

MINUTES



Kansas State Board of Education

Tuesday, July 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, July 13, 2021, in the Board Room of the Landon State Office Building, 900 SW Jackson St., Topeka, Kansas.

(00:13:20)

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 two additions to the day's agenda: information from Commissioner Randy Watson on ESSER III set-aside funds and discussion on issuing a statement of fact about Kansas standards. Mrs. Dombrosky requested a separate vote on consent item 21 f. (Mental Health Intervention Team program grants and applications). Dr. Horst moved to approve the Tuesday agenda as amended. Mrs. Haas seconded. Motion carried 10-0. (ESSER is the federal Elementary and Secondary Emergency Relief issued as a result of COVID-19 pandemic)

MOTION
(00:17:21)

APPROVAL OF THE JUNE MEETING MINUTES

Dr. Horst moved to approve the minutes of the June 8 and 9 regular Board meeting. Mrs. Arnold seconded. Motion carried 10-0.

MOTION
(00:17:38)

COMMISSIONER'S REPORT

Dr. Randy Watson highlighted a number of topics in his monthly report to the State Board, many of which would be covered on the agenda. He briefed members on the first two meetings of the task force examining high school graduation requirements in Kansas. He reported that Apollo III is the last of the school redesign cohorts as the program transitions into the accreditation process. Dr. Watson addressed misinformation about Critical Race Theory teachings, confirming that Kansas standards have never included Critical Race Theory, nor will they. He reminded members that 99.5 percent of federal ESSER COVID-19 relief funds go directly to the schools. Remaining discretionary/set-aside funds support specific initiatives such as learning loss, summer enrichment and after-school programs. These initiatives include \$15 million for teacher training on the science of reading to increase student literacy; an increase to the per student true up amount allocated to certain school districts; the Sunflower Summer Program, which provides free access for Kansas students and families to many educational attractions in the state. Lastly, he previewed the

(00:17:54)

Kansans Can Success Tour that he and Deputy Commissioner Brad Neuenswander will embark upon in late July, stopping in 50 locations to gather community input on the current direction for Kansas K-12 education and share progress toward achieving the vision established by the State Board. Data will be collected and reported to the State Board in the fall.

CITIZENS' OPEN FORUM

Chairman Porter declared the Citizens' Forum open at 10:27 a.m. Speakers and their topics were: Laura Downey, Kansas Association for Conservation and Environmental Education — overview of the organization and impact of KACEE's work; Nancy Zenger-Beneda, Kansas Foundation for Agriculture in the Classroom — mission of KFAC and program information. Chairman Porter declared the Citizens Forum closed at 10:39 a.m. Written public comment was received from Dr. Jill Ackerman — health and well-being of students and return to school.

(00:41:55)

RECEIVE REPORT ON DATA COLLECTED BY SYSTEMS THAT PAUSED ACCREDITATION ACTIVITY DURING PANDEMIC

In October 2020, the State Board of Education gave public and private systems the option to voluntarily pause accreditation requirements for a year during the pandemic and while adjusting to remote or hybrid learning. Systems choosing this option, however, were still required to monitor social-emotional and academic growth. A survey was developed and completed by all 229 systems that temporarily paused. The information included how schools were meeting academic needs, providing social-emotional supports to students and staff, and creating plans to mitigate any losses. Mischel Miller, Director of Teacher Licensure and Accreditation, reported on other survey findings such as the importance of communication and re-evaluating goals. The information also helps KSDE staff support systems coming out of the pause period.

(00:54:04)

There was a break until 11:10 a.m.

BREAK

ACTION ON ACCREDITATION REVIEW COUNCIL'S RECOMMENDATION TO UPGRADE ACCREDITATION STATUS FOR HOPE LUTHERAN AND ST. PAUL ELEMENTARY

Systems that have been Conditionally Accredited by the State Board of Education have the opportunity to address the areas for improvement and seek redetermination. Private systems Hope Lutheran of Shawnee and St. Paul Elementary of Olathe made such requests. KSDE Director Mischel Miller and Assistant Director Jeannette Nobo explained that sufficient documentation was provided to the Accreditation Review Council (ARC) to merit reconsideration. The ARC reviews compliance, foundational structures and student growth/achievement. Mr. Porter moved to accept the recommendation to change the accreditation status of Hope Lutheran and St. Paul Elementary from Conditionally Accredited to Accredited. Mrs. Waugh seconded. Motion carried 9-1 with Mr. Jones in opposition.

(01:24:00)

MOTION
(01:38:53)

ACTION ON RECOMMENDATION FOR KANSAS EDUCATION SYSTEMS ACCREDITATION: REMINGTON-WHITewater USD 206

Remington-Whitewater USD 206 is one of the systems scheduled this year to receive an accreditation status. The Accreditation Review Council has reviewed the system's documentation. The three status categories are Accredited, Conditionally Accredited, Not Accredited. Dr. Horst moved to accept the recommendation of the Accreditation Review Council and award the status of Accredited to Remington-Whitewater USD 206. Mrs. Arnold seconded. Motion carried 10-0.

MOTION
(01:39:51)

RECEIVE RECOMMENDATIONS FOR KANSAS EDUCATION SYSTEMS ACCREDITATION

The Accreditation Review Council (ARC) met in June to consider the documentation on 14 other systems scheduled this year for an accreditation status. Director Mischel Miller brought forth the informational findings of the ARC regarding these systems that entered in year two of the

(01:40:38)

five-year cycle. Executive summaries, accountability reports and other narratives were provided to Board members for Cimarron-Ensign USD 102, Prairie Hills USD 113, Olathe USD 233, Emporia USD 253, Valley Center USD 262, Rock Creek USD 323, Oxford USD 358, Caldwell USD 360, Chaparral USD 362, Holcomb USD 363, Durham-Hillsboro-Lehigh USD 410, Auburn Washburn USD 437, Dodge City USD 443, South Haven USD 509. The ARC considers compliance and foundational structures to support a five-year process of continuous improvement. Board members will act on the ARC recommendations in August.

ANNOUNCEMENT OF APOLLO III KANSANS CAN SCHOOL REDESIGN COHORT AND PROGRAM UPDATE

Twelve schools were named to the sixth cohort of Kansans Can Redesign Schools, representing the Apollo III phase. The first participants in the Kansas school redesign project were announced in August 2017. The Apollo III participants are Sunflower Elementary and Wheatland Elementary, Andover USD 385; Park Elementary School, USD 493; Riverside Elementary and Timmerman Elementary, Emporia USD 253; Graber Elementary, Morgan Elementary, Hutchinson Middle School 7 and Hutchinson Middle School 8, Hutchinson USD 308; Lowell Elementary, Whittier Elementary and Winfield Early Learning Center, Winfield USD 465.

(01:43:03)

The meeting recessed for lunch at 11:45 a.m.

LUNCH

KANSANS CAN HIGHLIGHT — SCHOOL REDESIGN AND SUMMER ACTIVITIES AT USD 379

Chairman Porter called the afternoon session to order at 1:30 p.m. and welcomed representatives from Clay County USD 379, introduced by School Redesign Specialist Jay Scott. The district has been active with the Kansans Can School Redesign Project in multiple cohorts. USD 379 Curriculum and Instruction Director Jaclyn Pfizenmaier explained that one of the first objectives was to determine why redesign was important. Redesign principles, along with data collected, provided a foundation for the district's summer learning program. Superintendent Brett Nelson noted that once the district's goals were identified, teachers and staff designed a six-week summer of learning that included meals, transportation, team teaching, hands-on activities, field trips and guest speakers. They reported an overall positive response, with 80 percent of incoming kindergarteners and 70 percent of elementary students in attendance.

P.M. SESSION
(03:42:55)

PRESENTATION OF APOLLO AND APOLLO II SCHOOLS' REDESIGN PLANS FOR ACCEPTANCE AND LAUNCH

KSDE's School Redesign team of Tammy Mitchell, Jay Scott and Sarah Perryman gave the presentation. The Launch Readiness Committee recommended the following redesign schools be approved to launch their plans for the upcoming school year: Free State High School, Lawrence USD 497; Goodland Jr/Sr High School, North Elementary School, West Elementary School from Goodland USD 352; Medicine Lodge Grade School, Medicine Lodge Jr/Sr High from Barber County North USD 254; Northeast High School, Northeast USD 246; Uniontown High School, Uniontown USD 235; Emporia Middle School; Emporia USD 253; Flinthills Primary and Intermediate School, Flinthills Jr/Sr High School, Flinthills USD 492; Lincoln Elementary, Hays USD 489; Marais de Cygnes Valley Elementary, Marais des Cygnes Valley Jr/Sr High, Marais de Cygnes Valley USD 456. Mr. Jones moved to accept the Apollo and Apollo II schools identified as a "Go" for launch for the 2021-22 school year. Mrs. Haas seconded. Motion carried 10-0.

(04:25:47)

MOTION
(04:36:13)

UPDATE ON KANSAS EDUCATIONAL LEADERSHIP INSTITUTE PROGRAM

Dr. Rick Doll, Executive Director of the Kansas Educational Leadership Institute (KELI), reported on the number of superintendents, principals and special education directors served by the organization since its inception 10 years ago. KELI is based in Manhattan and provides mentoring and support services to new school leaders. KELI partners with multiple organizations including KSDE.

(04:41:18)

Professional learning and networking are part of the experience. Dr. Doll also commented on the variety of challenges school leaders face. He invited Board members to attend the KELI orientation for mentors and mentees in Manhattan Sept. 8.

ACTION ON RECOMMENDATIONS OF THE PROFESSIONAL PRACTICES COMMISSION

Jennifer Holt, Chair of the Professional Practices Commission, and KSDE General Counsel Scott Gordon answered questions about the PPC's recommendation on one case presented this month. Dr. Horst moved to adopt the findings of fact and conclusions to deny the application of the individual in case 20-PPC-16. Mr. McNiece seconded. Motion carried 10-0.

MOTION
(05:11:44)

RECEIVE PUBLIC SCHOOL EXPENDITURE PLANS FOR ESSER II FEDERAL COVID-19 RELIEF FUNDS

Federal assistance to public schools has been made available through the Elementary and Secondary Emergency Relief (ESSER) fund. Federal law outlines allowable expenditures directly related to COVID-19, and to support student learning and student needs associated with the pandemic. Assistant Director Doug Boline reported on the current group of 38 screened applications from public schools for using ESSER II funds and provided a cumulative program summary. He explained the rationale for items labeled ineligible expenses. He also went over the change request process and 11 individual requests submitted by school districts.

(05:14:16)

UPDATE ON ESSER III SET-ASIDE FUNDS

Commissioner Watson stated that federal ESSER III relief funds increased by additional \$700,000. It is recommended that the excess amount be applied to districts to increase the true up amount from \$600 to \$625 per student. This benefits school districts impacted by the Title I funding formula.

(05:28:13)

Board members took a break from 3:16 to 3:30 p.m.

BREAK

RECEIVE UPDATE ON, AND PROPOSED CHANGES TO, OFFICE OF GENERAL COUNSEL SCREENING OF PROFESSIONAL PRACTICES CASES

KSDE General Counsel Scott Gordon began with a brief history of licensure screening. In 2014, the State Board gave the Office of General Counsel additional authority to approve educator licenses under certain conditions. He described the current proposal, which would give additional authority to the Office of General Counsel to approve applications at its discretion without coming to the Professional Practices Commission or the State Board. These applications must fall into specific categories. The OCG would not be able to deny applications without going through the full process. The Board will vote on the proposal in August.

(05:43:02)

QUARTERLY UPDATE ON WORK OF THE SPECIAL EDUCATION ADVISORY COUNCIL

Bert Moore, Director of Special Education and Title Services at KSDE, and Heath Peine, Immediate Past Chair of SEAC, made the presentation. They shared highlights from recent meetings. Among these were the formation of a membership committee and committees to work with teacher licensure. They also previewed agenda topics for the SEAC's July meeting. These included survey results and federal fiscal updates. One priority is utilizing pandemic-related funds for student acceleration of learning. They then answered questions from the Board.

(06:08:54)

UPDATE ON SUNFLOWER SUMMER PROGRAM

The Sunflower Summer program, which is being funded by federal ESSER set-aside monies, offers Kansas students and their families unique learning opportunities at Kansas attractions for free. KSDE, Kansas Department of Commerce, Kansas Department of Wildlife, Parks and Tourism, Kansas Children's Cabinet and Trust Fund, KU Center for Public Partnerships and Research, and

(06:24:09)

Greenbush Education Service Center have partnered together in this program. Children's Cabinet Executive Director Melissa Rooker, who assisted with the project, explained that over 70 venues agreed to participate. The online App went live July 1 and attracted more than 6,200 site visitors in the first 11 days. The Sunflower Summer program continues through Aug. 15.

ACTION ON CONSENT AGENDA

Mr. McNiece moved to approve all items on the Consent Agenda, excluding 21 f. (Mental Health Intervention Team program grants), which would be voted on separately. Mrs. Arnold seconded. Motion carried 10-0. In the Consent Agenda, the Board:

MOTION
(06:42:08)

- received the monthly Personnel Report for June.
- confirmed the unclassified personnel appointments of Erin John as Intern on the Special Education and Title Services team, effective June 2, 2021, at a salary of \$1,800, from June through July; Josie McClendon as Senior Administrative Assistant on the Special Education and Title Services team, effective June 7, 2021, at an annual salary of \$29,161.60; Robyn Kelso as Education Program Consultant on the Career, Standards and Assessment Services team, effective June 7, 2021, at an annual salary of \$56,118.40; Jessica Apodaca to the position of Public Service Administrator on the Teacher Licensure and Accreditation team, effective June 13, 2021, at an annual salary of \$43,680; Renee Brant as Administrative Specialist on the Special Education and Title Services team, effective June 14, 2021, at an annual salary of \$36,504; Andrew Huffman as Intern on the Child Nutrition and Wellness team, effective June 14, 2021, at a salary of \$1,200, for four weeks; Angela Rice as Public Service Executive on the Special Education and Title Services team, effective June 7, 2021, at an annual salary of \$47,840.
- approved renewal of Visiting Scholar licenses valid for the 2021-22 school year as follows: Janet Graham, William Allen Skeens and Robin Bacon all with Blue Valley USD 229 Center for Advanced Professional Studies (CAPS) program; Kelly Welch, Lawrence USD 497; Norman Schmidt, Central Heights USD 288; Daniel Trebe, Olathe USD 233.
- adopted and set cut scores for licensure assessments as presented for Mathematics, Middle School Mathematics, Principles of Learning and Teaching PreK-12, Journalism, Computer Science, Japanese World Language, and American Sign Language Proficiency Interview.
- accepted the following recommendations of the Evaluation Review Committee: accreditation for Benedictine College through Dec. 31, 2028, and program approval for Newman University — Early Childhood Unified, continuing program through June 30, 2026.
- authorized amending three awards for the IDEA Title VI-B Special Education Targeted Improvement Plan grants (Ark Valley Special Education Coop, Goddard Special Education Coop, Maize Special Education Coop).

authorized the Commissioner of Education to negotiate and

- enter into a contract with the Kansas Association of Independent and Religious Schools for the reimbursement of funds for professional development of non-public school teachers and leaders, in an amount not to exceed \$51,000.
- approve the continued funding and extension of the Education Advocate contract to June 30, 2022, in an amount not to exceed \$350,000 out of IDEA VI-B funds.
- enter into a contract with Renaissance Learning, Inc., to provide professional development to Kansas educators for three years using the Star assessment tools to measure learning in Language Arts and Math with a timeline of Aug. 1, 2021 through Sept. 30, 2024, in an amount not to exceed \$650,000.

- purchase services from Gizmo Pictures under a prior authorization in an amount not to exceed \$20,000 for the period Aug. 15, 2021 to Sept. 30, 2021 for the purpose of increasing communication and awareness that all Kansas students can receive a free breakfast and lunch each school day during School Year 2021-22.
- enter into a contract with the Kansas Association of Broadcasters in an amount not to exceed \$100,000 for the purpose of disseminating public service announcements to inform the public that all Kansas students can receive a free breakfast and lunch each school day during School Year 2021-22.
- approve allocations to fund after-school learning center programs as presented in a total amount not to exceed \$2,971,812 effective through Sept. 30, 2024.
- authorize contracts for out-of-state tuition for the 2021-22 school year for students attending the Kansas School for the Deaf.
- authorize contracts for out-of-state tuition for the 2021-22 school year for students attending the Kansas State School for the Blind.
- authorize the Superintendent of the Kansas State School for the Blind to renew a contract with Accessible Arts, Inc. for arts-related services for students attending KSSB in exchange for KSSB facility use and statewide outreach services in the Arts for Kansas individuals with disabilities in an amount not to exceed \$134,000.
- authorize the Superintendent of the Kansas State School for the Blind to renew a contract with Baer Wilson and Company, LLC to provide counseling and evaluation services for students who attend KSSB in a contract amount not to exceed \$95,000.
- authorize the Superintendent of the Kansas State School for the Blind to renew a contract with Supplemental Health for nursing services in an amount not to exceed \$175,000.
- authorize the Superintendent of the Kansas State School for the Blind to renew a contract with Providence Medical Center for physical therapy and occupational therapy services in an amount not to exceed \$125,000.

SEPARATE ACTION ON CONSENT AGENDA ITEM

Mr. Jones moved to approve recommended grant allocations to school districts in the amount of \$5,056,535 and grants for Local Community Mental Health Centers in the amount of \$2,533,931 for the Mental Health Intervention Team Program for the 2021-22 school year. Mrs. Arnold seconded. Motion carried 9-1 with Mrs. Dombrosky in opposition.

MOTION
(06:42:35)

ACTION ON CALENDAR YEAR 2022-2023 STATE BOARD MEETING DATES

Chair Porter presented proposed State Board meeting dates for 2022 and 2023. Board members considered the schedules, which follow the traditional monthly meeting dates of the second Tuesday and Wednesday. Dr. Horst moved (Motion read by Mr. Porter) to establish the regular monthly meeting dates for 2022 and 2023 as presented. Mrs. Arnold seconded. Motion carried 10-0.

MOTION
(06:44:09)

The 2022 schedule is as follows:

January 11-12	May 10-11	September 13-14
February 8-9	June 14-15	October 11-12
March 8-9	July 12-13	November 8-9
April 12-13	August 9-10	December 13-14

The 2023 schedule is as follows:

January 10-11	May 9-10	September 12-13
February 14-15	June 13-14	October 10-11
March 14-15	July 11-12	November 14-15
April 11-12	August 8-9	December 12-13

CHAIRMAN'S REPORT

Action on Board Travel — Dr. Horst moved to approve the travel requests and updates. Mr. McNiece seconded. Motion carried 10-0.

MOTION
(06:58:06)

Committee Reports — Updates were given on the following:

- State Board's tour of northwest Kansas Sept. 27-29. Stops will include Hays, Stockton and Goodland. The full itinerary has not yet been finalized.
- Graduation Requirements Task Force, which has already met twice. Task Force Chair Jim McNiece will be contacting Board members individually to get their input on what they consider to be non-negotiables for obtaining a high school diploma.
- Student Voice Committee reports several upcoming opportunities to gather student comments, and encouraged student participation in the Kansans Can Success Tour.
- Dr. Horst briefed members on KSHSAA activity.

Board Attorney's Report — Mark Ferguson informed members on potential and recent Supreme Court decisions that could impact school policy.

Requests for Future Agenda Items —

- Follow-up report from Clay County USD 379 on impact of its summer learning program on long-term student performance. (Mrs. Clifford)
- Annual presentations from KS Foundation for Agriculture in the Classroom, Communities in Schools, Kansas Association for Conservation and Environmental Education (Mr. Jones)
- Discussion on family engagement to clearly define roles of boards and schools. (Mrs. Arnold)
- Presentation about Junior Achievement Program, its services and opportunities. (Mr. McNiece)
- Discussion on ways to support school administrators and help avoid burnout. (Mr. Porter)
- Information on state employee positions set at less than \$15 dollars an hour; and salaries of comparable positions within school districts. (Mr. Porter and Mrs. Waugh)
- Additional time in August to discuss Board's legislative priorities for 2022 session. Include topic of school bus transportation for students (decreasing mileage threshold, considering risk vs. miles, etc.)

Chairman's Report — Chair Porter asked members to review a prepared statement, *Kansas State Board of Education Response to Critical Race Theory Claims*. This was prompted by statements issued by local school districts as well as public questions about Kansas standards and curriculum. The statement affirms that Critical Race Theory is not a part of Kansas' academic standards and has never been. There was no action this day on the draft statement.

Chair Porter also announced that the Wednesday, Sept. 15 session of the State Board meeting would be the annual joint meeting with the Kansas Board of Regents at KBOR.

RECESS

Chair Porter recessed the meeting at 5:25 p.m. until 9 a.m. Wednesday.

Jim Porter, Chair

Peggy Hill, Secretary

MINUTES



Kansas State Board of Education

Wednesday, July 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 July 14, 2021.

(00:11:17)

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 the addition of agenda item 5 (a) Act on increase of true up dollars for school districts by using additional ESSER III set-aside funds. Commissioner Randy Watson explained this requested action yesterday. Dr. Horst moved to approve the Wednesday agenda as amended. Mr. Jones seconded. Motion carried 9-0 with Mr. McNiece absent for the vote.

MOTION
(00:14:28)

KANSANS CAN HIGHLIGHT: USD 501 STUDENT JAQUI ORTEGA

Highland Park High School student Jaqui Ortega was invited to talk about her school project to enhance social-emotional understanding in her school community and beyond. Social-emotional growth, measured locally, is one of the State Board of Education's outcomes. Ms. Ortega will be a senior this fall at Highland Park High School (Topeka USD 501). Her video project — "You are Beautiful" — is one example of a student initiative creating positive reflection. In addition, her work exemplifies how social-emotional growth can be embedded in classroom learning. Ms. Ortega commented on her school and extra-curricular activities. She plans to study psychology and music after high school. Dr. Tiffany Anderson, Superintendent of Topeka USD 501, described the district's trauma-informed approach, emphasis on acquiring student voice and multiple school mental health initiatives.

(00:14:51)

ACTION ON PUBLIC SCHOOL EXPENDITURE PLANS FOR ESSER II FEDERAL COVID-19 RELIEF FUNDS

Assistant Director Doug Boline offered to answer questions about Task Force recommendations for the current applications and expenditure plans as well as submitted change requests. Districts submit their plans for approval before being able to draw down federal Elementary and Secondary School Emergency Relief (ESSER) funds from the second phase of the ESSER allocations.

(00:41:47)

Mr. Jones moved to accept the recommendations of the Commissioner's Task Force on ESSER and EANS Distribution of Money and approve the submission of school district expenditure plans for ESSER II federal COVID-19 relief funds as presented. Mrs. Arnold seconded. Motion carried 9-1 with Mrs. Dombrosky in opposition.

MOTION
(00:42:17)

ACTION ON ESSER III SET-ASIDE FUNDS

Mr. Porter moved to approve increasing the true up amount from \$600 to \$625 per student to utilize additional ESSER III federal COVID-19 relief funds. Mrs. Haas seconded. Motion carried 9-1 with Mrs. Dombrosky in opposition.

MOTION
(00:43:09)

LEGISLATIVE MATTERS AND ACTION ON BUDGET RECOMMENDATIONS

Dr. Craig Neuenswander introduced KSDE's new Director of School Finance Dale Brungardt. Dr. Neuenswander then reviewed the process for the Board to consider possible options for education state aid programs as required by statute. Director of Fiscal Services and Operations John Hess assisted in answering questions.

(00:44:24)

Action on the following recommendations for state Fiscal Year 2023 occurred:

- Mrs. Mah moved to support amount of Base Aid for Student Excellence (BASE) as presented for 2022-23 at \$4,846. (BASE amount established in state law and approved by the Kansas Supreme Court). Dr. Horst seconded. Motion carried 10-0.
- Mrs. Mah moved to support amount of Supplemental State Aid (local option budget) as presented to fund the law. Mr. McNiece seconded. Motion carried 10-0.
- Mr. Jones moved to support Capital Improvement State Aid (bond and interest) estimate as presented to fund the law. Dr. Horst seconded. Motion carried 10-0.
- Dr. Horst moved to support amount allocated for Capital Outlay State Aid to fund the law. Mr. Jones seconded. Motion carried 10-0.
- Mr. Jones moved to support amount allocated for Juvenile Detention Facilities as presented to fund the law. Mr. McNiece seconded. Motion carried 10-0.
- Mrs. Mah moved to recommend a five-year phase-in for Special Education State Aid at an additional cost of \$74,143,547 each of the five years to reach 92 percent of excess costs, which is current law. Mr. McNiece seconded. Motion carried 10-0.
- Mr. McNiece moved to support amount allocated for Parents As Teachers to fund program at current level. Mr. Jones seconded. Motion carried 9-0-1 with Mrs. Dombrosky abstaining.
- Mrs. Mah moved to fully fund Mentor Teacher Program at an additional cost of \$1 million. Mrs. Haas seconded. Motion carried 10-0.
- Mrs. Mah moved to fully fund Professional Development at an additional cost of \$3.6 million. Mrs. Haas seconded. Motion carried 8-1-1 with Mr. Jones opposing and Mrs. Dombrosky abstaining.
- Mrs. Waugh moved to decrease the threshold from 2.5 miles to 2.0 miles. The motion failed to receive a second. Mr. Jones moved to fully fund current law for Transportation (2.5 miles) at no additional cost. Mrs. Dombrosky seconded. Motion carried 6-4 with Mrs. Haas, Mr. Porter, Mrs. Waugh and Mrs. Arnold opposing.
- Dr. Horst moved to meet federal maintenance of effort requirements for School Lunch at no additional cost. Mrs. Haas seconded. Motion carried 10-0.
- Mr. McNiece moved to reinstate funding for National Board Certification at previous level for additional cost of \$360,693. Mr. Jones seconded. Motion carried 10-0.
- Mr. Jones moved to support amount allocated as presented to fund Pre-K Pilot at current level. Mrs. Haas seconded. Motion carried 10-0.
- Mrs. Haas moved to recommend funding Career and Technical Education Transportation at 100 percent (2019-2020 level) at an estimated cost of \$1,482,338. Mr. McNiece seconded. Motion carried 9-0-1 with Mrs. Dombrosky abstaining.
- Mrs. Mah moved to recommend not funding discretionary grants for afterschool and middle school programs. (Federal ESSER money available for afterschool programs). Mr. McNiece seconded. Motion carried 10-0.

SERIES OF MOTIONS
(00:55:13)

Members took a 10-minute break at 10:55 a.m.

BREAK

CONTINUED ACTION ON BUDGET RECOMMENDATIONS

Discussion and action resumed on FY 2023 budget recommendations for education state aid programs.

- Mr. Jones moved to recommend expanding Mental Health Intervention Team Pilot Program in 2022-23 at an additional cost of \$3 million. Mrs. Mah seconded. Motion carried 6-4 with Mrs. Clifford, Mrs. Haas, Mrs. Dombrosky and Dr. Horst opposing.
- Dr. Horst moved to fund the anticipated increased costs of ACT contract for ACT and Work-Keys Assessment program. Mr. McNiece seconded. Motion failed on a 3-7 vote with Mrs. Mah, Mrs. Clifford, Mrs. Arnold, Mrs. Waugh, Mr. Porter, Mrs. Haas and Mrs. Dombrosky opposing.
- Mr. Porter moved to fund statewide dyslexia coordinator position from State General Fund at an additional cost of \$100,000. Mrs. Haas seconded. Motion carried 10-0.
- Mr. Jones moved to request funding in the amount of \$35,000 EACH for Communities in Schools, Kansas Association for Conservation and Environmental Education, and Kansas Foundation for Agriculture in the Classroom. Mrs. Waugh seconded. Motion carried 10-0.
- No action was taken to make new recommendations for JourneyEd contract; Juvenile Transitional Crisis Pilot (Beloit); Kansas Safe and Secure Schools.

SERIES OF MOTIONS
(02:32:10)

ACTION ON STATE BOARD RESPONSE LETTER TO DIVISION OF THE BUDGET AND LEGISLATIVE RESEARCH REGARDING FEDERAL COVID-19 RELIEF FUNDS

An explanation of allowable expenditures under the federal law for ESSER funds was outlined in a letter to the Division of the Budget and Legislative Research. The letter responds to legislation that was signed into law in May 2021 recommending KSDE make specific expenditures using the ESSER federal funds. The letter explains the State Education Agency was given authority to determine the 10 percent set-aside administrative funds and did so at their April meeting. Mrs. Mah moved (Motion read by Mr. Porter) to approve the proposed response letter from KSDE's Division of Fiscal and Administrative Services explaining federal requirements to the Division of the Budget and Legislative Research on expenditures of federal COVID-19 relief funds. Mr. McNiece seconded. Motion carried 9-0-1 with Mrs. Dombrosky abstaining.

MOTION
(02:58:57)

DISCUSSION ON LEGISLATIVE PRIORITIES

Chair Porter previously directed Board Attorney Mark Ferguson to research case law examples regarding State Board's self-executing power and Constitutional authority in preparation for the discussion on establishing the Board's legislative priorities. Mr. Ferguson provided a Memorandum that cites Article 6 of the Kansas Constitution and the court's interpretation of this education article in prior cases. He reviewed State Board responsibilities, including general supervision of public schools. Locally elected boards are responsible for maintaining, developing and operating public schools. School finance is the legal obligation of the Legislature. The Board's planned discussion on establishing legislative priorities for the 2022 session will be postponed until August. Legislative Liaisons Deena Horst and Ben Jones will lead that discussion.

(03:00:58)

DISCUSSION ON BOARD STATEMENT

Chair Porter distributed an updated draft of a prepared statement — *Kansas State Board of Education Response to Critical Race Theory Claims*, noting changes from the original draft presented on Tuesday. Mr. McNiece moved to accept the State Board response letter to Critical Race Theory as presented, fixing any grammatical corrections needed but not to change the message, and forwarding to interested parties. Mrs. Arnold seconded. Members discussed the revisions from the first draft. Mrs. Haas provided an amended motion to return to the first draft of the State Board response letter to Critical Race Theory claims. Mrs. Mah seconded.

MOTION
(03:29:03)

AMENDED MOTION
(03:35:23)

Members recessed at 12:25 p.m. to participate in a scheduled news conference. The meeting would resume afterwards.

NEWS CONFERENCE

Board members joined Commissioner Dr. Randy Watson and Deputy Commissioner Dr. Brad Neuenswander as they announced \$15 million in funding to address early literacy in Kansas. The \$15 million is set aside from the Elementary and Secondary School Emergency Relief (ESSER) III fund, and will be spread out over a three-year initiative to help address learning loss from the COVID-19 pandemic. The initiative will train educators in the science of reading through the LETRS program.

BOARD MEETING RESUMES

Chair Porter reassembled the Board to continue the discussion on the State Board’s response letter. Several members contributed comments, including a desire to distinguish between Culturally Relevant Pedagogy/Teaching and Critical Race Theory. Chair Porter called for a vote on the amended motion from Mrs. Haas (original draft) and seconded by Mrs. Mah. The motion failed 2-8 with Mrs. Waugh, Mrs. Dombrosky, Mrs. Clifford, Dr. Horst, Mr. Jones, Mrs. Arnold, Mr. Porter and Mr. McNiece opposing.

Chair Porter then called for a vote on the original motion made by Mr. McNiece and seconded by Mrs. Arnold for the revised letter presented today. The motion passed 10-0.

ADJOURNMENT

The meeting adjourned at 1:20 p.m.

The next regular monthly meeting is Aug. 10 and 11 in Topeka.

Jim Porter, Chair

Peggy Hill, Secretary

ADJOURN

ESSER II Overview and Table of Contents

Plan	DISTRICT PROFILES				KSDE RECOMMENDATIONS						
	District Number	District Name	Total Public School Students (FTE) ¹	% Students Approved for Free- or Reduced-Price Lunch ²	Total Direct and True Up Allocation	Total Requested	% Requested of Total Allocation	Total Eligible	% Eligible of Total Requested	Eligible Value Per Student (FTE) ¹	
1	111	Doniphan West Schools	293	30%	\$ 186,406	\$ 179,300	96%	\$ 179,300	100%	\$ 613	
2	206	Remington-Whitewater	456	39%	\$ 236,899	\$ 25,120	11%	\$ 25,120	100%	\$ 55	
3	208	Wakeeney	357	37%	\$ 216,571	\$ 216,571	100%	\$ 216,571	100%	\$ 607	
4	211	Norton Community Schools	620	42%	\$ 439,659	\$ 350,145	80%	\$ 350,145	100%	\$ 565	
5	234	Fort Scott	1,737	58%	\$ 1,815,622	\$ 1,243,424	68%	\$ 1,243,424	100%	\$ 716	
6	235	Uniontown	450	61%	\$ 418,063	\$ 382,387	91%	\$ 382,387	100%	\$ 850	
7	252	Southern Lyon County	475	43%	\$ 234,427	\$ 234,427	100%	\$ 234,427	100%	\$ 494	
8	299	Sylvan Grove	232	48%	\$ 182,405	\$ 56,201	31%	\$ 56,201	100%	\$ 243	
9	308	Hutchinson Public Schools	4,071	67%	\$ 3,778,947	\$ 3,778,947	100%	\$ 3,778,947	100%	\$ 928	
10	329	Mill Creek Valley	415	30%	\$ 187,667	\$ 187,667	100%	\$ 187,667	100%	\$ 452	
11	352	Goodland	882	46%	\$ 715,088	\$ 715,088	100%	\$ 715,088	100%	\$ 811	
12	358	Oxford	324	40%	\$ 176,452	\$ 167,091	95%	\$ 167,091	100%	\$ 515	
13	360	Caldwell	228	60%	\$ 202,116	\$ 202,116	100%	\$ 202,116	100%	\$ 885	
14	372	Silver Lake	675	16%	\$ 202,623	\$ 202,623	100%	\$ 202,623	100%	\$ 300	
15	389	Eureka	587	61%	\$ 528,745	\$ 528,745	100%	\$ 528,745	100%	\$ 902	
16	392	Osborne County	289	52%	\$ 211,044	\$ 211,044	100%	\$ 211,044	100%	\$ 729	
17	408	Marion-Florence	463	44%	\$ 269,918	\$ 269,918	100%	\$ 269,918	100%	\$ 584	
18	412	Hoxie Community Schools	427	37%	\$ 266,276	\$ 266,276	100%	\$ 266,276	100%	\$ 624	
19	418	McPherson	2,304	40%	\$ 1,070,195	\$ 431,487	40%	\$ 431,487	100%	\$ 187	
20	426	Pike Valley	202	49%	\$ 130,463	\$ 16,350	13%	\$ 16,350	100%	\$ 81	
21	428	Great Bend	2,827	65%	\$ 2,657,407	\$ 2,207,441	83%	\$ 2,207,441	100%	\$ 781	
22	434	Santa Fe Trail	968	45%	\$ 608,679	\$ 350,884	58%	\$ 350,884	100%	\$ 362	
23	452	Stanton County	429	60%	\$ 358,777	\$ 44,500	12%	\$ 44,500	100%	\$ 104	
24	462	Central	281	62%	\$ 292,862	\$ 222,015	76%	\$ 222,015	100%	\$ 791	
25	463	Udall	334	46%	\$ 195,640	\$ 195,640	100%	\$ 195,640	100%	\$ 587	
26	471	Dexter	238	51%	\$ 142,705	\$ 142,705	100%	\$ 142,705	100%	\$ 599	
27	487	Herington	419	62%	\$ 409,256	\$ 409,256	100%	\$ 409,256	100%	\$ 978	
28	492	Flinthills	269	51%	\$ 120,968	\$ 120,368	100%	\$ 120,368	100%	\$ 448	
29	500	Kansas City	21,058	88%	\$ 36,708,777	\$ 29,317,221	80%	\$ 29,317,221	100%	\$ 1,392	
Total			42,304	70%	\$ 52,964,657	\$ 42,674,957	81%	\$ 42,674,957	100%	\$ 1,009	

1. Includes the number of non-weighted, non-virtual full-time equivalent (FTE) students in the 2020-2021 school year (part-time students are accounted for to the nearest tenth). Students who transitioned to remote learning due to COVID-19 (remote learners) are included in the FTE totals.

2. Reflects the percent of student headcount approved for free or reduced-price lunch in the 2020-2021 school year.

ESSER II Change Request Overview and Table of Contents

DISTRICT PROFILES					KSDE RECOMMENDATIONS							
Plan	District Number	District Name	Total Public School Students (FTE) ¹	% Students Approved for Free- or Reduced-Price Lunch ²	Total Direct and True Up Allocation	Previously Eligible	% Requested of Total Allocation Previously	Requested Change	Total Change Request Approved	Eligible net change for Task Force Review	% Eligible of Total Requested	Eligible Value Per Student (FTE) ¹
1	258	Humboldt	550	36%	\$ 419,308	\$ 112,668	27%	\$ 156,000	\$ 268,668	\$ 156,000	64%	\$ 488
2	298	Lincoln	318	58%	\$ 246,941	\$ 232,936	94%	\$ 246,941	\$ 246,941	\$ 14,005	100%	\$ 777
3	477	Ingalls	233	36%	\$ 83,381	\$ 83,381	100%	\$ 83,381	\$ 83,381	\$ -	100%	\$ 359
Total			1,101	42%	\$ 749,630	\$ 428,985	57%	486,322	\$ 598,990	\$ 170,005	80%	\$ 544

1. Includes the number of non-weighted, non-virtual full-time equivalent (FTE) students in the 2020-2021 school year (part-time students are accounted for to the nearest tenth). Students who transitioned to remote learning due to COVID-19 (remote learners) are included in the FTE totals.

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1	259	Wichita	45,158	77%	\$ 75,503,105	\$ 43,589,144	58%	\$ 43,589,144	100%	\$ 965	
2	272	Waconda	293	42%	\$ 238,868	\$ 238,868	100%	\$ 238,868	100%	\$ 816	
3	345	Seaman	3,736	35%	\$ 1,214,581	\$ 1,214,581	100%	\$ 1,214,581	100%	\$ 325	
4	346	Jayhawk	555	55%	\$ 435,141	\$ 384,050	88%	\$ 384,050	100%	\$ 692	
5	367	Osawatomie	1,027	61%	\$ 954,345	\$ 954,345	100%	\$ 954,345	100%	\$ 930	
6	383	Manhattan-Ogden	6,310	38%	\$ 3,227,828	\$ 3,007,828	93%	\$ 3,007,828	100%	\$ 477	
7	454	Burlingame Public School	268	48%	\$ 218,946	\$ 161,000	74%	\$ 161,000	100%	\$ 601	
8	456	Marais Des Cygnes Valley	209	57%	\$ 198,957	\$ 186,630	94%	\$ 186,630	94%	\$ 836	
9	461	Neodesha	690	60%	\$ 598,392	\$ 69,423	12%	\$ 69,423	100%	\$ 101	
Total			58,244	69%	\$ 82,590,163	\$ 49,805,869	60%	\$ 49,805,869	100%	\$ 855	

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2. Reflects the percent of student headcount approved for free or reduced-price lunch in the 2020-2021 school year.

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1	205	Bluestem	478	43%	\$ 265,659	\$ 265,659	100%	\$ 265,659	\$ 178,323	\$ (87,336)	67%	\$ 373
2	239	North Ottawa County	597	43%	\$ 296,260	\$ 296,260	100%	\$ 296,260	\$ 296,260	\$ -	100%	\$ 496
3	250	Pittsburg	3,138	61%	\$ 3,123,210	\$ 1,867,000	60%	\$ 838,980	\$ 838,980	\$ (1,028,020)	27%	\$ 267
4	260	Derby	6,931	44%	\$ 2,642,818	\$ 1,643,082	62%	\$ 2,642,818	\$ 2,642,818	\$ 999,736	100%	\$ 381
5	325	Phillipsburg	580	38%	\$ 317,916	\$ 317,916	100%	\$ 317,916	\$ 317,916	\$ -	100%	\$ 549
6	420	Osage City	674	46%	\$ 496,759	\$ 338,162	68%	\$ 346,202	\$ 346,202	\$ 8,040	70%	\$ 514
7	493	Columbus	874	57%	\$ 748,446	\$ 748,446	100%	\$ 748,446	\$ 748,446	\$ -	100%	\$ 857
8	499	Galena	769	60%	\$ 846,712	\$ 788,062	93%	\$ 846,712	\$ 846,712	\$ 58,650	100%	\$ 1,102
Total			14,039.80	49%	\$ 8,737,780	\$ 6,264,587	72%	6,302,992	\$ 6,215,656	\$ (48,931)	71%	\$ 443

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