

# MINUTES



Kansas State Board of Education

Tuesday, April 13, 2021

## CALL TO ORDER

Chairman Jim Porter called the monthly meeting of the Kansas State Board of Education to order at 10 a.m. Tuesday, April 13, 2021, in the Board Room of the Landon State Office Building, 900 SW Jackson St., Topeka, Kansas. Mr. Porter welcomed guests attending in person and those viewing online. He congratulated the eight finalists for Kansas Teacher of the Year who were named since the Board last met. Mr. Porter also acknowledged that April is Autism Awareness Month and National Child Abuse Prevention Month. May 3 begins National Teacher Appreciation Week.

(00:13:06)

## ROLL CALL

All Board members were present:

Betty Arnold	Ben Jones
Jean Clifford	Ann Mah
Michelle Dombrosky	Jim McNiece
Melanie Haas	Jim Porter
Deena Horst	Janet Waugh

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

Chairman Porter read both the Board's Mission Statement and Kansans Can Vision Statement. He then asked for a moment of silence after which the Pledge of Allegiance was recited.

## APPROVAL OF AMENDED AGENDA

Chairman Porter announced that two separate Executive Sessions would be added to the agenda, one for consultation with attorney and another for personnel matters. Both would occur after Legislative Matters in the afternoon. Mrs. Dombrosky asked for separate votes on consent agenda items 19. e. (Preschool Pilot Grants), 19 i. (Kansans Can Competencies Framework contract continuation) and 19 j. (training of education advocates for students with disabilities). There were no other changes. Dr. Horst moved to approve the Tuesday agenda as amended. Mrs. Clifford seconded. Motion carried 10-0.

**MOTION**  
(00:16:34)

## APPROVAL OF THE MARCH MEETING MINUTES

Mrs. Clifford moved to approve the minutes of the March 9 and 10 regular Board meeting. Dr. Horst seconded. Motion carried 10-0.

**MOTION**  
(00:17:02)

## REPORT ON HOW SCHOOL DISTRICTS TEACH FINANCIAL LITERACY THROUGH MULTIPLE CONTENT STANDARDS

Deputy Commissioner Brad Neuenswander, Division of Learning Services, provided results from a 2021 financial literacy education survey, then compared the results with a 2016 survey asking the same questions. Dr. Neuenswander shared the district-level responses, noting that 285 of the state's 286 school districts report offering financial literacy instruction in high school. Some also introduce the coursework in the lower grades. The survey also considered format, i.e. stand-alone course or embedded in other curriculum such as math or business. Districts choose what curriculum to use for their students. Survey results in 2021 showed significant growth since 2016.

(00:17:29)

**CITIZENS' OPEN FORUM**

Chairman Porter declared the Citizens' Forum open at 10:35 a.m. Speakers and their topics were: Joy Eakins, FlagshipKansas.Tech — advocate for computer science as a core credit; Ashley Scheideman, FlagshipKansas.Tech — importance of computer science education; Luis Rodriguez, FlagshipKansas.Tech — computer science education instills basic computational thinking. Chairman Porter declared the Citizens Forum closed at 10:48 a.m.

(00:49:09)

**COMMISSIONER'S REPORT & ANNOUNCEMENT OF STAR RECOGNITION AWARD RECIPIENTS**

Dr. Randy Watson presented new recommendations from the Centers for Disease Control and KSDE's team of medical advisors that reduce social distancing in the classroom from 6 feet to 3 feet. This does not include other congregate settings, only the classroom. Board members would be asked to update the Navigating Change document later in the meeting. Next, Dr. Watson spoke about the Kansans Can Star Recognition and Commissioner's Award Program which commends school systems for exceptional achievements in the various Board-identified outcomes. These are high school graduation, academically prepared for postsecondary, postsecondary success, social-emotional growth, kindergarten readiness, Individual Plan of Study and Civic Engagement. He explained the different levels of merit — Gold, Silver, Bronze and Copper. Districts can qualify in multiple areas. The Commissioner's Award recognizes districts that exceed their predicted postsecondary effectiveness rate against challenging risk factors that impact student achievement. Members received a list of all honorees for the 2020 Awards. The window is now open for 2021 recognition.

(01:01:52)

Board members took a break until 11:40 a.m.

**BREAK**

**INFORMATION ON DEVELOPMENT OF NAVIGATING NEXT GUIDANCE**

Dr. Brad Neuenswander outlined the decision-making process for compiling information within the Navigating Next guidance, a document that builds upon the Navigating Change guidance provided to schools at the beginning of the COVID-19 pandemic. While Navigating Change focused on multiple learning environments and school safety operations, Navigating Next takes a broader look at concluding the current school year and preparing for the start of the 2021-22 school year. Among the themes are assessing student learning and engagement with families. The guidance also supports school systems in determining optimum use of federal COVID-19 relief funds. It was unknown at the time of development that there would be a third phase of federal assistance. Dr. Neuenswander reminded members about the Teaching and Leading Project website, a partnership with service centers and other groups to provide and share resources correlating with Navigating Next content. The information is updated to meet the needs of districts and families.

(01:58:30)

Chairman Porter recessed the meeting for lunch at 11:57 a.m. The Board's Policy Committee met over the lunch break.

**LUNCH**

**RECOGNITION OF 2021 US SENATE YOUTH PROGRAM DELEGATES AND ALTERNATES**

At 1:30 p.m., Chairman Porter reconvened the meeting and welcomed Denise Kahler, Director of Communications, to introduce the 2021 US Senate Youth program delegates from Kansas. This program is for high school juniors and seniors who have particular interests in government, history and politics, plus meet rigorous criteria. Honorees are Sean-Patrick Hurst, Yates Center High School, USD 366 and Seth Jarvis, Burlington High School, USD 244 (delegates); Charles Birt, Shawnee Mission East High School, USD 512, and Sean Wentling, Derby High School, USD 260 (alternates). Students participated virtually to share what they learned during Washington Week, from speakers and other delegates. The William Randolph Hearst Foundation provides undergraduate college scholarships in the amount of \$10,000.

**P.M. SESSION**  
(03:43:02)

**INFORMATION ON EFFECTIVE USE OF RESTORATIVE JUSTICE PRACTICES IN SCHOOLS AND REPORT ON LEARNING SERVICES FOR INCARCERATED STUDENTS**

Board members have requested information regarding learning services provided to incarcerated students across Kansas as well as restorative justice practices implemented in schools. Rachel Beech, KSDE Educational Program Consultant, reported on the number of students served through juvenile detention centers, juvenile corrections and adult corrections programs in various state facilities. She gave an overview of supplemental services provided as part of Title I Part D. General education, special education, credit recovery and specialty training are a few of the services. Next, staff from USD 500 Kansas City Kansas Public Schools shared how their district supports academic and social-emotional growth through a restorative schools initiative, focusing on relationship building and positive culture development. Among the outcomes are reduction in behavior referrals and suspensions. Universal training on trauma-sensitive practices has been widespread in the district. Community partners have been important to the initiative.

(04:02:20)

**INFORMATION FROM EDUCATION COMMISSION OF THE STATES ON RESOURCES FOR STATE EDUCATION LEADERS**

The Education Commission of the States partners with education policy leaders across the United States. Joel Moore, ECS State Relations Strategist/Kansas liaison, and Jeremy Anderson ECS President, met with the Board virtually to talk about the services they provide state education leaders and policymakers as a bipartisan association. These include research, state education policy tracking and 50-state comparisons among many other resources.

(04:38:37)

**ANNOUNCEMENT OF KANSAS CAREER AND TECHNICAL EDUCATION SCHOLARS FOR 2021 AND UPDATE ON CTE PATHWAYS**

The Career and Technical Education Scholar recognition program began as an opportunity to recognize well-rounded outstanding CTE students. Students apply for the certificate. The qualifying criteria includes workplace experience and community service. CTE Scholar Coordinator Stacy Smith announced that there are 50 Kansas CTE scholars for 2021. Board members received a list of the honorees, their school of attendance, field of study and career interest.

(04:50:10)

Mr. Smith then spoke about the CTE pathways students can experience in high school that help develop employability skills and prepare them for the transition to postsecondary programs or employment. He covered work-based learning pilots occurring in different regions of the state as well as the involvement of other stakeholders to help ensure CTE areas keep up-to-date with industry standards.

There was a break until 3:25 p.m.

**BREAK**

**PROCESS FOR DISTRIBUTION OF ESSER III AND EANS II FEDERAL FUNDS TO SUPPORT COVID-19 RESPONSE EFFORTS IN SCHOOLS**

Specific rules and requirements accompany the federal relief funds to aid schools impacted by the COVID-19 pandemic. There are now three phases of the Elementary and Secondary School Emergency Relief (ESSER) funds and two phases of the Emergency Assistance to Non-Public Schools (EANS). Commissioner Dr. Randy Watson and KSDE Assistant Director Tate Toedman summarized the general rules, funding amounts, application process for the assistance and timeline. Each of the phases has slightly different requirements based on the federal instructions for use. The Commissioner's Task Force providing distribution oversight is reviewing the private school requests seeking products, services and staffing. Recommendations will come to the State Board at a special meeting April 19.

(05:38:40)

Dr. Watson outlined the framework of recommendations for prioritizing distribution of the ESSER III 10 percent set-aside funds to address learning loss, create summer enrichment opportunities and after-school programs, statewide teacher training, and other supports to school districts. The federal assistance is spread over four summers and three school years, concluding in September 2024. Board members had questions or comments throughout the presentation. Mrs. Waugh moved to accept the recommendations of the Commissioner's Task Force on ESSER II, ESSER III and EANS Distribution of Money and approve the current submission of school district expenditure plans. Dr. Horst seconded. Discussion followed, including a conversation about having more time to consider the recommendations. Mr. Jones moved to table the motion on the floor until Wednesday. Mrs. Dombrosky seconded. Motion to table carried 7-3 with Dr. Horst, Mrs. Haas and Mr. Porter in opposition.

**MOTION**  
(06:23:15)

**MOTION**  
(06:25:00)

### **ACTION ON APPOINTMENT TO KSHSAA BOARD OF DIRECTORS FOR 2021-2023**

The Kansas State High School Activities Association Board of Directors consists of not less than 60 members. Kansas Statute states that at least two directors shall be representatives of the State Board of Education, appointed by the State Board. Current representatives are Deena Horst, whose term continues through June 30, 2022, and Jim McNiece, whose term ends June 30, 2021. Mr. Porter moved to nominate Jim McNiece to serve another two-year term on the KSHSAA Board of Directors, beginning July 1, 2021. Mr. Jones seconded. There were no other nominations. Motion carried 9-0-1 with Mr. McNiece abstaining.

**MOTION**  
(06:26:24)

### **ACTION ON BOARD ATTORNEY CONTRACT RENEWAL**

Mr. Porter moved to approve renewal of Contract ID 47925 with Gates Shields Ferguson Swall Hammond P.A. for providing legal services for the period July 1, 2021 through June 30, 2022 with no increase in rates. Mr. McNiece seconded. Motion carried 10-0.

**MOTION**  
(06:27:08)

### **ACTION ON CONSENT AGENDA**

Mr. McNiece moved to approve items on the Consent Agenda, excluding (19 e. Preschool Pilot Grants, 19 i. Kansans Can Competencies Framework contract continuation and 19 j. training of education advocates for students with disabilities), which would be voted on separately. Mrs. Arnold seconded. Motion carried 10-0. In the Consent Agenda, the Board:

**MOTION**  
(06:27:59)

- received the monthly Personnel Report for March.
- confirmed the unclassified personnel appointments of Jenna Petesch as Auditor on the Fiscal Auditing team, effective March 1, 2021, at an annual salary of \$43,992; Joshua Fairman as Auditor on the Fiscal Auditing team, effective March 1, 2021, at an annual salary of \$43,992; Angela Feyh as Quality Assurance Technician on the Information Technology team, effective March 7, 2021, at an annual salary of \$51,126.40; Elaine Rodriguez as Administrative Specialist on the Teacher Licensure and Accreditation (Kansas Volunteer Commission) team, effective March 21, 2021, at an annual salary of \$36,504; Alicia Newland as Consultant on the Child Nutrition and Wellness team, effective March 31, 2021, at an annual salary of \$49,920.
- accepted the following recommendations for licensure waivers valid for one school year: *Gifted* — Rachel Pedigo, USD 253; Melissa Jacobs, USD 438. *High Incidence Special Education* — Aubrey Jenkins-Kehres, Jesse Gonzalez, USD 253. *Early Childhood Special Education* — Amalia Gonzalez, USD 253; Helen Woolsey, D0720.
- issued licenses to the recommended Kansas Driver Training Schools listed for the period April 13, 2021 to Dec. 31, 2021: Johnny Rowlands Driving School West, Shawnee; Johnson County Community College, Overland Park; Premier Driving School Dodge City; Kansas International Drivers Dodge City; Kansas City Kansas Community College, Kansas City.

- accepted the program approval recommendation of the Evaluation Review Committee for **Pittsburg State University** - Innovative/Experimental High Incidence, K-6 MAT, new program through June 30, 2021.
- authorized the following districts to hold elections on the question of issuing bonds in excess of issuing bonds in excess of the district's general bond debt limitation: USD 418 McPherson, USD 289 Wellsville.
- authorized the following districts to receive capital improvement (bond and interest) state aid as authorized by law: USD 418 McPherson, USD 289 Wellsville.

### **SEPARATE ACTION ON CONSENT AGENDA ITEMS**

At the beginning of the meeting, Mrs. Dombrosky requested three consent items be considered apart from the original consent agenda. She agreed that the trio could be voted on as one unit. Mr. Jones moved to approve consent items 19 e. Preschool Pilot Grants, 19 i. Kansans Can Competencies Framework contract continuation and 19 j. training of education advocates for students with disabilities. Mr. McNiece seconded. Motion carried 8-1 with Mrs. Dombrosky in opposition. Mrs. Mah was absent for the vote. The vote affirmed:

**MOTION**  
(06:28:42)

- funding of the Kansas Preschool Pilot grants for 2021-22, subject to legislative approval of funding, in an amount not to exceed \$8,332,317.
- continuing a contract with Noonan Gaumer Erickson LLC to maintain and continually develop a cadre of recognized Kansans Can Competency Framework trainers to meet the professional development and coaching needs of Kansas schools for the period July 1, 2021 through June 30, 2023 in an amount not to exceed \$392,040 to be paid out of the federal Title IV Part A funds.
- initiating a bid process and entering into a contract for the purpose of operating a state-wide program for the identification and training of education advocates for students with disabilities for the period July 1, 2021 through June 30, 2026, in an amount not to exceed \$1,625,000 out of federal funds. The vendor will be determined through the bid process.

Members took a five-minute break.

**BREAK**

### **LEGISLATIVE MATTERS**

Dr. Craig Neuenswander reported on the end of the regular legislative session, which concluded without approval of a KSDE budget. He reviewed the status of selected House and Senate bills that impact education. Among these were HB 2089 (standardizing firearm safety education in schools) and HB 2309 (requiring students to pass American civics test in order to graduate high school and requiring instruction in personal financial literacy). It was noted that the State Board has direct responsibility for setting graduation requirements and local school districts decide which curriculum to use. Dr. Neuenswander also answered questions about the status of State Board legislative priorities that never advanced.

(06:36:46)

### **EXECUTIVE SESSION #1**

Mrs. Waugh moved to recess into Executive Session to discuss the subject of legal matters with legal counsel, which is justified pursuant to the exception for matters which would be deemed privileged in the Attorney-Client relationship under KOMA, in order to protect the privilege and the Board's communications with an attorney on legal matters. The session would begin at 5 p.m. for 30 minutes. Board Attorney Mark Ferguson, Commissioner Randy Watson, KSDE General Counsel Scott Gordon, Deputy Commissioners Brad Neuenswander and Craig Neuenswander

**MOTION**  
(07:04:51)

were invited to join. Mrs. Haas seconded. Motion carried 10-0.

The open meeting resumed at 5:30 p.m. Mr. McNiece moved to extend the same Executive Session for consultation with attorney for 15 minutes, beginning at 5:31 p.m., with the same invitees present. Mr. Jones seconded. Motion carried 10-0.

The open meeting resumed at 5:46 p.m. There was no action as a result of the Executive Session.

**EXECUTIVE SESSION #2**

Mrs. Waugh moved to recess into Executive Session to discuss the subject of an individual employee's performance, which is justified pursuant to the non-elected personnel exception under KOMA, in order to protect the privacy interest of the individual(s) to be discussed. The session would begin at 5:50 p.m. for 10 minutes. Board Attorney Mark Ferguson was invited to join. Mr. McNiece seconded. Motion carried 10-0.

**RECESS**

The open meeting resumed at 6 p.m. at which time Chair Porter recessed the meeting until 9 a.m. Wednesday.

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Jim Porter, Chair

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Peggy Hill, Secretary

# MINUTES



Kansas State Board of Education

Wednesday, April 14, 2021

## CALL TO ORDER

Chairman Jim Porter called the Wednesday meeting of the State Board of Education to order at 9 a.m. on April 14, 2021.

(00:08:49)

## ROLL CALL

All Board members were present:

Betty Arnold	Ben Jones
Jean Clifford	Ann Mah
Michelle Dombrosky	Jim McNiece
Melanie Haas	Jim Porter
Deena Horst	Janet Waugh

## APPROVAL OF AMENDED AGENDA

Chairman Porter announced additions to the day's agenda. Following the morning break, Commissioner Watson would again review the recommendations for prioritizing set-aside money for ESSER III federal relief funds. Then the Board would take up a tabled motion from yesterday. Following the Chair's report, there would be potential action on a motion regarding legislative matters. Mrs. Haas moved to approve the Wednesday agenda as amended. Mr. Jones seconded. Motion carried 10-0.

**MOTION**  
(00:09:26)

## PRESENTATION AND DISCUSSION ON ACT WORKKEYS AND WORK READY COMMUNITIES

The ACT WorkKeys assessments measure foundational skills required for success in the workplace. KSDE Education Program Consultant Natalie Clark shared information on the ACT WorkKeys assessment areas (applied math, graphic literacy, workplace documents) and the levels to achieve a National Career Readiness Certificate. She talked about the correlation between a student's Individual Plan of Study and development of career pathway readiness. She illustrated how to search the occupational profile database. Next, Mrs. Clark transitioned to the importance of Work Ready Communities, which promote economic growth and competitiveness while linking education with the workforce.

(00:10:10)

Guest presenters were Breahna Crawford, Circle USD 375; Jordan Buxton, El Dorado Chamber of Commerce in Butler County; Jack Allston, Pottawatomie County Economic Development; Jina Kugler, Wamego USD 320; and Cheri Tune, ACT. They shared unique experiences within their schools and communities to invest in the future workforce. Such ideas include students earning an essential skills certificate before leaving high school, using WorkKeys as a tool, and schools partnering directly with businesses. Among the goals are to help students learn about themselves and the world of work.

Board members took a break from 10:25 to 10:40 a.m.

**BREAK**

**ACTION ON PRIORITIZING DISTRIBUTION OF FEDERAL FUNDS TO SUPPORT COVID-19 RESPONSE EFFORTS IN SCHOOLS**

Commissioner Watson described the origin of recommendations for using set-aside federal relief funds while abiding with stipulations. He relied on input from several educational advisory councils and educational organizations to help work through the complexity of the process. Dr. Watson reiterated statements from his presentation on Tuesday that established a framework for using set-aside money in these areas: address learning loss, statewide training, assessment assistance, summer enrichment programs, after-school programs, and direct supports to schools. Requests for Proposals for contacts will arrive at different intervals for Board approval. There were a number of questions and comments, including reaching targeted areas, anticipated hurdles, measuring learning gain, distribution of money for summer programs and filling school staffing needs.

(01:49:26)

Chairman Porter brought back the tabled motion made by Mrs. Waugh yesterday. Board members unanimously agreed to accept a substitute motion to replace the tabled one. Mrs. Waugh made the substitute motion to approve prioritizing the ESSER III 10 percent set-aside money through 2024. Dr. Horst seconded. During discussion, Mrs. Mah asked that the motion reference how the money would be spent, by adding “as presented” to the motion. Mrs. Waugh and Dr. Horst agreed to the amendment. Therefore, the motion—made and seconded—is to approve prioritizing the ESSER III 10 present set-aside money through 2024, as presented. Motion carried 9-1 with Mrs. Dombrosky in opposition.

**MOTION**  
(02:47:40)

**RESTATED MOTION**  
(02:48:49)

**CHAIRMAN'S REPORT**

**Action on Board Travel** — Board members had the opportunity to make changes or additions to the travel requests for approval. Mr. McNiece moved to approve the travel requests and updates. Dr. Horst seconded. Motion carried 10-0.

**MOTION**  
(02:55:00)

**Action on updates to Navigating Change document** — Dr. Watson reviewed proposed updates to guidance in *Navigating Change: Kansas' Guide to Learning and School Safety Operations* that he described during his Commissioner's Report to the Board on Tuesday. These updates center on social distance reduction from 6 feet to 3 feet in the classroom, based on recommendations from the Centers for Disease Control and state's medical advisory team. Mr. Porter moved to accept the updates to the Navigating Change document reflecting changes and new information since State Board approval on Feb. 9. Mrs. Arnold seconded. Motion carried 9-1 with Mrs. Dombrosky in opposition.

**MOTION**  
(02:55:40)

**Designation of State Board Representatives** — Board members designated Melanie Haas to represent the State Board at the Kansas State School for the Blind graduation May 13, and Michelle Dombrosky to be the Board representative at the Kansas School for the Deaf graduation May 27.

**Committee Reports** — Updates were given on the Policy Committee's discussion of consent agenda language/practice; the Communication Committee's informational postcard series; plans for a tour of schools and communities in northwest Kansas Sept. 27, 28 and 29; plans for visiting USD 259 next spring; Student Voice Committee's conversations with the KSHSAA Student Advisory Team; KSHSAA's recent meeting; and work of the Commissioner's Task Force on federal funding oversight.

There was a 10-minute break at noon.

**BREAK**

**Board Attorney's Report** — Board Attorney Mark Ferguson indicated that he has provided written reports on recent activity.



### Requests for Future Agenda Items —

- Discussion on graduation requirements from a 21<sup>st</sup> century perspective. (Mr. Porter)
- Suggestion to extend length of Board meeting to ease system overload. (Mrs. Arnold)  
*Chair Porter referred discussion on alternatives to the Board's Policy Committee.*
- Return of restorative practices presentation for more in-depth discussion, such as overcoming obstacles and how to mirror successful processes in other districts. (Mrs. Arnold)
- Discuss tracking results of Board initiatives, determining if the needle has moved. (Mrs. Arnold)
- Educator licensing for American Sign Language (Mrs. Dombrosky)
- Student entrepreneur success stories – Presentation from Blue Valley HS student who began own landscape business in the 5<sup>th</sup> grade and continues today. (Mrs. Dombrosky)
- Screen time at different grade levels, addressing these topics: Apps students are allowed to access, parent role in device management, technology as a distraction, allowing families to opt out of device use. (Mrs. Haas)
- Implementation status of Bullying Task Force recommendations (Dr. Horst)
- Presentation on Kansas STARBASE program and STEM specific curriculum (Dr. Horst)
- Conversation about accreditation and program approval for Colleges of Education (Mr. Jones)

### ACTION ON LEGISLATIVE MATTERS

Following Tuesday's discussion on pending legislation, Board members on Wednesday took the following action: Dr. Horst moved that the Kansas State Board of Education, authorize the Chair and Vice Chair of the Board, to provide information to Governor Laura Kelly on the Kansas State Board of Education Standards regarding pending legislation, the Kansas State Board of Education's Constitutional and statutory authority on these issues, and the benefits to local boards of education and school districts to retaining the authority and oversight of the Board on these matters, and request Governor Kelly consider these matters in determining her response to the pending legislation: HB 2039 (Requiring students to pass an American Civics test in order to graduate with a high school diploma and requiring accredited high schools to provide a course of instruction in financial literacy) and Sub HB 2089 (Standardizing firearm safety education training programs in school districts.) Mr. Jones seconded.

**MOTION**  
(03:33:42)

Board members discussed whether the motion should specifically request a veto by the Governor. They also confirmed that the topics of instruction are not the concern, but rather the method of implementation by legislative action. The motion on the floor carried 10-0.

### ADJOURNMENT

Chairman Porter adjourned the meeting at 12:36 p.m.

The next regular monthly meeting is May 11 in Topeka and May 12 for the annual visits to the Kansas School for the Deaf and Kansas State School for the Blind.

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Jim Porter, Chair

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Peggy Hill, Secretary