

**KANSAS STATE BOARD OF EDUCATION
Meeting Minutes**

July 12, 2011

CALL TO ORDER

Chairman Dennis called the June meeting of the State Board of Education to order at 10:00 a.m., July 12, 2011 in the Board Room of the Kansas Education Building, 120 SE 10th Avenue, Topeka, Kansas.

7/12/11 a.m.
session audio
archive
(00:00:07)

ROLL CALL

All members were present:

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

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

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

APPROVAL OF THE AGENDA

Mrs. Wims-Campbell moved, with a second by Chairman Dennis, that the agenda be approved as presented. Ms. Storm asked to pull item 15 i., noting she had talked with staff and felt what she had learned would be of interest to the rest of the Board. Dr. Chappell asked to pull from the Consent Agenda items 15 b., e., f., k., and o. Mrs. Wims-Campbell and Mr. Dennis accepted the changes and the consent agenda was approved as amended on a vote of 8-2, with Waugh and Cauble voting in opposition.

(00:02:54)
MOTION

APPROVAL OF MINUTES

Mrs. Wims-Campbell moved, with a second by Chairman Dennis, that the minutes of the June meeting be approved as presented. The discussion that followed questioned the wording in the report on page 1 regarding the Kansas Open Meeting Act (KOMA) training. Several Board members noted that they had not participated in the e-mail correspondence that resulted in the Shawnee County Assistant District Attorney's ruling that a technical violation had occurred. Though stated at the KOMA training on June 14th that training would be required for all Board members, a re-reading of the Assistant District Attorney's letter did not indicate that the training was required, though steps should be taken to ensure "appropriate training and strict compliance with the KOMA going forward". It was agreed to correct the minutes to reflect Board members' concerns. The motion to approve the minutes as corrected carried 10-0.

(00:04:29)
MOTION

COMMISSIONER'S REPORT

Commissioner DeBacker updated the Board on issues with the building and the status of the request for proposals for a lease on a new building. She also reviewed plans to date regarding possible Race to the Top Early Learning Challenge grants announced in May by the U.S. D.O.E. The grant, if received, could provide up to \$50 million for Kansas and would allow Kansas to continue the state's efforts to create a seamless system of early learning in the state, as early childhood learning programs are coordinated by three different agencies at this time. The grant application must come from the Governor, but as yet there has been no commitment from the Governor's office to apply for it.

(00:15:00)

Generating a great deal of Board discussion was a proposal brought to the Board for Kansas to submit an application to serve as one of the lead states in a multi-state effort to develop the Next Generation Science Standards (NGSS). As a lead state, Kansas would be required to

(00:20:16)

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participate in at least four multi-state meetings, form a broad-based committee to consider the drafts as they are made available and provide state-level comments, and give serious consideration to adopting the NGSS once available. The effort builds on previous common standards developed by the National Science Teachers Association (NSTA) and the National Academy of Sciences as well as a conceptual framework for science standards being developed by a committee of experts in research and education from national science organizations. Coordinated by Achieve, Inc. the standards developed will be embedded in the framework which will define the essential content, science practices and cross-cutting science themes.

Matt Krehbiel, KSDE Science Education Consultant, was available with the Commissioner to answer questions. Several members reminded the Board that they had held reservations about the Common Core Standards for Mathematics and Language Arts because of the possibility of a move to develop common standards in other subject areas, particularly science and social studies. The fact that common standards had not yet proven to be beneficial increased the reluctance by some to become involved with another set of nationwide standards. The short time for development – approximately one year – created additional hesitation, as did the potential negative attention that could arise for Kansas.

On the other hand, several members expressed the desire to be participants in the development of the new standards because “having a place at the table” would give Kansas the opportunity to help direct the outcome. Mr. Krehbiel reviewed what involvement lead states would have in the process. A broad representation on the advisory committee for Kansas was ensured by the requirements outlined in the application. Because review of the current Kansas science standards is scheduled to begin in the fall of 2012, it was noted by some in favor of Kansas participation, that even if Kansas does not adopt the NGSS, the state’s involvement in their development could lay much of the groundwork for its own standards review.

MOTION
(00:45:47)

Mrs. Waugh moved, with a second by Mrs. Wims-Campbell, that the State Board approve Kansas’ participation in the development of the NGSS by submitting an application to become a lead state. After further discussion the motion carried 6-4, with Martin, Willard, Bacon and Chappell voting in opposition.

(01:00:51)

CITIZENS’ OPEN FORUM

Chairman Dennis declared the Citizen’s Open Forum open at 11:01 a.m. Steve Roberts, Overland Park, spoke against bigger government and more standards, and in favor of better teaching talent in the classroom. Shari Wilson, KACEE, Kansas City, again reminded the Board of the upcoming Green Schools Conference and thanked the Board for its support of KACEE by including it in the state budget request over the years. Chairman Dennis declared the Open Forum closed at 11:09 a.m.

BREAK
(01:09:00)

The Board took a break at 11:09 and returned at 11:20 a.m.

GROWTH MODEL PRESENTATION

(01:19:57)

Board members had a presentation on a growth model being developed by staff. State Board members had expressed an interest in adopting a growth model measuring academic improvement for accountability purposes, rather than the current system of using the state assessments to determine AYP. It was noted that as long as the current federal requirement to have all students performing at the proficient level by 2014 is in place, integrating the growth model into the state’s accountability system would little impact on the number making adequate yearly progress (AYP). In the discussion following the presentation, it was requested that a growth model be included in the February amendment to the state accountability

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plan submitted to U.S. D.O.E. Board members asked KSDE to come back in August with a presentation on non-AYP uses of a growth model.

The Board recessed for lunch at 12:14 and returned at 1:30 p.m.

LUNCH

REQUEST FROM MCPHERSON USD 418 FOR A WAIVER TO USE THE ACT FOR AN ADDITIONAL YEAR TO DETERMINE AYP

The State of Kansas on behalf of USD 418 McPherson School District received a waiver from the U.S. Department of Education permitting McPherson to administer the ACT-developed EXPLORE assessment in grades 6 through 8 and the ACT in high school in lieu of the State assessments. The waiver was granted for one year for 2010-2011. USD 418, McPherson, Superintendent Randy Watson appeared before the Board to request its support to have the Kansas State Department of Education request a similar waiver for 2011-2012 so that the district can continue using these assessments which support their comprehensive reform initiative *Citizenship, College and Career Readiness, C3*.

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(00:00:20)

After Mr. Watson's presentation, which included scores on the ACT instruments used, he answered questions from Board members. Mr. Willard moved, with a second by Dr. Chappell, that the State Board of Education authorize the Commissioner of Education to submit a waiver request from the U.S. Department of Education on behalf of McPherson USD 418. The waiver to waive Title I, Part A, Subpart 1, Section 111(a)(3)(A) and Section 1116(a)(1)(A) of the Elementary and Secondary Education Act (ESEA) would permit USD 418 to pilot the use of assessments by ACT in place of state assessments and to use the results from those assessments in accountability decisions for the 2011-2012 school year. The motion carried unanimously.

MOTION
(00:28:44)

FINANCIAL LITERACY PRESENTATION

Jim Graham, president of the Kansas Council on Economic Education gave a presentation on the Council's activities and the services it provides across the state. He also reported on a survey of schools. Those not providing personal financial education listed a variety of reasons for not doing so, including lack of staff training, limited teaching time and lack of curriculum resources. Graham said the council could help schools easily overcome all of the reasons listed for not providing the instruction.

(00:29:41)

KSDE staff members shared that the state has identified the Jump Start National Standards in K-12 Personal Finance Education (<http://www.jumpstart.org/national-standards.html>) as the state's standards for financial literacy. Staff reviewed where financial literacy is integrated into state standards. Board members briefly discussed whether to make personal finance a required course for graduation from Kansas high schools, but most Board members indicated they needed more information before making that decision. Additionally, it was noted that financial literacy included both economics and personal financial literacy and the question was asked the Board if it wanted to include both. KSDE staff was asked to provide information on how many districts already had a graduation requirement related to personal finance and also to recommend how best to ensure personal finance education was being offered in Kansas schools. In the meantime, staff indicated it would continue to work with schools in overcoming the perceived barriers to providing financial education in schools.

The Board took a break from 2:46 until 3:02 p.m.

BREAK
(01:18:54)

APPROVAL OF A PROPOSED FY 2013 BUDGET

After reviewing the state revenues and the FY 2013 budget allocation received from the Division of Budget, Deputy Commissioner Dale Dennis reviewed program funding options that had been provided to Board members in June for consideration at the July meeting. Two sentiments arose

(01:32:13)

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as the primary focus of the discussion of options for the proposed budget. Several suggestions were made about submitting a budget that would take into consideration the current state fiscal situation. While most Board members agreed such a substantial increase in the budget would not be considered, several shared that they believed they were obligated as advocates for children to recommend that current law be funded.

MOTION
(02:38:54)

Mr. Willard moved, with a second by Mr. Bacon, that the Board recommend a budget with a 3% increase on base state aid per pupil (bsapp) and supplemental general state aid - \$100 on the base, with the proviso that if additional state revenues are received that K-12 would receive 50%, with the bsapp being the first priority and any above that used to fund current law for other programs. In the discussion that followed, it was mentioned by one Board member that the Board could find itself as a defendant in a funding lawsuit if it didn't advocate for students in the state by funding the law. The motion failed 3-6-1, with Waugh, Dennis, Storm, Shaver, Chappell and Wims-Campbell voting in opposition and Cauble abstaining.

There was a motion from member Chappell to put a hold on implementation of the Common Core Standards in order to cut costs. The motion failed for lack of a second.

MOTION
(02:52:34)

Mrs. Waugh moved, with second by Mr. Dennis, that the Board recommend an FY 2013 budget that would fund all education programs currently in state statute at their statutory levels, and freezing funding at current levels for non-statutory education programs. The motion carried 6-3-1, with Bacon, Chappell and Willard voting in opposition and Martin abstaining.

BREAK

The Board took a short break at 4:30 while Deputy Dennis and the Commissioner put a list together of the programs recommended in order to clarify the motion. The meeting resumed at 4:43 p.m. Funded at the statutory level would be BSAPP, Supplemental General State Aid, Special Education, Parents as Teachers, Mentor Teacher, Professional Development, School Lunch, Capital Outlay State Aid, National Board Certification and Juvenile Detention Centers. Frozen at current levels would be Pre-K Pilot, After School Program and the Middle School After School Program.

APPOINTMENT TO THE SPECIAL EDUCATION ADVISORY COUNCIL

(03:17:32)

MOTION

Mrs. Martin moved that the Board appoint Joan Robbins as the Local Education Agency (LEA) Official, to the Special Education Advisory Council. Mrs. Wims-Campbell seconded the motion which carried unanimously.

ACTION ON RECOMMENDATIONS OF THE PROFESSIONAL PRACTICES COMMISSION

(03:18:05)

MOTION

Mrs. Martin moved, with a second by Mr. Willard that the State Board adopt the findings of fact and conclusions of the Professional Practices Commission and approved the recommendations of the Commission in Case No. 11-BR-04, Johnathon Bowers, and Case No. 11-FC-05, Andrew L. Crook. After discussion to clarify the issue of suspension or surrender of licenses in cases of breach of contract, the motion carried 9-1, with Chappell voting in opposition.

ACT TO CONTINUE A CONTRACT WITH CROSS & JOFTUS TO PROVIDE TECHNICAL ASSISTANCE, SUPPORT AND GUIDANCE TO SCHOOLS AND DISTRICTS ON IMPROVEMENT

(03:29:08)

Staff presented information about what is being accomplished with the Kansas Learning Network contract with Cross & Joftus as well as changes planned to implement the program with instate resources in future years.

MOTION
(03:46:12)

Mrs. Cauble moved, with a second by Mrs. Martin, that the State Board authorize the Commissioner of Education to continue a contract with Cross & Joftus, LLC to continue to provide assistance, support and guidance to districts and schools on improvement, in an amount not to exceed \$999,695.00. After a discussion of the cost/benefit of the project, the motion carried 9-1, with Chappell voting in opposition.

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CONSENT AGENDA

After Dr. Chappell indicated he needed more information about the items he had pulled from the Consent Agenda, Mrs. Wims-Campbell moved, with a second by Chairman Dennis, that the Consent Agenda be approved without including items 11 b., e., f., k., and o., and item i., pulled by Ms. Storm. The motion carried 10-0. In the Consent Agenda the Board :

- Received the monthly personnel report.
- Accepted the recommendations of the Licensure Review Committee in cases 2698, Lisa Mailszewski; 2707, Diana Rankin; 2711, Sandi Wheeler; 2719, Erica Pacheco; and 2721, Denise Perry, and The Archdiocese of Kansas City in Kansas.
- Issued Calendar Year 2011 licenses from July 12, 2011 to December 31, 2011 to commercial driver training schools: Drive Kansas, Inc. in Bonner Springs, KS; and Freedom Driving School, Lenexa, KS.
- Approved the 2011-2012 AmeriCorps New Grants for Coffeyville USD 445, \$64,605; and Youth Volunteer Corps of Kansas City, \$65,737; and Continuation Grants for Boys and Girls Clubs of Greater Kansas City, \$61,493; Boys & Girls Club of Lawrence, \$133,000; Catholic Charities of Salina, Inc., \$33,250; Communities In Schools of Kansas, \$93,100; Harvesters - The Community Food Network, \$66,442; Heartland Medical Center, \$93,100; Kansas Department of Wildlife and Parks, \$490,328; Kansas State University, Kansas Campus Compact, \$189,656; and United Way of Douglas County, \$132,990.
- Approved amendments to subgrants for the Technical Assistance System Network (TASN): Scaling Up a Sustainable Training System for Multi-Tier System of Supports (MTSS), Keystone Learning Education Service Center, Original Amount: \$582,359, Revised Amount: \$669,163; Scaling Up a Technical Assistance Coordination and Evaluation, Pittsburg State University, Original Amount \$179,992, Revised Amount: \$374,991; and Utah State University, Original Amount \$180,000, Revised Amount \$519,909; and the SPP/APR General Supervision, Timely and Accurate Data Project, Keystone Learning Services, Original Amount \$400,824, Revised Amount: \$435,362.
- Approved amended grants for postsecondary institutions implementing the requirements for the US Department of Education, OVAE, Rigorous Program of Study Grant award - Career Ready Kansas as follows: Original Year 1 In Kind amount of \$ 2,100 amended to \$2,500 and Original Year 1 US DOE amount of \$5,600 amended to \$9,000 for Wichita Area Technical College, Butler Community College Flint Hills Technical College, Manhattan Area Technical College, Fort Hays State University and Hutchinson Community College.

Contracts Approved:

The State Board authorized the *Superintendent the Kansas State School for the Blind's (KSSB) and the Kansas State School for the Deaf (KSSD)* to:

- enter into contracts for KSSB with Linda Ray, Assistive Technology Consultant, \$17,000; Ron Wilson, LCSW, Counseling/Evaluation Services, \$15,000; and USD 500 School District, Speech Therapy Services, \$32,000; and to receive out-of state tuition from the Liberty, Missouri School District and the Smithville, Missouri School District, each for one day student for the regular 2011-2012 school year in the amount of \$17,000 for each student.
- continue a contract between KSSD and 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 \$45,500.

The State Board authorized the *Commissioner of Education* to negotiate and enter into a contract with the Greater Wichita YMCA to assist in the grant management and technical assistance of the 21st Century Community Learning Centers in a contract amount not to exceed \$151,000.

ACTION ON ITEMS PULLED FROM THE CONSENT AGENDA

Regarding appointments, Dr. Chappell questioned why individuals are being hired for the KIDS data system and why the state was gathering the data for the federal government. He also questioned the process used to grant program approval and accreditation for institutions of

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higher education, stating he believed that the wrong things were being measured and the cost of the process for the institutions too high.

Dr. Ford explained for the Board, at the request of Ms. Storm, the Title I 1003(g) and 1003 (a) school improvement grants.

Regarding the Migrant Family Literacy grants, Dr. Chappell questioned the amount spent on 94 students when there was no data to show anything was improving. He also questioned the amount of money in contracts with West-Ed and questions about the need for the current contract to assist with the transition to the next generation of assessments when Kansas belonged to the Smarter Balance Consortium.

MOTION
(03:56:53)

Mrs. Waugh moved, with a second by Mrs. Shaver, that the State Board approve Consent Agenda items b., e., f., i., k., and o. The motion carried 9-1, with Chappell voting in opposition. By that action the following were approved:

- Confirmed the appointments of Tom Tosh to the position of Quality Assurance Technician on the Information Technology team effective June 12, 2011, at an annual salary of \$46,092.80; Rodney Hess to the position of Applications Developer III on the Information Technology team effective June 13, 2011, at an annual salary of \$50,918.40; Kimberly Wright to the position of Senior Trainer on the Information Technology team effective June 26, 2011, at an annual salary of \$50,918.40; James Daugherty to the position of Senior Education Research Analyst on the Research and Evaluation team effective June 27, 2011, at an annual salary of \$53,414.40; Jill Ladd to the position of Public Service Executive II on the Child Nutrition and Wellness team effective July 7, 2011, at an annual salary of \$53,414.40.
- Accepted the following recommendations of the Evaluation Review Committee for "Program Approval" for University of Saint Mary and Wichita State University: University of Saint Mary - "Approved" status with no areas for improvement through December 31, 2015 for Biology (I, 6-12), Chemistry (I, 6-12), Elementary (I, K-6), English (I, 6-12) and Math (I, 6-12); and "Approved" status with areas for improvement through December 31, 2015 for History and Government (I, 6-12) and Speech/Theatre (I, 6-12); Wichita State University - "Approved" status for District Leadership (A, PreK-12) with areas for improvement base on the Upgrade Report through December 31, 2014.
- Accepted the recommendations of the Evaluation Review Committee for "Continuing Accreditation" for Pittsburg State University through December 31, 2017 as follows: "Continuing Accreditation" at the Initial preparation level through December 31, 2017; "Continuing Accreditation for two years" at the Advanced preparation level" through December 31, 2012, with a focused visit on Standard 2 at the advanced level no later than Fall 2012.
- Approved Title I 1003(g) and 1003 (a) school improvement grants for FY 2011-2012: Title I 1003 (g) Tier I grant: Pleasant Valley Middle School, Wichita School District, \$1,700,000; Title I 1003 (g) Tier III grants in the amount of \$100,00 each for Kepley Middle School and Sullivan Elementary, Ulysses School District; Anderson Elementary, Franklin Elementary, Gardiner Elementary, Hamilton Middle School, Lincoln Elementary, Linwood Elementary, Spaght Multimedia Magnet Elementary, and Stanley Elementary, Wichita School District; Prairie Elementary, Haysville School District; Avenue A and Lincoln Elementary, Hutchinson School District; Everest Middle School, South Brown County School District; Charles Stones Elementary School, Garden City School District; Junction City Middle School, Junction City School District; Cottonwood Intermediate, Liberal School District; and Chase Middle School, Meadows Elementary, Ross Elementary, Scott Computer Technology Magnet and Shaner Elementary, Topeka School District; Title I 1003(a) Tier III grants in the amount of \$100,000 each for Jardine Technology Middle Magnet School and Truesdell Middle School, Wichita School District; and Banneker Elementary, Douglass Elementary, Bertram Caruthers Elementary, Central Middle School, Chelsea Elementary, Grant Elementary and Whittier Elementary, Kansas City School District.

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- Approved funding 2011-2012 Migrant Family Literacy Grants for USD 102 Cimarron, \$150,500; USD 209 Moscow, \$72,000; USD 214 Ulysses, \$90,930; USD 215 Lakin, \$100,000; USD 216 Deerfield, \$96,000; USD 218 Elkhart, \$55,000; USD 233 Johnson County Community College, \$225,000; USD 443 Dodge City, \$200,000; USD 457 Garden City, \$242,208; USD 500 Kansas City, \$75,000; and #609 Southeast Kansas Educational Service Center, \$54,558.
- Authorized the *Commissioner of Education* to negotiate and enter into a contract with WestEd to assist KSDE with the transition to the next generation of assessments in an amount not to exceed \$150,000.00.

RECESS

There being no further business, the meeting was recessed at 6:10 p.m.

David Dennis, Chairman

Penny Plamann, Secretary