

**KANSAS STATE BOARD OF EDUCATION
Minutes of Special Meeting**

October 21, 2009

CALL TO ORDER

Chairman Waugh called the special meeting of the State Board of Education to order at 1:03 p.m., October 21, 2009 in the Board Room of the Kansas Education Building, 120 SE 10th Avenue, Topeka, Kansas.

ROLL CALL

Members present were:

John Bacon (by phone)	Jana Shaver (by phone)
Carolyn L. Wims-Campbell	Sue Storm (by phone)
Sally Cauble (by phone)	Janet Waugh
Walt Chappell (IDL, Wichita)	Ken Willard (IDL, Hutchinson)
David Dennis (IDL, Wichita)	

Mrs. Martin was out of the country and was unable to participate.

Also present by phone were Mark Ferguson, Board Attorney, and Brenda Welburn and Alan Hausman, representing the National Association of State Boards of Education (NASBE).

DISCUSSION OF THE STATE BOARD OF EDUCATION'S SEARCH FOR A NEW COMMISSIONER

The purpose of the Board meeting was to discuss the process that would be undertaken by NASBE as the contractor leading the search for a new commissioner of education. After reviewing the steps that would be taken a timeline was discussed and a deadline of April 1, 2010 was agreed upon for NASBE's work to be concluded. Dr. Chappell left the meeting at 1:20 p.m.

EXECUTIVE SESSION

Chairman Waugh requested that the Board recess into Executive Session at 1:45 p.m. for a period of one hour with Mrs. Welburn and Mr. Ferguson present, for the purposes of consulting with the Board Attorney to preserve the attorney-client privilege, and discussing personnel matters of nonelected personnel in order to protect the privacy interests of the individual(s) to be discussed. Mrs. Shaver so moved. Ms. Storm seconded the motion, which carried 8-0, with Mrs. Martin and Dr. Chappell absent. The Board recessed to the Commissioner's office for the executive session. The executive session ended at 2:45 p.m. and the open meeting resumed in the Board Room.

CALL FOR A SPECIAL MEETING

When the open meeting of the Board resumed, it was agreed to hold another special meeting on Monday, October 26, 2009, at 10:00 a.m. in order to further discuss the commissioner search with NASBE.

ADJOURNMENT

There being no further business, Chairman Waugh adjourned the meeting at 1:50 p.m.

Janet Waugh, Chairman

Penny Plamann, Secretary

**KANSAS STATE BOARD OF EDUCATION
Minutes of Special Meeting**

October 26, 2009

CALL TO ORDER

Chairman Waugh called the meeting to order at 10:01 a.m. on Monday, October 26, 2009, in the Board Room of the Kansas Education Building, 120 SE 10th Avenue, Topeka, Kansas.

ROLL CALL

Members present were:

John Bacon	Jana Shaver
Carolyn L. Wims-Campbell	Sue Storm
Sally Cauble	Janet Waugh
David Dennis	

Mr. Willard and Dr. Chappell were absent at the beginning of the meeting, but joined by phone and later in person. Mrs. Martin was out of the country.

EXECUTIVE SESSION

Mrs. Cauble made a motion to go into Executive Session for the purpose of discussing personnel matters of nonelected personnel, in order to protect the privacy interests of the individual(s) to be discussed; and for consultation with the Board Attorney which would be deemed privileged in the attorney-client relationship, in order to protect the privilege and the Board's communications with its attorney on legal matters. Further, the executive session would last no more than 90 minutes with no action taken during the session and the open meeting would resume in the Board Room at 11:35 a.m. Board Attorney Ferguson and Andy Tompkins were asked to join the executive session. The motion was seconded by Ms. Storm and carried 7-0, with Mr. Willard, Dr. Chappell and Mrs. Martin absent. The Board recessed to the Commissioner's office for the executive session. Mr. Willard joined the meeting by phone and arrived in person at 10:15 a.m. Dr. Chappell was present for the executive session by phone.

The open meeting resumed at 11:35 a.m. and the Board took a short break. At 11:45 a.m. Mrs. Cauble moved, with a second by Ms. Storm, that the executive session be extended for 25 minutes, until 12:10 p.m. for the same reasons stated in the previous motion. The motion carried. The open meeting resumed at 12:15 p.m.

OTHER DISCUSSION

After the open meeting resumed, there was brief discussion about the potential for a lawsuit against the state over school funding. Dr. Chappell arrived at 12:20 p.m.

ADJOURNMENT

There being no further business, Chairman Waugh declared the meeting adjourned at 12:30 p.m. with the next meeting of the Board to be held November 10th.

Janet Waugh, Chairman

Penny Plamann, Secretary