KANSAS STATE BOARD OF EDUCATION

MINUTES OF SPECIAL MEETING

April 5, 2000

CALL TO ORDER

Chairman Voth called the meeting to order at 10:03 a.m. on Tuesday, April 5, 2000, in the Board Room of the State Board of Education Building, 120 SE 10th Avenue in Topeka, Kansas.

ROLL CALL

The secretary took a call of the roll. Members present were:

Steve Abrams	I.B. "Sonny" Rundell
John Bacon	Harold Voth
Val DeFever	Bill Wagnon
Linda Holloway	Janet Waugh

Scott Hill was on a speaker phone so he could participate in the meeting. Mrs. Waugh arrived 10:05 a.m.

EXECUTIVE SESSION

Dr. Abrams moved, with a second by Mr. Rundell, that the Board recess into executive session for a period of 90 minutes for the purpose of discussing personnel matters of nonelected personnel so the privacy, confidentiality and other rights of such personnel would not be violated, and for consultation with the Board attorney so that the Board could preserve the attorney-client privilege, and that the open meeting of the Board resume at 11:33 a.m. The motion carried. At 11:33 a.m. the open meeting of the Board resumed and Dr. Abrams moved, with a second by Mr. Rundell, that the executive session be extended an additional 30 minutes, beginning at 11:35 a.m. and that the open meeting of the Board resume at 12:05 p.m. The motion carried. The open meeting resumed at 12:08 p.m. Dr. Abrams moved, with a second by Mr. Rundell, that the executive session be extended an additional 20 minutes, beginning after a brief break, at 12:15 p.m. and that the open meeting of the Board resume at 12:35 p.m. The motion carried. The open meeting resumed at 12:35 p.m. after which the Board took another short

break until 12:45 p.m. Mrs. Brown and Mr. Hill were present by phone throughout the executive session and the remainder of the meeting.

ACTION ON NONELECTED PERSONNEL

When the open meeting resumed at 12:45 p.m., Dr. Wagnon moved, with a second by Mrs. DeFever, that the State Board, through the Commissioner, take the steps necessary to terminate the contract of employment at the Kansas State School for the Deaf of Charles Marsh, Jr., including giving notice of the termination, the reasons therefor, and the right to request a hearing.

The reasons for the termination shall be as follows:

1. Jeopardizing the health and safety of two students of the School for the Deaf, as well as himself and another staff member, by engaging in an inappropriate and dangerous activity, which resulted in the accidental death of one of those students on March 11, 2000;
2. Failure to exercise appropriate professional judgment and care regarding student safety in the planning and execution of an activity involving two students of the School for the Deaf, which activity resulted in the accidental death of one of those students on March 11, 2000;
3. Failure to comply with the school policies, orders and regulations concerning student safety and activities; and
4. Failure to conduct himself in a manner reflecting positively on the school and maintaining the respect and confidence of the other professional employees, students and the employer.

These reasons also constitute violations of the employment contract with the Kansas State School for the Deaf.

On a roll call vote, the motion carried as follows:

Steve Abrams	"no"	Linda Holloway	"yes"
John Bacon	"yes"	I.B. "Sonny" Rundell	"no"
Mary Brown	"yes"	Harold Voth	"yes"
Val DeFever	"yes"	Bill Wagnon	"yes"

Scott Hill	"yes"	Janet Waugh	"yes"

Dr. Wagnon moved, with a second by Mrs. Holloway, that the State Board, through the Commissioner, take the steps necessary to nonrenew the contract of employment at the Kansas State School for the Deaf of Chris Kurz, including giving notice of the nonrenewal, the reasons therefor, and the right to request a hearing.

The reasons for the nonrenewal shall be as follows:

1. Jeopardizing the health and safety of two students of the School for the Deaf, as well as himself and another staff member, by engaging in an inappropriate and dangerous activity, which resulted in the accidental death of one of those students on March 11, 2000;
2. Failure to exercise appropriate professional judgment and care regarding student safety in the execution of an activity involving two students of the School for the Deaf, which activity resulted in the accidental death of one of those students on March 11, 2000;
3. Failure to comply with the school policies, orders and regulations concerning student safety and activities; and
4. Failure to conduct himself in a manner reflecting positively on the school and maintaining the respect and confidence of the other professional employees, students and the employer.

These reasons also constitute violations of the employment contract with the Kansas State School for the Deaf.

On a roll call vote, the motion carried as follows:

Steve Abrams	"no"	Linda Holloway	"yes"
John Bacon	"yes"	I.B. "Sonny" Rundell	"no"
Mary Brown	"yes"	Harold Voth	"yes"
Val DeFever	"yes"	Bill Wagnon	"yes"
Scott Hill	"yes"	Janet Waugh	"yes"

ADJOURNMENT

There being no further business, Chairman Voth asked for a motion to adjourn. Dr. Wagnon moved, with a second by Mr. Rundell, that the meeting be adjourned. The motion carried and the meeting was adjourned at 12:50 p.m.

Harold Voth, Chairman

Penny Plamann, Secretary