Constitution of the State of Kansas

Article 6: Education

§ 1: Schools and related institutions and activities. The legislature shall provide for intellectual, educational, vocational and scientific improvement by establishing and maintaining public schools, educational institutions and related activities which may be organized and changed in such manner as may be provided by law.
KASB expands advocacy, information tools

At this crucial time in the history of Kansas public education, KASB is using new tools to advocate on behalf of school boards, schools and students.

**KASB video broadcasts** can be seen at youtube.com/user/KASBVideo. In addition, KASB is transforming those broadcasts into podcasts. Check out buzzsprout.com/169581 for all the episodes.

We also have instituted a **text alert system**, to notify subscribers of important developments in K-12 education. To sign up for updates from KASB, text KASBadvocate to 555888.

We hope you enjoy the coverage and we welcome any suggestions you have.

Please also follow us on Facebook, Facebook Live and Twitter and don’t forget to open your daily KASB News Briefs email for local, state and national education news.

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### School board member profiles

We also have gotten positive response to our profiles of school board members from across the state and welcome more members to respond. We want to run profiles of every one of our approximately 2,000 school board members.

At right is a list of the questions for school board members. If you can, please answer them in one or two sentences. Please send those responses to Scott Rothschild at srothschild@kasb.org.

Also, our expanded monthly School Board Review is now 1 1/2 years old. We hope you enjoy the coverage and we welcome any suggestions you have.

Please also follow us on Facebook, Facebook Live and Twitter and don’t forget to open your daily KASB News Briefs email for local, state and national education news.

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### School Board Profile
- Name
- USD Name/Number:
- How long have you been a school board member?
- Why did you decide to become a board member?
- Who was an adult you looked up to when you were growing up and why?
- Who was your favorite teacher and why?
- What do you do outside of being a board member?
- What experience do you bring to the table that will improve your local school district?
- As a board member, what is the top goal you have this year?
- What is a saying or quote that you live by?

Please send profile responses to srothschild@kasb.org

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A recent broadcast about the Gannon decision found on youtube.com/user/KASBVideo

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**KASB Board of Directors**

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<tr>
<th>Region</th>
<th>Member</th>
<th>Email Address</th>
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**President-Elect**

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Celebrating Public Schools

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President’s Perspective
C. Patrick Woods, Topeka USD 501

Every child deserves first-rate education

Greetings fellow board members. It’s my great honor to serve as president of KASB for this year. I want to thank you all for all that you do to help your districts realize our shared goal of a first-class public education for all students, and for your commitment to our association. I especially want to thank immediate past president Dayna Miller, who has led with grace and dignity in trying situations.

Education is a “kitchen table” issue in my house, as my children attend school in my district, where my wife also teaches.

Twelve years ago, I was a young policy aide in the office of Gov. Kathleen Sebelius. The governor had just signed a multi-year school finance package into law, worth almost $500 million over the next three years, during a signing ceremony with legislative leaders of both parties. This followed a special legislative session in which legislators voted to boost school finance by nearly $300 million in one year.

This legislation was accompanied by several positive policy changes and supported by legislators from both sides of the isle. After many difficult years, school districts throughout Kansas would have the resources they needed to ensure a first-class public education system for every child.

Inspired by our leaders’ commitment to a high quality public education system, I sought election to my local school board because I knew my district, Topeka USD 501, would receive funds to build this system and I believed I could help in making the policy to shape these efforts. After 11 years as a local school board member and eight years as a member of the board of directors for KASB, I remain inspired by the outstanding public servants – school board members – with whom I have the pleasure to work.

Last December, I stood before the Delegate Assembly and declared my candidacy for president of the association for the exact same reason – because I firmly believe every Kansas child has a right to a first-class public education, where they can fully develop their talents and fulfill their God-given potential. And, I believe KASB is a critical element in each of our district’s ability to realize these ideals.

KASB is an essential element because it is uniquely positioned to serve districts’ needs in three critical ways: to serve as the advocate for public education in the Statehouse; to be the conduit between our public education system and the business community, which must be our partner in the effort to prepare students for the 21st century workforce; and to provide the critical legal and leadership development services that make a great school district even greater. These are challenges each of our districts face and KASB is there to help us address them.

As Kansans prepare to begin a new school year, I am optimistic about our ability to address these challenges. I’ve witnessed on numerous occasions school board members from across the state working together to ensure that our districts can provide each student with the first-class education that they deserve. This challenge and our job as local board members, won’t be easy – it never has been. However, I know we’re up to the challenge and our association will be behind us 100 percent.

KASB staff meets with the officers of the board of the directors.
Nearly half of Kansans fail simple test

August and November are coming: How will you score on this important metric?

Although they originated with a Kentucky court case, the seven Rose Standards are well known to Kansas educators and policymakers. Cited by the Kansas Supreme Court, adopted by the Kansas State Board of Education, voted into law by the Legislature and signed by the governor, there is general agreement the standards are an excellent foundation upon which to build a system of education. There is also general agreement that the standards are difficult to measure.

Serving on the Governor’s Education Council and co-chair of the council’s metrics committee brings me more opportunity to think about how we measure school success, especially as we think about the Rose Standards.

Because one of the best measures of an education is how it is used over a lifetime, I jokingly suggested we develop an obituary/eulogy rubric. While much better ideas are being discussed, one thing for certain is we have the opportunity to measure two of the Rose Standards coming up in the next few months, both with one simple “yes/no” question.

The second Rose Standard states that a student should have “sufficient knowledge of economic, social, and political systems to enable the student to make informed choices.”

The third standard requires “sufficient understanding of governmental processes to enable the student to understand the issues that affect his or her community, state and nation.”

In spite of the fact that four of the amendments to the Constitution deal directly with keeping paths to the ballot box open, nearly half of Kansans choose not to go.

If those two standards are learned, the student will show mastery by voting in every election for which they are eligible. “Yes” or “No,” did you vote? It has been estimated 45 percent of eligible voters in Kansas stayed home in 2016, thus failing our simple mastery test.

In spite of the fact that four of the amendments to the U.S. Constitution deal directly with keeping paths to the ballot box open, nearly half of Kansans choose not to go. Certainly, there are those who prefer small turnout and want to make voting a privilege instead of a right, but over our nearly 250-year history, Americans have acted consistently to ensure this important right.

In 1869 the 15th Amendment prohibited the denial of voting rights based upon race. In 1920, half of the population was added to the voting roles by the 19th Amendment. In my lifetime, using poll taxes to keep people from voting was banned by the 23rd Amendment and the voting age was moved from age 21 to 18 by the 26th Amendment.

As a former government teacher, it hurts to know almost half of my former students are not exercising this important right. The two Rose Standards I was supposed to teach have not been met by even the simplest of standards.

My hurt feelings matter far less than the “Night of Terror” victims who were jailed and tortured for protesting for women’s suffrage in 1917. A movie made the Mississippi Burning victims famous by documenting how they died registering voters in the 1960’s South. Deacon Jimmie Lee Jackson was shot after attempting to register for the vote five times as depicted in the movie “Selma.”

I may have failed with my students, but maybe I can succeed with you. I am confident that school leaders are voters, so this is not a call for you to vote. This is a call to you to help your friends and neighbors understand and care about the issues enough that they go out and vote!
Seitz committed to serving all students

By Scott Rothschild, srrothschild@kasb.org

As a member of the Blue Valley USD 229 school board, Mike Seitz says he is thankful the district has a community of parents and students “who recognize the value of public education.”

And Seitz says he is thankful to serve in various public service roles — the school board, Johnson County Mental Health Center and Baker University Board of Trustees — that allow him to help others.

A retired businessman, Seitz says his role as a school board member is to make sure every child in the district has the opportunity to receive an excellent education. He and his wife Debra have four children who graduated from Blue Valley schools.

If any school board member is looking at one group of students or another, they are not doing justice to the entire district.

-Mike Seitz
Blue Valley USD 229
Board Member

“My primary role is to ensure the students get the best education possible and are poised for success in the future. If any school board member is looking at one group of students or another, they are not doing justice to the entire district.”

“We are trying to make sure any decisions we make are inclusive of all students. Long-term, the board can provide the strategy and vision that represents the wants and needs of the community that sets a tone going forward,” he said.

And Seitz said he also wants to ensure taxpayers are getting the best value for their taxes.

“I think public education has to take stock of itself and recognize we have an obligation to prove the value of the investment we are making,” he said. “We have to stop whining about not having enough money and start talking about the outcomes. We need to beat our chest about how good we really are,” he said.

Seitz said he likes the direction public education has taken in Kansas — reducing the emphasis on testing, focusing on individual student success and turning attention to the social, emotional and mental health needs of students.

“I give credit to all of our educators who do that. I think we are moving toward a holistic perspective of students,” he said.

He adds the Legislature “has begun to understand the needs of education better than they ever had.”

If he had any advice for policymakers in Topeka, it would be to continue focusing on mental health, increase funding for special education and “not pit education against other services.”

KASB Board of Directors works on strategic review of association data during a meeting earlier in the summer.
Angie Stallbaumer, who has been serving school boards across the state by providing legal and policy assistance, was recently promoted to the position of Senior Attorney at KASB.

As Senior Attorney, Stallbaumer will assist Donna Whiteman, who is assistant executive director of Legal Services, in the supervision and mentoring of KASB staff attorneys and assignment of member services. Stallbaumer will also assist all KASB departments in legal and policy issues, in addition to numerous other duties.

In announcing the promotion, KASB Executive Director John Heim said, “We are pleased to recognize Angie’s commitment to Kansas education and KASB by promoting her to the position of Senior Attorney. Angie is a great asset to school leaders across Kansas.”

Whiteman said, “Angie is a long-time KASB attorney dedicated to providing KASB members with timely and accurate legal services.”

“This is Stallbaumer’s second stint at KASB. She worked for the association from 2007-2010, before going to the Kansas Department of Agriculture for two years as a staff attorney, legislative liaison and special assistant attorney general for agriculture. She returned to KASB in 2012 and has been running the association’s policy services and providing members general staff attorney functions.

Stallbaumer grew up on a farm and ranch in Logan County and graduated from Oakley High School. She earned bachelor of science degrees in psychology and political science at Kansas State University and then received her law degree at the University of Kansas.

She lives in Basehor with her husband Rod, who is a teacher and coach at Basehor-Linwood High School. They have two girls, ages nine and three and a seven-year-old boy.

“When I’m not doing lawyerly things, I enjoy spending time with family, watching my kids in their activities and supporting Rod at his sporting events and activities,” she said.
Project management requires discipline, flexibility, monitoring

Not-so-common sense

Along with being a researcher and statistician, I am also a certified Project Manager. There aren’t a lot of project managers in the public school system, but districts do projects all the time, so I thought it might be helpful to share some thoughts on things from the world of project management that we all think of as common sense but that we frequently fail to actually use or do in the midst of our daily work.

According to Wikipedia, “Project managers have the responsibility of the planning, procurement and execution of a project, in any undertaking that has a defined scope, defined start and a defined finish; regardless of industry.” This definition leads me to the first set of lessons from Project Management: defining the project.

Defining the project

When undertaking a project, it is important to define it. Like I said, these things sound like common sense, but how often have you been involved in a project where the participants seem to have different views of what it is you are trying to accomplish, when it’s supposed to happen, etcetera?

When starting a project, it is important to ask questions like:

• What are we trying to accomplish?
• When do we need to have it accomplished?
• How will we know we’ve accomplished it?

Often we assume everyone is “on the same page” when this is rarely the case unless questions like the ones above are asked of the entire group and agreement is reached on the answers.

Managing scope creep

The Wikipedia definition quoted above mentions Scope, which is a word used frequently in project management circles because one of the hardest things about a project is to make sure that the efforts stay focused on what the project is supposed to do, and don’t go towards things that aren’t directly tied to reaching the project’s stated goals. “Scope Creep” refers to the tendency for people involved in a project to want to expand what the project is supposed to do as they go along and see other things that could be accomplished. It is a project killer because it takes time and resources away from the original tasks the project was designed to do.

Writing it all down

Project managers spend a lot of time documenting things. From project requirements to meeting agendas...
and minutes to status updates, there is a lot of focus on getting everything “on paper.” This is usually the first set of tasks that are skipped when a project gets behind schedule or the scope changes, with the assertion that “we’ll go back and document later.” Often we think about documentation as a necessary evil instead of as a tool. Meeting agendas can be tedious to produce and get consensus on, but if you have one and you work to keep everyone at the table on the agenda, you can ensure that the meeting accomplishes what it was supposed to, and you can ensure that the group stays on topic because the things to be discussed at the meeting are in print for all participants to see. Similarly, documenting the project requirements and status updates, you can ensure that all members of the group are literally “working off the same page.”

**Looking ‘em in the eye**

It is often tempting to try and accomplish our tasks from the comfort and safety of our computer screens. And sometimes this is the best way to make sure something is done, and again that conversations are documented and can be reviewed and shared as appropriate. But it is important to never underestimate the importance of meeting face-to-face on a regular basis. There are some things that people will not say in an email that you may be able to get them to talk about in person. People build from one another’s comments and ideas in meetings in a way they cannot electronically. And sometimes you just really need to look each other in the eye to remember that you are all people working towards a common goal.

**Measuring, recording, analyzing**

It is no coincidence that after years as a researcher and statistician I decided to add project manager to my repertoire. Project managers love to measure things. And when doing projects, it is important to figure out what measures will help you make sure you are on the right path and ultimately whether the project is successful or not. This includes thinking about what questions to ask, how to ask them, who to ask and what you will do with the answers when you gather them. There are all kinds of different data that can be used to measure a project, so you should make sure you are picking the right sources for the kinds of answers you need.

Measuring a project is not much different than measuring student performance. You need multiple measures, pretest and posttests, quantitative and qualitative measures and multiple people looking at the results and working to interpret them. Further, it is important to make sure the complexity and depth of the measurement is appropriate for the intended use. Simple surveys are sometimes the best tools for the job.

**Following the rules … then changing the rules**

One criticism of the project management framework is inflexibility. Some claim that project managers are too focused on what is on paper and are unwilling to change things once the project is started. As we all know, planning is great, but when something happens the plan doesn’t cover, then the plan has to change.

It is important to think of the project plan as a baseline. You decide the who, what, when, where, why and how of the project early on and everyone agrees on these things, but then you may need to periodically revisit these questions just to make sure that everyone still agrees and that nothing has come up that would make changing the answers to some of these questions the right way to go.

**Etcetera**

These are just a few things that come to mind when thinking about projects in the context of the work KASB members do. If you are interested in hearing more about project management or have questions, please contact Ted Carter at the KASB office.
Applicants needed for president-elect

The KASB Nominating Committee is seeking applications for nominations to serve as KASB president-elect designee.

Applications for the position must be emailed or postmarked by Aug. 30. The position will be up for election at the annual KASB Convention in December.

The president-elect designee serves as an ex-officio, non-voting member of the board of directors until assuming the office of president-elect. The KASB Board of Directors meets five times each year with most meetings held at the KASB office in Topeka.

The president’s duties include:
• Chairing meetings of the board and approving the agenda for board meeting;
• Chairing meetings of the executive committee;
• Representing the association before other groups;
• Communicating to the membership;
• Serving as voting delegate at the NSBA Delegate Assembly and at the NSBA Western Region Meeting; and
• Presiding at the annual convention.

Additional information about the application process and the application form are available on the KASB website at kasb.org/nominating. Please contact KASB Executive Assistant Melissa Holder, 800-432-2471, mholder@kasb.org for additional information.

2018 KASB Conference to feature Garrison Wynn

The KASB Annual Conference will be held on November 30-December 2 in Overland Park, Kansas. The conference kicks off with Early Bird Workshops and the Vendor Trade Show on Friday.

Garrison Wynn will begin Saturday morning with his focus on Leadership Strategies for Educators: Embracing Change Starts at the Top. Wynn will focus on the difference between managing people and leading them to be responsible, empowered and confident contributors. Wynn brings a research-driven, results-oriented approach to leadership strategies for change management.

Sunday morning will begin with an inspiring keynote by Dan Meers, better known as KC Wolf. Meers has been the Chiefs mascot for more than 25 years. Dan will share his incredible story, told in his book “Wolves Can’t Fly” of the November 2013 accident that nearly ended his life and the important lessons that he has learned about leadership and about life.

Save the dates! Fall Regionals coming soon

KASB will hit the road for fall regional meetings in September and October.

Meetings have been scheduled at these locations and dates:
• Pratt on Sept. 25
• Haysville on Sept. 26
• Girard on Sept. 27
• Lawrence, Oct. 1
• Emporia, Oct. 2
• McPherson, Oct. 3
• Manhattan, Oct. 4
• Garden City, Oct. 16
• Colby, Oct. 17
• Beloit, Oct. 18

Watch for more details in KASB News Briefs and at kasb.org.
Store window exhibits remain good way to showcase local schools

By G. Kent Stewart; Professor Emeritus Educational Leadership, KSU

Store window exhibits have waned as a means to help citizens better understand their schools. Traditionally, these exhibits featured predominately projects made by secondary school students in industrial arts, home economics, science and art.

The industrial arts have pretty much given way to more abstract applications of technology, home economics is now human ecology and emphasizes a lot more than just projects in clothing and food preparation and the sciences embrace technology-based projects more than those depicting applications of the scientific method of problem solving. Art is still pretty much project-based and occupies an important slot in the curriculum.

While store window exhibits continue to defer to other options for showcasing schools, they are far from dead and forgotten. For example, let’s take an advertising lesson from our governmental and corporate counterparts.

Next trip to the local shopping mall, notice exhibits that grace the corridors. At our mall in Manhattan I took a little time to study an exhibit at the military recruiting booth. In only a few moments I concluded the military can be a good career choice.

The next exhibit to catch my eye was that of a photographic studio. The exhibit was well done and made the case for individual and family pictures. Another exhibit featured a new car with signage showing price and various payment plans. Each exhibit achieved its objectives—to inform and to teach.

Schools can still be showcased in exhibits similar to these. But the problem today is they are labor intensive and require personnel to commit time and energy that would probably be better spent in school. Rural schools don’t have access to malls, but they can effectively utilize store windows for exhibit space and are usually welcomed enthusiastically by local merchants.

So, what do you want to showcase or what should be showcased to help the public better understand its schools? Remember, support follows understanding.

Pose this question: If you want to parade to the public what’s right with your school and want to share publicly outcomes that bring the most satisfaction among teachers and students what would they be?

You will receive more proposals than can be comfortably implemented. Ideas will include the most popular activities, curricular experiences, instructional outcomes, victories in athletics, evidence of learning and instructional materials and equipment.

The exhibit can be as small as a single item in a store window or as broad as a district-wide event such as the one in Great Bend when the Board rented the convention center for an education fair. The exhibit represented everything about the school system from a primary pencil to a school bus. Salina had a similar school-wide exhibit at its mall as a joint venture with the school district foundation board.

Those events occurred when education priorities were different than they are today; but the exhibits did what the boards hoped they would—enhance public understanding and generated a lot of support and good will.

The exhibits did what the boards hoped they would - enhance public understanding and generated a lot of support and good will.

Sixth in a series by G. Kent Stewart focusing on best practices in advocating for schools and students and assisting community leaders. Stewart taught school administration at Kansas State University for 32 years where he also consulted regularly and continues to consult with school boards on school facility issues.
In considering some of the responses to the Kansas Supreme Court’s most recent Gannon school finance case, let’s start with what the court did NOT do.

The court did NOT require the Legislature to increase funding based on its own new education cost study. It did NOT require the Legislature to follow the recommendations of the Kansas State Board of Education. It did NOT impose new, higher academic performance targets.

Instead, it ACCEPTED the Legislature’s method of calculating constitutionally suitable funding for K-12 education, which found funding remains $522 million short. It ACCEPTED all legislative changes to local option budgets for school districts. It ACCEPTED the Legislature’s six-year phase-in to bring funding up to its own calculation for a suitable level.

Essentially, the court had just one problem, which would be recognized by anyone in their personal financial life: any amount of money today will be worth less in six years without adjusting for inflation.

Let one fact sink in: by the Legislature’s own calculation, Kansas school operating funds had fallen more than three-quarters of a billion dollars behind inflation by 2017, without considering any higher standards or performance targets, or any other cost studies. The consequences of this fact are clear.

Essentially, the court had just one problem, which would be recognized by anyone in their personal financial life: any amount of money today will be worth less in six years without adjusting for inflation.

-Mark Tallman
KASB Associate Executive Director
Advocacy & Communications

Kansas school districts had cut more than 2,000 positions since 2009 and teacher salaries had fallen $4,500 behind inflation. Kansas had fallen from 24th to 31st in total per pupil funding and 37 states increased funding by a higher percentage since 2008. Kansas
teacher salaries had fallen from 38th to 41st and now trail Iowa, Nebraska and Missouri.

Most critically, other states were improving faster than Kansas in graduation rates, college participation and test scores; giving their students an advantage in preparation for postsecondary education and employment.

In 2017, the Legislature added over $200 million in school aid for the 2017-18 school year. That allowed school districts to begin to recover, adding back nearly 1,000 employees, giving the largest teacher salary increase since 2009, adding new programs aimed at student success and launching a school redesign project. But based on the Legislature’s own calculation of suitable funding and inflation, funding remained over $500 million short. The 2018 Legislature approved a plan to close that gap in five years but did not provide an adjustment for inflation.

The additional funding approved by the 2018 Legislature will allow school districts to “make up” ground lost to past inflation and “catch up” with other states that compete with Kansas schools for teachers and Kansas students for jobs. The court has asked the Legislature to provide an adjustment to “keep up” with future inflation.

Some legislators have said Kansas cannot afford this final step. This should raise an even more important question: why not? How are other states able to provide higher funding per pupil, larger increases in funding, higher teacher salaries and in some cases, better student results?

Just among the other Plains states, Nebraska, Iowa and North Dakota have higher total per pupil funding, higher teacher salaries and rank above Kansas on multiple student outcomes. Missouri increased funding faster, now spends almost as much per pupil and moved ahead of Kansas in teacher salaries. All of these states - and many others - also seem able to provide postsecondary education, transportation and social services as well.

Some voices continue to call for a constitutional amendment to limit the court’s role and give more power to the Legislature in determining school funding. In the latest decision, the court was quite deferential to the Legislature, but made clear the Legislature must have some rational basis for determining “suitable” finance in providing for “intellectual, educational, vocational and scientific improvement through a system of public schools,” as required by the people of Kansas in their constitution.

The choice for Kansas is clear: comply with the court or allow our public education system to continue to slip behind.

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**Kansas education cost study findings**

**How the courts used them**

*By Mark Tallman, mtallman@kasb.org*

Some legislators, candidates and organizations are complaining that the Kansas Supreme Court, rather than the Legislature, is setting the level of school funding in the state. However, it is important to understand that the court’s decisions have relied almost entirely on the evidence in studies requested and paid for by the Legislature itself.

Since 2000, the Kansas Legislature has commissioned and funded three major education cost studies.

**Augenblick and Myers**

The first was conducted by the consultants Augenblick and Myers and released in 2001. It was commissioned by the Legislature before the Montoy case reached the courts. It used two methods – professional judgment and successful schools model – and said the state needed to add about $229 million, or 8.1 percent more funding, to reach goals set by the Legislative Educational Planning Committee, the legislative body which oversaw both K-12 and higher education.

With no other study or other evidence of education costs, the district court and Supreme Court accepted the A&M study as credible evidence in finding that the state was not providing constitutionally suitable funding.

**Legislative Post Audit**

In response, the 2005 Legislature and a special session reached an agreement with the Supreme Court to increase school funding AND commission a new study, this one conducted by the Legislature’s own audit and research agency, the Legislative Division of Post Audit.

The second study was released in early 2006, and also used two methods: an “inputs” approach based on the costs of providing state required courses and services, and an “outcomes” approach based on meeting student assessment and graduation rate targets required by the federal No Child Left Behind Act. The study said funding would need to increase between $316 million and.

*Continued on page 14*
Cost studies

Continued from page 13

and $399 million to meet the state’s educational goals.

Although the study did not find a national consensus among researchers about the link between funding and student achievement, it DID find in KANSAS “a nearly one-to-one correlation” between funding and results.

Based on this study, the Legislature agreed to a three-year plan to increase funding and a fourth year (2010) with an inflation adjustment in the base aid per pupil. The Supreme Court then dismissed the case. However, by 2010 state school aid was being reduced due to the recession and tax cuts and has never fully recovered when adjusted for inflation. This led to the Gannon lawsuit.

Taylor study

Although the 2017 Legislature added about $300 million to school funding spread over two years, the Supreme Court said the state had not shown clear evidence that amount would provide suitable funding. Last December, the Legislative Coordinating Council hired another consultant, Dr. Lori Taylor, to do a third cost study with the assistance of WestEd, as well as an independent peer review of that study.

The Taylor study was designed to find the cost of achieving student test scores and graduation rates based on the State Board of Education’s federal plan for student achievement, the achievement of the top performing Kansas districts, and improvement that occurred when the system had been constitutionally funded after Montoy. It determined that it would cost an additional $400 million to raise graduation rates to 95 percent, $1.7 billion to get 90 percent of students to grade level on state tests and $2 billion to get 60 percent of students to “college ready” on state tests.

The study also specifically found a “strong, positive statistically significant correlation between funding and results,” and that Kansas school districts were highly efficient, among the best in the nation. The study methods were validated by the independent peer review.

However, the Kansas Legislature decided not to use this much more expensive study as the basis of increased funding, but instead approved a five-year funding plan based on getting back to the 2010 level as determined by the LPA study, adjusted for inflation through 2017. Although the Gannon plaintiffs wanted the Supreme Court to use the new study to order even more funding, the court did not do so. It only said the Legislature must also adjust the five-year phase-in to keep up with inflation from 2017 until it is implemented.

Summary

To summarize, all three education cost studies requested and funded by the Legislature itself have found that K-12 funding was not adequate to meet the state’s educational goals for students. Two of the studies specifically found that in Kansas, at least, funding does make a difference in student success. The most recent study also found that Kansas schools are highly efficient.

In other words, the Kansas courts are not telling the Legislature how much to spend based on an amount judges make up on their own, or even requested by the plaintiffs. They are telling the Legislature it must fund schools based on its own evidence of what it costs to achieve the state’s educational goals.
KASB handbooks available online

Looking for the latest guidance on Open Meetings or Open Records? Making plans for next school year’s School Site Council? Answers and guidance can be found in KASB Handbooks and access just got easier!

The KASB Board of Directors voted in March to provide access to all KASB handbooks online without additional charge.

“By moving all of the content online our members gain quicker access to the information they are looking for and we can update the content more frequently,” said Carol Pitts, KASB assistant executive director for marketing and public relations.

All handbooks were revised by KASB attorneys and staff.

“All with the exception of the Student Discipline Handbook, which was published in 2013 with some sections revised earlier in the year, each handbook is a 2018 edition,” Pitts said. “We will continue to work on improving the format of all of the content, but at this time we have 16 handbooks online, with more to come!”

All KASB members can now access the following handbooks:

- Clerk’s Handbook (2018)
- Kansas Open Meetings Act (KOMA) (2018)
- Forms Book (2018)
- Kansas Open Records Act (KORA) (2018)

Members of the KASB Legal Assistance Fund can also access the following handbooks online:

- Negotiations (2018)
- Religion in Kansas Public Schools (2018)
- School District Organization (2018)
- School Law Basics (2018)
- School Law Index (June 2018)
- Section 504 (2018)
- Sexual Harassment and Bullying (2018)

- Student Discipline (2013 edition) (Relevant sections updated January 2018)

To access the content, go to kasb.org/about us and across and down to “Handbooks–Member Access” and “Handbooks–Legal Assistance Fund Member Access.”

Handbooks are password protected: one for KASB Member Handbooks and one for KASB Legal Assistance Fund Members Handbooks. The passwords will be emailed to KASB member superintendents, board clerks and presidents/CEOs of post-secondary members. These passwords may be shared with staff and board members of all KASB member organizations.

Primary election advance voting now under way

Advance voting is under way for the Aug. 7 primaries in Kansas. Registered voters have until noon, Aug. 6 to cast an advance voting ballot. Advance voting can be done by mail or in person at the county election site.

For a list of times and locations go to the Kansas Secretary of State website, kssos.org/election. You also can contact your county election office or visit the county website.
Lights, camera, leadership
Videos provide school boards
with information in short segments

By Scott Rothschild, srothschild@kasb.org

In today’s world, if a problem arises, there’s probably a how-to video somewhere on how to fix it.

For school board members confronting thorny issues or simply trying to stay focused on the task at hand, look no further than a series of short videos produced by KASB Leadership Services.

The Leadership Services team, which has more than 150 years of experience in public education, has put together videos covering common topics facing boards, such as how to handle the phone call from an irate parent; how to work better as a team and how to conduct a public forum.

These and other issues are addressed in the approximately five-minute long videos. Members will find them at kasb.org/leadership/board-development.

“The reason we chose these topics is that we get a lot of emails and phone calls about them,” said Brian Jordan, assistant executive director of Leadership Services. “People can watch this on their own time and share with their board,” Jordan said.

He said the videos can also be used to prompt more discussion and possibly board work sessions in which Leadership Services can assist boards to further customize their development.

Jordan said Leadership Services will be producing more videos and is working with KASB Legal Services for videos that will cover the many legal issues that boards face.

“They’re fun to do,” Jordan said of the videos.

So far, Leadership Services has videos on these topics:

- The role of the superintendent and the board, “Seven Powers of School Boards.”
- Relationships that commonly occur in governing a school district, “Governance Model.”
- The importance of communication, “Handling Patron Concerns.”
- Effective board meetings, “Nine Questions About the Board’s Focus and Public Forums.”
KASB Leadership Services prepares for larger BOLD class in second year

KASB Leadership Services will open up for applications for the class in August.

BOLD, which stands for Business Operations Leadership Development, was implemented by Leadership Services to help new and aspiring superintendents learn more about building consensus with the school board and local community.

The six-session program, which conducted meetings statewide, focused on building and facilities master planning, technology, finance strategies, procurement, security, risk management and human resources.

Twenty school leaders from across Kansas graduated in June from the first BOLD class.

Brian Jordan, assistant executive director of Leadership Services, said because the first class was so popular, KASB will increase it to 25 people.

He also said there will be some rearranging of the sessions schedule.

Those who graduated from the first class, said BOLD was extremely valuable. Sherry Reeves, assistant superintendent at Basehor-Linwood USD 458, said she received a lot of valuable insights being part of the BOLD class.

“Visiting businesses with expertise in facilities planning and maintenance, bond procurement and risk management and doing human resource scenarios provided opportunities to learn multiple aspects of the business. We had many opportunities for networking,” Reeves said.

KASB Superintendent and Executive Leadership Search and Placement

KASB conducts the majority of searches each year in our state. Our process is an on-going, supportive partnership and we are dedicated to creating successful, long-term professional relationships. By using KASB’s search service, members draw upon KASB legal, research and communication to support the process. And once the new leader is hired, KASB provides follow-up support for both the new leader and the board.

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LFT class practices crisis response with Manhattan emergency responders

By Leah Fliter lfliter@kasb.org

KASB’s Leadership for Tomorrow Class of 2018 traveled to Manhattan in July to observe an active violence drill and learn how to lead through crisis. School safety and crisis training will see a heightened focus during the 2018-19 school year as the Kansas State Board of Education develops school safety standards and the State Fire Marshall’s office has announced new requirements for school intruder and lockdown drills.

Manhattan-Ogden USD 383 conducted its 2018 active violence drill at Manhattan High School’s West Campus. Over three days, law enforcement and emergency responders from Riley County Police Department, Manhattan Fire Department, Riley County Emergency Management, Kansas State University Police, Pottawatomie County Sheriff, Kansas Department of Wildlife, Parks and Tourism and the Federal Bureau of Investigation practiced a cooperative response to two hypothetical active shooter situations at MHS-West, which serves 1,200 students in grades 10-12 during the school year. The district’s 9th grade class is housed separately roughly a mile east of MHS-West.

USD 383 Communications and School Safety Director Michele Jones told the LFT class the joint training exercises grew out of years of work by the school district and local first responders to respond to school crises.

“After Sandy Hook, our local first responders came together to talk about how to respond differently and more quickly to active violence situations,” Jones said. “They knew that they needed to work together to get help quickly. They worked together to develop a system of response. And then they needed a place to practice and drill – that’s where our schools come in.”

LFT class members and other observers gathered in the MHS gym before the first exercise, which involved a hypothetical shooter in the school’s large commons area. Police and fire officials briefed the observers not only on what they would witness during the drill but also on the challenges of planning and implementing a cooperative response.

The agencies — each routinely protective of their own jurisdictions and procedures — had to learn how to work as teams to effectively respond to a school shooter scenario. Police officers and firefighters trained for nearly a year to quickly secure the site and provide basic medical care to victims in preparation for EMS treatment and transfer of victims to hospitals.

The first drill featured a “shooter” armed with a realistic but fake automatic weapon bursting into the commons area during the school day. Loud pops rang out as the assailant fired blank rounds at “victims” portrayed by student and staff volunteers. Screams and moans quickly filled the air as the volunteers, wearing startlingly realistic stage-makeup “wounds,” played their parts. After a staged call to 911 summoned help, police officers stormed into the commons area and “took down” the shooter, cuffing him and leaving him “injured” on the floor with a gun-toting officer on guard. Officers methodically checked the area for additional assailants while the victims screamed for help.

Important decisions on structure, process and leadership must be made before a crisis occurs, so school officials can take prompt action to reduce collateral damage and move the situation to quicker resolution.

- Gary Sechrist
KASB Leadership Services

“In a crisis situation, you will react as you are organized and trained.”

- Gary Sechrist
wounds as their police officer partners stood armed guard over each patient. The seriously wounded moaned and writhed on the concrete floor; other survivors ran frantically from victim to victim, begging responders for help and adding to the mayhem. Police and fire evaluators observed each scene, critiquing their colleagues’ work.

**Processing what was learned**

Following a debrief with Jones and emergency officials, the class moved to the district administration office to process what they’d seen.

“In a crisis situation, you will react as you are organized and trained,” KASB Leadership Services Field Specialist Gary Sechrist told the group.

Important decisions on structure, process and leadership must be made before a crisis occurs, Sechrist said, so school officials can take prompt action to reduce collateral damage and move the situation to quicker resolution. Communication is the foundation of any district crisis planning, management and recovery effort, he said.

School district leaders can avoid a communication meltdown by planning, preparing and practicing what they will say and do in a crisis, said KASB Associate Executive Director of Public Relations and Marketing Carol Pitts. She helped the class understand how to prepare for crises, establish a crisis communication team, and understand the cycle of communication. District leaders must identify key audiences, develop key messages and stick to them, keep the communication going throughout the crisis, and use the right tools for each target audience, she said.

Pitts and Advocacy and Outreach Specialist Leah Fliter divided the class into groups that were asked to develop responses to scenarios ranging from a track meet interrupted by severe weather to a shooting in a crowded high school basketball gym. Fliter, playing the role of a news reporter, “interviewed” the groups’ “spokesperson” while Pitts recorded the interview on video. The class critiqued how their colleagues responded to the media questions and bridged key district messages.

Reflecting on the two-day session, class members said communication and practice are key to responding to school crises.

Goddard Assistant Superintendent Julie Cannizzo said school districts have practiced some emergency drills for so long that they’ve become routine.

““How do you train yourself to be as prepared as possible?” Cannizzo asked. “Tornado and fire drills are smooth and non-chaotic now; can we do that with crisis?”

“Our communication has to improve, especially with new requirements for emergency drills,” said Lyons Superintendent Bill Day.

Valley Falls Principal Susan Grey noted that while her district has conducted crisis training, it will have several new employees in 2018-19.

“We need to rethink what and how much we know,” she said.

Leadership for Tomorrow Session IV will meet in Wellsville and Wichita in September. Session V will feature Kansas City-area schools in November. The class year will conclude with graduation at KASB’s Annual Convention on Dec. 1.
KASB has released a new publication called “Kansas Education: Commitment to Excellence,” that provides vital information about Kansas public schools, student achievement and K-12 funding.

“We hope Kansas education advocates find this report informative and useful during discussions about public education, especially during this political season,” said Mark Tallman, KASB associate executive director for advocacy and communications.

The 24-page document reviews the constitutional foundation of K-12 education in Kansas, provides data on student attainment, district hiring practices and funding. It also shows how student achievement and funding affect the economy and ranks Kansas outcomes with other states.

The document has been updated since it was recently used and distributed during the KASB summer advocacy tour, which drew hundreds of school board members, administrators, candidates and others to meetings across Kansas.

**Highlights of report**

Some key takeaways from the report include:

- Investment in education pays off through increased earnings and reduced poverty.

- Kansas exceeds the national average in educational attainment for young adults, but other states are catching up.

- Our student population is more ethnically and economically diverse than at any time in history and the number of students with special needs has increased rapidly.

- District wealth, size and population and student needs are key factors in funding and student achievement.

- Of the 70,000 Kansas school employees in 2018, less than 2,000 are central office administrators; almost all the growth over the last 20 years has been in instructors and other student support staff. Central administration has been reduced.

- A 2018 cost study found a strong, statistically significant correlation between funding and results and Kansas has among the most efficient schools in the nation.

You will find a link to the report at kasb.org/advocacy/keyresources.

If you would like a print copy of the report, please contact Scott Rothschild at KASB at srothschild@kasb.org./extensions
**Intruder, lockdown drills required in Kansas schools**

Under a new requirement, every school in Kansas this school year must conduct 16 emergency preparedness drills, including nine crisis drills that cover intruder responses and lockdown procedures.

Earlier this month, the Office of the State Fire Marshal notified school district superintendents and principals about the changed mandates in emergency preparedness drills. Here is a link to the letter.

The new provision, which took effect July 1, says schools must conduct four fire drills, three tornado drills and nine crisis drills.

Previously, state law provided the State Fire Marshal with rule and regulation authority to require school districts to do one fire drill per month and three tornado drills per year.

The new requirement is similar to Senate Bill 458, which was introduced late in the 2018 session and referred to the Senate Education Committee. But the bill never received a public hearing and died in committee.

But the language of SB 458 ended up, without any public notice or mention, in the 2018 session’s final appropriations bill, House substitute for SB 109.

KASB Senior Attorney Angela Stallbaumer said she believed many districts are already conducting emergency preparedness drills “to help staff members prepare for scenarios when school buildings could be exposed to internal and external threats.”

She said it will be important “to document each school building’s efforts in this area, including times where a building may go into lockdown or shelter in place, as the State Fire Marshal’s Office will be monitoring district records for compliance with the language of House substitute for Senate Bill 109.”

Stallbaumer added, “As this variance in the law only lasts through this fiscal year unless permanently adopted into statute or regulation, we encourage districts to keep us informed on how incorporating these additional drills into your instructional day impacts your district.

“I would not be surprised if a version of SB 458 resurfaces in the next legislative session and being able to share the pros and cons of these drills with the legislators may help us get a more beneficial end product.”

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**Anonymous donors can be anonymous**

Members of the public frequently contribute to causes associated with schools, with donations often accepted as an item on the consent agenda. Individual donors may remain anonymous and school districts are permitted to protect their anonymity even if media outlets or other individuals seek the name of the donor through a Kansas Open Records Act request.

K.S.A. 45-221(8) lists “[i]nformation which would reveal the identity of an individual who lawfully makes a donation to a public agency, if anonymity of the donor is a condition of the donation, except if the donation is intended for or restricted to providing remuneration or personal tangible benefit to a named public officer or employee” as a public record that is not required to be open. This means that, except in rare circumstances, the district is entitled to refuse to disclose the identity of an anonymous donor. A response refusing to provide the requested information on this basis should cite the statute as a basis for the refusal.

*Articles are provided by the KASB Legal Services team and are not intended to be legal advice. If you have any questions, please contact KASB at 800.432.2471. KASB Legal Staff: Donna Whiteman, assistant executive director of legal services/attorney; Angie Stallbaumer, senior attorney; Luke Sobba, attorney; Ashley Rohleder, attorney.*
Advice for handling subpoenas to school staff in family law cases

By Ashley Rohleder, arohleder@kasb.org

School personnel are frequently subpoenaed in family court cases. Testifying can be stressful and time consuming and can pull employees away from their responsibilities to the district. KASB attorneys handle many calls from administrators who are subpoenaed in these cases, as well as administrators calling on behalf of teachers and other district employees.

Here are the top 5 things for district personnel to know if they receive a subpoena.

1. A subpoena is a court order. Depending on what county or judicial district has jurisdiction over the case, the order may be prepared by the Court or by one of the parents’ attorneys and it may or may not be signed by the judge. Regardless, if it is file-stamped, it is a legal requirement to fulfill the obligation it contains. Failure to comply with the order contained in the subpoena could lead to a contempt citation.

2. A subpoena may request a person appear in court to testify, may require the production of documents, or may order the person to appear and bring documents to the appearance. School employees who are subpoenaed should do whatever is reasonable to comply with a subpoena, but when there is a question as to the reasonableness of the request, consult with a KASB attorney.

3. When testifying, school personnel may only testify to their own observations, not to opinions. In family court, there is not a jury, only a judge, who often only hears about the student from his or her parents. School personnel can provide insight into the student during school day parents lack, but testimony should always be fact-based, not opinion-based. They could talk about absences, specific incidents involving the student or academic performance in a particular class, but not implications or impressions and especially not opinions related to parental fitness or preference for residency.

4. While some parents and their attorneys will continue to want district personnel to be involved in their court proceedings, there are ways to prevent being called in to be questioned. District employees should not allow themselves to be treated as “go-betweens” for parents and should not involve themselves in private family matters, if they can avoid it. Factual information from the student’s file should be provided when requested, but school personnel should not “report” one parent’s actions to the other or favor one parent over the other.

5. Sometimes, if an attorney subpoenas a witness, a witness fee will be included with the subpoena when it is delivered. This is normal and is not (as some have wondered) a “bribe.” School personnel should remember to stick to the facts and not to become emotionally invested in the outcome of any proceeding. Any appearance that a teacher or other school official has shown preference for one parent over another could damage the staff-student relationship and have a negative impact on working with both parents. To help prepare before staff members give testimony, KASB attorneys can discuss a pending appearance by conference call with the witness and a school administrator.

Articles are provided by the KASB Legal Services team and are not intended to be legal advice. If you have any questions, please contact KASB at 800.432.2471. KASB Legal Staff: Donna Whiteman, assistant executive director of legal services/attorney; Angie Stallbaumer, senior attorney; Luke Sobba, attorney; Ashley Rohleder, attorney.
School stability protections for foster youth

The federal Every Student Succeeds Act of 2015 (ESSA) includes core protections for school stability and access for children and youth in foster care. The Department of Children and Families (DCF), along with its contractors, KVC and Saint Francis Community Services, has convened a series of meetings with KSDE and KASB to address various issues associated with ESSA, including transfer of records when a child in foster care is enrolled in a new school. The purpose of the meetings has been to coordinate efforts among the involved entities in order to seek uniformity and consensus on implementation of ESSA requirements.

Every school district is required to designate a Point of Contact (POC) who DCF will notify of possible moves or changes of placement for students in foster care. If the district has not appointed someone to this role, the superintendent of the district will be considered the POC.

The POC is responsible for the following:

- Coordinating with local child welfare agencies to develop process for implementing ESSA provisions;
- Possible participation in a Best Interest Determination (BID) process to decide in which school a child will be placed;
- Facilitating the transfer of records, immediate enrollment and data sharing with the Child Welfare Agencies; and
- Developing and coordinating local transportation procedures.

When DCF or its contractors determine that a child may be moving, it will notify the POC in the district where the student currently attends school (“school of origin”) with the student’s basic information, a potential move date and the contact information for the school district staff who may participate in the “Best Interest Determination” (BID).

At minimum, the BID meeting must include one person from the school of origin who knows the student and his or her needs and one person from DCF or the contractor who knows the student and his or her needs. The meeting may also include the child, a child welfare case manager or designee, foster parents, biological parents (if parental rights remain intact), an educational decision maker, special education staff, regular education staff and other school staff from either the school of origin or the receiving school.

Those participating in the BID meeting will help to determine whether the student should move out of the school of origin or remain there, with the goal being to act in the best interests of the student. The ESSA requires that the student remain in the school of origin unless the BID determines it is not in the student’s best interests to do so.

Factors to be considered in making this determination may include:

- The student’s preference;
- KSDE and DCF recommendations;
- Parent preference, if parental rights are intact;
- The student’s attachment to school;
- The time of the placement change (mid-year/senior year of high school?);
- Placement of siblings;
- Influence of the school environment;
- Availability and quality of services;
- Transportation considerations;
- Individual Education Plan (IEP) and Section 504 services; and
- English Language services.

BID participants should reach a consensus, if possible. If BID participants cannot reach an agreement after exercising reasonable efforts, DCF will make the final determination concerning the student’s placement.

If the determination is that the student should leave the school of origin, the student must be enrolled in the receiving school promptly, even if the required documentation is not immediately available. The receiving school should cooperate with the school of origin to obtain the student’s records as soon as possible.

The POC should assist in identifying the proper person to discuss transportation issues. If the student is to remain in the school of origin despite a change of foster placement that causes the student to reside in another school district, the two schools, along with DCF, must collaborate to develop clear written procedures to ensure transportation will be provided and funded for the duration of the child’s time in foster care. Transportation must be provided promptly.

Districts confronted with this process for the first time may need assistance in preparing for and conducting the Best Interest Determination and in complying with the requirements of ESSA. KASB encourages district administrators and POCs to contact a KASB attorney to seek help with the process.
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