

The Board of Education of Unified School District No. 501 met in regular meeting at 5:30 p.m., Thursday, July 1, 2004, in the Burnett Center Conference Room of the McKinley L. Burnett Administrative Center. Attendance was recorded as follows:

Board Members: Mr. Mark S. Braun, President
Mrs. Carolyn L. Campbell, Vice President
Mrs. Cheri Barrington
Mr. Ron Browning
Mr. Tim S. Clothier
Mr. Doug Glenn

Officers of the Board: Mr. Joseph W. Zima, School District Attorney and Clerk of the Board
Ms. Marilyn Greeve, Deputy Clerk

Administrative Staff: Mr. W. L. Sawyer, Superintendent
Mr. Michael J. Wilson, Associate Superintendent

CONSIDERATION OF A MOTION TO RECESS TO EXECUTIVE SESSION

MOTION: THAT THE BOARD OF EDUCATION RECESS TO AN EXECUTIVE SESSION FOR DISCUSSION REGARDING NON-ELECTED ADMINISTRATIVE PERSONNEL AND FOR DISCUSSION WITH THE SCHOOL DISTRICT ATTORNEY(S) REGARDING PENDING LITIGATION AND OTHER LEGAL MATTERS; THE MEETING TO BE CLOSED BECAUSE OF THE CONFIDENTIAL NATURE OF THE DISCUSSIONS AND THE OPEN MEETING OF THE BOARD TO RESUME AT 6:30 P.M., WITH ACTION TO BE TAKEN.

BY: MRS. CAMPBELL

SECOND: MR. CLOTHIER

VOTE: THE MOTION CARRIED UNANIMOUSLY.

The Board of Education recessed to an executive session at 5:31 p.m., with the following present:

Board Members: Mr. Mark S. Braun, President
Mrs. Carolyn L. Campbell, Vice President
Mrs. Cheri Barrington
Mr. Ron Browning
Mr. Tim S. Clothier
Mr. Doug Glenn

Officers of the Board: Mr. Joseph W. Zima, School District Attorney/Clerk of the Board

Administrative Staff: Mr. W. L. Sawyer, Superintendent (entered at 5:40 p.m.)
Mr. Michael J. Wilson, Associate Superintendent (entered at 5:46 p.m.)

Others: Mr. Michael W. Jones, general director of fiscal services and Board Treasurer (entered at 5:46 p.m., left at 5:55 p.m.)

THE BOARD OF EDUCATION RECONVENES

Following discussion, the Board of Education reconvened at 6:36 p.m., with the following present:

Board Members: Same as listed above

Officers of the Board: Mr. Joseph W. Zima, School District Attorney and Clerk of the Board
Ms. Marilyn Greeve, Deputy Clerk

Administrative Staff: Mr. W. L. Sawyer, Superintendent
Mr. Michael J. Wilson, Associate Superintendent

Media: Ms. Barbara Hollingsworth, The Topeka Capital-Journal

PLEDGE OF ALLEGIANCE

Mr. Mark S. Braun, president, asked Mr. Dennis Payne to lead the Pledge of Allegiance. Mr. Braun thanked him on behalf of the Board.

ADOPTION OF THE AGENDA

MOTION: TO AMEND THE AGENDA BY ADDING ACTION ITEM #20, CONSIDERATION OF RESOLUTION 04-20, AND ADOPT THE AGENDA AS AMENDED.

BY: MR. CLOTHIER

SECOND: MR. GLENN

VOTE: THE MOTION CARRIED UNANIMOUSLY (6-0).

APPROVAL OF MINUTES

MOTION: TO APPROVE THE JUNE 30, 2004, BOARD OF EDUCATION MEETING MINUTES AS PRESENTED.

BY: MR. CLOTHIER

SECOND: MRS. BARRINGTON

VOTE: THE MOTION CARRIED UNANIMOUSLY.

ELECTION OF OFFICERS

ITEM A - NOMINATION AND ELECTION OF BOARD OF EDUCATION OFFICERS

Mr. Joseph W. Zima, clerk of the Board, reported that in accordance with K.S.A. 72-8202a and Board of Education Policy No. 1030, the Board shall elect a president and vice president from its members for a term of one year and until successors are elected and qualified. He explained that nominations could be made for individual offices or for a slate of both offices and that the nominees would be voted on in the order in which they are made. Mr. Zima requested nominations for the office of the presidency.

NOMINATION: THAT MR. MARK S. BRAUN IS NOMINATED AS PRESIDENT AND MR. DOUG GLENN AS VICE PRESIDENT OF THE USD 501 BOARD OF EDUCATION FOR THE 2004-05 SCHOOL YEAR.

BY: MRS. CAMPBELL

SECOND: MR. CLOTHIER

Mr. Zima asked if there were any other nominations. No other nominations were offered.

VOTE: THE NOMINATION OF MR. BRAUN AND MR. GLENN CARRIED (5-1, Mr. Browning, against).

RECESS

The Board of Education recessed at 6:46 p.m., so that the newly elected Vice President could be seated.

THE BOARD OF EDUCATION RECONVENES

The meeting reconvened at 6:56 p.m.

PUBLIC COMMUNICATIONS

◆ ITEMS NOT ON THE AGENDA

Ms. Ruby Scott, 2220 Fillmore, Topeka, requested to speak to the Board regarding funding for USD 501. Ms. Scott voiced concern that the legislature is not properly funding education in Kansas. She said it is time to make the legislature accountable and when children and schools are being shorted (financially), our political party preferences should be set aside.

◆ ITEMS ON THE AGENDA

There were no requests to speak.

SUPERINTENDENT'S REPORT

ITEM C – PRESENTATION OF WORKERS' COMPENSATION THIRD-QUARTER REPORT

Mr. W. L. Sawyer, superintendent, introduced Mr. Dennis Payne and Ms. Sandra Deines to update Board Members on the District's workers' compensation program.

Mr. Payne reviewed the reports with Board Members. He reported 35 claims for the third quarter and provided Pure Loss Results indicating a continued decrease in the number of claims, number of lost days, and in the total dollar incurred, even though the third quarter indicates an increase in the number of claims from the previous two quarters. Mr. Payne presented a report from Mary Lynn McGee from the Health Connection Clinic. He said the Clinic continues to provide cost-saving services to employees in the District. He said the District has had 28 people complete the post-hire testing and six of those individuals did not pass the test. He said the main groups being tested are food service, maintenance and custodians.

Mr. Clothier asked that Mr. Payne include the dollar amount attributed to the claims in the comparison report provided. Mr. Payne said he would include that information in his year-end report.

Mr. Payne said even though the number of claims has increased during the third quarter, the dollar amount has decreased.

Mr. Browning asked if employees are counseled after incurring a workers' compensation accident. Mr. Payne said Ms. Deines is in constant communication with employees after they incur an accident. He said

they are constantly looking for ways to prevent accidents. Mr. Wilson pointed out that both he and Mr. Chris Albert, general director of central services and facilities planning, are members of the workers' compensation committee and are able to address any safety concerns immediately.

Mr. Payne gave a brief history of the self-funded workers' compensation fund program. He said in the late 1980s, USD 501 had frequency and severity problems and the insurance premium was over \$800,000 per year. He said the District had difficulty obtaining insurance because of their high risk factor. He said his firm developed a self-funded program and Ms. Sharlys Kelly acted as inside administrator, working with the workers' compensation committee. He said his firm still has that same commitment to the Board of Education.

Mr. Clothier noted that 11 years ago the District's workers' compensation program became self-insured and speculated what the savings have been. He said a self-insured health insurance program might be a consideration.

Mr. Braun thanked Mr. Payne for his report.

ITEM D - SUPERINTENDENT'S ANNOUNCEMENTS

Mr. W. L. Sawyer, superintendent, distributed the following announcements:

July 15 Board of Education Meeting, Burnett Administrative Center,
5:30 p.m. Executive Session, 6:30 p.m. Board Meeting
July 31 KASB Seminar, "Board Presidents' Workshop:
A Challenging Year – Clearing the Hurdles"
August 5 Board of Education Meeting, Burnett Administrative Center,
5:30 p.m. Executive Session, 6:30 p.m. Board Meeting
August 19 First Day of School
August 19 Board of Education Meeting, Burnett Administrative Center,
5:30 p.m. Executive Session, 6:30 p.m. Board Meeting

DISPOSITION OF BUSINESS BY CONSENT

MOTION: THAT THE BOARD OF EDUCATION APPROVE THE FOLLOWING ITEMS OF BUSINESS BY CONSENT (EXCEPT PERSONNEL ADDENDUM) AND AUTHORIZE THE BOARD PRESIDENT OR THE SUPERINTENDENT TO SIGN THE SPECIAL PROJECT CONTRACT(S) AND THE PURCHASING CONTRACT(S) FOR AND ON BEHALF OF THE BOARD OF EDUCATION:

ITEM F - FINANCIAL REPORT

ITEM G - PERSONNEL

ITEM H - PURCHASES

ITEM I - PROCESSING RESOLUTIONS WITH AREA BANKS

ITEM J - RESOLUTIONS FOR ACTIVITY FUNDS FOR ALL SCHOOLS AND PETTY CASH FUNDS FOR ALL FACILITIES

ITEM K - REVISION TO CLASSIFIED HANDBOOK FOR 2004-2005

ITEM L - RENEWAL OF EMPLOYMENT CONTRACT FOR W. L. SAWYER

ITEM M - AGREEMENT WITH LET'S HELP, INC. FOR PRESCHOOL PROGRAMS AT AVONDALE EAST, LOWMAN HILL, QUINCY, ROSS AND WILLIAMS ELEMENTARY SCHOOL

ITEM N - CONSULTING AGREEMENT WITH KALEIDOSCOPE FOR READING FIRST 4-DAY WORKSHOP

- ITEM O - MEMORANDUM OF UNDERSTANDING WITH COMMUNITY ACTION, INC. FOR PROJECT ATTENTION PROGRAMS
ITEM P - PROGRAM RENEWAL AGREEMENT FOR NATIONAL SCHOOL LUNCH PROGRAM WITH KANSAS STATE DEPARTMENT OF EDUCATION
ITEM Q - AGREEMENT BETWEEN SHELDON CDC-HEAD START AND KAREN MATSON, R.D., L.D., SHAWNEE COUNTY EXTENSION SVCS FOR DIETITIAN SERVICES
ITEM R - PARENTS AS TEACHERS GRANT FUNDS
ITEM S - FOUR-YEAR-OLD AT RISK GRANT FUNDS
ITEM T - LOCAL CONSOLIDATED PLAN GRANT FUNDS

BY: MR. GLENN

SECOND: MR. CLOTHIER

DISCUSSION: Mr. Clothier asked the cost to prepare school lunches and the amount reimbursed through the National School Lunch Program agreement. He asked if the reimbursement is being increased and how the proposed Max Meal Program would be funded. Mr. Wilson said he would forward that information to him.

VOTE: THE MOTION CARRIED UNANIMOUSLY.

Mr. Braun left the room to avoid the appearance of a conflict of interest.

MOTION: TO APPROVE THE PERSONNEL ADDENDUM AS PRESENTED.

BY: MRS. CAMPBELL

SECOND: MRS. BARRINGTON

VOTE: THE MOTION PASSED (5-0, Mr. Braun, absent).

Mr. Braun re-entered the meeting.

ACTION ITEMS

ITEM V - APPOINTMENT OF CLERK OF THE BOARD OF EDUCATION (JOSEPH W. ZIMA)

MOTION: TO APPROVE RECOMMENDED APPOINTMENTS ON ITEMS V THROUGH HH (SEE AGENDA).

BY: MR. GLENN

SECOND: MR. CLOTHIER

VOTE: THE MOTION WAS APPROVED UNANIMOUSLY.

ITEM II - APPOINTMENT OF BOARD OF EDUCATION REPRESENTATIVE TO THE SHAWNEE COUNTY INTERGOVERNMENTAL COUNCIL EXECUTIVE COMMITTEE

Mr. W. L. Sawyer, superintendent, reported that the president of the Board or his/her designee needs to be officially appointed to serve as the Board of Education representative to the Shawnee County Intergovernmental Council Executive Committee.

MOTION: THAT THE BOARD OF EDUCATION APPROVE THE RETENTION OF MRS. CAROLYN L. CAMPBELL AS ITS REPRESENTATIVE TO THE SHAWNEE COUNTY INTERGOVERNMENTAL COUNCIL EXECUTIVE COMMITTEE.

BY: MR. CLOTHIER

SECOND: MR. BROWNING

VOTE: THE MOTION PASSED UNANIMOUSLY.

ITEM JJ - APPOINTMENT OF BOARD OF EDUCATION REPRESENTATIVE TO THE KANSAS ASSOCIATION OF SCHOOL BOARDS GOVERNMENTAL RELATIONS NETWORK

Mr. W. L. Sawyer, superintendent, advised the Board that the Kansas Association of School Boards has requested a Board of Education representative be appointed to the Governmental Relations Network for the 2004-05 school year. Mr. Browning currently serves in this capacity.

MOTION: THAT THE BOARD OF EDUCATION APPOINT MR. RON BROWNING AS THE REPRESENTATIVE TO THE KANSAS ASSOCIATION OF SCHOOL BOARDS' GOVERNMENTAL RELATIONS NETWORK.

BY: MR. CLOTHIER

SECOND: MR. GLENN

VOTE: THE MOTION PASSED UNANIMOUSLY.

ITEM KK - APPOINTMENT TO KANSAS ASSOCIATION OF SCHOOL BOARDS (KASB) DELEGATE ASSEMBLY

Mr. W. L. Sawyer, superintendent, reported that the 2004 KASB Convention will be held December 3-5, 2004, in Wichita, Kansas, and one official delegate and alternates should be appointed to represent the USD 501 Board at the Delegate Assembly. In prior years the delegate is appointed, and the other Board members have been certified as alternates to attend the convention. Mr. Glenn currently serves in that capacity.

MOTION: THAT THE BOARD OF EDUCATION APPOINT MR. DOUG GLENN AS THE DELEGATE TO ATTEND THE DELEGATE ASSEMBLY OF THE KASB CONVENTION AND THAT THE OTHER BOARD MEMBERS BE CERTIFIED AS ALTERNATES.

BY: MR. CLOTHIER

SECOND: MR. BROWNING

VOTE: THE MOTION PASSED UNANIMOUSLY.

ITEM LL - APPOINTMENT OF DELEGATE ASSEMBLY MEMBER TO THE NATIONAL FEDERATION OF URBAN-SUBURBAN SCHOOL DISTRICTS (NFUSSD)

Mr. W. L. Sawyer, superintendent, reported that a delegate assembly member to the National Federation of Urban-Suburban School Districts needs to be appointed and that Mr. Mallory currently serves in that position.

MOTION: THAT THE BOARD OF EDUCATION APPOINT MR. BRAUN AS THE DELEGATE ASSEMBLY MEMBER TO THE NATIONAL FEDERATION OF URBAN-SUBURBAN SCHOOL DISTRICTS.

BY: MR. CLOTHIER

SECOND: MRS. BARRINGTON

VOTE: THE MOTION PASSED UNANIMOUSLY.

ITEM MM - DESIGNATION OF BOARD OF EDUCATION MEMBER TO NSBA NATIONAL AFFILIATE ADVOCACY NETWORK

Mr. W. L. Sawyer, superintendent, reported that the Board of Education needs to appoint a representative to the NSBA (National School Boards Association) National Affiliate Advocacy Network for 2003-2004. Mr. Mallory currently serves in this position.

MOTION: THAT THE BOARD OF EDUCATION APPOINT MR. CLOTHIER AS THE REPRESENTATIVE TO THE NSBA (NATIONAL SCHOOL BOARDS ASSOCIATION) NATIONAL AFFILIATE ADVOCACY NETWORK.

BY: MRS. CAMPBELL

SECOND: MR. BROWNING

VOTE: THE MOTION CARRIED UNANIMOUSLY.

ITEM NN - APPOINTMENT TO ECONOMIC DEVELOPMENT TAX EXEMPTION ADMINISTRATIVE REVIEW COMMITTEE

Mr. W. L. Sawyer, superintendent, said the Board would need to designate a representative to the Economic Development Tax Exemption Administrative Review Committee for 2004-05. He said it is recommended that the immediate past-president of the Board be the appointee.

MOTION: THAT THE BOARD OF EDUCATION APPOINT MR. BRAUN TO THE ECONOMIC DEVELOPMENT TAX EXEMPTION ADMINISTRATIVE REVIEW COMMITTEE.

BY: MR. CLOTHIER

SECOND: MRS. BARRINGTON

VOTE: THE MOTION CARRIED UNANIMOUSLY.

ITEM OO – IRESOLUTION 04-20 DECLARING DISTRICT 3, POSITION 3, VACANCY

Mr. W. L. Sawyer, superintendent, introduced Mr. Joseph W. Zima, school district attorney and clerk of the Board. Mr. Zima explained the law requirements when a Board of Education member resigns. He reviewed the following resolution and the Notice drafted for publication in the daily newspaper:

RESOLUTION 04-20

WHEREAS, Bruce E. Mallory has resigned from serving as the Member District 3, Position 3 member on the Board of Education of Unified School District No. 501, Shawnee County, Kansas; and

WHEREAS, K.S.A. 25-2022 requires the Board of Education to publish notice of any such vacancy and fill the vacancy by appointment no sooner than 15 calendar days after publication of such notice; and

WHEREAS, such appointment will expire on July 1, 2005.

NOW THEREFORE, the Board of Education of USD 501, Shawnee County, Kansas, meeting in open public session on the _____ day of _____, 2004, does hereby resolve as follows:

1. The Member District 3, Position 3 seat previously held by Bruce E. Mallory is hereby declared to be vacant.
2. The attached Notice is hereby approved and adopted.
3. The Clerk of the Board of Education is hereby directed to publish the attached Notice once in The Topeka Capital-Journal and regularly on cable channel 14 until the deadline for receipt of applications has passed.
4. The Clerk is hereby directed to provide each applicant with an application form, which must be completed and returned to the Clerk by no later than 4:30 p.m., _____.
5. The Clerk is hereby directed thereafter to verify with the Shawnee County Elections office that each applicant is a qualified elector of Member District 3 of USD 501.
6. The Clerk is hereby directed to set up a special open public meeting on _____ for the purpose of interviewing all applicants and making an appointment to fill the vacancy.

BOARD OF EDUCATION

President

Attest:

Joseph W. Zima, Clerk of the Board

Mr. Zima said applications would be received through July 26, 2004, and a special meeting has been called to review those applications on August 2, 2004. He recommended the Board adopt the resolution as presented. He told Board Members he would forward a copy of the draft application next week and asked them to submit their questions for the interview process.

MOTION: TO ADOPT RESOLUTION 04-20 AS PRESENTED.

BY: MR. CLOTHIER

SECOND: MRS. CAMPBELL

DISCUSSION: Mr. Glenn and Mr. Braun requested that the phrase “registered voter” be added to paragraph 2, sentence one in the newspaper notice.

Mr. Browning asked the length of the appointment. Mr. Zima said the individual appointed would complete Mr. Mallory’s term but would need to run for the position in 2005.

VOTE: THE MOTION PASSED UNANIMOUSLY.

BOARD OF EDUCATION DISCUSSION

Mr. Ron Browning said he had visited the excavation site for the new gym at Topeka High School and reported the crews have uncovered parts of an old building and a gas line. He said the project appears to be on schedule.

Mrs. Carolyn L. Campbell said she had attended the Kansas Association of School Boards school law seminar last week and noted Mr. Zima had been able to attend part of the session.

Mr. Tim S. Clothier thanked Ms. Ruby Scott for taking time from her schedule to speak to Board Members tonight regarding school funding. He said he hoped Board Members would be able to motivate others to be as passionate and to vote in the election this fall. He said he visited the USD 501 grant-funded music camp and was pleased by the number attending. He thanked teachers and Dr. Larita Owens for their efforts.

Mr. Doug Glenn reported the summer program at Highland Park High School would have a special recognition for students tomorrow. He said he is pleased the District is still able to provide some summer programs for students.

Mrs. Campbell thanked Ms. Scott for her comments and said she believes there are lots of other people in the community having the same feelings as Ms. Scott.

Mr. Mark S. Braun thanked Ms. Scott for her comments. He thanked the Board for supporting him in his presidency. He said he believes that the face of education will be different than it is now when the court’s opinion (on school finance) is published. He said he participated in the press conference Mr. Sawyer held announcing the District’s test scores. He said the press conference was called to recognize all schools, not only the improved schools. He said during this next year, he plans on relaying within the community, the Board’s support of Mr. Sawyer. He said the Board is confident Mr. Sawyer is the right person at the right time and thanked Mr. Sawyer, the building staff and teachers who were part of the District’s progress this past year. He recommended that the District identify costs associated with programs for distribution to legislators. Mr. Braun pointed out that two full time administrative positions and two other administrative positions were eliminated this coming year because of budget cuts and challenged individuals to see what other districts facing the same budget reductions are doing.

Mr. Clothier asked Mr. Braun if he is suggesting that the Board meet with legislators regarding financing prior to the legislative session. He said he believes funding schools will be a priority next year. Mr. Braun agreed that it might be advantageous to educate legislators.

Mr. Clothier thanked Mr. Braun for his leadership and Mrs. Campbell for her support this past year. He said he thought they had handled a most difficult year with grace and ease.

ADJOURNMENT

MOTION: THAT THE BOARD OF EDUCATION ADJOURN TO 5:30 P.M., THURSDAY, JULY 15, 2004, IN THE BURNETT CENTER CONFERENCE ROOM OF THE BURNETT ADMINISTRATIVE CENTER.

BY: MR. BROWNING

SECOND: MR. CLOTHIER

VOTE: THE MOTION CARRIED UNANIMOUSLY.

The Board of Education adjourned at 8:09 p.m. in the Burnett Center Conference Room of the McKinley L. Burnett Administrative Center.

**Joseph W. Zima, Clerk
Board of Education
Unified School District No. 501**

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