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Laura Kelly, Governor

To: Kraig Knowlton, Director, Office of Personnel Services
Cheryl Whelan, Director, Office of Administrative Hearings
Phillis Setchell, Chairperson, Civil Service Board

From: Loren F. Snell, Jr., Secretary, Civil Service Board

Date: August 5, 2019

Re: Quarterly Update

The following quarterly report reflects the Civil Service Board case filings and action taken between April 16, 2019 and July 15, 2019:

A. Cases Filed Between April 16, 2019 and July 15, 2019:

Dismissal, Kansas Department of Corrections, filed April 17, 2019

Dismissal, Kansas Department of Corrections, filed May 15, 2019

Demotion, Kansas Department of Corrections, filed May 21, 2019

Dismissal, Kansas Department of Wildlife, Parks and Tourism, Filed June 27, 2019

B. Cases Decided and/or Disposed of:

Demotion, *default*
Department of Corrections

Juvenile Corrections Officer II. Appellant was demoted from her position to a Juvenile Corrections Officer I (B) position due to allegedly misusing KJCC internet and/or intranet for her personal use. Specifically, KJCC alleged that appellant was using KJCC internet and/or intranet to communicate back and forth with another officer during work hours and the communications were personal and had no business content. Neither party appeared to participate in in a prehearing conference. A proposed default order was issued that was not responded to, resulting in a default order against appellant and dismissal of the request for an administrative hearing for failure to participate in the proceedings.

Note: Appellant has since submitted an untimely request that the default order be vacated. She suggested that the notices were mailed to an old address. A request has been made by OAH to the Department of Corrections for clarification regarding appellant's address before a decision is rendered on the request to vacate the default order.

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Dismissal, *default*
Department of Corrections

Corrections Officer IB. Appellant was dismissed from his position for allegedly engaging in correspondence with offenders, acquaintances of offenders, and offender's family members, as well as the introduction of contraband. A prehearing conference was scheduled. Counsel for the agency appeared; however, appellant failed to appear and participate. A proposed default order was issued that was not responded to, resulting in a default order against appellant and dismissal of the request for an administrative hearing for failure to participate in the proceedings. Appellant submitted a written response regarding the Proposed Default Order. After careful consideration, the Proposed Default Order was not vacated, and the matter was dismissed.

C. Cases to be Heard:

Dismissal, Department of Corrections, evidentiary hearing September 17, 2019

Dismissal, Department of Wildlife, Parks and Tourism, prehearing conference August 15, 2019

D. Statistics for Completed Cases:

Action Taken by Agency:
Dismissals: 1
Suspensions:
Demotions: 1

Action Taken by CSB:
Affirmed:
Reversed:
Modified:
Dismissed:
Withdrawn:
Default: 2

Agency:
Department of Corrections:
Board of Indigents Defense Services:
Department for Children and Families:
Department of Health and Environment:
Department of Revenue:
Department for Aging and Disability Services:
Department of Commerce:
Commission on Veterans Affairs:
Kansas Bureau of Investigation: