

**KANSAS STATE BOARD OF EDUCATION****Special Meeting Minutes****January 26, 2018****CALL TO ORDER**

Chairman Jim Porter called the special meeting of the State Board of Education to order at 1 p.m. Friday, Jan. 26, 2018, in the Board Room at the Landon State Office Building, 900 SW Jackson St., Topeka, Kansas.

**1/26/2018**  
(00:03:12)

**ROLL CALL**

All Board members were present:

John Bacon	Jim McNiece
Kathy Busch	Jim Porter
Sally Cauble	Steve Roberts
Deena Horst	Janet Waugh
Ann Mah	Ken Willard

**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. Mr. Willard's arrival after the Pledge was noted for the record.

**APPROVAL OF AMENDED AGENDA**

Chairman Porter acknowledged a request from the Kansas Press Association to keep the entire meeting open. Executive Sessions are allowed in order to protect the privacy rights of employees and the attorney-client privilege. He announced that there would be additions to the agenda: (1) an Executive Session for the purpose of consultation with attorney and (2) discussion time among Board members in open session. Mrs. Busch moved to approve the agenda as amended. Mr. McNiece seconded. Motion carried 9-1 with Mr. Roberts in opposition.

**MOTION**  
(00:07:47)

**EXECUTIVE SESSION #1**

Mrs. Busch moved that the Kansas State Board of Education recess into Executive Session to discuss the subject of legal matters with legal counsel, which is justified pursuant to the exception for matters which would be deemed privileged in the Attorney-Client relationship under KOMA, in order to protect the privilege and the Board's communications with an attorney. The session would begin at 1:10 p.m. for up to 30 minutes. No action would be taken during this session. The open meeting would resume in the Board Room, Suite 102, at 1:40 p.m. Commissioner Randy Watson, Board Attorney Mark Ferguson and General Counsel Scott Gordon were invited to join the Executive Session. Mr. McNiece seconded. Motion carried 10-0.

**MOTION**  
(00:08:38)

The Board returned to open session at 1:40 p.m.

**EXECUTIVE SESSION #2**

Mrs. Busch moved that the Kansas State Board of Education recess into Executive Session to discuss the subject of an individual employee's performance, which is justified pursuant to the non-elected personnel exception under KOMA, in order to protect the privacy interest of the individual(s) to be discussed. The Board would take a 10-minute break prior to the Executive Session which would begin at 1:50 p.m. for up to 60 minutes. No action would be taken during this session. The open meeting

**MOTION**  
(00:11:13)

would resume in the Board Room, Suite 102, at 2:50 p.m. Commissioner Randy Watson, Board Attorney Mark Ferguson, General Counsel Scott Gordon and Deputy Commissioner Dale Dennis were invited to join the Executive Session. Mr. McNiece seconded. Motion carried 10-0.

The Board returned to open session at 2:50 p.m.

**ACTION ON GUIDANCE TO COMMISSIONER**

Mrs. Cauble made the following motion: KSDE employees report to the Commissioner of Education, who may request guidance from the Kansas State Board of Education on employment matters. Commissioner Watson has requested our guidance, therefore I move that the Kansas State Board of Education give guidance to Commissioner Watson to fully support the continued employment of Deputy Commissioner Dale Dennis and his staff. Mr. McNiece seconded. A time for Board member comments followed. Mrs. Cauble reread the motion and the vote was taken. Motion carried 9-1 with Mr. Bacon in opposition.

**MOTION**  
(00:14:33)

**ACTION TO DIRECT COMMISSIONER**

Mr. Bacon made the following motion: I move that the Kansas State Board of Education direct Commissioner Randy Watson to bring to the Board not later than the March Board meeting recommendations for a process to ensure transparency and accuracy. Mr. Roberts seconded. Motion carried 10-0.

**MOTION**  
(00:15:24)

**OPEN DISCUSSION**

Several Board members made comments acknowledging support (meeting attendance, text messages, emails, letters); the need to ensure procedures are transparent, open and easily understandable; and the importance of working cooperatively with the legislature. Individual responses are captured in the audio recordings beginning at (00:17:06).

**ADJOURN**

The meeting adjourned at 3:08 p.m.

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Jim Porter, Chairman

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Peggy Hill, Secretary