

# Kansas State Board of Education Policies

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*Updated/Amended by the Kansas State Board of Education on June 11, 2025*



*Kansas leads the world in the success of each student.*

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## **PROVISIONS FROM THE CONSTITUTION OF THE STATE OF KANSAS**

### **ARTICLE VI**

**Section 2. State board of education.** (a) The legislature shall provide for a state board of education which shall have general supervision of public schools, educational institutions and all the educational interests of the state, except educational functions delegated by law to the state board of regents. The state board of education shall perform such other duties as may be provided by law.

**Section 3. Members of state board of education.** (a) There shall be ten members of the state board of education with overlapping terms as the legislature may prescribe. The legislature shall make provision for ten member districts, each comprised of four contiguous senatorial districts. The electors of each member district shall elect one person residing in the district as a member of the board. The legislature shall prescribe the manner in which vacancies occurring on the board shall be filled.

**Section 4. Commissioner of education.** The state board of education shall appoint a commissioner of education who shall serve at the pleasure of the board as its executive officer.

## STATUTES REGARDING THE STATE BOARD OF EDUCATION

**72-255 General powers of state board.** In general, but not by way of limitation, consonant with other applicable statutory provisions, the state board of education shall:

- (a) Adopt and maintain standards, criteria, guidelines or rules and regulations for the following:
  - (1) School libraries and other educational materials with the exception of textbooks;
  - (2) Course of study and curriculum;
  - (3) Accreditation of schools including elementary and secondary, public and nonpublic;
  - (4) Certification of administrators, teachers, counselors, school nurses and supervisors of school districts and of the state department of education and of teachers and administrators of nonpublic schools.
- (b) Administer the laws of this state concerning the matters named in this section and all other matters relating to the general supervision of the public schools and institutions under supervision of the state board of education.

**72-256 Rules and regulations; authorization to adopt.** The state board is hereby authorized to adopt rules and regulations not in conflict with law on any and all matters within its jurisdiction, except as is otherwise specifically provided by law.

**76-1001a. State board of education; control and supervision; rules and regulations.** The Kansas state school for the deaf is a state institution under the control and supervision of the state board of education. For such control and supervision, the state board of education may enter into contracts, adopt rules and regulations and do or perform such other acts as are authorized by law or are necessary for such purposes.

**76-1101a. State board of education; control and supervision; rules and regulations.** The Kansas state school for the blind is a state institution under the control and supervision of the state board of education. For such control and supervision, the state board of education may enter into contracts, adopt rules and regulations and do or perform such other acts as are authorized by law or are necessary for such purposes.

## **PREFACE**

### **MISSION & VISION**

The Kansas State Board of Education is charged with the general supervision of public schools and all the other educational interests of the state. While clearly acknowledging the role and importance of local control, the State Board of Education has the responsibility to provide direction and leadership for the supervision of all the state educational interests under its jurisdiction.

With this in mind, the State Board has adopted the following mission:

**To prepare Kansas students for lifelong success through rigorous, quality academic instruction, career training and character development according to each student's gifts and talents.**

In September 2015, the State Board adopted the following vision:

**Kansas leads the world in the success of each student.**

### **ESTABLISHING GOALS**

1. Towards accomplishment of its mission, the State Board shall review and establish the goals of the Board biennially.
2. The State Board shall regularly monitor its progress and performance towards accomplishment of the State Board's goals and objectives. The Board will be responsible for its performance.

### **BOARD CONTRIBUTIONS**

The work of the Board shall be to:

1. Link the State Board and the people of Kansas.
2. Develop policies that address:
  - a. Governance process (Policies 1001 et seq.) – how the Board conceives, carries out and monitors its own tasks.
  - b. Board/Commissioner relationships (Policies 2001 et seq.) – delegation authority and monitoring the authority thus delegated.
  - c. Commissioner limitations (Policies 3001 et seq.) – constraints and boundaries which define the acceptable area of executive authority.

Adopted: March 14, 2000

Amended: November 14, 2001; March 11, 2014; August 8, 2017

## GOVERNANCE PROCESS

## **POLICY REVIEW**

### **Policy Type: Governance Process**

The Policy Committee of the Board shall review Board policies at least every two years and shall suggest to the Board any changes deemed necessary.

The elected three-member Policy Committee, along with the State Board Attorney, conduct the reviews. A record of the review timelines is charted below, beginning with the 2021-22 schedule.

Review period: March 2021 – October 2022

Review period: March 2023 – October 2024

Adopted: August 9, 1989

Amended: March 10, 1998; October 11, 2022, October 9, 2024

**POLICY: GOVERNING STYLE****Policy Type: Governance Process**

The Kansas State Board of Education (also referenced in this document as the *State Board* or the *Board*) will focus on its mission and vision and approach its task in a manner that emphasizes strategic leadership, not administrative detail. It will make a clear distinction between its role and that of the Commissioner. The Board will make decisions utilizing past results and current information to be proactive.

Accordingly, the Board will:

1. The Board will set direction for education in Kansas by focusing on the careful initiation and establishment of policies.
2. The Board will adhere to Board policies.
3. The Board will have authority only when acting as an elected body in session.
4. No member of the Board will represent a minority position as that of the full board.
5. The Board will be accountable to the public for competent, conscientious and effective accomplishment of its obligations as a board.

Adopted: August 9, 1989

Amended: March 10, 1998; March 14, 2000; March 11, 2014; August 8, 2017; October 11, 2022



**POLICY: STATE BOARD POLICIES, REGULATIONS  
AND GUIDELINES**

**Policy Type: Governance Process**

The State Board of Education shall adopt policies, regulations and guidelines necessary to carry out the responsibilities of the State Board and to achieve the goals of the Board.

Any proposal to adopt or to amend or suspend an existing State Board policy or guideline shall be presented in written form at a regular meeting of the Board and be voted upon at the next regular meeting; provided that this procedure may be suspended by a vote of seven members (super majority) at any meeting. A proposal that is on the agenda for adoption may be amended and adopted at that meeting.

The State Board shall adopt rules and regulations required by law or deemed appropriate by the Board. The State Board shall adopt rules and regulations in the manner required by law.

The State Board of Education may adopt guidelines for advancing the vision or mission of the State Board. The State Board may adopt guidelines for the advancement of the educational interests of the state.

Adopted: August 9, 1989

Amended: March 10, 1998; March 14, 2000; August 8, 2017; October 11, 2022

**POLICY: ORIENTATION OF NEW MEMBERS****Policy Type: Governance Process**

The State Board, in cooperation with the Commissioner, shall orient new State Board members into the work of the State Board of Education and the educational programs throughout the state.

Newly elected Board members attending required orientation sessions may request mileage and per diem (subsistence) for travel incurred in accordance with State travel regulations. However, salary cannot be paid until their term of office begins.

Newly elected members shall be encouraged to attend regular meetings of the State Board of Education or to listen to the meetings on the Internet. Salary and mileage to attend meetings cannot be paid to members-elect until their term of office begins. Notice of Board meetings, agendas and all supporting materials shall be sent to newly elected Board members in the interim before taking office.

For more information see Guidelines, Procedure A, New Board Member Orientation.

Adopted: August 9, 1989

Amended: March 10, 1998; November 14, 2007; March 11, 2014; October 11, 2022

**POLICY: BOARD MEMBER DEVELOPMENT****Policy Type: Governance Process**

The State Board of Education is responsible for its own professional development as a Board.

This professional development may take place in part through membership in national and state educational organizations.

Individual members of the Board are encouraged to participate fully in educational meetings to the extent funds are available.

The appointment of a State Board member to represent the Board on a national association, committee or position shall be by vote of the State Board. Appointment to a subcommittee, task force or other similar group of a national association or committee shall also be approved by vote of the Board if State Board funds will be utilized.

The State Board of Education may authorize Board members to attend in-state or out-of-state meetings for participation in matters of educational interest to the state of Kansas.

For more information see Guideline I, Approval of Meeting Attendance (Board Member Travel).

Adopted: August 9, 1989

Amended: March 10, 1998; March 14, 2000; October 11, 2022

**POLICY: BOARDSMANSHIP EXPECTATIONS****Policy Type: Governance Process**

- A. Board members are expected to:
- 1) Be fully prepared and informed on all issues on the monthly Board agenda.
  - 2) Maintain an open dialogue with each other.
  - 3) Listen and show courtesy and respect for one another and staff. Treat the public and all presenters with professional courtesy.
  - 4) Respect other Board members and their opinions, accept there will be differences which should not be taken personally. Always attempt to find common ground.
  - 5) Feel free to ask questions for clarification.
  - 6) During the public forum, Board members should only ask clarifying questions without expressing an opinion.
  - 7) Follow Board policy and procedures and abide by the decision of the Board majority,
  - 8) Attend all regular meetings and notify the Board secretary and Chair if not able to attend.
  - 9) Never publicly discuss matters that are shared in executive session.
  - 10) Shall not misrepresent the Board's official position on issues.
  - 11) Remember that Board members only have authority to act as a body, not individually.
- B. Perceived Violations of Boardsmanship Expectations
1. Any perceived violation of boardsmanship expectations can be voiced to the chair by any Board member at the time of the perceived violation, by indicating which board policy is being violated.

2. The chair will then rule on the alleged violation.
  3. If any member is dissatisfied with the ruling of the chair, an Appeal may be made to the entire Board. The motion to Appeal the chair's ruling must be made and seconded in order for further discussion or action to take place.
  4. A Board vote of 6 or greater makes the final decision.
- C. Board members also expect the chair and vice chair of the Board to work as a team with the Commissioner.

Adopted: August 9, 1989

Amended: March 10, 1998; February 9, 2000; September 15, 2005; July 15, 2009; August 8, 2017; October 11, 2022, October 9, 2024, June 11, 2025

## **POLICY: OFFICERS - ELECTION, TENURE, AND DUTIES**

### **Policy Type: Governance Process**

At its January meeting in odd-numbered years, the State Board shall organize by election of a chair, vice chair and appointment of an attorney for the Board and secretary to the Board. Election of officers shall be by signed ballot. Each signed ballot shall be open for inspection as provided by law.

- A. The immediate past chair, if available and on the Board, shall be the temporary chair of the biennial organization meeting and preside for the following purposes:
  - 1. Call to order
  - 2. Ensure that newly elected and re-elected members are administered the oath of office.
  - 3. Roll Call
  - 4. Election of Board chair or conduct business of the Board if there is an impasse on election of a Board chair.

If the immediate past chair is not available, the immediate past vice chair, if available and on the Board, shall be the temporary chair. In the absence of the immediate past chair and vice chair, the Board member with the most seniority on the Board shall serve as temporary chair and preside for the purposes specified in paragraph A. If the temporary chair cannot be determined based on seniority because two or more Board members have the same level of seniority, the temporary chair will be determined by lot between those Board members with the most seniority. If the Board reaches an impasse on election of a Board chair during its organizational meeting, the temporary chair, as determined herein, will preside at each subsequent meeting of the Board until a chair is elected.

- B. Order of seating: Board leadership is elected at the first official meeting. After input from Board members and considering length of service, Board leadership will design a seating chart for use starting the following month. There is a long tradition that members who have served the longest always had a choice of where they want to sit. Leadership will take this into consideration when designing the seating chart
- C. Chair: It shall be the duty of the chair to preside at all meetings of the State Board and perform such other duties as the Board may direct. In case the office of chair shall become vacant, the vice chair shall assume the title, duties

and responsibilities of the chair for the remainder of the term for which the chair was originally selected. The chair may serve as an ex-officio member of all State Board committees. In the absence of the Commissioner or the inability of the Commissioner to act, the chair shall appoint a Deputy Commissioner to act as Commissioner until the next regular meeting of the State Board.

- D. Vice chair: It shall be the duty of the vice chair to preside at all meetings of the State Board in the absence of the chair. In case the office of vice chair shall become vacant, the State Board shall elect a new vice chair.
- E. In the absence of the chair and the vice chair at any meeting of the Board, the Board member with the most seniority on the Board shall serve as temporary chair and preside for the purposes of calling the meeting to order, taking roll call and serving as temporary chair to conduct business at the meeting.
- F. Positions attached to the State Board

**Commissioner:** The State Board of Education shall appoint a Commissioner of Education who shall serve at the pleasure of the Board as its executive officer. (Kansas Constitution Article VI, Section 4). The Commissioner of Education implements the Kansas State Board of Education's strategic goals and objectives and leads the Kansas State Department of Education.

**Secretary:** The secretary to the State Board of Education shall be appointed by the State Board at each organizational meeting to serve at the pleasure of the State Board. The secretary shall not be a member of the Board.  
(K.S.A. 72-250)

The secretary shall attend all meetings of the State Board and perform such other duties as assigned. The Commissioner will provide day-to-day supervision of the secretary with input from the State Board.

**Attorney:** The attorney for the State Board of Education shall be appointed by the State Board at each organizational meeting to serve at the pleasure

of the State Board. The attorney shall attend all meetings of the State Board and render any legal services which are directed by the State Board or the Commissioner. The State Board may appoint an attorney other than the State Board attorney to represent it or members in any litigation. (K.S.A. 72-254) The Board may enter into a contract for services with the State Board attorney.

G. Evaluations of positions attached to the State Board:

For Additional Information, See *Procedure B: Conducting Annual Evaluations of Commissioner, Board Attorney and Board Secretary* of the Guidelines.

**Commissioner:** The Commissioner shall receive a formal, cumulative evaluation not more than six months after he/she is appointed. Thereafter, a formal, cumulative evaluation of the Commissioner shall be performed annually by the State Board.

**Board Secretary:** The secretary to the Board shall be evaluated by the Commissioner and the State Board. The first evaluation shall be within six months of hiring. Thereafter, the secretary to the Board shall be evaluated annually by the Commissioner and the Board officers.

**Board Attorney:** The Board attorney shall be evaluated annually by the Board in consultation with the Commissioner. The first evaluation shall be within six months of hiring.

**Position Descriptions:** Current position descriptions for the Commissioner of Education and the secretary to the Board are housed in the KSDE Human Resource Department. Evaluation instruments for these positions and the Board attorney are also housed there.

Adopted: August 9, 1989  
Amended: March 10, 1998; March 14, 2000; November 14, 2001; December 10, 2002; September 9, 2003; November 14, 2007; September 10, 2008; October 17, 2012; March 11, 2014; March 11, 2020; October 11, 2022, October 9, 2024



**POLICY: COMMITTEE PRINCIPLES****Policy Type: Governance Process**

The Board may establish temporary committees to help carry out its responsibilities. However, the Board normally will operate as a committee of the whole and will rely sparingly on committees.

1. Any temporary committee of the State Board shall be created by vote of the State Board and shall not include more than five Board members.
2. Board committees may not speak or act for the Board except when formally given such authority for specific and time-limited purposes.
3. Board committees are to help the Board do its job, not to help the Commissioner do his/her work. Committees will assist the Board chiefly by preparing policy alternatives, including their implications, for Board deliberation. Committees are not to be created by the Board to advise the Commissioner.
4. Board committees cannot exercise authority over department staff except by working through the Commissioner and Board Chair.
5. This policy does not apply to committees established by the Commissioner. It does apply to committees that are formed by the Board, whether or not the committees include non-Board members.

Adopted: August 9, 1989

Amended: March 10, 1998; December 10, 2003; October 17, 2012; April 12, 2022; October 11, 2022

**POLICY: APPOINTMENTS TO COMMITTEES AND COMMISSIONS****Policy Type: Governance Process**

- A. The State Board makes appointments to the following types of committees:
  - 1. Committees created by the State Board and having State Board membership, e.g., the State Board Policy Committee and the State Board Communications Committee.
  - 2. Committees to which the State Board is required by law to appoint one or more of its members, e.g., KSHSAA's Board of Directors.
  - 3. Committees to which the State Board is required by law to appoint one or more persons who are not members of the State Board, e.g., Professional Standards Board, Special Education Advisory Council and Professional Practices Commission.
  - 4. Committees to which the State Board determines to appoint one or more of its members at the request of some organization, agency or government entity, e.g., the KSHSAA's Executive Board, Kansas Teacher of the Year and NASBE Government Affairs Committee.
- B. Appointments to Standing Committees of the State Board
  - 1. At the organizational meeting, the chair shall declare all memberships on State Board committees vacant. Then, representation of the State Board on such committees shall be determined by vote of the Board.
  - 2. There shall be a standing State Board Policy Committee which shall be elected by the State Board at its organizational meeting. Three members shall serve on this committee.
  - 3. There shall be two Legislative Liaisons who shall be elected by the State Board at its organizational meeting.

C. Appointments to Temporary Committees of the State Board:

The chair and members of each temporary committee of the State Board shall be nominated by the chair or vice-chair of the State Board from a list of those Board members who have expressed an interest in serving on the committee and shall be elected by the State Board.

D. Appointments to Other Committees:

The State Board may appoint persons to committees on which State Board members do not serve in accordance with the following guidelines:

- a. Prior to making an appointment, the State Board may receive nominations from statewide organizations, individuals, or State Board members.
- b. Nominations may remain open until the time of appointment.
- c. In appointment of members, the State Board may provide representation as required by law and seek broad representation by giving consideration to various appropriate factors, including the following:
  - geographic representation;
  - representation by school district enrollment;
  - representation by school level;
  - representation by various educational stakeholders; and
  - special knowledge or expertise.

Adopted: August 9, 1989

Amended: March 13, 1990; July 10, 1991; October 13, 1992; March 10, 1998;

December 12, 2001; September 9, 2003; December 10, 2003; March 11, 2014; August 8, 2017;

January 15, 2019; March 11, 2020; April 12, 2022; October 11, 2022

**POLICY: OPERATION OF THE STATE BOARD OF EDUCATION****Policy Type: Governance Process****(1) Meetings****A. Regular Meetings**

The State Board shall hold a regular meeting each month as provided by law.

No later than January each year, the Board shall adopt by resolution specifying (1) the hour of commencement, (2) the day of the week, (3) the week of the month, and (4) locations for meetings for the entire year. (K.S.A. 72-249) This shall include meetings to be held on the campus of each state school governed by the Board.

**B. Other Meetings**

The State Board may provide by resolution for (1) additional regular meetings; (2) special meetings; or (3) recessed or adjourned meetings. (K.S.A. 72-249)

Special meetings may be called by the chair or upon the request of four Board members submitted to the chair.

Telephone, remote or virtual conference meetings may be called by the chair or at the request of four Board members.

**C. Notification of Meetings**

Notice of regular meetings shall be sent at least seven days in advance to members of the State Board and others who have requested notification.

When the regular meeting date, time or place is changed by resolution, or when additional regular meetings, special meetings, recessed or adjourned meetings are called, the secretary to the Board shall notify members of the Board and others who have requested notification, at least five days before such meetings.

However, when the chair deems the need for an emergency meeting, the chair may call a meeting. In such event, reasonable notice shall be given to those parties named herein.

A party receiving notice of any conference shall be advised that this will be an open meeting, and the discussion and action will be livestreamed by the Kansas State Department of Education and location for access provided.

If State Board meetings are canceled due to extenuating circumstances the State Board chair or the chair's designee shall notify other members of the State Board, the news media and others who have requested such notification.

- D. All official business of the State Board shall be transacted as provided by state law.
- E. Agenda
  - (1) Construction
    - (a) A State Board meeting agenda shall be prepared by the chair of the State Board, the vice chair of the State Board and Commissioner.
    - (b) Any member of the State Board may request that an item related to State Board goals be placed on the agenda by submitting a request to the chair in advance of the agenda preparation. Any such item shall be considered for the State Board agenda.
    - (c) In addition, a member of the State Board may request that any matter be placed on a future agenda of the State Board at a regular meeting. The request shall be discussed at a meeting of the State Board.

If consensus cannot be reached, the request shall be approved or disapproved by a vote of the State Board.
  - (2) Advance Delivery

The agenda for each meeting, along with complete supporting informational material and recommendations, shall be available to each member of the State Board at least seven days before such meeting.

(3) Distribution

The agenda of each meeting shall be distributed in advance to persons to appear before the State Board and others who have requested notification of meetings.

One copy of the agenda shall be available on the day of the meeting for persons attending the State Board meeting.

F. Meeting Conduct

(1) Order of Business

The order of business of all meetings may be as follows:

- (a) Call to Order
- (b) Roll Call
- (c) Moment of Silence
- (d) Pledge of Allegiance
- (e) Approval of Agenda
- (f) Approval of Minutes of the Previous Meeting
- (g) Citizens' Open Forum – (See Policy No. 1012)
- (h) Agenda Items
- (i) Consent Agenda
- (j) Recess until Day 2
- (k) Call to Order
- (l) Roll Call
- (m) Approval of Agenda
- (n) Agenda Items
- (o) Adjournment

(2) Procedure

Official action by the State Board shall be by motion duly made and seconded. Allowable motions include the principle or initial motion on a matter; a motion to amend an initial motion; a substitute motion to an initial motion; a motion to table a matter; and a motion to remove a matter from the table. Other action regarding any matter may be taken upon an affirmative vote of six members of the Board.

It shall be the practice of the Board to take action only on those items that are noted on the agenda as action items. However, the Board, upon motion duly made and seconded, and upon an affirmative vote of seven members of the Board, may take action on any matter on the Board's agenda, whether such matter is designated as an action item, receive item, discussion item or information item.

Routine, procedural or noncontroversial action items may be placed on the consent agenda. For items that require clarification, or for which a Board member has a question, that clarification should be requested well before the Board meeting. An item should not be pulled from the consent agenda just to have a question answered. That sort of information gathering should happen before the meeting.

If there is an item about which a Board member disagrees, or believes the item requires discussion, then a request is made at the beginning of the Board meeting during the Approval of the Agenda to pull that item from the consent agenda.

#### G. Records and Minutes

- (1) The secretary to the State Board shall take minutes at each Board meeting, shall record the actions of the State Board, and shall officially certify the minutes of each meeting. (K.S.A. 72-250)
- (2) On any motion before the State Board, a recorded vote shall be taken and made a part of the public record. (K.S.A. 72-251) The name of any member voting against a motion, or present not voting, shall be recorded in the minutes. Additions and/or corrections may be made to the minutes by a majority vote of the State Board.

#### H. Voting

- (1) Voting is done by a visible show of hands for each motion made and seconded.
- (2) State Statute requires six (6) affirmative votes to pass a motion regardless of the number of Board members present for the meeting. (KSA 72-251)
- (3) The Board votes with a yes, no, present not voting, or recusal. A "present not voting" will be recorded in the minutes.
- (4) A "recusal" from voting is based upon a direct interest in a question, not based upon disagreement with or opposition to the question presented.
- (5) The Board member who has a direct interest in the question, shall state the reasons for the request and shall leave the room when the vote is taken.

Adopted: August 9, 1989

Amended: March 10, 1998; September 14, 1999; October 12, 1999; May 10, 2000;  
September 9, 2003; July 11, 2005; November 14, 2007; November 10, 2009;  
October 17, 2002; March 11, 2014; August 8, 2017; March 11, 2020; October 11,  
2022, October 9, 2024



## **POLICY: BOARD MEMBER TRAVEL**

### **Policy Type: Governance Process**

The purpose of Board member travel is to accomplish the mission and goals of the Board, and to assist individual Board members in the development and improvement of boardsmanship skills.

Objectives of travel:

- (1) To participate in regular monthly and special meetings of the Board.
- (2) To travel in-district to maintain communication with constituents.
- (3) To attend in-state organization meetings; to develop and improve boardsmanship skills; to participate in assigned in-state committee meetings; and to meet with the legislature.
- (4) To attend meetings of national organizations to represent the Board, to develop and improve boardsmanship skills; and to participate in assigned national organizations' activities and/or study groups.

Pursuant to state law, each State Board member is entitled to the same compensation, travel expenses and subsistence allowance as provided for members of the legislature for attendance at meetings authorized by the State Board.

For more information see Guideline I, Approval of Meeting Attendance (Board Member Travel).

Adopted: August 9, 1989

Amended: March 13, 1990; July 10, 1991; October 13, 1992; March 10, 1998; March 11, 2014; October 11, 2022

**POLICY: CITIZENS' OPEN FORUM****Policy Type: Governance Process**

The Citizens' Open Forum is an opportunity for the general public to provide input on educational issues in the state of Kansas which are germane to the business of the board. Addressing the Board is a privilege and not a right. The Citizens' Open Forum may be held shortly after the meeting is called to order on the first day of each two-day meeting of the State Board of Education. Procedures for the Citizens' Open Forum are as follows:

- (1) Each speaker shall be allowed to speak for three minutes.
- (2) State Board of Education members may ask clarifying questions of the person making the presentation. The speaker will have up to one minute to respond. The presiding officer may grant additional time at his/her discretion.
- (3) By consent of the Board, the agenda time may be extended. While offering a limited public forum is important to the Board, it is also necessary to ensure that the Board allows enough time to conduct its regular business.
- (4) Information may be submitted to the Board in written form. Thirteen (13) copies should be provided.
- (5) At the discretion of the chair and with regards to the timeliness of the agenda, the Citizens' Open Forum may be closed and reopened at a later time or date to be announced.
- (6) Any person wishing to speak shall sign in prior to the commencement of the Citizens' Open Forum and shall complete a presenter's card, giving his or her name and address, the subject of the comments (which must be confined to topics which are germane to the business of the board), and the name of any group he or she is representing. Speakers shall be recognized according to the order in which they signed in.
- (7) Presentations containing information or comments related to KSDE personnel may be referred for review in executive session.

- (8) Following the Citizens' Open Forum, the Chair will acknowledge the participants and announce that the State Board will determine if any of the issues will be addressed at a future meeting.

Adopted: August 9, 1989

Amended: March 10, 1998; April 12, 2000; Nov. 14, 2001; Nov. 14, 2007; March 11, 2014;  
March 11, 2020; October 11, 2022

**POLICY: PUBLIC HEARINGS****Policy Type: Governance Process**

The purpose of a Public Hearing is to obtain comments from proponents and opponents on a specific topic that requires such a hearing before a decision is made. Notice of a Public Hearing must be published in advance of the hearing.

Procedures for any Public Hearing of the State Board are as follows:

- (1) Any person having an interest in the subject of the hearing shall have a right to provide oral and written testimony to the State Board on the subject of the hearing.
- (2) Any person wishing to speak at the hearing shall sign in prior to the commencement of the hearing by providing his/her name, address and identifying whether he/she represents an opinion of a group.
- (3) The presiding officer will conduct the hearing. Speakers shall be recognized according to the order in which they signed in. Statements should be limited to five minutes to encourage speakers to be focused and direct, and to permit more people to testify.
- (4) If written testimony is submitted, 13 copies should be provided.
- (5) State Board of Education members may ask clarifying questions of the person making the presentation. The speaker will have up to one minute to respond. The presiding officer may grant additional time at his/her discretion.
- (6) The Public Hearing is not a debate, but an orderly gathering of facts on a particular subject matter. The presiding officer shall rule on comments that are too lengthy. Irrelevant or repetitious testimony is discouraged.
- (7) These Public Hearing procedures shall be printed and be made available upon request.

- (8) The chair shall advise persons in attendance of these Public Hearing procedures.

Following each Public Hearing, all comments received shall be analyzed and considered.

### **COMMUNITY FORUMS**

The Board may elect to host informal community forums at locations around the state to receive public input on various education topics. Such events would be at the discretion of the Board and should not be confused with required Public Hearings. The community forum format would be established prior to the event, depending upon time, location and agenda.

Adopted: August 9, 1989

Amended: March 10, 1998; March 14, 2000; November 14, 2007; March 11, 2014

## BOARD-STAFF LINKAGE

**POLICY: DELEGATION TO THE COMMISSIONER****Policy Type: Board-Staff Linkage**

The responsibility of the Board is to establish policies, leaving implementation to the Commissioner. Board policies relating to the work of the staff on behalf of the State Board direct the Commissioner to achieve certain results or limit the Commissioner to act within acceptable boundaries. All Board authority delegated to staff is delegated through the Commissioner, so that all authority and accountability of staff can be phrased--insofar as the Board is concerned--as authority and accountability of the Commissioner.

1. The Commissioner is authorized to make all decisions, take all actions and develop all activities which are consistent with the Board's policies. The Board, by amending its policies, may expand or constrict the areas of the Commissioner's delegated authority. However, the Board will respect the Commissioner's choices so long as the delegation continues. This does not prevent the Board from obtaining information about activities in the delegated areas.
2. The Commissioner serves the State Board. Therefore, no Board member, officer or committee shall exercise authority over the Commissioner. Board members should make requests to the Commissioner through the Board Chair.
3. The Commissioner shall not perform, allow or cause to be performed any act which is unlawful, insufficient to meet commonly accepted business and professional ethics or the "prudent person" test or is contrary to explicit Board constraints on executive authority. The Commissioner may refuse requests requiring material resources.
4. The Commissioner may employ persons in agency positions subject to confirmation by the State Board.
5. Assistant commissioners (deputy commissioners) will be appointed by the State Board as required by K.S.A. 72-373.

Adopted: August 9, 1989

Amended: March 10, 1998; March 11, 2014; April 17, 2018; March 11, 2020; October 11, 2022

**POLICY: MONITORING AND EVALUATING  
COMMISSIONER PERFORMANCE**

**Policy Type: Board-Staff Linkage**

1. A formal, cumulative evaluation of the Commissioner shall be performed not more than six months after the Commissioner is appointed by the State Board of Education. Thereafter, a formal, cumulative evaluation of the Commissioner shall be performed annually by the State Board. Monitoring of the Commissioner's performance will focus on areas of job responsibilities, department performance in response to Board initiatives and policies, and leadership competencies as compared to Board goals and objectives and as stated in the position description for the Commissioner of Education. The purpose of monitoring is to determine the degree to which the Commissioner's performance fulfills the responsibilities for which the Commissioner is accountable. The position description for the Commissioner shall be presented biennially as part of new Board member orientation.
2. The Commissioner's performance may be monitored by the following:
  - A. Monthly observations of, and communications with, the Commissioner.
  - B. Executive reports from the Commissioner.
  - C. Board member report where a Board member, a committee of the Board or the Board as a whole reviews information, activities or circumstances to determine accomplishment of responsibilities.
3. The Board, at any time, may request a monitoring report or external audit of the Commissioner's performance.
4. To assist the State Board in performing its evaluation, the Commissioner shall:
  - A. Submit to the Board a list of performance objectives to be considered and approved by the State Board in January of each calendar year.
  - B. In October, the Commissioner shall provide to the Board a summary of progress on the Board goals. The Commissioner may also obtain feedback from KSDE staff and provide the compiled results to the State Board.

For Additional Information, See *Procedure B: Conducting Annual Evaluations of Commissioner, Board Attorney and Board Secretary* of the Guidelines.



Adopted: August 9, 1989

Amended: March 10, 1998; November 14, 2001; September 9, 2003; November 14, 2007;  
September 10, 2008; October 17, 2012; March 11, 2014; August 8, 2017; October 11, 2022

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## **COMMISSIONER DUTIES**

**POLICY: COMMUNICATION AND COUNSEL TO THE BOARD****Policy Type: Commissioner Duties**

The Commissioner shall not intentionally cause or allow the Board to be uninformed or misinformed. The Commissioner shall not accept, on behalf of the State Board, policy or administrative duties concerning any program which has not been assigned to the State Board by law, without the prior approval of the State Board.

The Commissioner shall inform the State Board of any program assigned by law to the State Board or to the State Department of Education and shall advise the State Board of the anticipated impact of the program's assignment to the Board or the Department.

Adopted: August 9, 1989

Amended: March 10, 1998; October 12, 1999; September 9, 2003; October 11, 2022

**POLICY: STAFF TREATMENT****Policy Type: Commissioner Duties**

With respect to employment and treatment of staff, the Commissioner shall allow:

1. An appropriate grievance procedure for the staff.
2. Staff to grieve to the Board when the following conditions are met:
  - a. internal grievance procedures have been exhausted; and,
  - b. the employee states reasonable grounds to believe:
    - (i) that Board policy has been violated to his/her detriment; or
    - (ii) that Board policy does not adequately protect his/her human rights.

Adopted: August 9, 1989  
Amended: March 10, 1998; September 14, 1999; July 15, 2009; March 11, 2014; August 8, 2017;  
October 11, 2022

**POLICY: FINANCIAL PLANNING AND LEGISLATIVE  
RECOMMENDATIONS**

**Policy Type: Commissioner Duties**

With respect to planning fiscal initiatives and legislative recommendations, the Commissioner may not jeopardize the integrity of the Department. Accordingly, he or she may not cause or allow:

1. Material deviation from Board-stated policies or priorities in the allocation of funds among competing budgetary needs.
2. Action contrary to the State Board's legislative recommendations.

Adopted: August 9, 1989  
Amended: March 10, 1998; October 11, 2022

**POLICY: EMERGENCY EXECUTIVE SUCCESSION****Policy Type: Commissioner Duties**

With respect to protecting the Board from sudden loss of chief executive services, the Commissioner shall provide for executive backup. Accordingly, the Commissioner shall have no fewer than two other executives (deputy commissioners) familiar with Board and Commissioner issues and processes.

Adopted: August 9, 1989

Amended: March 10, 1998; March 11, 2020; October 11, 2022

# Kansas State Board of Education Guidelines

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*Approved by the Kansas State Board of Education October 11, 2022*



*Kansas leads the world in the success of each student.*

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**GUIDELINE I**  
**APPROVAL OF MEETING ATTENDANCE**  
**(BOARD MEMBER TRAVEL)**

**A. Legal Basis**

1. K.S.A. 72-253 provides that State Board members are to get the same compensation, travel expenses and subsistence allowance as provided in K.S.A. 75-3212 for members of the legislature when members attend a meeting, which has been approved by the State Board.
2. K.S.A. 75-3212 says members of the legislature are entitled to:
  - (a) the amount of compensation and subsistence allowance prescribed in K.S.A. 46-137a for actual attendance at in-state meetings;
  - (b) the subsistence allowance incurred in going to and returning from in-state meetings on days other than days of meetings, if the legislator lives more than 100 miles from the location of the meeting; and
  - (c) the mileage rate authorized by K.S.A. 75-3203a for each mile actually traveled by the usual route in going to and returning from authorized in-state meetings. The Commissioner will inform the Board annually of the current rate.
3. K.S.A. 46-137a provides for the amount of compensation (salary) and the rate of subsistence allowance (per diem). KSDE staff will inform the Board annually of the current rates.
4. Any member of the State Board may waive payments of compensation, subsistence allowance, or mileage to which the member is entitled.

**B. Preapproved Attendance**

The State Board grants approval to each member of the Board as follows:

1. Attendance at regular or special meetings of the State Board.
2. Attendance at any meeting at which the member is attending as the designated

representative of the State Board. Any time a Board member is appointed by the chair, the Commissioner, or the Governor, to participate on a committee, work group, study group, task force, council or other group for a state or national educational organization, the Board shall vote to authorize travel/salary expenses for such participation.

3. To comply with State ethics laws, the Board must vote to approve a Board member's travel **even when the travel expenses are paid by a third party.**

#### C. Discretionary Attendance

1. (a) Each Board member shall have discretion in attending any meeting not specified in section B of these Guidelines. However, the receipt of state allowances is subject to approval of such attendance by the State Board.  
  
(b) When approving travel by Board members, the State Board will consider the balance of the allotment available to each Board member under section D.
2. The State Board will not grant approval for attendance at any partisan, political activity or event.
3. To comply with State ethics laws, the Board must vote to approve a Board member's travel even when the travel expenses are paid by a third party.

#### D. Annual Allocation for Board Member Travel

In July of each year, KSDE fiscal services staff shall calculate the amount of funds available to each Board member based upon the following formula:

1. From the total amount appropriated for the State Board's budget, subtract an amount sufficient to pay for each Board member's attendance at monthly State Board meetings.
2. Divide the amount determined by step 1 by 14.5. The resulting amount shall be termed "a share."
3. Allocate to each Board member one share as derived from Step 2.

4. Allocate one additional share to each of the following Board members:
  - a. Chair
  - b. Vice Chair
  - c. District 5 Member
5. Allocate three-quarters of an additional share after January 1 to each of the two Legislative Liaisons.

The amounts so determined shall be available for State Board member travel from July 1 to June 30.

The formula set forth in this Guideline may be waived by an affirmative vote of the State Board.

#### E. Definitions

The following definitions shall apply to this Guideline:

- a. Discretionary attendance means attendance at any meeting in which the Board member is not participating as a designated representative of the State Board.
- b. Designated representative means a Board member appointed by the chair or the Commissioner or elected by the Board to serve on a national or statewide committee on behalf of the Board.

Adopted: March 10, 1998

Amended: September 14, 1999; December 12, 2001; November 12, 2002; November 14, 2007; November 10, 2009; September 8, 2015; March 11, 2020

**GUIDELINE II**  
**ACCESS TO COMMUNICATION EQUIPMENT BY STATE BOARD MEMBERS**

During the term of office of each State Board member, the member can request access to a laptop computer. The device will be encrypted and will be provided at public expense for the purpose of allowing the Board member to carry out his or her public duties. The laptop will be returned to the State Board office within 15 days of the conclusion of the Board member's service. No state funds or equipment shall be used for any partisan, political activity or event.

Adopted: March 10, 1998  
Amended: September 8, 2015

**GUIDELINE III**  
**DISCUSSING AND ADDRESSING ISSUES**

- A. If the State Board determines to address an issue, the Board shall decide the process for meaningful discussion about the issue and the strategy for addressing it.
- B. The process for meaningful discussion may include, but is not limited to, the following:
  - 1. receiving information, reports and options from staff of the Department or persons selected by the Department;
  - 2. receiving information, reports and options from individuals selected by the State Board;
  - 3. gathering and review of information by a subcommittee of the Board selected by the State Board or by an external committee appointed by the State Board;
  - 4. the holding of public hearings to receive information from the general public in regard to the issue;
  - 5. work sessions or retreats by the State Board to focus on the particular issue;
  - 6. discussion of the issue by the full Board at one or more meetings, with action taken after full discussion of the issue; and
  - 7. any other procedure agreed to by the State Board.
- C. The purpose of Board member reports is to allow members to report on meetings of boards, commissions or organizations to which they have been assigned to represent the Board. It is also an opportunity to report on meetings or conferences attended. During the time provided for Board member reports, it is inappropriate to use it as an opportunity to present one's views on issues not currently being addressed by the Board or to bring up issues for debate or discussion.

Topics suggested for discussion may be requested as a future agenda item or work session. When making a request, it is inappropriate for the requestor to enter into a lengthy explanation or to engage members in a dialogue regarding the topic.

- D. All discussion shall be directed to the issue under study and not towards members of the Board or other individuals.
- E. All discussion shall adhere to the State Board's Policy on Boardsmanship Expectations (Policy 1006).

Adopted: February 9, 2000  
Amended: November 20, 2009; September 8, 2015

**GUIDELINE IV.**  
**HEARING OFFICER RECOMMENDATIONS**

At any time the Board is scheduled to act upon the recommendation of a hearing officer, any Board member wishing to propose action other than that which has been recommended may consult with the State Board attorney for purposes of complying with K.S.A. 77-526. This statute requires that all orders of a state agency shall include, separately stated, findings of fact, conclusions of law and policy reasons for the decision.

Adopted: January 12, 1994  
Affirmed: March 10, 1998

## **GUIDELINE V. LAND TRANSFERS**

### **I. Governing Law**

K.S.A. 72-532 provides that a transfer of land from one school district to another can be made only under the following conditions:

- 1) Upon the written agreement of any two local boards of education and approval by the State Board; or
- 2) Upon order of the State Board after a petition to transfer territory has been filed by a local board and a public hearing on the petition has been held by the State Board.

The Kansas Supreme Court has determined that any land transfer must be consistent with, and not in derogation of, the purposes and provisions of the school unification acts. In addition, K.S.A. 72-532 contains factors that must be considered by the State Board when reviewing land transfer requests.

### **II. Requests for Land Transfers Considerations**

The following considerations assist the State Board in determining whether to grant a land transfer request.

- 1) The ultimate consideration must be the long-term effect a transfer would have on students living in: (1) the petitioned area, (2) the receiving district, and (3) the giving district. It also must include whether the transfer would add to the general improvement of the public schools in the state and the equalization of the benefits and burdens of education throughout the affected communities.
- 2) To justify taking land, by petition, from one school district and giving it to another, a material change in circumstances of a substantial and weighty nature must exist so that a reasonable person would recognize that the educational interests of all affected children (inside and outside of the transfer area) could be better served by adjusting district boundaries, without any serious detrimental effect upon students or upon the district from which the land will be transferred.



- 3) The type of change in circumstances that justifies a transfer of land by petition is difficult to describe in the abstract.

However, examples of a material change in circumstances that may justify a transfer of land include, but are not limited to:

- a) a recent school closing which makes it more practical for students to attend school in an adjoining district;
  - b) the establishment of a new and more distant attendance center; or
  - c) changes in natural barriers, such as lakes and rivers or construction of highways, which substantially increases the time a student must spend in traveling to and from school.
- 4) Examples of changes which do not constitute a material change in circumstances for purposes of transferring land from one district to another include, but are not limited to:
    - a) a change in a local board of education's transportation policy to prohibit buses from adjoining school districts from entering the district to transport students;
    - b) a change in school district property taxes; or
    - c) a land transfer request which is primarily to gain a financial advantage for individuals, such as, assisting in suburban land development.
  - 5) The State Board's consideration of a petition to transfer land is not limited to how persons in the petitioned area will be affected. The State Board also must consider how persons outside the petitioned area and the school districts (locally and statewide) may be affected.
  - 6) A transfer of land by agreement from one school district to another, generally, should be approved by the State Board absent noncompliance with state law or other compelling reasons.

Petitions to transfer land should be submitted to the Kansas State Department of Education by no later than February 15 if the transfer is to become effective the following July 1.

Adopted: May 10, 1977  
Amended: February 12, 1986; March 10, 1998; November 14, 2001; September 9, 2003;  
April 17, 2018; March 11, 2020

**GUIDELINE VI.**  
**PARTICIPATION IN INTERSCHOLASTIC**  
**ATHLETICS UNDER S.B.R. 91-31-34**

1. No school shall allow students **below** the sixth grade to participate in interscholastic athletics.
2. No school shall allow students in **sixth** grade to participate in tackle football, wrestling or boxing, if those interscholastic athletics are offered.
3. Schools allowing sixth grade students to participate in all other interscholastic athletics shall follow the guidelines established for seventh grade students by the Kansas State High School Activities Association (KSHSAA) for each specific sport. Please note that sixth grade students participating in interscholastic athletics are not covered by KSHSAA's Liability and Catastrophe Insurance plan. The KSHSAA Rules Handbook may be obtained from the KSHSAA office, online at [www.kshsaa.org](http://www.kshsaa.org) or the Kansas State Department of Education.

Adopted: March 10, 1998

Amended: November 14, 2001; September 9, 2003; September 8, 2015; April 17, 2018

## **GUIDELINE VII**

### **ISSUANCE OF A VISITING SCHOLAR LICENSE**

To apply for Visiting Scholar License, an individual must submit:

1. a complete application, including official transcripts;
2. written verification from the hiring official of the accredited education agency that the applicant will be employed if a Visiting Scholar License is issued, including the proposed teaching schedule for the individual and a list of the subject areas and grade levels for which licensure is requested;
3. documentation that the applicant meets at least two of the three base criteria for the Visiting Scholar License which are stated on the application; and
4. the licensure fee.

The application will be reviewed by the Teacher Education and Licensure Office. An incomplete application will be returned to the applicant. If the application is complete, it will be forwarded to the Commissioner of Education for consideration. The Commissioner of Education will make a recommendation to the State Board of Education to either issue or deny the Visiting Scholar License. The State Board of Education will make the final determination regarding the issuance or denial of the Visiting Scholar License. If granted, the Visiting Scholar License is valid through June 30 of the school year in which it is issued. Complete applications need to be received by July 1 in order to be considered at the August State Board of Education meeting and result in licensure by the start of the school year.

The Visiting Scholar License is intended for those individuals who can provide unique educational experiences for the students in the classroom. This is the primary consideration in granting or denying a Visiting Scholar License. When an individual has been issued a Visiting Scholar License, that individual is eligible to renew the license, each year, by completing the application process and documenting professional learning prescribed by the district. A Visiting Scholar License may be renewed for more than one year.

Adopted: September 14, 1999  
Amended: December 10, 2003; September 8, 2015

**GUIDELINE VIII**  
**APPLICATIONS FOR APPROVAL TO HOLD AN ELECTION ON THE QUESTION OF**  
**ISSUING BONDS IN AN AMOUNT EXCEEDING THE SCHOOL DISTRICT'S GENERAL**  
**BOND DEBT LIMITATION**

**A. PROCEDURES**

1. All forms necessary for unified school districts to make application to the State Board of Education for approval to exceed the general bond debt limitation of the school district may be obtained from the Division of Fiscal and Administrative Services of the State Department of Education.
2. The notice required by K.S.A. 75-2317 of the intention to file an application for permission to exceed the general bond debt limitation must be made one time in a newspaper of general circulation in the district and the publication must be made no later than the 10<sup>th</sup> day of the month in which the application is submitted to the State Board.
3. The application for permission to hold an election, a copy of the published notice of intent to file the application, and an Affidavit of Publication must be received by the Division of Fiscal and Administrative Services by at least the 15<sup>th</sup> day of the month in which the application is submitted to the State Board.

**B. REQUIRED SUPPLEMENTAL MATERIAL TO ACCOMPANY APPLICATION WHEN EXCEEDING BOND DEBT LIMITATION**

1. A copy of the published notice of intent to file the application, together with an Affidavit of Publication, must be enclosed with the application to the State Board. (Form 7-212-108)
2. An architect's schematic floor plan (8 1/2 x 11 inches, if readable, otherwise, large enough to be discernible by members of the State Board) of the proposed facilities must be included with each application.
3. A map (8 1/2 x 11 inches, if readable, otherwise large enough to be discernible by members of the State Board) of the school district showing present facilities, proposed facilities, attendance centers, and the bordering districts by number must be included with each application.
4. Form 7-212-106, Resolution to Submit Application to State Board.
5. Form 7-212-110, Application for Permission to Vote and Issue Bonds Exceeding 14 percent.
6. Form 7-212-114, Certified Assessed Valuation of School District.
7. Form 7-212-118, Application to Exceed 14 percent of Assessed Valuation

8. Form 7-212-118(a), Application for Capital Improvement (Bond and Interest) State Aid.

C. COMMITTEE RECOMMENDATION

Upon receiving a timely and complete application in accordance with these Guidelines, a committee of staff and Board members shall review the information and make a recommendation to the State Board on whether to approve or deny the application. The recommendation shall include a statement of the facts that support the recommendation.

The aggregate amount of bonds approved in a fiscal year shall not exceed the amount of bonds retired in the prior year.

Adopted: May 10, 2000  
Amended: September 9, 2003; April 17, 2018

**GUIDELINE IX  
APPLICATIONS FOR  
CAPITAL IMPROVEMENT STATE AID (BOND AND INTEREST)**

**A. PROCEDURES**

In accordance with 2016 Senate Bill 323, any school district that is eligible and desires to receive capital improvement state aid (bond and interest) must apply to the Kansas State Board of Education for such state aid.

Kansas law provides a cap on the total amount of capital improvement state aid available for elections held on or after July 1, 2016. This cap cannot exceed a six-year rolling average amount for capital improvement state aid.

The capital improvement state aid available to each school district is included on Form 241-242 provided annually in the School Finance budget packet. This amount could change on an annual basis.

Upon receipt of an application, State Department of Education staff will schedule a hearing with school district officials to review the application.

All applications must be submitted to the Division of Fiscal and Administrative Services by no later than the 10<sup>th</sup> day of the month in order for action by the State Board of Education the following month.

The areas of concern, which will be reviewed at the hearing, will be those facilities that are non-academically related.

**B. REQUIRED SUPPLEMENTAL MATERIAL TO ACCOMPANY APPLICATION FOR CAPITAL IMPROVEMENT STATE AID**

1. An architect's schematic floor plan (8 ½ x 11 inches, if readable, otherwise, large enough to be discernible by members of the State Board) of the proposed facilities must be included with each application.
2. A map (8 ½ x 11 in inches, if readable, otherwise large enough to be discernible by members of the State Board) of the school district showing present facilities, proposed facilities, attendance centers, and the bordering districts by number must be included with each application.
3. Form 7-212-104, Resolution, Stating the Purpose for which Bonds are to be issued, the Estimated Amount thereof, and the Time of Election Therefor (Bond issue **will not** exceed general bond debt limitation).
4. Form 7-212-106, Resolution, Stating the Purpose for which Bonds are to be issued, the Estimated Amount Thereof, and the Time of Election Therefor (Bond issue **will exceed** general bond debt limitation).
5. Form 7-212-114, Certified Assessed Valuation of School District.
6. Form 7-212-118(a), Questions to be completed by USDs requesting capital improvement state aid (bond and interest)

C. CRITERIA FOR DETERMINATION OF CAPITAL IMPROVEMENT STATE AID (BOND AND INTEREST)

The State Board of Education shall consider the following criteria when determining the eligibility for capital improvement state aid (bond and interest).

- Safety of the current facility and disability access to such facility as demonstrated by a State Fire Marshal Report, an inspection under the federal Americans with Disabilities Act, or other similar evaluation;
- Enrollment growth and imminent overcrowding as demonstrated by successive increases in enrollment of the school district in the immediately preceding three school years;
- Impact on the delivery of educational services as demonstrated by restrictive inflexible design or limitations on installation of technology;
- Energy usage and other operational inefficiencies as demonstrated by a district-wide energy usage analysis, district-wide architectural analysis, or other similar evaluation; and
- High priority will be given to school districts with a lower assessed valuation per pupil (AVPP) compared to other districts that are to receive capital improvement state aid.
- No state aid may be awarded for extracurricular facilities unless documented issues with safety or disability access exist.

Adopted: April 17, 2018

**GUIDELINE X**  
**CHARTER SCHOOL PROCEDURE**  
**K.S.A. 72-1903 to 72-1911**

The Kansas Legislature has assigned to the State Board of Education the responsibility to administer the Charter School statutes, K.S.A. 72-4206 to 72-4213. To assist the State Board in fulfilling this responsibility, the staff of the Kansas State Department of Education (KSDE) shall adhere to the following procedures in submitting recommendations for approval or disapproval of initial charter school petitions under K.S.A. 72-4208.

1. The format for the petition by a school district shall include a narrative for each of the 15 areas required by law to be addressed.
2. Each district filing a petition shall be provided, upon request, technical assistance by the KSDE staff.
3. The KSDE staff shall assemble a review committee comprised of at least three, but not more than 12, people from across the state to review the petitions. Staff shall ensure that membership includes persons who currently operate charter schools.
4. The KSDE staff shall develop a scoring rubric based on the requirements of the law and provide training to the persons selected to review the petitions to ensure rater reliability.
5. The State Board shall receive the petition recommendations in one month and act on them in the following month.

In addition, KSDE staff shall adhere to the following procedures in submitting recommendations for approval or disapproval of requests for renewal of charter schools under K.S.A. 72-4209.

- In August of the school year in which each charter school's approval will expire, staff will contact the Superintendent and ask if the district intends to seek renewal of the charter school. (This early contact is because the district will have to gather and organize the information to justify its request for renewal and submit it to the State Board on or before May 1, if renewal is to be sought.)
- Staff will send to each district that chooses to renew its charter school written instructions of what is required to renew the charter school, including the deadline for submission of required information.
- Staff shall review the information submitted for each charter school and shall prepare a recommendation to the State Board on whether the charter school should be renewed. Each recommendation shall include a detailed explanation for the recommendation, including a review of the school's progress in achieving its program goals.



- Staff recommendations shall be provided to the State Board members prior to the June meeting of the State Board.

Adopted: December 10, 2003  
Amended: April 17, 2018; March 11, 2020

## PROCEDURE A: New Board Member Orientation

1. The purpose of orientation is to prepare newly elected Kansas State Board of Education members for their public office and acquaint them with the work of the Kansas State Department of Education.
2. The personalized structure and frequency of the orientation process will be determined by State Board leadership and the Commissioner of Education. Orientation will occur promptly following the General Election and conclude before newly elected members are sworn in.
3. The Board secretary shall provide each Board member-elect the following:
  - a. Board Policies and Guidelines
  - b. List of School Districts in his/her Board District
  - c. Information for School District Superintendents in his/her Board District
  - d. Calendar of upcoming year's Board meetings
  - e. Board mission and goals, roles and responsibilities
  - f. KSDE organizational chart, contact information for Commissioner and Deputy Commissioners
  - g. Kansas Open Meeting Act, Open Records Act
  - h. Roles and duties of Board secretary and Board attorney
  - i. Information as appropriate regarding payroll, benefits, travel reimbursement and tech support
  - j. Statement of Substantial Interests form from Secretary of State's Office
  - k. List of committee members of advisory groups that work with State Board and KSDE
  - l. List of legislators in Board District
  - m. Chronicle of major Board decisions for the past year
4. Details concerning the swearing-in ceremony will be provided to newly elected and re-elected Board members as soon as they are made available to the Board secretary.
5. New members will be asked for feedback about the orientation process to aid in the planning of future sessions.
6. Newly-elected Board members attending **required** orientation sessions may request mileage and per diem in accordance with State travel regulations. However, salary cannot be paid until their term of office begins. (Policy 1004)

Adopted: September 10, 2008

Amended: September 8, 2015; April 17, 2018; October 11, 2022

## **PROCEDURE B: Conducting Annual Evaluations of Commissioner, Board Attorney and Board Secretary**

1. At the October Board meeting, the human resource director provides evaluation forms for the Commissioner of Education, Board attorney and Board secretary to State Board members with instructions for submitting the completed forms to the Board Chair or designee. See Policy 1007 E. (1).

Enclosures: Commissioner's self-evaluation  
Commissioner's evaluation of Board secretary

2. The Board may consult with any person it considers to have relevant information regarding an evaluation. Such consultation may be in person during an Executive Session or by written report submitted to the Board Chair.
3. Each Board member must complete the evaluation form and return it to the Chair or designee by date designated by Chair, but no later than November Board meeting.
4. The Chair will compile the evaluation results based on the input received from the other Board members and any other person as requested.
5. At the November Board meeting, the entire Board will discuss the evaluation results during Executive Session.
6. After the final evaluations are approved by a majority of the Board members, the Chair will discuss the evaluation with the individual being evaluated.
7. The Commissioner will use the information to complete the State Employee Performance Review of the Board secretary. (Review window is Oct. 1 – Dec. 31)
8. The evaluation forms will be housed with the KSDE Human Resources Office.

Amended: April 17, 2018; March 11, 2020