

**BUTLER COMMUNITY COLLEGE  
BOARD OF TRUSTEES  
MINUTES OF THE REGULAR BOARD MEETING  
8:00 a.m., April 1, 2021 – Dankert Board Room**

Meeting Recording can be viewed at <https://youtu.be/gRpkP7RB6Ag>

**STAFF ATTENDANCE**

Kim Krull  
Lora Jarvis  
Matt Jacobs  
Tom Borrego  
Lori Winningham (Z)

**BOARD ATTENDANCE**

Mary Martha Good  
Jim Howell (Z)  
Doug Law  
Lance Lechtenberg  
Forrest Rhodes (Z)  
Shelby Smith (Z)  
Julie Winslow (Z – Only for Exec Session)

**GUESTS**

Ray Connell

**CALL TO ORDER**

Chair Lechtenberg called the regular monthly meeting of the Board of Trustees to order at 8:00 a.m.

**APPROVAL OF THE AGENDA**

Trustee Good moved to approve the agenda as presented. Trustee Law seconded. Lora Jarvis called a roll call vote and the motion passed unanimously.

**EXECUTIVE SESSION**

Trustee Good moved that the Board recess into executive session for consultation with legal counsel in regards to acquisition of real estate to include the Board, Dr. Kim Krull, Tom Borrego, and Ray Connell with action to follow as appropriate. The open meeting will resume here in the Dankert Board Room in 20 minutes. Trustee Law seconded. Lora Jarvis called a roll call vote and the motion passed unanimously.

The Board entered executive session at 8:03 a.m.

The Board returned to open session at 8:23 a.m.

**BOARD ACTION ITEMS**

Approval of Butler-Johnson County Community College Culinary Partnership – Dr. Krull introduced the new partnership by saying that the partnership would require no new courses to be taught by either Butler or Johnson County. The attached CA1 packet is

the result of a partnership between Butler Community College (BCC) and Johnson County Community College (JCCC) to bring two additional certificate options to the students in south central Kansas. The certificates utilize existing Butler culinary courses paired with 2-4 practicum courses from JCCC. Students will be able to complete all courses, including practicum work in this area. This will prepare students for their American Culinary Federation Education Foundation (ACF) certification.

Trustee Law moved to approve the CA1 packet for submission to KBOR for the following certificates.

25 credit hour - Culinary Arts: (ACF Certificate: Culinarian) and

44 credit hour - Culinary Arts: (ACF Certificate: Sous Chef)

Trustee Good seconded.

Trustee Smith expressed his concern that he had not had an opportunity to look at the document and could not vote for something he had not read.

Lora Jarvis called a roll call vote and Trustees Good, Law, Rhodes, Lechtenberg, and Howell voted in favor with only Trustee Smith voting against. The motion passed.

### **BOARD STRATEGIC DISCUSSION – ISSUES AND OPPORTUNITIES**

SB40 – Dr. Krull shared the following information with the Trustees on the new Senate Bill.

On March 18 the legislature passed Senate Bill 40, legislation that give board of trustees the ultimate authority to make decisions concerning course modality and safety interventions to combat the spread of COVID-19. Specifically, the bill states that during the state of disaster emergency related to the pandemic, which is now slated to expire on May 28, 2021, boards of trustees have full authority and responsibility over any decision that:

- (A) Closes or has the effect of closing any community college or technical college;
- (B) authorizes or requires any form of attendance at any community college or technical college; or
- (C) mandates any action by any students or employees of a community college or technical college while on college property

Subparagraphs (A) and (B) of the bill apply to closings and learning modalities. The broad grant of authority in subparagraph (C) covers masks and other interventions that have been in place throughout the school year.

The bill passed after lengthy negotiation and with bipartisan support. Governor Kelly signed the bill into law on March 24. Boards of trustees must consider the new mandates when making decisions concerning masks and other requirements adopted for the purpose of conducting school while protecting students, staff and patrons from the risks associated with the pandemic. Boards across the system have, to a large extent, been making such decisions throughout the school year, except where mandates from the governor or state or local health agencies superseded the board's

authority. SB 40 now bars the governor's office or the health department from directly intervening in local decisions on the issues listed above. The new law requires districts to employ the "least restrictive means possible" to achieve the objective of maintaining a safe educational environment during the pandemic. The bill also includes procedures for an employee, student, or parent to redress grievances against the board's action.

Employees, students, or parents who are aggrieved by a board's decisions concerning pandemic interventions may seek a hearing with the board of education within 30 days of the action being taken. After receiving a complaint, the board must conduct a hearing on the matter within 72 hours, and it must issue a decision within 7 days of the hearing. If the complainant is unhappy with the outcome of that process, a civil action may be filed in the district court. That petition must also be heard within 72 hours and decided within 7 days of the hearing. The court must side with the individual making the complaint unless the board's action is "narrowly tailored" to respond to the pandemic and uses the "least restrictive means" to do so. If no decision is rendered after seven days, the relief requested by the complaining party shall be automatically granted.

### **ADJOURNMENT**

Trustee Good moved to adjourn the meeting. Trustee Law seconded. The motion passed unanimously. The regular meeting of April 1, 2021 was adjourned at 8:43 a.m.

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Forrest Rhodes – Secretary