agreement agrees to finance the operation of the Center in the manner hereinafter specified. The funds required to operate the Center shall be derived from fees charged by the Center for contracted services provided to unified school districts, community colleges, and other educational institutions, districts, and organizations, plus funds anticipated to be received from state and federal projects.

The budget of the Center shall be established by the board of directors on or before August 1 preceding the school year for which said budget is proposed.

Each unified school district which is a party to this Agreement agrees that it will levy, subject to any statutory limitations, each year an amount sufficient to pay its proportionate share of the Center's budget, as determined by the Board, should it become necessary to finance the Center, in whole or in part, from property tax sources. If the amount the board of directors of the Center determines exceeds the amount a member unified school district can legally raise, the board of directors of said Center shall immediately reduce the overall budget of said Center to an amount which will not cause any member unified school district to be assessed an amount beyond its legal authority to raise.

ACQUISITION AND DISPOSITION OF PROPERTY

All property, both real and personal, acquired by the Center shall be taken in the name of the Center and shall be the property of the Center and not the property of a participating unified school district. If any such property is sold while this Agreement is in effect, the proceeds of such sale shall be paid into the treasury of the Center and may be expended in any lawful manner as directed by the board of directors of said Center. Upon complete termination of this Agreement, the board of directors shall have the authority to distribute said property as herein provided, to member unified school districts that have entered into this Agreement. If the distribution of said property cannot be agreed upon by at least two-thirds of the members of the board of directors, the board of directors shall sell such property, at either private or public sale, and the proceeds of said sale shall be paid into the treasury of the Center. All monies in the treasury of the Center at the time of complete termination shall be distributed in equal shares to each member unified school district which has entered into the Agreement and which is a member of the Center at the time of such termination.

COMPLETE TERMINATION OF AGREEMENT

Complete termination of this Agreement may be accomplished by two-thirds of the member
districts adopting a resolution seeking termination of this Agreement. Upon complete termination of this Agreement, the board of directors shall have the authority to distribute any property to member school districts. A majority of the members of the board of directors may determine the distribution of such property. After payment of all Center's legal obligations, all funds available upon complete termination shall be distributed in equal shares to each member school district which is a member of the Center at the time of termination.

PARTIAL TERMINATION OF AGREEMENT

Any member district may withdraw from this Agreement by adopting a resolution stating its intent to withdraw from the Agreement and obtaining consent from the Center's Board of Directors. Any school district that withdraws from this agreement prior to complete termination shall not be entitled to any property of the Service Center or any cash refund.

INDEMNIFICATION

Pursuant to K.S.A. 72-8201a, each member school district shall be solely responsible for its actions or failure to act and shall not indemnify or hold harmless against damages, injury, or death resulting from the actions or failure to act on the part of any other school district that is a party to this Agreement.

MANDATORY PROVISIONS

This Agreement shall be governed by and interpreted in accordance with the laws of the state of Kansas, as required by K.S.A. 72-8201b. In accordance with K.S.A. 72-8201c, the mandatory contract provisions prescribed by the Kansas Department of Administration in form DA-146a, as amended, are hereby incorporated by reference.

TERM

Upon approval by the Attorney General and the State Board of Education and filing of this Agreement with register of deeds in the county in which the center is located and with the Secretary of State, this Agreement shall be effective on July 1, 2015. The term of this Agreement for all purposes other than the provision of special education services is for five (5) years. As stated above, the provision of special education services by the Center is addressed by separate interlocal agreement.

This Agreement is subject to change or termination by the Legislature.

This Agreement may be changed by affirmative vote of not less than two-thirds of the contracting school districts.

This Agreement shall not be effective unless and until approved by the Attorney General of the State of Kansas, in the manner provided in K.S.A. 12-2904(g), approved by the State Board of Education, and filed with the register of deeds in the county in which the Center is located and with the Secretary of State.

EXECUTED THIS 8th day of June, 2015, by the presidents and clerks of the following unified school districts.
CONTRACTUAL PROVISIONS ATTACHMENT

Important: This form contains mandatory contract provisions and must be attached to or incorporated in all copies of any contractual agreement. If it is attached to the vendor/contractor's standard contract form, then that form must be altered to contain the following provision:

"The Provisions found in Contractual Provisions Attachment (Form DA-146a, Rev. 06-12), which is attached hereto, are hereby incorporated in this contract and made a part thereof."

The parties agree that the following provisions are hereby incorporated into the contract to which it is attached and made a part thereof, said contract being the ___ day of ____________, 20___.

1. Terms Herein Controlling Provisions: It is expressly agreed that the terms of each and every provision in this attachment shall prevail and control over the terms of any other conflicting provision in any other document relating to and a part of the contract in which this attachment is incorporated. Any terms that conflict or could be interpreted to conflict with this attachment are nullified.

2. Kansas Law and Venue: This contract shall be subject to, governed by, and construed according to the laws of the State of Kansas, and jurisdiction and venue of any suit in connection with this contract shall reside only in courts located in the State of Kansas.

3. Termination Due To Lack Of Funding Appropriation: If, in the judgment of the Director of Accounts and Reports, Department of Administration, sufficient funds are not appropriated to continue the function performed in this agreement and for the payment of the charges hereunder, State may terminate this agreement at the end of its current fiscal year. State agrees to give written notice of termination to contractor at least 30 days prior to the end of its current fiscal year, and shall give such notice for a greater period prior to the end of such fiscal year as may be provided in this contract, except that such notice shall not be required prior to 90 days before the end of such fiscal year. Contractor shall have the right, at the end of such fiscal year, to take possession of any equipment provided State under the contract. State will pay to the contractor all regular contractual payments incurred through the end of such fiscal year, plus contractual charges incidental to the return of any such equipment. Upon termination of the agreement by State, title to any such equipment shall revert to contractor at the end of the State's current fiscal year. The termination of the contract pursuant to this paragraph shall not cause any penalty to be charged to the agency or the contractor.

4. Disclaimer Of Liability: No provision of this contract shall be given effect that attempts to require the State of Kansas or its agencies to defend, hold harmless, or indemnify any contractor or third party for any acts or omissions. The liability of the State of Kansas is defined under the Kansas Tort Claims Act (K.S.A. 75-6101 et seq.).

5. Anti-Discrimination Clause: The contractor agrees: (a) to comply with the Kansas Act Against Discrimination (K.S.A. 44-1001 et seq.,) and the Kansas Age Discrimination in Employment Act (K.S.A. 44-1111 et seq.) and the applicable provisions of the Americans With Disabilities Act (42 U.S.C. 12101 et seq.,) (ADA) and does not discriminate against any person because of race, religion, color, sex, disability, national origin or ancestry, or age in the admission or access to, or treatment or employment in, its programs or activities; (b) to include in all solicitations or advertisements for employees, the phrase "equal opportunity employer"; (c) to comply with the reporting requirements set out at K.S.A. 44-1031 and K.S.A. 44-1116; (d) to include those provisions in every subcontract or purchase order so that they are binding upon such subcontractor or vendor; (e) that a failure to comply with the reporting requirements of (c) above or if the contractor is found guilty of any violation of such acts by the Kansas Human Rights Commission, such violation shall constitute a breach of contract and the contract may be cancelled, terminated or suspended, in whole or in part, by the contracting state agency or the Kansas Department of Administration; (f) if it is determined that the contractor has violated applicable provisions of APA, such violation shall constitute a breach of contract and the contract may be cancelled, terminated or suspended, in whole or in part, by the contracting state agency or the Kansas Department of Administration. Contractor agrees to comply with all applicable state and federal anti-discrimination laws.

The provisions of this paragraph number 5 (with the exception of those provisions relating to the ADA) are not applicable to a contractor who employs fewer than four employees during the term of such contract or whose contracts with the contracting State agency cumulatively total $5,000 or less during the fiscal year of such agency.

6. Acceptance Of Contract: This contract shall not be considered accepted, approved or otherwise effective until the statutorily required approvals and certifications have been given.

7. Arbitration, Damages, Warranties: Notwithstanding any language to the contrary, no interpretation of this contract shall find that the State or its agencies have agreed to binding arbitration, or the payment of damages or penalties. Further, the State of Kansas and its agencies do not agree to pay attorney fees, costs, or late payment charges beyond those available under the Kansas Prompt Payment Act (K.S.A. 75-6403), and no provision will be given effect that attempts to exclude, modify, disclaim or otherwise attempt to limit any damages available to the State of Kansas or its agencies at law, including but not limited to the implied warranties of merchantability and fitness for a particular purpose.

8. Representative's Authority To Contract: By signing this contract, the representative of the contractor thereby represents that such person is duly authorized by the contractor to execute this contract on behalf of the contractor and that the contractor agrees to be bound by the provisions thereof.

9. Responsibility For Taxes: The State of Kansas and its agencies shall not be responsible for, nor indemnify a contractor for, any federal, state or local taxes which may be imposed or levied upon the subject matter of this contract.

10. Insurance: The State of Kansas and its agencies shall not be required to purchase any insurance against loss or damage to property or any other subject matter relating to this contract, nor shall this contract require them to establish a "self-insurance" fund to protect against any such loss or damage. Subject to the provisions of the Kansas Tort Claims Act (K.S.A. 75-6101 et seq.), the contractor shall bear the risk of any loss or damage to any property in which the contractor holds title.

11. Information: No provision of this contract shall be construed as limiting the Legislative Division of Post Audit from having access to information pursuant to K.S.A. 46-1101 et seq.

12. The Eleventh Amendment: "The Eleventh Amendment is an inherent and incumbrant protection with the State of Kansas and need not be reserved, but prudence requires the State to reiterate that nothing related to this contract shall be deemed a waiver of the Eleventh Amendment."

13. Campaign Contributions / Lobbying: Funds provided through a grant award or contract shall not be given or received in exchange for the making of a campaign contribution. No part of the funds provided through this contract shall be used to influence or attempt to influence an officer or employee of any State of Kansas agency or a member of the Legislature regarding any pending legislation or the awarding, extension, continuation, renewal, amendment or modification of any government contract, grant, loan, or cooperative agreement.
President, Board of Education
Unified School District No. 263,
Sedgwick County, Kansas

ATTEST:

Clerk of the Board
President, Board of Education
Unified School District No. 264,
Sedgwick County, Kansas

ATTEST:

Clerk of the Board
President, Board of Education
Unified School District No. 357,
Sumner County, Kansas

ATTEST:

Becky E. Shivers
Clerk of the Board
President, Board of Education
Unified School District No. 358,
Sumner County, Kansas

ATTEST:

Jane Hamilton
Clerk of the Board
President, Board of Education
Unified School District No. 359,
Sumner County, Kansas

ATTEST:

Beverly Sue Randall
Clerk of the Board
President, Board of Education
Unified School District No. 385,
Butler County, Kansas

ATTEST:

Clerk of the Board
President, Board of Education
Unified School District No. 396,
Butler County, Kansas

ATTEST:

Clerk of the Board
APPROVED BY:
Bryan Schmidt, Attorney General
Kansas Attorney General's Office

By Cheryl Weber
Authorized Representative
Assistant Attorney General
APPROVED BY:

Kansas State Board of Education

By __________________________
Authorized Representative
ITEM TITLE: 
Act on Recommendation for funding Migrant Family Literacy Grants

BOARD GOALS: 
Provide a flexible and efficient delivery system to meet our students’ varied and changing needs

RECOMMENDED MOTION: 
It is moved that the Kansas State Board of Education approve recommendations for funding of the Migrant Family Literacy Grants.

EXPLANATION OF SITUATION REQUIRING ACTION: 
The Special Education, Early Childhood and Title Services Team has set aside $700,000 of the Title I, Part C Federal funds to be allocated in 2015-2016 for the continuation of the Migrant Family Literacy programs in Kansas.

Migrant Family Literacy is an integrated, family-centered education program that incorporates adult education, early childhood education, parenting education, and interactive literacy activities to help parents and their children become partners in education. The purpose of this program is to improve the educational opportunities of the nation's migrant children and adults by integrating early childhood and adult education for parents into a unified program.

The following Migrant Family Literacy grant requests were reviewed by committee and recommended for approval.

<table>
<thead>
<tr>
<th>USD School</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>USD 102 Cimarron</td>
<td>$78,000</td>
</tr>
<tr>
<td>USD 214 Ulysses</td>
<td>$70,000</td>
</tr>
<tr>
<td>USD 215 Lakin</td>
<td>$70,000</td>
</tr>
<tr>
<td>USD 216 Deerfield</td>
<td>$72,000</td>
</tr>
<tr>
<td>USD 218 Elkhart</td>
<td>$65,117</td>
</tr>
<tr>
<td>USD 233 Johnson Co. Community College</td>
<td>$130,000</td>
</tr>
<tr>
<td>USD 445 Coffeyville</td>
<td>$20,000</td>
</tr>
<tr>
<td>USD 457 Garden City</td>
<td>$100,000</td>
</tr>
<tr>
<td>USD 500 Kansas City</td>
<td>$73,405</td>
</tr>
</tbody>
</table>
REQUEST AND RECOMMENDATION FOR BOARD ACTION

Staff Initiating: Christine Macy
Director: Colleen Riley
Deputy Commissioner: Brad Neuenswander
Commissioner: Randy Watson

**Item Title:**
Act on Recommendation to Fund a Kansas 21st Century Community Learning Centers Supplemental Award

**Board Goals:**
Provide a flexible and efficient delivery system to meet our students’ varied and changing needs

**Recommended Motion:**
It is moved that the Kansas State Board of Education approve the recommendation for funding a Kansas 21st Century Community Learning Center (21st CCLC) Supplemental Award for a current 21st CCLC grantee.

**Explanation of Situation Requiring Action:**
The 21st Century Community Learning Centers (21st CCLC) Program began in 1998 as a federal grant program. Competitive grants are awarded to local education agencies to create community learning centers designed to expand learning opportunities for children and their family members. Due to remaining 21st Century Community Learning Center funds, current 21st CCLC grantees were given the opportunity to apply for supplemental funds to support unique summer learning opportunities. The following request is in addition to the previously approved list of 21st CCLC grantees recommended for supplemental funding.

Clay Center USD 379 (Wakefield) $25,286
Item Title:
Act on Contract with the Kansas Association of Independent and Religious Schools

Board Goals:
Ensure effective, visionary leaders in every school

Recommended Motion:
It is moved that the Kansas State Board of Education authorize the Commissioner of Education to enter into a contract with the Kansas Association of Independent and Religious Schools for the reimbursement of funds for professional development of non-public school teachers and leaders, in an amount not to exceed $29,000.

Explanation of Situation Requiring Action:
Under No Child Left Behind, Kansas retains 2.5 percent of Title II, Part A funds for state level activities described under Section 2113, including professional development of teachers and leaders. KSDE is required to support equitably the Kansas non-public schools by providing funds for professional development of non-public teachers and leaders. By approving this contract, KSDE will be allowed to reimburse the Kansas Association of Independent and Religious Schools, the largest private school organization in Kansas, for professional development activities provided to private school educators during the 2015-2016 school year.
REQUEST AND RECOMMENDATION FOR BOARD ACTION

Staff Initiating: Madeleine Burkindine  
Director: Madeleine Burkindine  
Commissioner: Randy Watson

Item Title: Authorize Contracts for Out-of-State Tuition for Students Attending KSSD

Board Goals: Governmental responsibility

Recommended Motion: It is moved that the Kansas State Board of Education authorize contracts for out-of-state tuition for the 2015-2016 school year for students attending the Kansas State School for the Deaf (KSSD).

Explanation of Situation Requiring Action: In order to prepare for the 2015-2016 school year, it is requested that the Kansas State Board of Education authorize the Superintendent of the Kansas State School for the Deaf (KSSD) to enter into a contract for out-of-state tuition with the school district listed below. KSSD has entered into this contract for the past several years.

KSSD WILL RECEIVE TUITION PAYMENT FROM:

Center School District, Kansas City, Missouri - two (2) students for the 2015-2016 regular school year - Day plus Extended Day Programs - at $18,600 per student. Total cost for the two (2) students is $37,200. Additional services, as listed on the IEPs, (i.e. Speech/Language Therapy and Counseling) are provided at a cost not to exceed $2,880 for the year.
REQUEST AND RECOMMENDATION FOR BOARD ACTION

Staff Initiating: Madeleine Burkindine
Director: Madeleine Burkindine
Commissioner: Randy Watson

Item Title:
Authorize Contracts for Out-of-State Tuition for Students Attending KSSB

Board Goals:
Governmental responsibility

Recommended Motion:
It is moved that the Kansas State Board of Education authorize contracts for out-of-state tuition for the 2015-2016 school year for students attending the Kansas State School for the Blind (KSSB).

Explanation of Situation Requiring Action:
In order to prepare for the 2015-2016 school year, it is requested that the Kansas State Board of Education authorize the Superintendent of the Kansas State School for the Blind (KSSB) to enter into contracts for out-of-state tuition with the school districts listed below. KSSB has entered into contracts with Liberty and Hardin-Central School Districts for the past several years. The contracts with Lawson and Center School Districts are new this year.

KSSB WILL RECEIVE TUITION PAYMENTS FOR THE 2015-2016 SCHOOL YEAR FROM:

Liberty School District, Liberty, Missouri - 1 Day Student - $20,000
Hardin-Central School District, Hardin, Missouri - 2 Day Students - $56,068
Lawson School District, Lawson, Missouri - 1 Day Student - $40,000
Center School District, Kansas City, Missouri - 1 Day Student (1/2 time) - $20,000
REQUEST AND RECOMMENDATION FOR BOARD ACTION

Staff Initiating: Madeleine Burkindine
Director: Madeleine Burkindine
Commissioner: Randy Watson

Item Title:
Renew Contract with Accessible Arts, Inc. for Related Services and KSSB Facilities Use

Board Goals:
Governmental responsibility

Recommended Motion:
It is moved that the Kansas State Board of Education authorize the Kansas State School for the Blind (KSSB) Superintendent 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.

Explanation of Situation Requiring Action:
The Kansas State School for the Blind desires to renew the contract for student services and for KSSB facility use. The approximate $134,000 for statewide outreach is state general fund money that flows through the KSSB budget for Accessible Arts, Inc.
REQUEST AND RECOMMENDATION FOR BOARD ACTION

Item Title:
Act on Renewal of Contract to rent office space to the Helen Keller Regional Office for Deaf-Blind Adults

Board Goals:
Governmental responsibility

Recommended Motion:
It is moved that the Kansas State Board of Education authorize the Kansas State School for the Deaf (KSSD) Superintendent to renew a contract with the Helen Keller Regional Office for Deaf-Blind Adults for rental of office space at KSSD. This renewal will be for three years at a monthly charge of $993.75 totaling $11,925 annually.

Explanation of Situation Requiring Action:
KSSD desires to renew the contract to rent office space to the Helen Keller Regional Office for Deaf-Blind Adults.
REQUEST AND RECOMMENDATION FOR BOARD ACTION

Staff Initiating: Madeleine Burkindine
Director: Madeleine Burkindine
Commissioner: Randy Watson

Item Title:
Act to approve Contract between Kansas State School for the Deaf and the Kansas Department of Health and Environment for a Hearing Aid Loan Bank

Board Goals:
Governmental responsibility

Recommended Motion:
It is moved that the Kansas State Board of Education authorize the KSSD Superintendent to renew a contract with the Kansas Department of Health and Environment to continue a hearing aid loan bank with the contract amount to be received by KSSD not to exceed $45,000.

Explanation of Situation Requiring Action:
To assure timely access to necessary auditory input for infants and toddlers 0-3 who have a hearing loss, it is recommended that the Kansas State Board of Education authorize the Superintendent of the Kansas State School for the Deaf (KSSD) to renew a contract with the Kansas Department of Health and Environment in order to continue to implement a hearing aid loan bank.
WEDNESDAY, JULY 15, 2015
MEETING AGENDA

Landon State Office Bld.
900 SW Jackson St.
Board Room, Ste 102
Topeka, KS 66612

AI—Action Item
DI—Discussion Item
RI—Receive Item, for possible action
at a future date
IO—Information Only

9:00 a.m.
1. Call to Order
2. Roll Call
(AI) 3. Approval of Agenda

9:05 a.m.
(AI) 4. Act on recommendations of the Professional Practices Commission

9:15 a.m.
(IO) 5. Report on survey concerning recess in elementary schools

9:35 a.m.
(IO) 6. Board Reports & Requests for Future Agenda Items

10:20 a.m.
Break

10:30 a.m.
(AI) 7. Act to appoint delegate to the NASBE Annual Conference

10:35 a.m.
(AI) 8. Act on Board Member Travel

10:45 a.m.
(DI) 9. Assessment Discussion: Process for establishing cut scores for the Kansas Assessments

11:45 a.m.

ADJOURN

Noon to 2:00 p.m.

Board Policy Committee Meeting (Conference Room 600 North)

Next Board Meeting: Aug. 11 at KSDE
Board Planning Retreat: Aug. 12 and 13 at KSHSAA Offices
REQUEST AND RECOMMENDATION FOR BOARD ACTION

Staff Initiating: Kelli Broers
Director: Scott Gordon
Commissioner: Randy Watson

Item Title: Act on Recommendation of the Professional Practices Commission

Board Goals: Governmental responsibility

Recommended Motion: It is moved that the Kansas State Board of Education adopt the findings of the Professional Practices Commission.

Explanation of Situation Requiring Action:
During the June 2015 meeting of the Kansas State Board of Education, the Board did not adopt the Professional Practices Commission's findings or recommendations for Gabe Moyer, an applicant for an initial teaching license. Because the Motion to Approve the Recommendation failed, Mr. Moyer's application remains pending and needs to be resolved by Board action to accept or reject the recommendation. Attached is a copy of the evidence submitted to the PPC by KSDE and Mr. Moyer. These are materials relied upon by the PPC to make its findings and recommendation. Please review the materials. After review, the Board needs to:

1. Decide by vote whether to accept or reject the PPC's recommendation to issue Mr. Moyer his license.

2. If the Board rejects the recommendations, the Board needs to make findings of fact and conclusions of law to support/explain why the Board denied Mr. Moyer's license.

*A copy of the audio recording from the PPC hearing is available upon request.
BEFORE THE KANSAS STATE BOARD OF EDUCATION

In the Matter of the Application for
An Initial License
Submitted by Gabriel Moyer

Case No. 15-PPC-06

INITIAL ORDER

Statement of Case

This matter comes on for hearing before the Professional Practices Commission (Commission) of the Kansas State Department of Education (KSDE) upon the application of Gabriel Moyer for an Initial License.

The hearing was held on March 30, 2015. Appearing for the Commission were members: Dorsey Burgess, Tavis Desormiers, Kimberly Groom, Susan Myers, Bradley Nicks, Linda Sieck, and Jessica Snider.

The KSDE appeared by and through its attorney, Scott Gordon.

Mr. Moyer appeared in person and provided testimony.

Findings of Fact

1. On June 27, 2013 Gabriel Scott Moyer applied for an Initial License.

2. On October 30, 2006 a complaint was filed in Osage County, Kansas against Gabe Moyer for possession of hallucinogenic drug, Marijuana, and drug paraphernalia.

3. On February 28, 2007, Mr. Moyer was placed on a twelve (12) month diversion.

4. On February 28, 2008, Mr. Moyer completed his diversion.

5. On August 14, 2012 a complaint was filed in Washington County, Colorado against Gabe Moyer for possession with intent to manufacture or distribute Marijuana and with possession of Marijuana.

6. On March 25, 2013, Mr. Moyer entered a plea of guilty and was put on a six (6) month probation.

7. Mr. Moyer completed his probation on September 29, 2014.

8. Mr. Moyer did disclose on his application that he had been convicted of a crime and had entered into a diversion agreement.
Conclusions

1. The Commission finds the applicant was not a licensed educator at the time of the offense. The applicant was not a member of any legally recognized professional at the time of the offense.

2. The Commission believes the applicant has clearly demonstrated a present recognition of the wrongfulness of his conduct. The applicant has expressed remorse for his conduct.

3. The Commission finds the applicant has provided evidence of rehabilitation since the time of the offense.

4. The Commission finds the applicant was truthful and forthcoming in disclosing his conviction on his application for licensure.

5. The Commission finds the applicant’s behavior has ceased to be a factor in his fitness for licensure.

6. The Commission finds the applicant is a suitable role model for students.

7. The Commission finds, by a vote of 7-0, to grant Mr. Moyer’s request for an Initial License.

IT IS THEREFORE RECOMMENDED by the Professional Practices Commission, subject to review by the State Board of Education, that Gabe Moyer’s application for an Initial license be granted.

This Initial Order is made and entered this 30th day of April, 2015.

Calin Kendall, Chairman
Professional Practices Commission

NOTICE TO APPLICANT:

This order of the Professional Practices Commission is not a Final Order and is required to be reviewed by the State Board of Education in accordance with the provision of the Kansas Administrative Procedure Act.

You may submit to the State Board of Education for its consideration as part of its review of the Initial Order, a written brief citing legal authority as to why the above recommendation should not be accepted. The legal brief must be filed with the Secretary of the Professional Practices Commission at the address indicated below within ten days after service of the Initial Order for transmittal to the State Board.
CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of April, 2015, a true and correct copy of the above and foregoing Initial Order was filed with the Secretary for the Professional Practices Commission and one (1) copy was mailed by U.S. Mail, postage paid, addressed to:

Gabriel Moyer
15807 W. 149th Terrace
Olathe, KS 66062

R. Scott Gordon, Attorney
Kansas State Department of Education
900 S.W. Jackson Street
Topeka, KS 66612
(785) 296-3204

Theresa Coté
Theresa Coté, Secretary
Professional Practices Commission
GABE MOYER

15-PPC-06

Evidence considered
by the Professional Practices Commission
Application for Kansas

INITIAL LICENSE OR ADDED ENDORSEMENTS
from Kansas Institutions ONLY

SECTION A – TO BE COMPLETED BY APPLICANT

1. Social Security Number
   [Redacted]

2. Legal Name (First) (Middle) (Last)
   Gabriel Scott Meyer

3. List all prior names (maiden, alias, previous married, etc.)
   [Redacted]

4. Mailing Address
   [Redacted]

5. Birthdate (MM/DD/YYYY)
   01/01/1987

6. Gender
   ☑ Male
   ☐ Female

7. Phone:
   ☑ Alternate Phone:

8. a. Have you ever been convicted of a felony?
   ☑ NO ☐ YES
   If yes, please attach a copy of the court documents regarding conviction.

8. b. Have you ever been convicted of ANY crime involving theft, drugs, or a child?
   ☑ NO ☐ YES
   If yes, please attach a copy of the court documents regarding conviction.

8. c. Have you entered into a criminal diversion agreement after being charged with any offense described in question 8a or 8b?
   ☑ NO ☐ YES
   If yes, please attach a copy of the diversion agreement.

8. d. Are criminal charges pending against you in any state involving any of the offenses described in question 8a or 8b?
   ☑ NO ☐ YES
   If yes, please attach a copy of the court documents regarding your case.

8. e. Have you had a teacher's or school administrator's certificate or license denied, suspended, revoked or been the subject of any other disciplinary action in any state?
   ☑ NO ☐ YES
   If yes, please indicate the action taken: [ ] denied, [ ] suspended or [ ] revoked.
   Which state(s)?
   Please attach a copy of the documents regarding the official action taken.

8. f. Is disciplinary action pending against you in any state regarding a teacher's or school administrator's certificate or license?
   ☑ NO ☐ YES
   If yes, please attach a copy of the official documents regarding the action pending against you.

8. g. Have you ever been disciplined or had a professional license or state issued certificate denied, suspended, revoked or been the subject of disciplinary action regarding any profession in Kansas or any other state?
   ☑ NO ☐ YES
   If yes, please indicate the action taken: [ ] denied, [ ] suspended or [ ] revoked.
   Which state(s)?
   Please attach a copy of the documents regarding the official action taken.

8. h. Have you ever been terminated, suspended, or otherwise disciplined by a local Board of Education for falsifying or altering student tests or student test scores?
   ☑ NO ☐ YES
   If yes, which district(s)?
   When?

8. i. Have you ever falsified or altered assessment data, documents, or test score reports required for licensure?
   ☑ NO ☐ YES
   If yes, what state(s)?
   When?

9. Subjects and levels of licensure requested:
   [Bold] Drama/Theater (9-12), Debate (9-12), English (9), Forensics (9-12), Speech/Communication (9-12)

10. I certify that I am of good moral character and that the information on this application is true and complete to the best of my knowledge. I understand that any misrepresentation of facts may result in the denial or revocation of my license, AND
    Hereby give my verifying licensing institution permission to release any and all information needed in Section B.

   Dale Meyer
   Signature of Applicant

   [Redacted]
   Date

Include the [Redacted] Application Fee made payable to the Kansas State Department of Education.

See Page 2 for Fee. Money order or cashier's check preferred. Personal checks accepted.

Mail to your Recommending Kansas Teacher Education Institution.

Processing fee CANNOT be refunded and does not guarantee a license will be issued.
District Court, Washington County, Colorado
Washington County Court
PO Box 455, 26861 Hwy 34
Akron, CO 80720

FILED IN COMBINED COURTS
WASHINGTON COUNTY, CO

THE PEOPLE OF THE STATE OF
COLORADO
vs.
GABE SCOTT MOYER,
Defendant

AMANDA N. GLEIM, CLERK
□ COURT USE ONLY □

Case No: D0612012CR000012

Div: A Courtroom:

Robert H. Watson
Thirteenth Judicial District
District Attorney, # 18037
Logan County Justice Center
110 N Riverview Road, Room 105
Sterling, CO 80751
Phone Number: 970-542-3420
Fax: 970-522-2973

COMPLAINT AND INFORMATION

CHARGES: 2

COUNT 1: POSSESSION WITH INTENT TO MANUFACTURE OR DISTRIBUTE
(F5){88041}

COUNT 2: POSSESSION OF MARIJUANA - MORE THAN TWELVE OUNCES,
C.R.S. 18-18-406(4)(c) (F6){88015}

CO-DEFENDANT: D0612012CR000010 - Gifford Norman Knapp,
D0612012CR000011 - Eric Michael Miller

Permission to file information in district court granted:
Judge
Signature

3/14/12
Robert E Watson, District Attorney for the Thirteenth Judicial District, of the State of Colorado, in the name and by the authority of the People of the State of Colorado, informs the court of the following offenses committed, or triable, in the County of Washington:

COUNT 1-POSSESSION WITH INTENT TO MANUFACTURE OR DISTRIBUTE MARIJUANA - LESS THAN FIVE POUNDS (F5)

On or about July 31, 2012, Gabe Scott Moyer unlawfully, feloniously, and knowingly possessed, or attempted to possess, with intent to sell or distribute marijuana.

Further, the amount of marijuana was less than five pounds; in violation of section 18-18-406(6)(b)(I)(III)(A), C.R.S.

COUNT 2-POSSESSION OF MARIJUANA - MORE THAN TWELVE OUNCES (F6)

On or about July 31, 2012, Gabe Scott Moyer unlawfully and feloniously possessed more than twelve ounces of marijuana; in violation of section 18-18-406(4)(c), C.R.S.

All offenses against the peace and dignity of the people of the State of Colorado.

Robert E Watson #: 18037
District Attorney,

By: [Signature]

Date: 8/9/12

Anthony Giola #: 41651
Deputy District Attorney
WITNESS LIST

Randy Palmer
Washington County Sheriffs Office
26861 Highway 34
Akron, CO 80720

Jake Acker
Washington County Sheriffs Office
26861 Highway 34
Akron, CO 80720

Agent
C.B.J Denver-Laboratory
690 Kipling Street, Suite 3000
Denver, CO 80215

Gifford Norman Knapp

Eric Michael Miller
DEFE N D A N T  I N F O R M A T I O N

DOB: [Redacted] Soc. Security #: [Redacted]
Race: W Gender: M Driver Lic. #: [Redacted]
Height: 60 in Weight: 155 lbs Hair: BRO Eye: BLU
Birthplace: [Redacted] Tattoo:

Address: 15807 WEST 149TH TERRACE
OLATHE, KS 66062

Home Phone #: [Redacted] Work Phone #: [Redacted]
AKA:

DAIL: 131208020020

CASE INFORMATION

Arresting Agency: Washington County Sheriffs Office
Arresting ORI: CO0610000 Other Number:
Offense Agency: Washington County Sheriffs Office
Offense ORI: CO0610000

Arrest #: 124532 Agency Case #: 12-453
Date of Arrest: 07/31/2012 BAC: [Redacted]
CCIC#: [Redacted] NCIC #: 174337PG6 SID#: XU309495
PLEA AGREEMENT OF THE PARTIES

The parties have reached the following plea agreement:

1. THE DEFENDANT WILL ENTER A PLEA OF GUILTY TO:
   - Amended Count 2 - POSSESSION OF MARIJUANA - SIX TO TWELVE OUNCES, C.R.S. 18-18-406(4)(b), a class 1 misdemeanor.

2. PEOPLE WILL DISMISS:
   - Count One
   - if the guilty plea to the above charge is accepted

3. THE PARTIES HAVE AGREED TO THE FOLLOWING CONDITIONS:
   - Deferred Judgment and Sentence: __________________________
   - Probation/ISP: __________________________
   - Alternative Service Hours: __________________________
   - Anger Control Eval: __________________________
   - No Contact with victims: __________________________
   - Alcohol/Drug: __________________________
   - Victims: __________________________
   - Incarceration: __________________________
   - Evidence: The defendant stipulates to the destruction or release of all evidence in this case without further notice under C.R.S. 18-1-1101 to C.R.S. 18-1-1104.
   - Restitution: Defendant agrees to pay full restitution.
   - Costs: All fines, costs and fees to be assessed by the Court.
   - Other: All other terms and conditions of sentencing shall be determined by the Court with both sides reserving the right to present argument.
DEFENSE COUNSEL:

Date: 3/1/13

DISTRICT ATTORNEY:

Date: 2/20/13

DEFENDANT:

Date: 3/11/13

BY THE COURT:

Date: 3/25/2013
REQUEST TO PLEAD GUILTY

I know that I have the right to remain silent, that I do not have to submit this request, and that anything I write or say may be used against me. Knowing that, I hereby state that I have read and I understand everything in this and all of the documents I have submitted in this case. I understand all of the rights that I am giving up by pleading guilty. I state that the following is true:

(Initial)

1. I wish to plead GUILTY to: POSSESSION OF MARIJUANA - SIX TO TWELVE OUNCES, C.R.S. 18-18-406(4)(b), a class 1 misdemeanor.

See attachment for the elements of this charge.

2. I am 25 years old. I have completed 18 years of school. At this time, my mental and physical health is satisfactory. I am thinking clearly. I have taken no drugs or medication in the last 24 hours and have not drunk any alcoholic beverages in the last 24 hours except: 

My decision to plead guilty is not being affected in any way by alcohol, drugs, or medication.

3. I understand what is going on in this courtroom today. Either I read, speak, and understand the English language, or all of the documents and proceedings in this matter have been satisfactorily explained to me in a language that I understand.

4. ☑ I am a citizen of the United States.

☐ I realize that if I am not a citizen of the United States, under the laws of the United States, conviction of any crime may result in deportation, exclusion from admission to the United States, or denial of naturalization or other immigration consequences.

5. I understand the nature of the charge(s) against me and the elements of the charge(s) which the prosecution would have to prove beyond a reasonable doubt to a unanimous jury before I could be found guilty at trial.

6. ☑ I understand that I have a right to plead "Not Guilty" to all charges against me and to have a speedy and public trial to a jury or to a judge if I do not want a jury trial.
(b) I know that I have the right to be represented by a lawyer at all stages of that trial and if I cannot afford to have one the court will appoint a lawyer for me.

(c) I know that I have the right to be presumed innocent at trial and to require the District Attorney to prove at trial each element of each charge beyond a reasonable doubt before I could be found guilty.

(d) At that trial, I understand my right to see and cross-examine all witnesses who might testify against me.

(f) I know that I have the right at trial to present any defense I might have, and to call any witnesses in my own defense. If those defense witnesses were unwilling to appear, I understand that the Court would issue subpoenas at my request that would order them to appear to testify. I understand that I would have no burden to present any evidence or witnesses at trial. I would not have to prove myself not guilty. I would be presumed not guilty at trial and the burden to prove my guilt would rest solely with the prosecution.

(g) I know that I need not make any statement about this case, and that any statement I make can be used as evidence against me in court. I also know that I have the right either to testify at trial or to remain silent. I know that if I choose not to testify, the judge would instruct the jury that they could not consider my decision to not testify for any purpose. I understand that whether I testify or not at trial would be solely my decision.

(h) I know that if I were convicted of any charge at trial, I would have the right to appeal that conviction.

(i) I know that I have a right to a preliminary hearing for class 1, 2 or 3 felonies, and that I may have a right to a preliminary hearing for certain class 4, 5, and 6 felonies. I understand that I am giving up any right I might have to a preliminary hearing.

(j) I also am aware of my right to bail and of the amount of bail set by the Court.

(k) I KNOW THAT WHEN I PLEAD GUILTY I GIVE UP ALL OF THOSE RIGHTS AND ALL POSSIBLE DEFENSES TO THE CHARGE, EXCEPT MY RIGHTS TO HAVE AN ATTORNEY.

The elements of the charge(s) to which I am pleading guilty have been explained to me (per Attachment). I understand fully everything the prosecutor would have had to prove beyond a reasonable doubt to each and every member of a 12-person jury before I could have been convicted.
8. I understand that one of the elements which the District Attorney must prove is my mental state at the time of the commission of the crime. In addition to understanding the elements, I understand the applicable definition(s) below, and understand what the District Attorney would have to prove in that regard:

(CHECK ONE OR MORE, IF APPLICABLE.)

- **KNOWINGLY**
  A person acts "knowingly" or "willfully" with respect to a conduct or to a circumstance described by a statute defining an offense when he is aware that his conduct is of such nature or that such circumstance exists. A person acts "knowingly" or "willfully" with respect to a result of his conduct when he is aware that his conduct is practically certain to cause the result.

- **INTENTIONALLY**
  A person acts "intentionally" or "with intent" when his conscious objective is to cause the specific result proscribed by the statute defining the offense. It is immaterial whether or not the result actually occurred.

- **RECKLESSLY**
  A person acts recklessly when he consciously disregards a substantial and unjustifiable risk that a result will occur or that a circumstance exists.

9. I understand that the Court is not bound by and does not have to follow anyone's recommendations concerning the entry of a plea, the penalty to be imposed, and the granting or denial of probation. Any proposed plea agreement is fully set forth in the written plea agreement of the parties.

10. Unless I have signed a Stipulation for Deferred Judgment and Sentence, I understand that if the Court accepts this guilty plea I will stand convicted of a felony. This felony conviction may be used against me in the future in any proceeding under the habitual criminal laws. If I am granted a Deferred Judgment and Sentence and I violate the terms of the Stipulation for Deferred Judgment and Sentence, I understand that I will then stand convicted of a felony and WILL COME BEFORE THIS COURT TO BE SENTENCED. I understand that a felony conviction may have social and legal implications beyond the scope of my actual sentence, such as an effect on my right to vote and to secure certain types of employment.

11. (a) I know that if I plead guilty to a felony, I may be sentenced to the custody of the Executive Director of the Department of Corrections and that the Department would determine the place of my incarceration. I know that if the judge found extraordinary or sentence-enhancing circumstances in my case, I could be sentenced to any term from the minimum to the maximum. I also know that if the judge does not find extraordinary or sentence-enhancing circumstances, I would be sentenced to a definite term within the presumptive range for each offense.
A CLASS 3 FELONY SEX OFFENSE has a presumptive term of a minimum of 4 years and a maximum of my natural life. If the Court found extraordinary mitigation, my sentence could be as little as 2 years and a maximum of my natural life.

A CLASS 4 FELONY SEX OFFENSE has a presumptive term of a minimum of 2 years and a maximum of my natural life. If the Court found extraordinary mitigation, my sentence could be as little as 1 year and a maximum of my natural life.

(b) I know that a mandatory period of parole would follow a sentence to the Department of Corrections. The length of parole would be a minimum of 10 years for a class 4 felony and a minimum of 20 years for class 2 or 3 felonies, up to a maximum of my natural life. I understand that, once I have completed the minimum term, the length of my incarceration and the length of my parole will be determined by the parole board following a hearing.

c) I know that if I am sentenced to probation, I shall be sentenced to probation for an indeterminate term of a minimum of ten years for a class 4 felony and a minimum of 20 years for class 2 or 3 felonies, up to a maximum of my natural life. I also understand that my probation would be under the intensive supervision probation program. I know that I also could be fined, and I understand that I could receive both a fine and DOC as a sentence.

13. I know that each class of misdemeanor carries the possibility of a sentence to the County Jail. I know that each class of misdemeanor also carries the possibility of a fine, and that I could receive both a fine and jail as a sentence.

A CLASS 1 MISDEMEANOR carries a possible sentence to the County Jail of a minimum of 6 months to a maximum of 18 months (24 months if I plead guilty to an Extraordinary Risk Crime). I also could be fined from $500 to $5000.

A CLASS 2 MISDEMEANOR carries a possible sentence to the County Jail of a minimum of 3 months to a maximum of 12 months. I also could be fined from $250 to $1000.

A CLASS 3 MISDEMEANOR carries a possible sentence to the County Jail of a maximum of 6 months. I also could be fined from $50 to $750.

14. I also know that if I am granted probation, I could be required to serve up to 90 days in the county jail for each felony (60 day for each misdemeanor) as a condition of probation, or I could be required to serve up to two years in county jail on work or education release.

15. I know that as a condition of probation, I will have to pay restitution and fees as ordered by the Court.

16. I have fully discussed with my lawyer everything I know about this case and all defenses available to me. I am satisfied with the advice and counsel I have received from my lawyer. My lawyer has also discussed all the elements of the charge(s) which the District Attorney would have to prove, all lesser-included charges, and all possible defenses. I am satisfied with the advice and representation I have received from my lawyer.
17. I know that a plea of guilty admits the charge and a plea of not guilty denies the charge. I admit that there are sufficient facts in this case which could be presented at trial and which would result in a strong likelihood of a conviction.

18. The decision to plead guilty is my decision, and it has been made freely and voluntarily. There has been no threat, coercion, undue influence, or force used to make me plead guilty. I know that I do not have to follow my attorney's advice and that I do not have to plead guilty.

19. I am aware of and understand the nature of the evidence being held in my case. I expressly waive my right to the preservation of evidence that may contain DNA and agree that all evidence held in my case will be disposed of by law enforcement without further notice to me or my attorney.

I have read and understand all of this form, and every representation I have made is true.

Defendant: ___________________________ Date: 3/1/13

Attorney (witness): ___________________________ Date: 3/1/13
POSSSESSION OF MARIHUANA 6 – 12 OUNCES
(Class 1 Misdemeanor)

The elements of the crime of possession of marihuana are:

1. That the defendant,
2. in the State of Colorado, at or about the date and place charged,
3. possessed,
4. more than six ounces but not more than twelve ounces of marijuana.
STATEMENT OF COUNSEL

I, Stacey Shobe, as lawyer for this defendant, hereby state that I have received and reviewed full discovery in this case and have discussed the facts revealed in that discovery and all defenses to the charge with the defendant. I have fully discussed this disposition and the contents of this Request with the defendant. I have fully discussed with the defendant and am satisfied the defendant understands each and every element of the charge to which he is pleading guilty as well as the possible sentence for conviction. In my professional opinion, this guilty plea is an appropriate way for this defendant to proceed. It is also my opinion that the defendant is competent to proceed, and that the plea is being tendered by the defendant freely, knowingly and voluntarily. I recommend that the Court accept this plea of guilty.

Date: 3/1/13

Attorney for Defendant
Reg. No. 440400
FINDINGS AND ORDER

Having reviewed the above Request and Statement and having questioned the Defendant on these matters the Court hereby finds that:

1. The Defendant is competent to proceed and understands the nature of the charge and the elements of the offense to which he is pleading and understands the effect and consequences of his plea including the possible penalties and places of incarceration;

2. The Defendant understands his rights including the right to trial by jury and the rights listed in C.R.S. §16-7-207(1), and is knowingly, freely and voluntarily waiving those rights;

3. The Defendant understands that the Court is not bound by the representations of anyone concerning the penalty to be imposed or the granting or denial of probation;

4. The Defendant has tendered a guilty plea knowingly intelligently, freely and voluntarily, with no promises or inducements other than those appearing of record, and the plea is not the result of undue influence or coercion on the part of anyone;

5. A factual basis exists for the entry of the plea.

6. The Defendant has been represented by competent and effective counsel.

IT IS THEREFORE ORDERED that the Court accepts the Guilty plea tendered by the Defendant.

Done this date: March 25, 2017

BY THE COURT:

District Court Judge
WASHINGTON COUNTY DISTRICT COURT
PO BOX 455, 26861 HWY 34
AKRON, CO 80720
(970) 345-2829

PEOPLE OF THE STATE OF COLORADO
Plaintiff.

v

W. GABE SCOTT MOYER, Defendant.

Brittney B. Lewton, Atty. Reg. No. 36959
District Attorney, 13th Judicial District
110 N Riverview Road Room 105
Sterling, CO 80751
Phone (970) 522-2973 Fax (970) 542-3421

\(\text{\textcopyright\ COURT USE ONLY}\)\n
Case Numbers 12CR12
Division Courtroom

AMENDED INFORMATION

Brittney B. Lewton, District Attorney for the Thirteenth Judicial District, State of Colorado, by and through the undersigned deputy district attorney, hereby moves to amend the Information in this case by adding/amending the following Count:

**COUNT 2-POSSESSION OF MARIJUANA - SIX TO TWELVE OUNCES (MJ)**

On or about July 31, 2012, Gabe Scott Moyer unlawfully possessed more than six ounces but not more than twelve ounces of marijuana; in violation of section 18-18-406(4)(b), C.R.S.

Contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of Colorado.

Respectfully submitted this 12th day of February, 2013.

BRITTNY B. LEWTON
DISTRICT ATTORNEY

By:
Brittney B. Lewton, District Attorney

ORDER

The People’s Motion to Amend the Information is hereby granted.

District Judge

03/25/2013
WASHINGTON COUNTY DISTRICT COURT  
PO BOX 455, 26861 HWY 34
AKRON, CO 80720  
(970) 345-2829  

PEOPLE OF THE STATE OF COLORADO  
Plaintiff.

v  
GABE SCOTT MOYER, Defendant.

Brittney B. Lewton, Atty. Reg. No. 36959  
District Attorney, 13th Judicial District  
110 N Riverview Road  Room 105  
Sterling, CO 80751  
Phone (970) 522-2973  Fax (970) 542-3421

\[\text{\tiny \textit{\text{\textcopyright\textregistered\textnormal{COURT USE ONLY}}}\text{\textcircled{\textcopyright\textregistered}}\text{\textnormal{COURT USE ONLY}}}\text{\textcircled{\textcopyright\textregistered}}\text{\textnormal{COURT USE ONLY}}\text{\textcircled{\textcopyright\textregistered}}\text{\textnormal{COURT USE ONLY}}}\\]

Case Numbers 12CR12

Division Courtroom

MOTION TO DISMISS

Brittney B. Lewton, District Attorney for the Thirteenth Judicial District, State of Colorado, by and through the undersigned deputy district attorney, hereby moves to dismiss Count One. As grounds therefore, the People state as follows:

Pursuant to the Plea Agreement between the parties and as outlined in the defendant's Request to Plead Guilty, the Defendant will plead guilty to Amended Count Two with the People's agreement to dismiss Count(s) One.

WHEREFORE, the People request an Order dismissing Count One pursuant to the Plea Agreement.

Respectfully submitted this \(\frac{31}{12}\) day of February, 2013.

BRITTYN B. LEWTON  
DISTRICT ATTORNEY

By: [Signature]

Brittney B. Lewton, District Attorney

ORDER

The People's Motion to Dismiss Count \(\) is hereby granted.

Pursuant to the Plea Agreement, such dismissal is with prejudice.

[Signature]  
District Judge  
March 25, 2013
WASHINGTON COUNTY DISTRICT COURT  
PO BOX 455, 26861 HWY 34  
AKRON, CO 80720  
(970) 345-2829  

PEOPLE OF THE STATE OF COLORADO  
Plaintiff.  
v  
GABE SCOTT MOYER,  Defendant.  

Brittny B. Lewton, Atty. Reg. No. 36959  
District Attorney, 13th Judicial District  
110 N Riverview Road  Room 105  
Sterling, CO  80751  
Phone (970) 522-2973 Fax (970).542-5421  

Case Numbers  12CR12  

Division  Courtroom  

FINDINGS RE: DATA COLLECTION - DNA EVIDENCE  

Pursuant to §18-1-1104, C.R.S., by ☐ stipulation of the parties OR ☐ after hearing, the Court makes the following findings:  

1. The identification of the Perpetrator was an issue in this case;  
2. This case includes evidence that contains known DNA;  
3. It is possible to perform a Serology Test on evidence in this case that has not previously been performed;  
4. The case includes reasonable and relevant evidence containing DNA that should be preserved, until further order of the Court.  
5. Defendant was convicted (check one): ☐ at trial or ☐ pleaded guilty.  
6. The defendant or defendant's attorney (check one): ☐ agrees or ☐ disagrees with the above representations.  

Date  

Brittny B. Lewton, District Attorney  

Judge  

Defense
Combined Court
Washington County, Colorado
Court address:
PO Box 455/26861 Hwy 34, Akron, CO 80720
People of the State of Colorado
v.
Defendant: Gabe Scott Moyer

Attorney or Party Without Attorney (Name and Address):

Phone Number: ______ E-mail: ______
FAX Number: ______ Atty. Reg. #: ______

CONDITIONS OF Probation FOR THE OFFENSE(S) OF
AMENDED COUNT II: MARIJUANA-POSSESSION 6-12 OZ (M1) GRANTED ON 03/25/2013 to
09/25/2014

You shall be supervised by the probation department for a period of 18 months years and shall comply with the following conditions and those listed on the reverse side of this form. You may be supervised in specialized programs, as determined by the probation department, with additional conditions imposed.

As a condition of supervision, you shall pay the following amounts:

- Victim compensation cost (VCMP) $78.00
- Victims assistance surcharge (VAST) $78.00
- Restitution (REST) $25.00
- Time payment fee (TIME) $900.00
- Sheriffs (ASSF) $25.00
- Attorney Fees (ATTF) $35.00
- ADDS fee (ALCO) $35.00
- Fine (FLNF/MISD) $6.00
- Court security fund (CSCF) $25.00
- Court costs - docket fee (CRTX) $25.00
- LEAF fee (LEAF) $25.00
- Drug offender surcharge (DRUG) $1000.00
- Special advocate surcharge (SPAD/SPAG) $25.00
- Sex offender surcharge (SOFS) $25.00
- Youthful offender surcharge (YTHO) $25.00
- Drug standardized assessment fee (DSAS) $45.00
- PSI drug testing fee (POIS) $25.00
- Genetic testing (Offender ID Fee) (OFID) $25.00
- Public defender fee (PDAR) $25.00
- Child Abuse Investigation Surcharge (CHLD) $25.00
- Victim address confidentiality surcharge (ADDR) $25.00
- Genetic testing surcharge (GTSC) $25.00
- Other: Rural Youth Alcohol/Substance Abuse Surcharge $10.00

TOTAL: $2203.50

A Time Payment Fee shall be assessed on your case unless all amounts (excluding supervision fee) are paid when the Order for payment is entered. In addition, late payments are subject to late fees, additional collection action, and collection costs. A cost of care reimbursement may be assessed in addition to the amounts above and may also be a continuing obligation after probation is terminated.

The total amount shall be paid to the Clerk of Court at the address listed above, as follows:

According to a payment schedule as determined by the Collections Investigator

Additional conditions: You shall participate in, cooperate with, pay any fees required, and successfully complete the following as indicated:
- Substance abuse evaluation/treatment
- Mental health evaluation/counseling or treatment
- Community corrections for _____ beginning _____
- Community service of ____ hours completed by _____
- Electronic monitoring for ____ days or Global position monitoring for ____ days
- Jail for _____ beginning _____
- Work release for _____ beginning _____
- You shall not contract any financial obligations without approval of your probation officer and/or Collections Investigator.
- You shall comply with all terms and restrictions imposed by any Protection Order.
- Other: You shall abide by the additional conditions in the plea agreement.
- Other: _____

I have received a copy of these conditions and have read them carefully with full understanding. I understand that if I violate these conditions I may be brought before the Court for revocation and imposition of sentence.

Defendant: Gabe Scott Moyer
Date: 3/25/13

Probation Officer/ Witness: ______
Date: ______
STANDARD CONDITIONS

1. You shall not violate any local, state or federal law.

2. You shall not harass, molest, intimidate, retaliate against, or tamper with any victims of or any prosecution witnesses to the crime.

3. You are required to register as a sex offender if you are convicted of an offense involving unlawful sexual behavior, pursuant to §16-22-101, et.seq.

4. You shall maintain a permanent residence and shall report any change of address, as directed by the probation officer.

5. You shall not leave the State of Colorado without written permission from the probation officer or the court.

6. You shall report to the probation officer at reasonable times, as directed by the court or the probation officer, and permit the probation officer to visit you at reasonable times at home or elsewhere.

7. You shall answer all reasonable inquiries by the probation officer.

8. You shall report any law enforcement contacts to the probation officer.

9. You may be required to notify third parties of your criminal record, as directed by the probation officer.

10. You shall maintain or seek suitable employment or faithfully pursue a course of study or vocational training and shall report any change in employment or educational status, as directed by the probation officer.

11. You shall support your dependents and meet your other family responsibilities, including any obligations for child support or spousal maintenance.

12. You shall not possess any firearm, explosive or other destructive device, or any other dangerous weapon, unless you obtain written permission from the Court.

13. You shall not use alcohol (to excess)* or use unlawfully any controlled substance or other dangerous or abusable drug or substance. * Strike as appropriate.

14. You shall submit to substance testing at the direction of the probation officer, and it may be at your expense.

15. You shall obtain counseling or treatment for drug abuse, alcohol abuse, or a mental condition and shall remain in a specified residential facility if necessary for that purpose, as required by the court or the probation officer. You may be responsible for the costs of the program.

16. You shall not act as a confidential informant. This can only be waived by the Court. Pursuant to State Court Administrator Memorandum DPS-07-06 dated July 17, 2007.

17. If convicted of a Felony, you shall sign a written prior waiver of extradition indicating you waive all formal proceedings in the event you are arrested in another state and you agree to be returned to Colorado.

18. You shall comply with any other requirements of the probation officer in order to meet the conditions imposed by the Court.

19. If you are convicted of 1) any Felony, 2) any Misdemeanor offense involving unlawful sexual behavior or 3) if you receive a deferred sentence for an offense involving unlawful sexual behavior and you have not previously provided a sample, you shall be required to submit to and pay for a test of your biological substance to determine genetic markers (DNA) in accordance with §16-11-102.4, C.R.S.

20. You shall submit to search of your person, personal effects, residence or vehicle by a probation officer when there are reasonable grounds to conduct the search.

JDF 261 R7/12  ADULT CONDITIONS OF PROBATION © 2012 Colorado Judicial Department for use in the Courts of Colorado 164
DISTRICT COURT, WASHINGTON COUNTY, COLORADO

Court Address: Washington County Justice Center
P. O. BOX 456, 26861 Hwy 34
AKRON, CO 80720
Phone Number: 970-345-2756

The People of the State of Colorado
vs
MOYER, GABE SCOTT

SENTENCE ORDER

<table>
<thead>
<tr>
<th>Defendant: MOYER, GABE SCOTT</th>
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<tbody>
<tr>
<td>Date of Birth:</td>
</tr>
<tr>
<td>Count</td>
</tr>
<tr>
<td>1 18-18-406(6)(b)(ii),(iii)(a) - MARIJUANA-POSSESS W/ INTENT-UN</td>
</tr>
<tr>
<td>2 18-18-406(4)(b) - MARIJUANA-POSSESSION 6-12 OZ</td>
</tr>
</tbody>
</table>

ASSESSED FINES & COSTS

<table>
<thead>
<tr>
<th>Count</th>
<th>Description</th>
<th>Amount</th>
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</thead>
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<tr>
<td>2</td>
<td>Victims Assistance Fund</td>
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<tr>
<td></td>
<td>Victim Compensation Fund</td>
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<td></td>
<td>Court Costs</td>
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<td>Court Security Cash Fund</td>
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<td></td>
<td>Genetic Testing Surcharge</td>
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<td></td>
<td>Public Defender Accts Recvble</td>
<td>$25.00</td>
</tr>
<tr>
<td></td>
<td>Request for Time to Pay</td>
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<tr>
<td></td>
<td>Drug Offender Surcharge</td>
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<tr>
<td></td>
<td>Rural Youth Aic/Sub Abuse Surc</td>
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<td>Probation UPDATED SENTENCE: 18 Months</td>
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<td></td>
<td>Probation Supervision Fee</td>
<td>$900.00</td>
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<td></td>
<td>Cost of Care - Probation/Adult</td>
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<tr>
<td></td>
<td>Drug Standardized Assessment</td>
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<tr>
<td></td>
<td>TOTAL</td>
<td>$1,303.50</td>
</tr>
</tbody>
</table>

Other Conditions of Sentence:
9/29/14 PER ORDER TO TERMINATE PROBATION AND WAIVE $900 SUPV FEES. /SKF

HOYER, KEVIN L
Judge/Magistrate 09/29/2014

MOYER, GABE SCOTT
Defendant 09/29/2014

***********************************************************************************************

NOTICE

Following this hearing you are to present this form to the Clerk's Office for payment. Payment is due by the end of business on your Court Date. Pursuant to §16-11-101.6, C.R.S., if the Defendant does not pay all amounts assessed at the time of order, the Defendant shall pay an additional time payment fee. In addition, the Defendant may be assessed a late penalty fee each time payment is not received on or before the due date.

STATE OF COLORADO
WASHINGTON COUNTY
Certified to be a full, true and correct copy(ies) of the original(s) in my custody.

October 21, 2014

Clerk of the Combined Court
GABE MOYER
15807 W 149TH TER
OLATHE, KS  66062-2697

Telephone Reporting System PIN: 770057

Dear GABE MOYER:

This letter is to certify that your Court Case(s) # 2012 CR12 with District 13_MON Probation has been successfully closed. You are no longer required to report to the Telephone Reporting System or to your Officer regarding this case.

Respectfully,

Kristen Thompson
Probation Officer
PO BOX 455
AKRON, CO  80720
Office Phone: (970) 345-6847
Office Fax: (970) 345-2829

cc: file
IN THE DISTRICT COURT OF OSAGE COUNTY, KANSAS

STATE OF KANSAS, Plaintiff,

VS.

GABE SCOTT MOYER, Defendant,

15807 W. 149th Terr
Olathe, KS 66062

Case No. 06CR255

COMPLAINT

Osage County Attorney Eric Godderz, of lawful age, being first duly sworn on oath, for his complaint herein states:

COUNT 1 - POSSESSION OF DEPRESSANT, STIMULANTS OR HALLUCINOGENICS

That on or about the 4th day of October, 2006, in Osage County, Kansas, GABE SCOTT MOYER, then and there being present did unlawfully and intentionally possess, or have under the defendant's control, a hallucinogenic drug, to-wit: Marijuana and its active ingredient, Tetrahydrocannabinol, a Schedule I drug as listed in K.S.A. 65-4105(d)(16) and (24), in violation of K.S.A. 65-4162(a)(3), a class A nonperson misdemeanor.

[Penalty: up to 12 months in jail and a fine of up to $2500]

COUNT 2 - POSSESSION OF DRUG USE PARAPHERNALIA

That on or about the 4th day of October, 2006, in Osage County, Kansas, GABE SCOTT MOYER, then and there being present did unlawfully and intentionally use, or possess or have under the defendant's control with intent to use drug paraphernalia, to-wit: baggies; film canister; glass smoking device, to use and contain a controlled substance in violation of the uniform controlled substance act in violation of K.S.A. 65-4152(a)(2), a class A nonperson misdemeanor.

[Penalty: up to 12 months in jail and a fine of up to $2500]

COUNT 3 - MAXIMUM SPEED LIMITS

That on or about 4th day of October, 2006, in Osage County, Kansas, GABE SCOTT MOYER, then and there being present did unlawfully operate a motor vehicle on a public street or highway at a speed of 87 miles per hour where the posted speed limit was 70 miles per hour, in
violation of K.S.A. 8-1558, Speeding in excess of the posted maximum, a traffic infraction.  
[Penalty: $72 fine under the Uniform Fine Schedule, otherwise up to $500 fine]

WITNESSES:
Clayton Ellis, KBI Chemist to be named

Eric Godderz, 14203
Osage County Attorney
PO Box 254
Lyndon, Kansas 66451
Attorney for the Plaintiff

SUBSCRIBED AND SWORN before me this 30th day of October, 2006.

DEBBIE LONG
Notary Public

STATE OF KANSAS, OSAGE
COUNTY ss
I certify that this is a true and correct
copy of the original as appears of record
in my office.
Dated 11-17-14
Clerk of the District Court
IN THE DISTRICT COURT OF OSAGE COUNTY KANSAS

STATE OF KANSAS, Plaintiff,

v.

GABE SCOTT MOYER, Defendant
ADD: 15807 W. 149th Terr.
Olathe, Kansas 66062

DIVERSION AGREEMENT

THIS AGREEMENT is dated: _Feb. 28, 2007_

OFFENSE(S) CHARGED:

A. Possession of Hallucinogenics
B. Possession of Drug Use Paraphernalia
C. Maximum Speed Limits

FINE: Suspended
FINE: Suspended
FINE: Suspended

COURT COST: $128.00
FINGERPRINT FEE: $35.00
DIVERSION FEE: $300.00
KBI LAB FEE: $400.00

The parties hereto stipulate and agree to the following terms and conditions of the diversion:

1) This diversion shall be for a term of _twelve_ months.

2) The Defendant shall not violate any laws of the United States, of any state, or ordinances of any municipality.

3) The Defendant shall pay the diversion fee and Court costs, in the form of cash or money order, at the time of the filing of this Diversion Agreement with the Clerk of the District Court.

4) The Defendant shall pay any remaining fees within 90 days of the date of filing of this agreement.
STIPULATIONS TO CHARGES(S) AND WAIVER OF RIGHTS:

6 The Defendant knowingly and voluntarily waives all rights under the State and Federal constitutions and the statutes of the State of Kansas to a speedy arraignment, trial, and to trial by jury.

6 The Defendant understands that every accused has the right to a trial, the right to confront and cross-examine witnesses, the right to present evidence and to testify on said defendant's own behalf, and the right to compel the attendance of witnesses through subpoena.

6 The Defendant understands that the burden at trial would be upon the State to prove the defendant guilty beyond a reasonable doubt and that the defendant would be presumed innocent throughout the trial.

6 The Defendant stipulates and admits to the facts alleged in the complaint/information in this action and to the following facts, to-wit: That on or about the 4th day of October, 2006, in Osage County, Kansas, GABE SCOTT MOYER, then and there being present did unlawfully and intentionally possess, or have under the defendant's control, an hallucinogenic drug, to-wit: Marijuana and its active ingredient, Tetrahydrocannabinol, a Schedule I drug as listed in K.S.A. 65-4105(d)(16) and (24), and did unlawfully and intentionally use, or possess or have under the defendant's control with intent to use drug paraphernalia, to-wit: baggies; film canister; glass smoking device, to use and contain a controlled substance in violation of the uniform controlled substance act in violation of K.S.A. 65-4152(a)(2), did unlawfully operate a motor vehicle on a public street or highway at a speed of 87 miles per hour where the posted speed limit was 70 miles per hour.
The facts contained in the Narrative Report of arresting officer Clayton Ellis.

The Defendant understands and agrees that if the Diversion Agreement is revoked, that any trial on the charges will be had on the facts stipulated to above and the defendant will not be able to present additional evidence concerning guilt or innocence at the trial.

9) The Defendant understands that the charge pending against Defendant will remain in full force and effect during the period of diversion and that violation of any term of this agreement will result in resumption of the criminal proceedings.

NOW, THEREFORE, IN CONSIDERATION of the above-stated stipulations, and in consideration of the mutual promises and agreements contained herein, the State further agrees that if the Defendant successfully fulfills the terms of this Diversion Agreement, the charge here in before specified will be dismissed with prejudice.

FURTHER, if the State finds that at the termination date of this diversion or at any time prior thereto that the defendant has failed to fulfill the terms of the Diversion Agreement, the matter will be set for hearing to determine if a violation of said agreement has occurred, and if so, the proceedings against said defendant shall resume.

FURTHER, the defendant is hereby released pending trial or disposition of the matter for the term of this agreement, conditioned upon the successful completion of this Diversion Agreement.

IT IS SO AGREED.

[Signature]
DEFENDANT
State of Kansas v. GABE SCOTT MOYER
Osage County Case 2006-CR-355
Diversion Agreement

PAUL W. BURMASTER, No. 14679
ATTORNEY FOR THE DEFENDANT

ERIC GODDERZ, No. 14203
COUNTY ATTORNEY

STAY ORDER

Pursuant to the Diversion Agreement filed in the above entitled matter and at the request of the parties the Court hereby grants a stay on the above entitled proceedings to the 28 day of _____ 2006 at 9:00 o'clock a.m.

JUDGE

STATE OF KANSAS, OSAGE COUNTY ss
I certify that this is a true and correct copy of the original as appears of record in my office.
Dated: 11-17-14

Clerk of the District Court

By ________________________ Deputy
February 24, 2015

Gabriel Moyer
15807 W. 149th Terrace
Olathe, Kansas 66062

RE: Application for Kansas Teaching License

Dear Mr. Moyer:

Due to the information revealed in your criminal record, your application for licensure has been referred to the Professional Practices Commission. The Commission is a nine member body created by state law consisting of five practicing teachers and four school administrators. The Commission reviews and hears cases involving the issuance, suspension, or revocation of licenses issued by the Kansas State Board of Education. The Commission makes recommendations which are then reviewed by the Board for final action.

The Professional Practices Commission specifically requests information regarding your past and current efforts at rehabilitation. This includes but is not limited to any conditions of probation you successfully completed. Other factors the Commission will consider include:

- The nature and seriousness of your criminal behavior
- Your conduct subsequent to the behavior for which you were convicted or placed on diversion
- The time elapsed since the commission of your criminal actions
- Your age at the time of your criminal actions
- Whether the offense was an isolated or recurring incident
- Whether you demonstrate a present recognition of the wrongfulness of your actions
- Whether it is suitable to place you in a position of public trust
- Whether you are a suitable role model for students

The Commission specifically requests your attendance at their next meeting March 30, 2015 at 1:30 p.m. for them to hear testimony from yourself and anyone else who may speak on your behalf. Failure to appear for this hearing may result in a default judgment and denial of your application. The hearings will take place at the Kansas State Board of Education Boardroom, 900 SW Jackson, Suite 102, Topeka, KS 66612. Attendees may wait in the lobby until their hearing is called. There will be several hearings that morning, and they will be taken in the order in which people arrive. Each hearing is expected to last 10-20 minutes.
Under K.S.A. 72-1397(b) and (c), it is your responsibility to present at the hearing all relevant evidence as to your rehabilitation, if any. In the past the Commission has received information from past or present employers or anyone else who may speak to the applicant’s fitness to work in the classroom.

If you have any documentation you wish to submit to the PPC, such as letters of recommendation or drug and alcohol evaluations, those must be received by Theresa Cote, Secretary to the Professional Practices Commission, no later than Friday, March 20, at 4:00 p.m. No documents received after that date will be reviewed by the Commission.

Sincerely,

[Signature]

Theresa Cote
Secretary, Professional Practices Commission
16 March 2015

Attention: Theresa Cote

To the Kansas State Department of Education Practical Professions Commission:

It is my great pleasure to write this heartfelt letter in support of Gabe Moyer's request to be granted his teaching license. I have known Gabe for seven years in my capacities as teacher, director, advisor and friend and feel completely confident in my ability to speak of his skill and potential as a director and educator, his background as an eclectic theatre artist and the qualities he possesses as a fine young man.

If a director's and/or teacher's efficacy is predicated upon a myriad of attributes which include knowledge of his or her subject matter, assiduous preparation, passion, intuitive artistic vision and creativity, communicative skills, a deep care, respect and love for actors (or students), adaptability and a collaborative nature, then Gabe has a fine future in both theatre as well as theatre education. He is an excellent leader. I have observed him in directorial and/or instructional situations (as a director of numerous classroom scenes and a departmental production, a member of The Educational Theatre Company, in classroom discussions and as a personal counselor to friends). In each of these areas and in every instance, I would categorize him as exemplary. He is thorough and assiduous in his preparation, grounded, patient and affirming when communicating with those whom he is leading and passionate in his desire to help each person reach his or her full potential. He displays a mature, grounded demeanor far in excess of his years. I firmly believe that his potential as an educator and director is substantial.

While at ESU, Gabe was a fine student. He is well read (an imperative for any educator), a skilled writer and an articulate speaker. He is perceptive and unwavering in his desire to continue his intellectual growth. He is industrious and would bring that quality to the classroom. He would serve as a fine mentor and an inspiration to his students.

Gabe is a terrific human being, a fine young man. In the years that I have known him, he has become a friend. He is sincere, gentle, compassionate and highly sensitive. He is demanding of himself, but always patient with and considerate of others. He goes out of his way to make others feel welcome and at ease. The possessor of a fine sense of humor and a self-effacing countenance, he never takes himself too seriously (his work, however, he does). He is a team player, a terrific colleague, yet often, through example, assumes a position of leadership. He displays an unwavering commitment to complete the task at hand to the best of his ability.
Attention: Theresa Cote

To the Kansas State Department of Education Practical Professions Commission:

My name is David Conway. I am a Veteran, a homeowner, a tax paying citizen, and an elected Precinct Committeeman in Lawrence, Kansas. I am currently the Deputy Political Director for Matt Bevin, a candidate for the Governor’s race in Kentucky. I am writing to you on behalf of Gabe Moyer. I met Gabe during the Ron Paul Campaign in 2012. After volunteering many long hours alongside me, we became close friends. We continued to stay friends throughout my political career and Gabe has always been someone I could rely on when help was needed. I have run a youth leadership and development internship program, which he not only helped inspire ideas in keeping the kids engaged, but also was able to captivate and he would occasionally come help me manage it. One of my favorite things about Gabe is his love for comedy. I often would go see his Improvisational Troupe for a good laugh after work. My time is limited and I would not go out on a limb and write a letter like this for just anyone. I URGE you to grant Gabe Moyer a license to teach in the state of Kansas. If voted no, it would be an unfortunate loss to our education system in Kansas.

Any questions you may have, please feel free to call.

David Alan Conway
Deputy Political Director for the Matt Bevin Campaign for Governor.
785-764-8107

RECEIVED
MAR 20 2015
LEARNING SERVICES
KSBE
Attention: Theresa Cote

To the Kansas State Department of Education Practical Professions Commission:

I have known Gabriel Moyer, Gabe, for over a decade. He was first the son of a fellow coach, later the student at another school, and now a colleague.

As a student, Gabe exhibited all of the attributes of a successful competitor. He worked hard and excelled in speech and drama competitions. He qualified for the National Forensic League’s national tournament his junior year of high school, and he was in finals at the district tournament multiple times. More important, the times Gabe did not earn the medal he wanted or finish in the top group of competitors, he did not display his disappointment; he lost with grace as much as he won with grace. In addition, he was active in his school’s theater productions.

In college Gabe expanded his knowledge both in theater and in speech and debate. He successfully worked with competitive debate and forensics programs for his observation hours and his student teaching. His theater background provided him with skills he is able to use coaching and directing students in the interpretation events. He acted in and directed numerous shows. His coursework and willingness to learn from veteran coaches provided him with more knowledge in debate and speaking. He has successfully been able to use those skills with students both in coaching and judging capacities.

One of the interesting aspects of coaching debate and competitive speech and drama is the relationships coaches build not only with their students and judges but also with the students and judges from other schools. Gabe has judged since graduating from high school. As a coach working with judges at both district and state tournaments, I have seen and respected Gabe’s ballot comments. He encourages student performers regardless of the quality of performances while directing them to improve. These positive ballots help students maintain belief in themselves as competitors and learners.

Last year I began working at Gabe’s alma mater. In doing so, I gained a new relationship with Gabe. He is now my colleague. He volunteers his time to work with the current students there. Recently I watched Gabe work with a group of students preparing for competition in congressional debate. Like his ballots, Gabe’s instruction was both encouraging and instructive. He spoke to students about delivery style and content. Furthermore, he gave strategic advice regarding preparation for the exchange of ideas. He coached those students as if they were his own and made them feel like they could all improve and succeed.

Gabe Moyer is ready to be a teacher. He has the knowledge and the skills necessary to work with students as a coach, as a teacher, and as a director. He understands the importance of both the affective and cognitive domains. He will provide students a nurturing environment in which to challenge themselves and to learn.

Sincerely,

Jo Ball
English/Debate/Forensics
Olathe South High School

16 March 2015

RECEIVED
MAR 20 2015
LEARNING SERVICES
KSDS
TREATMENT REPORT
Successful Completion on 09-09-13.
COVERAGE PERIOD: Admitted on 06-13-13 Discharge Date: 09-09-2013.

CLIENT:
(L. name: _Moyer_)
(F. name: _Gabe_)

Level of Care: Standard Outpatient: (15) hours

INITIAL DATE OF THIS LEVEL OF CARE: _06-13-13_
Agency: __AppleCore__________ CLINICIAN: Clay Johnson, LAC, Counselor/Director
Phone: 913-706-4132 __________ REPORT DATE: _09-09-13_

TREATMENT PROGRESS On 6-13-13 this client was admitted. On 9-9-13 he completed attending 15 hours of 15 required. He has attended all sessions - each week for a total of 15 hours of the 15 required. He completed all tasks and goals successfully and is discharged with a good prognosis.

Problematic

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Fully Compliant

TERMINATION On 9-4-13, Discharged Treatment Successfully Complete. Good Prognosis.

Recommendation(s): 1. Remain alcohol/drug free while under Court Supervision. 2. Follow directions of Probation Officer: Kristen Winter. — Clay Johnson, LAC

AppleCore: Clay Johnson, LAC/NCAC, MBA — Director & Counselor: 226 South Kansas Ave, Olathe, Ks. 66061 — 913-706-4132.
ESU Theatre

15 March 2015

Reference for Gabe Moyer

Attention: Theresa Cote

To the Kansas State Department of Education Practical Professions Commission:

I am happy to recommend Gabe Moyer to you, a BSE graduate from our theatre program. I have known him since he arrived at ESU in the fall of 2006. I have directed him on several occasions. I also served as his faculty mentor for his production of LONE STAR, an associate KCACTF entry in 2009. He was one of three student directors for our winter 2011 production of ALL IN THE TIMING by David Ives, directing Sure Thing and Words, Words, Words. Another directing project Gabe mounted was a staged reading of DOG SEES GOD. He was a finalist in the SDC audition for the Kennedy Center American College Theatre Festival.

He was my student in several courses including Stage Directing I and served as my teaching assistant in directing the following year. He was very active in our program and in outside production activities, as well. While student teaching at Blue Valley Southwest, he acted in a theatre production from Johnson County Community College. I had a chance to stay in touch with Gabe during his student teaching and am happy to report that his experience in suburban Kansas City was very successful.

I strongly recommend that Gabe be granted his teaching license. I believe he will be an outstanding candidate as a teacher of speech and theatre at the secondary level. He is a strong representative of our program and I believe that Gabe will be an excellent teacher. I am happy to provide him my strong endorsement and encourage you to give him an opportunity to demonstrate his many talents and abilities to you.

Sincerely,

Jim Bartruff
Director of Theatre
jbartruf@emporia.edu
620-341-5704
REQUEST AND RECOMMENDATION FOR BOARD ACTION

Staff Initiating:  Kelli Broers
Director:  Scott Gordon
Commissioner:  Randy Watson

Item Title:
Act on Recommendations of the Professional Practices Commission

Board Goals:
Governmental responsibility

Recommended Motion:
It is moved that the Kansas State Board of Education adopt the findings of the Professional Practices Commission.

Explanation of Situation Requiring Action:
The Professional Practices Commission (PPC) convened hearings on June 15, 2015, and considered the cases enumerated below. PPC findings are found in the attached Initial Orders.

1. Lance Howard 15-PPC-03
Mr. Howard was licensed by the Kansas State Board of Education beginning in 2009. While licensed as a teacher, he was convicted of felony Lewd and Lascivious Behavior in violation of K.S.A. 21-5513(a)(2) in the District Court of Logan County, Kansas Case No. 2014-CR-08. The victim was a minor. KSDE filed a complaint and Mr. Howard did not request a hearing or file an answer. The PPC voted 7-0 to recommend his license be revoked.

2. Nosaze Enoma 15 PPC-14
Mr. Enoma first applied for an emergency substitute license in 2008. His application was denied because of his past convictions for felony robbery, felony possession of marijuana for sale, and felony attempted possession of cocaine. Mr. Enoma again applied for an emergency substitute license in September 2014. KSDE filed a complaint. Mr. Enoma did not request a hearing or file an answer. The PPC voted 7-0 to recommend his application be denied.

3. Patrick Amaro 15-PPC-15
Mr. Amaro submitted an application for an emergency substitute license. KSDE filed a complaint based on Mr. Amaro's 1984 conviction for misdemeanor sexual battery. The victim was a child under the age of 16. Mr. Amaro did not request a hearing or file an answer. The PPC voted 7-0 to recommend his application be denied.

4. Heather Steiner 15-PPC-18
Ms. Steiner first applied for an emergency substitute license in 2013. Because of Ms. Steiner's criminal history, her application was set for a hearing before the PPC. It recommended Ms. Steiner's application be granted, contingent upon her returning upon any application for an upgrade to her license. The State Board granted her license. On March 20, 2015, Ms. Steiner applied for an initial license. There was no evidence she had engaged in further criminal conduct and she provided letters of recommendation. The PPC voted 7-0 to recommend her application be granted.

(continued)
5. Marshal Miller 15-PPC-22
Mr. Miller applied for an initial teaching license on March 16, 2015. Because of his criminal history, his application was set for a hearing before the PPC. After hearing Mr. Miller's testimony, the PPC voted 7-0 to recommend Mr. Miller's application be granted.
BEFORE THE KANSAS STATE BOARD OF EDUCATION
PROFESSIONAL PRACTICES COMMISSION

In the Matter of
the Professional License
of Lance Howard

INITIAL ORDER

The above-captioned case comes on for hearing before the Professional Practices Commission (Commission) of the Kansas State Department of Education (KSDE) upon the complaint seeking revocation of Lance Howard’s professional teaching license.

The hearing on this matter convened on June 15, 2015. Appearing for the Commission were chairperson, Calin Kendall, and members, Dorsey Burgess, Tavis Desormiers, Kimberly Groom, Bradley Nicks, Linda Sieck, and Jessica Snider. Kelli Broers appeared as counsel for KSDE. Lance Howard did not appear.

FINDINGS OF FACT

1. Lance Howard was first licensed by the Kansas State Board of Education (State Board) in 1999. He obtained his initial teaching license in 2009 and has been continuously licensed since.

2. Mr. Howard engaged in misconduct while licensed as a teacher by engaging in lewd and lascivious behavior with a person under the age of 16 in violation of K.S.A. 21-5513(a)(2), a severity level 9 person felony.

3. Mr. Howard’s misconduct led to a December 4, 2014, conviction in the District Court of Logan County, Kansas Case No. 2014-CR-08. He pled guilty to one felony count of Lewd and Lascivious behavior in violation of K.S.A. 21-5513(a)(2). He was sentenced on February 5, 2015, to an underlying prison sentence of seven months and granted probation for a term of 12 months. The terms of probation include but are not limited to: 1) No contact with the minor victim; 2) Registration as a Sex Offender; and 3) Obtaining a Sex Offender Assessment and follow all its recommendations.

4. As a result of his conviction, Mr. Howard is now a registered sex offender.

5. KSDE filed a Complaint pursuant to K.A.R. 91-22-5a on March 4, 2015. That Complaint was placed in the mail on March 4, 2015, by certified mail, return receipt requested, to the last known address of Mr. Howard. Mr. Howard signed for the Complaint.

6. Mr. Howard did not request a hearing, nor did he file an answer to KSDE’s complaint.

CONCLUSIONS

1. Under Kansas law, teaching and school administration to be professions in Kansas with all the similar rights, responsibilities and privileges accorded other legally recognized professions. An educator is in a position of public trust.
2. It is within the authority of the State Board to adopt rules and regulations providing for the issuance, renewal, reinstatement and revocation of a license to teach.

3. By order of the State Board, the Professional Practices Commission shall investigate and conduct hearings pertaining to allegations of misconduct.

4. Any license issued by the State Board may be suspended or revoked, or the license holder may be publicly censured by the State Board for misconduct or other just cause including conviction of any crime involving a minor and commission of any act that injures the health or welfare of a minor through physical or sexual abuse or exploitation. K.A.R. 91-22-1a.

5. Additionally, the State Board is prohibited from issuing a license to or renewing the license of any person who has been convicted of:

   “(3) a felony described in any section of article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 21-6419 through 21-6421, and amendments thereto, other than an act specified in subsection (a)…”

That prohibition is effective until at least five years post-conviction, in addition to other requirements. K.S.A. 72-1397(b) & (c).

6. Any license issued by the State Board may be canceled by the State Board in the manner provided by law, on the grounds of immorality or for any cause that would have justified the withholding thereof when the same was granted. K.S.A. 72-1383.

7. Mr. Howard’s conduct is inconsistent with the commonly-held perceptions and expectations of a member of the teaching profession. Such conduct violates the public trust and confidence placed in members of the profession. Furthermore, Mr. Howard’s conduct demonstrates a lack of fitness to perform the duties and responsibilities of a member of the teaching and school administration professions.

8. Mr. Howard’s conviction pursuant to K.S.A. 21-5513(a)(2) is grounds for revocation of his license pursuant to K.A.R. 91-22-1a and K.S.A. 72-1383.

   THEREFORE the Professional Practices Commission concludes, by a vote of 7 - 0, subject to the State Board’s review, that Mr. Howard’s teaching license should be revoked.

This Initial Order is made and entered this June 15, 2015.

PROFESSIONAL PRACTICES COMMISSION

Calin Kendall, Chairman
Order signed on June 16, 2015.

2
185
NOTICE TO APPLICANT

This Order of the Professional Practices Commission is not a Final Order and is required to be reviewed by the State Board in accordance with the provisions of the Kansas Administrative Procedure Act.

You may submit to the State Board for its consideration as part of its review of the Initial Order, a written brief citing legal authority as to why the above recommendation should not be accepted. The legal brief must be filed with the Secretary of the Professional Practices Commission at the address indicated above within ten days after service of the Initial Order for transmittal to the State Board.

CERTIFICATE OF SERVICE

I hereby certify that on this ___ day of ___ , 2015, a true and correct copy of the above and foregoing was filed with the Secretary for the Kansas State Board of Education and one (1) copy was mailed by certified mail, return receipt requested, to:

Lance Howard
512 Freeman Avenue
Oakley, Kansas 67748

Theresa Coté
Secretary, Professional Practices Commission
BEFORE THE KANSAS STATE BOARD OF EDUCATION
PROFESSIONAL PRACTICES COMMISSION

In the Matter of 15-PPC-14
the Application of
Nosaze Enoma f/k/a Nosaze E. Knight

INITIAL ORDER

The above-captioned case comes on for hearing before the Professional Practices
Commission (Commission) of the Kansas State Department of Education (KSDE) upon the
application of Nosaze Enoma for a Kansas Substitute License.

The hearing on this matter convened on June 15, 2015. Appearing for the Commission were
chairperson, Calin Kendall, and members, Dorsey Burgess, Tavis Desormiers, Kimberly Groom,
Bradley Nicks, Linda Sieck, and Jessica Snider. Kelli Broers appeared as counsel for KSDE.
Nosaze Enoma did not appear.

FINDINGS OF FACT

1. Nosaze Enoma first applied for a Kansas substitute teaching license in 2008. Records on file
with KSDE indicate he was denied an Emergency Substitute Teaching License on October
14, 2008. Those records show Mr. Enoma was denied pursuant to K.A.R. 91-22-1a as a
consequence of his conduct in engaging in acts constituting the commission of multiple
felonies including, felony robbery, felony possession of marijuana for sale, and felony
attempted possession of cocaine.

2. Most recently, Mr. Enoma applied for an Emergency Substitute License on September 18,
2014. When asked if he had ever been convicted of a felony or ANY crime involving theft,
drugs, or a child he answered “no” to both questions.

3. KSDE filed a Complaint pursuant to K.A.R. 91-22-5a on March 9, 2015. That same
Complaint was placed in the mail on March 10, 2015, by certified mail, return receipt
requested, to the last known address of Mr. Enoma. The Complaint was delivered on
March 13, 2015.

4. Mr. Enoma did not request a hearing, nor did he file an answer to KSDE’s complaint.

CONCLUSIONS

1. Pursuant to K.S.A. 72-8501, the Legislature has declared teaching and school administration
to be professions in Kansas with all the similar rights, responsibilities and privileges
accorded other legally recognized professions. An educator is in a position of public trust.
2. Pursuant to K.A.R. 91-22-1a, the Kansas State Board of Education (State Board) may deny a teacher's license/certificate to any person for misconduct or other just cause such as committing any crime punishable as a felony.

3. The State Board has the authority pursuant to K.A.R. 91-22-1a(b) to deny a teaching license for misconduct or other just cause. The State Board may also deny a license to a person who misrepresents or fails to disclose material facts on the application.

4. Additionally, the State Board is prohibited from issuing a license to or renewing the license of any person who has been convicted of:

   ...  

   "(1) A felony under K.S.A. 21-36a01 through 21-36a17, prior to their transfer, or article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009;

   "(2) a felony described in any section of article 34 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 21-6104, 21-6325, 21-6326 or 21-6418, and amendments thereto, other than an act specified in subsection (a), or a battery, as described in K.S.A. 21-3412, prior to its repeal, or subsection (a) of K.S.A. 21-5413, and amendments thereto, or domestic battery, as described in K.S.A. 21-3412a, prior to its repeal, or K.S.A. 21-5414, and amendments thereto, if the victim is a minor or student;

   ...  

   "(9) attempt under K.S.A. 21-3301, prior to its repeal, or K.S.A. 21-5301, and amendments thereto, to commit any act specified in this subsection; [or]

   ...  

   "(11) an act committed in violation of a federal law or in violation of another state's law that is comparable to any act described in this subsection."

K.S.A. 72-1397(b).
5. Pursuant to K.S.A. 72-1397(b) and (c), the State Board, after a hearing, may issue a license to an applicant previously barred by K.S.A. 72-1397(b) if the State Board determines the applicant has demonstrated he is rehabilitated and five years have passed since conviction. In determining whether an applicant is rehabilitated the State Board considers the following non-exhaustive list:

- The nature and seriousness of Applicant’s criminal behavior
- Conduct subsequent to the behavior for which Applicant was charged
- The time elapsed since the commission of Applicant’s criminal actions
- Applicant’s age at the time of his criminal actions
- Whether the offenses were isolated or recurring incidents
- Whether Applicant demonstrate a present recognition of the wrongfulness of your actions
- Whether it is suitable to place Applicant in a position of public trust
- Whether Applicant is a suitable role model for students

6. If no answer to a Complaint is filed within 20 days, Applicant is deemed to have admitted the allegations contained in the Complaint and acquiesced in the proposed action. K.A.R. 91-22-9.

7. Though five years have passed since Mr. Enoma’s felony convictions, he has failed to demonstrate rehabilitation.

THEREFORE the Professional Practices Commission concludes, by a vote of 7 - 0, subject to the State Board’s review, that Mr. Enoma’s application for a teaching license should be denied.

This Initial Order is made and entered this June 15, 2015.

PROFESSIONAL PRACTICES COMMISSION

[signature]
Calin Kendall, Chairman
Order signed on June 16, 2015.
BEFORE THE KANSAS STATE BOARD OF EDUCATION
PROFESSIONAL PRACTICES COMMISSION

In the Matter of
the Application of
Patrick Amaro

15-PPC-15

INITIAL ORDER

The above-captioned case comes on for hearing before the Professional Practices Commission (Commission) of the Kansas State Department of Education (KSDE) upon the application of Patrick Amaro for a Kansas teaching license.

The hearing on this matter convened on June 15, 2015. Appearing for the Commission were chairperson, Calin Kendall, and members, Dorsey Burgess, Tavis Desormiers, Kimberly Groom, Bradley Nicks, Linda Sieck, and Jessica Snider. Kelli Broers appeared as counsel for KSDE. Patrick Amaro did not appear.

FINDINGS OF FACT

1. Patrick Amaro [Applicant], submitted an application to the Kansas State Board of Education (State Board) requesting he be issued a 2013-2014 emergency substitute teaching license.

2. In August 1984, Applicant pled guilty to misdemeanor Sexual Battery in violation of K.S.A. 21-3517. His conviction was based upon sexual conduct with a child under the age of 16. Applicant was 22 years old at the time of the misconduct.

3. Applicant was granted two years supervised probation. No contact with females under the age of consent was a condition of his probation. It is unknown whether Applicant successfully completed probation.

4. Applicant did not disclose on his application that he had been convicted of a crime involving a child.

5. KSDE filed a Complaint pursuant to K.A.R. 91-22-5a on March 12, 2015. That Complaint was placed in the mail on March 16, 2015, by certified mail, return receipt requested, to the last known address of Mr. Amaro. Mr. Amaro signed for the Complaint.

6. Mr. Amaro did not request a hearing, nor did he file an answer to KSDE’s complaint.

CONCLUSIONS

1. Pursuant to K.S.A. 72-8501, the Legislature has declared teaching and school administration to be professions in Kansas with all the similar rights, responsibilities and privileges accorded other legally recognized professions. An educator is in a position of public trust.

2. It is within the authority of the State Board to adopt rules and regulations providing for the issuance, renewal, reinstatement and revocation of a license to teach.
3. Pursuant to K.A.R. 91-22-1a, the State Board may deny a teacher's license/certificate to any person for misconduct or other just cause such as committing any crime involving a child.

4. The State Board has the authority pursuant to K.A.R. 91-22-1a(b) to deny a teaching license for misconduct or other just cause. The State Board may also deny a license to a person who misrepresents or fails to disclose material facts on the application.

5. By order of the State Board, the Professional Practices Commission shall investigate and conduct hearings pertaining to allegations of misconduct.

6. If no answer to a Complaint is filed within 20 days, Applicant is deemed to have admitted the allegations contained in the Complaint and acquiesced in the proposed action. K.A.R. 91-22-9.

7. Applicant’s conduct is inconsistent with the commonly-held perceptions and expectations of a member of the teaching profession. Such conduct violates the public trust and confidence placed in members of the profession.

8. Applicant’s conduct demonstrates a lack of fitness to perform the duties and responsibilities of a member of the teaching and school administration professions and is sufficient and just cause for denying Applicant’s application.

9. Applicant’s Sexual Battery conviction, where the victim was a child, is grounds for denial of his application pursuant to K.A.R. 91-22-1a.

   THEREFORE the Professional Practices Commission concludes, by a vote of 7 - 0, subject to the State Board’s review, that Mr. Amaro’s application for a teaching license should be denied.

This Initial Order is made and entered this June 15, 2015.

PROFESSIONAL PRACTICES COMMISSION

[Signature]
Calin Kendall, Chairman
Order signed on June 16, 2015.
NOTICE TO APPLICANT

This Order of the Professional Practices Commission is not a Final Order and is required to be reviewed by the State Board in accordance with the provisions of the Kansas Administrative Procedure Act.

You may submit to the State Board for its consideration as part of its review of the Initial Order, a written brief citing legal authority as to why the above recommendation should not be accepted. The legal brief must be filed with the Secretary of the Professional Practices Commission at the address indicated above within ten days after service of the Initial Order for transmittal to the State Board.

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of June, 2015, a true and correct copy of the above and foregoing was filed with the Secretary for the Kansas State Board of Education and one (1) copy was mailed by certified mail, return receipt requested, to:

Patrick Amaro  
P.O. Box 81  
Ford, Kansas 67842

[Signature]

Theresa Coté  
Secretary, Professional Practices Commission
BEFORE THE KANSAS STATE BOARD OF EDUCATION
PROFESSIONAL PRACTICES COMMISSION

In the Matter of
the Application of
Heather Steiner

15-PPC-18

INITIAL ORDER

The above-captioned case comes on for hearing before the Professional Practices
Commission (Commission) of the Kansas State Department of Education (KSDE) upon the
application of Heather Steiner for a Kansas teaching license.

The hearing on this matter convened on June 15, 2015. Appearing for the Commission were
chairperson, Calin Kendall, and members, Dorsey Burgess, Tavis Desormiers, Kimberly Groom,
Bradley Nicks, Linda Sieck, and Jessica Snider.

Kelli Broers appeared as counsel for KSDE.

Heather Steiner appeared in person.

FINDINGS OF FACT

1. On January 27, 2014, the Professional Practices Commission recommended Heather Steiner
be granted an Emergency Substitute License. However, because of her 2010 misdemeanor
theft convictions, the Commission ordered that upon application for a license upgrade Ms.
Steiner would need to appear before the Commission again. The Kansas State Board of
Education (State Board) granted Ms. Steiner’s application on March 11, 2014, and she has
been licensed since.


3. There was no evidence Ms. Steiner engaged in any further criminal conduct while licensed
as a substitute teacher.

4. Ms. Steiner again acknowledged the wrongfulness of her past conduct and expressed
remorse for the conduct.

5. Ms. Steiner supplied three letters of recommendation from individuals familiar with her
employment history, including a letter from the principal of Marion Elementary School.
He provided a recommendation based on his observation of Ms. Steiner throughout her
student teaching. His comments included, “has a great knowledge of instruction,” “has a
strong propensity towards leadership in the classroom, which has led to... the betterment
of our students and our school,” “professional in all phases of her student teaching,” and
“cares for each of her students.”
CONCLUSIONS OF LAW AND DISCUSSION

1. The State Board may deny a teacher's license to any person for misconduct or other just cause including conviction of misdemeanor theft. K.A.R. 91-22-1a(a)(3).

2. The Commission, in determining whether to recommend to the State Board that an individual's application should be granted, determines the extent of the applicant's efforts at rehabilitation as well as the fitness of the applicant to be a member of the teaching profession. K.A.R. 91-22-1a(g).

3. The Commission finds Ms. Steiner has clearly demonstrated a present recognition of the wrongfulness of her conduct and expressed remorse for her conduct. The Commission found Ms. Steiner sincere and credible.

4. The Commission finds that nearly five years have passed since the criminal conduct occurred. There is no evidence Ms. Steiner has engaged in any subsequent criminal activity. The Commission believes Ms. Steiner is rehabilitated.

5. The Commission finds that while licensed as a substitute teacher, Ms. Steiner has demonstrated her fitness to teach.

THEREFORE the Professional Practices Commission concludes, by a vote of 7 - 0, subject to the State Board’s review, that Ms. Steiner’s application for a teaching license should be granted.

This Initial Order is made and entered this June 15, 2015.

PROFESSIONAL PRACTICES COMMISSION

Calin Kendall, Chairman
Order signed on June 22, 2015.
NOTICE TO APPLICANT

This Order of the Professional Practices Commission is not a Final Order and is required to be reviewed by the State Board in accordance with the provisions of the Kansas Administrative Procedure Act.

You may submit to the State Board for its consideration as part of its review of the Initial Order, a written brief citing legal authority as to why the above recommendation should not be accepted. The legal brief must be filed with the Secretary of the Professional Practices Commission at the address indicated above within ten days after service of the Initial Order for transmittal to the State Board.

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of June, 2015, a true and correct copy of the above and foregoing was filed with the Secretary for the Kansas State Board of Education and one (1) copy was mailed by certified mail, return receipt requested, to:

Heather Steiner
1904 275th
Marion, Kansas 66861

Theresa Coté
Secretary, Professional Practices Commission
BEFORE THE KANSAS STATE BOARD OF EDUCATION  
PROFESSIONAL PRACTICES COMMISSION  

In the Matter of  
the Application of  
Marshal Miller  

15-PPC-22  

INITIAL ORDER  

The above-captioned case comes on for hearing before the Professional Practices Commission (Commission) of the Kansas State Department of Education (KSDE) upon the application of Marshal Miller for a Kansas teaching license. 

The hearing on this matter convened on June 15, 2015. Appearing for the Commission were chairperson, Calin Kendall, and members, Dorsey Burgess, Tavis Desonniers, Kimberly Groom, Bradley Nicks, Linda Sieck, and Jessica Snider. 

Kelli Broers appeared as counsel for KSDE. 

Marshal Miller appeared in person.  

FINDINGS OF FACT  

1. On September 10, 2013, Mr. Miller entered a Pittsburg, Kansas, convenience store to purchase his lunch and two sodas. He placed the sodas in his shorts pocket. Prior to checking out, Mr. Miller realized he did not have sufficient funds to purchase any of the items. He replaced the lunch items and forgot to remove the sodas from his pockets. He remembered the sodas were in his shorts after returning to his vehicle. He did not return the sodas and he did not pay for the sodas. 

2. Because of his conduct, Mr. Miller was arrested and charged with misdemeanor theft. He was granted six months diversion, which he successfully completed. As a result, his case was dismissed on April 23, 2014. 

3. Mr. Miller applied for an initial teaching license on March 16, 2015, wherein he disclosed he had entered into a diversion agreement for misdemeanor theft and provided the supporting documents. 

4. There was no evidence Mr. Miller engaged in any other criminal activity. 

5. Mr. Miller acknowledged the wrongfulness of his past conduct and expressed remorse for the conduct.
CONCLUSIONS OF LAW AND DISCUSSION

1. The State Board may deny a teacher's license to any person for misconduct or other just cause including entering a diversion agreement for misdemeanor theft. K.A.R. 91-22-1a(a)(3),(11) and (b).

2. The Commission, in determining whether to recommend to the State Board that an individual's application should be granted, determines the extent of the applicant's efforts at rehabilitation as well as the fitness of the applicant to be a member of the teaching profession. See K.A.R. 91-22-1a(g).

3. The Commission finds Mr. Miller has clearly demonstrated a present recognition of the wrongfulness of his conduct and expressed remorse for his conduct. The Commission believed Mr. Miller sincere and credible.

4. The Commission finds that while only two years has passed since the criminal conduct occurred, it was an isolated incident. There is no evidence Mr. Miller previously engaged in or has engaged in any criminal activity other than the conduct that led to the misdemeanor theft charge. Additionally, the charge was ultimately dismissed because Mr. Miller successfully completed diversion. The Commission believes Mr. Miller is rehabilitated and is fit to teach.

THEREFORE the Professional Practices Commission concludes, by a vote of 7 - 0, subject to the State Board’s review, that Mr. Miller’s application for a teaching license should be granted.

This Initial Order is made and entered this June 15, 2015.

PROFESSIONAL PRACTICES COMMISSION

[Signature]
Calin Kendall, Chairman
Order signed on June 22, 2015.
NOTICE TO APPLICANT

This Order of the Professional Practices Commission is not a Final Order and is required to be reviewed by the State Board in accordance with the provisions of the Kansas Administrative Procedure Act.

You may submit to the State Board for its consideration as part of its review of the Initial Order, a written brief citing legal authority as to why the above recommendation should not be accepted. The legal brief must be filed with the Secretary of the Professional Practices Commission at the address indicated above within ten days after service of the Initial Order for transmittal to the State Board.

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of June, 2015, a true and correct copy of the above and foregoing was filed with the Secretary for the Kansas State Board of Education and one (1) copy was mailed by certified mail, return receipt requested, to:

Marshal Miller
3108 W. 23rd
Joplin, Missouri 64804

[Signature]
Theresa Coté
Secretary, Professional Practices Commission
To: Commissioner Randy Watson
From: Cheryl Johnson, Dale Dennis
Subject: Results of Kansas Recess Survey for Elementary Students
Date: 06/22/2015

Board Goals: Provide a flexible and efficient delivery system to meet our students’ varied and changing needs

Based on inquiries from members of the Kansas State Board of Education, an informational presentation will be given that addresses:

- The background regarding a survey of Kansas physical education teachers regarding practices, policies, and viewpoints of recess in Kansas schools.
- Results of the survey focusing on recess practices and policies at Kansas elementary schools.
- Conclusions and recommendations derived from the survey results.
- The importance of collaboration between KSDE, the Kansas Health Foundation, and the Kansas Association of Health, Physical Education, Recreation and Dance (KAHPERD) to conduct the survey and share the results.

Presenters include Dr. Mark Thompson, KSDE; Dr. Vicki Worrell, KAHPERD & Emporia State University; and Rick Pappas, Wichita State University.

Attached you will find a summary and results of the Kansas Recess Survey for your review.

Child Nutrition and Wellness
Phone: 785-296-2276
Fax: 785-296-1413
Results of Kansas Recess Survey

Background:
Through a collaboration of the Kansas Association for Health, Physical Education, Recreation and Dance (KAHPERD) and KSDE’s Healthy Kansas Schools, a survey focused on recess at Kansas schools was conducted in Fall 2014. The project was funded through a grant from the Kansas Health Foundation to KAHPERD. Recess is defined by the Centers for Disease Control and Prevention (CDC) as “regularly scheduled periods within the elementary school day for unstructured physical activity and play”. Recess is viewed as a valuable opportunity to incorporate physical activity for students during the school day. Numerous research studies point to benefits of recess in the areas of academic performance, student behavior, and health and well-being.

The goal of the survey was to gather information about policies, practices, and views regarding recess in schools across Kansas. The survey was developed by Dr. Vicki Worrell, Executive Director of KAHPERD and Professor at Emporia State University, Rick Pappas, a retired physical educator and current Physical Education Educator at Wichita State University, Jannelle Robins-Gaede, a retired physical education teacher and building principal, and Dr. Mark Thompson, Project Director for KSDE’s Healthy Kansas Schools. The survey consisted of 22 items and was distributed electronically via SurveyMonkey.

Response Rate:
The survey was distributed to 951 Kansas physical education teachers. Sixty-seven of the email addresses were not current or accurate leaving a total final distribution of 884. The response rate was 55% with a total of 487 responses to the survey. This was viewed as a very positive response rate.

A summary of the results of the survey accompany this report. The following are specific findings that might be of interest:

Encouraging results:
- 61% of elementary students receive 2 recess periods daily.
- Of the scheduled recess time, 75% or more is available for students to be physically active (67% of responses).
- At the vast majority of schools (90%) there is not pressure to use recess time for state assessment preparation time.
- 74% of respondents indicated that the percentage of students who are physically active during recess is 61% or more.

Areas for improvement:
- 63% of elementary students have 20 minutes or less allocated to daily recess.
- 61% of elementary students do not have lunch recess before they eat.
- Only 41% of schools have a policy prohibiting the withholding of recess as punishment and, of this percentage, 61% indicate that it is enforced.
- 71% of respondents indicated that either there is no budget for recess equipment and supplies (36%) or the amount budgeted is below $500 (35%)
- 41% indicated that the amount of free space available to students for active play was only “Adequate”
Lunch Prior to Recess:
The rationale for encouraging a recess prior to lunch is that multiple agencies (CDC, US Department of Agriculture, and National Education Association) recognize that at schools that schedule recess before lunch report students eating more fruits and vegetables, drink more milk, waste less food, and are better behaved on the playground, in the lunchroom, and in the classroom (Journal of Child Nutrition, Issue 2, Fall 2006).

Recommendations:
Recommendations, including some that are listed in the fact sheet developed at the conclusion of the Kansas Schools Recess Survey project include:

- Recess is a necessary break in the day for optimizing a child’s social, emotional, physical, and cognitive development. As such, recess is the child’s personal time and should not be withheld for academic or punitive reasons.
- Cognitive processing and academic performance depend on regular breaks from concentrated classroom work. Frequency and duration of breaks should be sufficient to allow the student to mentally decompress.
- Recess can serve to counterbalance sedentary time and contribute to the recommended 60 minutes of moderate to vigorous physical activity per day. This standard is strongly supported by a number of child health organizations as a means to lessen risk of overweight and obesity.
- Schools should strive to create recess environments that encourage all students to be physically active.

The Kansas Health Foundation and KAHPERD are to be commended for their commitment to creating healthier, more active school environments.
# Kansas School Recess Survey Summary

## Questions

<table>
<thead>
<tr>
<th>What grade levels are taught at your school?</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-K = 39%</td>
<td></td>
</tr>
<tr>
<td>K = 74%</td>
<td></td>
</tr>
<tr>
<td>1 = 75%</td>
<td></td>
</tr>
<tr>
<td>2 = 75%</td>
<td></td>
</tr>
<tr>
<td>3 = 75%</td>
<td></td>
</tr>
<tr>
<td>4 = 74%</td>
<td></td>
</tr>
<tr>
<td>5 = 73%</td>
<td></td>
</tr>
<tr>
<td>6 = 51%</td>
<td></td>
</tr>
<tr>
<td>7 = 40%</td>
<td></td>
</tr>
<tr>
<td>8 = 39%</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>How many daily recess periods does each grade level receive?</th>
<th># Recesses</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Pre-K</td>
<td>6%</td>
</tr>
<tr>
<td>Elementary</td>
<td>2%</td>
</tr>
<tr>
<td>Middle</td>
<td>54%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>What is the total time allocated for daily recess at your school?</th>
<th>Minutes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0-10</td>
</tr>
<tr>
<td>Pre-K</td>
<td>7%</td>
</tr>
<tr>
<td>Elementary</td>
<td>1%</td>
</tr>
<tr>
<td>Middle</td>
<td>53%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>What percentage of scheduled recess time is available for students to be physically active?</th>
<th>&lt;50%</th>
<th>50-74%</th>
<th>75%+</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>11%</td>
<td>22%</td>
<td>67%</td>
</tr>
<tr>
<td><strong>Question</strong></td>
<td><strong>Pre-K</strong></td>
<td><strong>Elementary</strong></td>
<td><strong>Middle</strong></td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
<td>-----------</td>
<td>----------------</td>
<td>------------</td>
</tr>
<tr>
<td>Do your students have lunch recess before they eat?</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td></td>
<td>30%</td>
<td>70%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>39%</td>
<td>61%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>20%</td>
<td>80%</td>
<td></td>
</tr>
<tr>
<td>Does your school have a policy that prohibits the withholding of recess as punishment or consequences (i.e. bad behavior, not finishing school work)?</td>
<td>Yes = 41%</td>
<td>No = 59%</td>
<td></td>
</tr>
<tr>
<td>If you answered “Yes” to the previous question, is this policy enforced?</td>
<td>Yes = 61%</td>
<td>No = 39%</td>
<td></td>
</tr>
<tr>
<td>During the state assessment and testing time of year, is there pressure to use recess time for test preparation?</td>
<td>Yes = 10%</td>
<td>No = 90%</td>
<td></td>
</tr>
<tr>
<td>How would you describe the recess at your school?</td>
<td>Unstructured Free Play = 76%</td>
<td>Students have specific options from which they can choose = 22%</td>
<td>Structured activities led by school staff = 2%</td>
</tr>
<tr>
<td>What form of recess do you believe is most beneficial to students?</td>
<td>Unstructured Free Play = 54%</td>
<td>Students have specific options from which they can choose = 41%</td>
<td>Structured activities led by school staff = 5%</td>
</tr>
<tr>
<td>What percentage of students, in your estimation, are “physically active” during recess?</td>
<td>&lt;20% = 3%</td>
<td>21-40% = 6%</td>
<td>41-60% = 17%</td>
</tr>
<tr>
<td>Question</td>
<td>Response</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>----------</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| What is the typical procedure for indoor recess?                        | 29% = Students go to the gym or commons area for Activity  
58% = Students remain in their classroom for activity  
3% = Recess is not held when students cannot go outside  
10% = Other (Other rooms - 32%, Movies – 23%, No Recess – 23%, Sit – 15%, Brain Breaks – 7%) |
| Does your school have a person designated to “oversee” all aspects of recess (i.e. schedule, maintenance, supervision)? | Yes = 52%  
No = 48% |
| If you answered “Yes” to the previous question, who serves in that role? | Physical Educator = 15%  
Classroom Teacher = 34%  
Principal = 28%  
Facilities Supervisor = 3%  
Other = 20% (Para – 9%, combination of all staff – 6%, paid lunch-room aide – 3%, assistant principal – 2%) |
| Has your school taken steps to make recess more physically active?      | Yes = 32%  
No = 68% |
| If you answered “Yes” to the previous question, please briefly explain those steps. | Encouraging walking/running or walking clubs = 29%  
Choice activities provided = 25%  
Providing equipment (balls, ropes, etc.) = 18%  
New playground equipment = 9%  
Peaceful Playground/Trouble Free Program = 7%  
Track/Fitness Trail = 6%  
Teachers encourage and help student find activity = 4%  
Structured recess activities = 2% |
| What is the budget for recess equipment and supplies for the school year? | $< 500 = 35$
$501-1,000 = 4$
$1,001-2,000 = 0$
There is a budget, but I don’t know the amount = 25%
No budget for recess equipment and supplies = 36%

| Please rate the safety and quality of the playground (space, surface areas, apparatuses) used for recess. | Exemplary = 17%
Good = 56%
Adequate = 21%
Poor = 6%

| Please rate the safety and quality of the recess equipment (i.e. balls, jump ropes,...) | Exemplary = 10%
Good = 54%
Adequate = 24%
Poor = 12%

| Please rate the amount of free space available to students for active play (soccer, kickball, four square). | Exemplary = 36%
Good = 14%
Adequate = 41%
Poor = 9%

| If you have anything else you wish to share regarding recess at your school, please indicate below: | 82 responses with wide variety of responses.
- Limited equipment = 15%
- Reduced recess time = 7%
- Need more outdoor space = 5%,
- Need to increase activity during recess = 4% |
To: Kansas State Board of Education
From: Peggy Hill
Subject: Monthly Board Reports & Requests for Future Agenda Items

These updates will include:

1. Committee Reports
2. Board Attorney’s Report
3. Individual Board Member Reports and Requests for Future Agenda Items
4. Chairman’s Report
REQUEST AND RECOMMENDATION FOR BOARD ACTION

Item Title:
Act to Appoint Delegate to the NASBE Annual Conference

Board Goals:
Board Matters

Recommended Motion:
It is moved that the Kansas State Board of Education appoint a member delegate to the annual conference of the National Association of State Boards of Education.

Explanation of Situation Requiring Action:
The annual conference of the National Association of State Boards of Education (NASBE) will be Oct. 22-24, 2015 in Baltimore, Maryland. This year’s theme is “States Charting a Course for Change.” Topics will include standards and assessments, new accountability models, education data use, early education, digital learning, school leadership, plus college, career and civic readiness. There will be working sessions and four keynote speakers, including 2014 National Teacher of the Year Sean McComb.

The annual conference also features the release of important reports, presentation of awards and the annual business meeting.
To: Board Members

From: Peggy Hill

Subject: Board Member Travel

Travel requests submitted prior to the meeting will be considered for approval by the Board.

Upcoming deadlines for reporting salary/payroll information to the Board office are:

<table>
<thead>
<tr>
<th>Pay Period Begins</th>
<th>Pay Period Ends</th>
<th>Deadline to Report</th>
<th>Pay Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/21/2015</td>
<td>7/04/2015</td>
<td>7/02/2015</td>
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<td>7/05/2015</td>
<td>7/18/2015</td>
<td>7/16/2015</td>
<td>7/31/2015</td>
</tr>
<tr>
<td>7/19/2015</td>
<td>8/01/2015</td>
<td>7/30/2015</td>
<td>8/14/2015</td>
</tr>
</tbody>
</table>

New Fiscal Year Began July 1.
To: Commissioner Randy Watson
From: Scott Smith, Brad Neuenswander
Subject: Assessment Discussion: Process for establishing cut scores for the Kansas Assessments
Date: 06/22/2015

Board Goals: Provide a flexible and efficient delivery system to meet our students’ varied and changing needs

Dr. Marianne Perie from the Center for Educational Testing and Evaluation (CETE) will be discussing the cut-score setting process as it will take place in July of 2015. She’ll explain the role of educational stakeholders involved as well as that of the Kansas State Board of Education.