

# APPROVED

## KANSAS STATE BOARD OF EDUCATION MEETING MINUTES JULY 15, 2009

**CALL TO ORDER**  
7/15/09 a.m. session  
audio archive  
(0:06:18)

Chairman Waugh called the meeting to order at 9:00 a.m. on Wednesday, July 15, 2009, in the Board Room of the Kansas Education Building, 120 SE 10<sup>th</sup> Avenue, Topeka, Kansas.

**ROLL CALL**

All members were present:

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

**MOTION TO  
APPROVE AGENDA**

Mrs. Martin moved, with a second by Mr. Willard, that the State Board approve the agenda. The motion carried.

**BOARD MATTERS - BOARD REPORTS**

**Board Chairman**  
(0:06:54)

Chairman Waugh handed out copies of the KACEE budget which had been requested by Mr. Bacon and copies of a brochure about the P-20 Council.

(0:09:55)

***National Association of State Boards of Education (NASBE) Dues:***

The Chairman asked for a motion to approve the 2010 membership dues for NASBE. Mr. Willard moved that the State Board approve payment of the invoice for \$29,021 sent by NASBE which would include \$5,000 for the Kansas Professional Development Fund. Mrs. Storm seconded the motion. Discussion followed. The motion carried unanimously.

(0:23:49)

***Suggestions for State Board Budgets Cuts for FY 2010***

Chairman Waugh discussed the state fiscal climate and suggested several ways the Board might cut costs. She opened up the issue for suggestions from Board members and discussion followed.

**MOTION**  
(0:37:13)

Dr. Chappell moved, with a second by Mrs. Martin, that for FY 2010 there be a one-year moratorium on holding Board meetings outside Topeka in order to save on Board and staff travel expenses; and that no out-of-state travel be approved unless it is paid by an outside source. Included in the discussion that followed were comments by Mrs. Shaver, Chair of the Board Policy Committee, about a recommended change to Board travel guidelines that might impact the vote on out-of state travel.

**MOTION TO DIVIDE  
THE QUESTION**  
(0:43:28)

Ms. Storm moved to divide the question. Mr. Bacon seconded the motion which carried 9-1, with Mrs. Martin voting in opposition.

**VOTE**  
(0:45:21)

The motion for a one-year moratorium on Board meetings outside Topeka carried on a voted of 10-0.

**MOTION TO TABLE**  
(0:46:58)

A brief discussion of an out-of-state travel freeze followed. Dr. Chappell moved, with a second by Mrs. Shaver, that the motion relating to the suspension out-of-state travel for FY 2010 be tabled until after the Board Policy Committee report. After further discussion, the motion carried 8-0, with Mr. Bacon and Mr. Dennis voting "no".

Additional discussion followed about cost-saving measures the Board might undertake. Chairman Waugh asked members to consider the issue over the next month for possible discussion at the August meeting. Ms. Storm said it would be helpful if Board members be provided with the Board's budget.

**PLAINTIFFS'  
EX. 188**

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### Report on Requests for Future Agenda Items

At the beginning of Chairman Waugh's report, she had handed out a follow-up report on all future agenda requests and their disposition since the beginning of the year. After the Board budget discussion, questions and discussion followed about development of the agenda. The Chair referred the process of Board member requests for future agenda items to the Policy Committee. Mrs. Cauble stated the need for the Board to be updated on P-20 Council activities on a regular basis. Mr. Willard concurred. Dr. Chappell asked for information about the 2010 Commission.

### Board Chairman

(continued)  
(0:40:54)

Robert Flynn, of Gates, Shields and Ferguson, filled in for Mr. Ferguson, Board Attorney, for the meeting. Mr. Flynn briefly reviewed the list of issues represented in Mr. Ferguson's billing for legal services for the month of June. In the discussion that followed, Mrs. Wims-Campbell asked to be kept up to date on the Douglas Wright case.

### Board Attorney

(1:11:41)

Mrs. Shaver moved, with a second by Mrs. Cauble, that the legal fees for June be paid as presented. Discussion followed and Dr. Chappell indicated he would not be able to vote for payment because the Board had not received the report for which it was being billed on its self-executing powers. The motion carried 9-1, with Dr. Chappell voting in opposition.

### MOTION

(1:22:13)

Dr. Chappell asked for the Board Attorney's monthly report prior to the meeting.

Ms. Storm reported that she had attended a meeting of the 2010 Commission where information from superintendents across the state was presented about how districts were dealing with budget cuts. She also reported on the meeting she, Chairman Waugh and the Commissioner had with the Governor.

### Legislative

### Coordinator

(1:25:09)

Chair of the Policy Committee, Mrs. Shaver, reviewed the recommended change to Board Policy 1006, Boardmanship Expectations – A. 2. Mrs. Shaver moved, with a second by Mrs. Martin, that the Board approve the recommended amendment. The motion carried 9-0, with Mr. Willard temporarily out of the room.

### Policy Committee

### MOTION

(1:31:50)

Mrs. Shaver reviewed the Policy Committee's recommended change to Board Policy 3002, Staff Treatment, Commissioner Limitations, regarding unclassified appointments. Mrs. Shaver moved, with a second by Mrs. Wims-Campbell, that the recommended amendment be approved. Discussion followed. The motion carried 8-2, with Mr. Bacon and Dr. Chappell voting in opposition.

### MOTION

(1:33:15)

Mrs. Shaver reviewed proposed changes to Guidelines for Approval of Board Meeting Attendance: B. 2., 3., and 4., Preapproved Attendance; C 1. (b), Discretionary Attendance; D. Annual Allocation for Board Member Travel; and new section E., Definitions. Discussion followed.

(1:39:01)

Dr. Chappell moved that the Board table the discussion of changes to Board travel guidelines until the August meeting. Ms. Storm provided a second to the motion. Discussion followed. The motion failed on a vote of 4-6, with Board members Dennis, Shaver, Waugh, Cauble, Wims-Campbell and Martin voting in opposition.

### MOTION TO

### TABLE

(1:48:55)

Mrs. Shaver finished her review of the proposed changes to travel guidelines by explaining how member allocations have been developed and the changes in the process being recommended. A brief discussion followed.

The Board took a break from 11:55 a.m. until 12:03 noon.

### BREAK

(1:59:00)

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**MOTION**  
(2:07:00)

After returning from the break, discussion arose about the motion that had been laid on the table regarding out-of-state travel. Ms. Storm moved, with a second by Mrs. Wims-Campbell, that the motion relating to the suspension of out-of-state travel for FY 2010 remain on the table until the August meeting. The motion carried 6-0, with Board members Chappell, Willard, Bacon and Cauble temporarily absent.

**COMMUNICATIONS  
COMMITTEE**  
(2:10:24)

Mr. Dennis presented a draft communications plan for the Board to review. One recommendation being made by the Committee was to postpone focus groups in Board member districts until after a new commissioner is hired.

**Other Board  
Member Reports**  
(2:12:50)

Mr. Dennis, Mrs. Martin, Mrs. Wims-Campbell and Mrs. Cauble reported on recent meetings attended. Mrs. Wims-Campbell handed out a brief from the National Council of State Legislatures on teacher leaders. Mrs. Cauble handed out written reports on the NASBE Governmental Affairs meeting she had attended and the recent Education Commission of the States meeting. She asked the Department to look into the 21<sup>st</sup> Century Skills assessment used in Georgia that was highlighted in one of the sessions.

**Requests for  
Future Agenda  
Items**  
(2:23:05)

There were not requests for future agenda items.

**BUDGETS - KANSAS STATE SCHOOL FOR THE DEAF AND KANSAS STATE SCHOOL FOR THE BLIND**  
(2:24:27)

Deputy Commissioner Dennis reported that the Division of Budget's recommendations were not yet available for the two schools or for the Department of Education.

Superintendent Maile, Kansas State School for the Deaf (KSSD), and Superintendent Burkindine, Kansas State School for the Blind (KSSB), respectively, reviewed their revised budgets for FY 2010 and discussed cuts that they have had to make. They also reviewed reduced resource and enhancement budgets for FY 2011 and answered Board member questions.

**MOTION**  
(2:53:20)

In response to the July 2009 budget cuts ordered by Governor Parkinson, Mrs. Martin moved that the State Board of Education approve an amendment to the salary schedule for the Kansas State School for the Blind, thereby reducing the number of teacher contract days by 2 for a total of 183 days. All other terms and conditions of the salary schedule will remain in effect as approved by the Kansas State Board of Education as approved at its June 2009 meeting. Ms. Storm provided a second for the motion which carried 9-0. Mr. Willard was temporarily out of the room.

**STATE BOARD OF EDUCATION BUDGET RECOMMENDATIONS**  
(2:58:39)

Deputy Commissioner Dennis reviewed the results of a survey of districts on positions and program cuts that have been implemented because of economic conditions. He reported that FY 2009 reductions amounted to \$167.2 million. He also reviewed state general fund projections. To begin the budget discussion, the Deputy Commissioner reviewed budget options and their funding history for the Board. At the request of Dr. Chappell he also handed out and explained a summary of district cash balances, using July 1, 2008 as an example. Discussion followed. (Mrs. Cauble left the meeting at 12:20 p.m.)

**MOTION**  
(3:58:38)

Fund Current Law

Mrs. Wims-Campbell moved, with a second by Mr. Willard, that the Board support and recommend to the legislature funding the current law for FY 2011. Brief discussion followed and the motion carried 8-1, with Dr. Chappell voting in opposition and Mrs. Cauble absent. The recommendation totaled \$281,780,223 million and included:

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General State Aid – BSAPP \$4,492 – \$173,990,000; Supplemental General State Aid – \$33,900,000; Special Education ( 92% of excess cost) – \$34,931,223; Capital Outlay – \$27,000,000; Parents As Teachers – \$460,000; Mentor Teacher Program – \$1,800,000; Professional Development – \$8,500,000; School Lunch – \$904,000; and National Board Certification – \$295,000.

Kansas Association for Conservation and Environmental Education (KACEE)

Dr. Chappell moved, with a second by Mr. Dennis, that the State Board include \$35,000 for KACEE in its budget recommendation. Discussion followed. The motion carried 7-2, with members Willard and Bacon voting in opposition.

**MOTION**  
(4:02:12)

Kansas Historical Society

Mrs. Wims-Campbell moved, with a second by Ms. Storm, that the State Board include \$35,000 for the Kansas Historical Society in its budget recommendation. Discussion followed. The motion carried 6-3, with members Chappell, Willard and Bacon voting in opposition.

**MOTION**  
(4:05:02)

Kansas Career Pipeline

After brief discussion, Mr. Willard moved, with a second by Ms. Storm, that the State Board include \$91,965 for the Kansas Career Pipeline in its budget recommendation. Additional discussion followed. The motion carried 9-0.

**MOTION**  
(4:08:55)

Ag in the Classroom

Mr. Bacon moved, with a second by Mr. Willard, that the State Board include \$35,000 for the Ag in the Classroom in its budget recommendation. The motion carried 9-0.

**MOTION**  
(4:12:00)

Communities in Schools

Mrs. Shaver moved, with a second by Mr. Dennis, that the State Board include \$35,000 for Communities in Schools in its budget recommendation. Discussion followed. The motion carried 8-1 with Mr. Bacon voting "no".

**MOTION**  
(4:12:58)

Leadership Initiatives

Discussion followed about several other funding options and the leadership initiatives recommended by the Kansas Education Leadership Commission. Mrs. Wims-Campbell moved, with a second by Mrs. Shaver, that the State Board include \$500,000, phased in over two years, for leadership initiatives in its budget recommendation. Discussion followed. The motion failed 5-4, members Martin, Chappell, Willard and Bacon voting in opposition.

**MOTION**  
(4:19:34)

**BOARD MEMBER TRAVEL REQUESTS**

Mrs. Shaver requested that mileage for July 16<sup>th</sup> and 17<sup>th</sup> be removed from her request. Discussion occurred regarding funding Dr. Chappell's travel request to the Word of Life Traditional School.

(4:25:35)

Mr. Bacon moved, with a second by Dr. Chappell, that the travel requests be approved as amended. Discussion followed. Mrs. Wims-Campbell asked that approval for participation in the Policy Committee meeting be removed from her requests. Mrs. Martin asked to add the NGA education pay initiative meeting on July 21<sup>st</sup> to her requests. Mr. Bacon and Dr. Chappell allowed the additional changes to the motion. The motion failed on a vote of 5-4, with Dennis, Waugh, Shaver and Storm voting in opposition.

**MOTION**  
(4:29:44)

Mrs. Shaver moved, with a second by Mr. Dennis, that Board member travel requests as amended with the exception of the Word of Life Traditional School site visit. Discussion followed. The motion failed 5-4, with Willard, Chappell, Bacon and Martin voting "no".

**MOTION**  
(4:33:39)

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**MOTION**  
(4:41:06)

Mr. Willard moved, with a second by Mrs. Martin, approve travel requests as amended. Discussion followed. The motion carried 8-1, with Mrs. Waugh voting "no".

**ADJOURNMENT**

There being no further business, Chairman Waugh declared the meeting adjourned at 1:25 p.m.

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Janet Waugh, Chairman

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Penny Plamann, Secretary

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