

Missouri State Board of Education

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MINUTES OF MEETING OF THE STATE BOARD OF EDUCATION December 1-2, 2011

The Missouri State Board of Education met on December 1-2, 2011, in Branson, Missouri.

Present: Peter Herschend, Branson, President
Rev. Stan Archie, Kansas City, Vice President
Deborah Demien, Wentzville, Member
Michael Jones, St. Louis, Member
Sybl Slaughter, Lebanon, Member
Russell Still, Columbia, Member
Chris L. Nicastro, Commissioner of Education
Robin Barbour, Executive Assistant
Deputy Commissioner Ron Lankford
Assistant Commissioners Stephen Barr, Jeanne Loyd, Karla Eslinger, Sharon Hoge, Margie Vandeven and Kathy Thornburg; Mark Van Zandt, General Counsel; Michele Clark, Communications Coordinator; and Robin Coffman, Chief of Staff

Absent: Michael Ponder, Cape Girardeau, Member

No. 11794 Vice President Archie called the meeting of the Missouri State Board of
Call to Order Education to order at 12:46 p.m. The meeting was held in the Heidelberg
(12/1/2011) Room at the Chateau on the Lake in Branson, Missouri.

No. 11795 As set forth in the motion adopted at the October 18, 2011 meeting of
Closed Session the State Board of Education, the Board went into closed session.

No. 11796
Agenda
(12/1/2011)

The State Board of Education went into open session at 1:48 p.m. President Herschend announced that an item, Consideration of Proposed Modifications to Section 162.081 RSMo, was being added to the agenda. It was moved by Mr. Still, seconded by Rev. Archie, to approve the agenda for the December 1-2, 2011 meeting of the State Board of Education, as amended.

Motion carried. (Yes: 6)

No. 11797
Minutes

It was moved by Ms. Slaughter, seconded by Mr. Still, to approve the minutes of the October 18, 2011 meeting of the State Board of Education as presented.

Motion carried. (Yes: 6)

No. 11798
President's
Report

President Herschend announced that Item L. Statewide System of Support—Kansas City Proposal, will be taken up at 8:30 a.m. on Friday morning.

President Herschend reminded the Board that the January 17, 2012, meeting of the State Board of Education would be held in Jefferson City, Missouri.

President Herschend reported to the Board that an International Education Summit will be held in Jefferson City on January 9, 2012. Planning is underway and details of the Summit will be announced at a later date.

President Herschend introduced Kristen Merrell, the current Teacher of the Year. He thanked Ms. Merrell for her attendance at the meeting and for the good work that she does for the kids of Missouri.

No. 11798
President's
Report (cont.)
(12/1/2011)

Ms. Slaughter reported to the Board that President Herschend had recently addressed the Lebanon Rotary Club and spoke about education and business endeavors in which he is involved. Ms. Slaughter commented she believes he is the head of a corporation that gives care and love to its employees.

Mr. Still reported that he attended the Teacher of the Year (TOY) banquet on October 26 in Jefferson City where he met Kristen Merrell and the other TOY candidates.

Rev. Archie made note that President Herschend had recently been in Kansas City and was honored by the Missouri Chamber of Commerce and Industry with the 2011 Education Supporter of the Year Award.

No. 11799
NASBE
Report

Mike Jones announced that he had been selected to serve on the National Association of State Boards of Education's (NASBE) Governmental Affairs Committee (GAC).

Rev. Archie congratulated Mr. Jones for his appointment to the GAC. He indicated it will be a very worthwhile opportunity.

Rev. Archie indicated Russ Still is also considering representing Missouri by joining NASBE's new study group. The study group will focus on the Common Core Standards and social and emotional health of students.

Rev. Archie reported that NASBE announced that Jim Koohlmoos will be the new Executive Director, replacing Brenda Welburn who is retiring.

No. 11800
Closed Session
(12/1/2011)

Ms. Slaughter moved that a closed session, with a closed record and closed vote, be held during the meeting of the State Board of Education on January 17, 2012, as posted by the Executive Assistant, to consider the following:

1. Legal actions, causes of action, litigation, or legal work product relating to the State Board of Education and the Department of Elementary and Secondary Education, as well as any confidential or privileged communications between those entities and legal counsel;
2. Hiring, firing, disciplining or promoting of employees of the Department of Elementary and Secondary Education;
3. Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment; and
4. Other records protected from disclosure by law.

Motion was seconded by Rev. Archie and carried.

Vote: Yes Archie, Demien, Herschend, Jones, Slaughter,
Still

Following such affirmative vote, the vote of each Board member on the question of holding the closed meeting, closed record and closed vote and the statutory reason therefor was announced publicly by the Executive Assistant.

It was moved by Ms. Slaughter to direct the Executive Assistant to prepare, post, and make available to the news media notice of such closed meeting, closed record, and closed vote as required by law, and that a copy of such notice be filed with the minutes of the meeting which it announces.

Motion was seconded by Mr. Jones and carried.

No. 11801
Consent
Agenda
(12/1/2011)

It was moved by Ms. Slaughter, seconded by Rev. Archie, to approve the consent agenda as follows:

Consideration of Personnel Report (Exhibit 1)

Consideration of Investment Transactions by Central Bank for Trust Funds (Exhibit 2)

Approval of Counselor, Librarian, and Superintendent Standards (Exhibit 3)

Consideration of the Report on Recruitment and Retention of Teachers in Missouri Public Schools (Exhibit 4)

Consideration of a Notice of Proposed Rulemaking to Rescind Rules 5 CSR 50-378.100 Read to be Ready Grant Program, 5 CSR 50-380.010 General Provisions (Technology Grant) and 5 CSR 50-390.010 Reductions of Pupil Teacher Ratio for Children At-Risk (Exhibit 5)

Consideration of Orders of Rulemaking to Rescind Administrative Rules Relating to the Department of Elementary and Secondary Education (Exhibit 6)

Prior to the vote, the Board discussed Item C. Approval of Counselor, Librarian, and Superintendent Standards; however, this item was not pulled for a separate vote. Karla Eslinger explained that the standards are a model for school districts.

Motion carried. (Yes: 6)

No. 11802
Consideration
of Proposed
Modification
of Section
162.081

It was moved by Mr. Still, seconded by Rev. Archie, to support the proposed modifications to Section 162.081 RSMo as it relates to school accreditation and governance.

Motion carried. (Yes: 6) (Exhibit 7)

No. 11803
Recommendation
of the
Special School
District
Redistricting
Committee

It was moved by Ms. Slaughter, seconded by Mr. Jones, to approve the redistricting plan as set forth in the resolution adopted by the Special School District Redistricting Committee.

Motion carried. (Yes: 5) (Exhibit 8)

No. 11804
Consideration
of an Order of
Rulemaking to
Adopt Rule 5
CSR 20-
100.105
Relating to
Missouri
School
Improvement
Program 5
(12/1/2011)

It was moved by Rev. Archie, seconded by Mr. Jones, to authorize an order of rulemaking to adopt Rule 5 CSR 20-100.105, relating to the Missouri School Improvement Program (MSIP) 5, in the *Missouri Register* and that the State Board finds this rule necessary to carry out the purposes of Section 161.092, 162.081, 167.131, and 168.081 RSMo.

Motion carried. (Yes: 6) (Exhibit 9)

No. 11805
Elementary
and Secondary
Education Act
(ESEA)/NCLB
Waiver
Request
Process

It was moved by Rev. Archie, seconded by Mr. Jones, to approve the Department going forward to solicit public input on the draft ESEA flexibility waiver from stakeholders.

Motion carried. (Yes: 6) (Exhibit 10)

No. 11806
Statewide
System of
Support—
Kansas City
Proposal
(12/2/2011)

Commissioner Nicastro gave a report to the Board regarding the Kansas City School District. Although this item was listed as an action item, no vote was taken. The report indicated the District will be unaccredited effective January 1, 2012. Action from the community and the legislature will allow the Board to act shortly thereafter. (Exhibit 11)

No. 11807
Consideration
of Issuance of
a Substitute
Certificate of
License to
Teach to
Barbara Ann
Dempsey

This matter came before the Board after Barbara Ann Dempsey pled guilty to the misdemeanor, Assault 3rd Degree, in the Circuit Court of St. Louis County. It was moved by Rev. Archie and seconded by Mr. Jones, to authorize the issuance of a substitute certificate of license to teach to Barbara Ann Dempsey.

Motion carried. (Yes: 6) (Exhibit 12)

No. 11808
Consideration
to Discipline
the License to
Teach of Maria
Bishop
(12/2/2011)

It was moved by Rev. Archie, seconded by Ms. Slaughter, to revoke
Maria Bishop's certificate of license to teach.

Motion carried. (Yes: 6) (Exhibit 13)

No. 11809
Consideration
of the Request
by the
Maplewood-
Richmond
Heights School
District to
Discipline the
License to
Teach of
Timothy
Curtin

It was moved by Rev. Archie, seconded by Mr. Jones, to suspend
Timothy Curtin's certificate of license to teach for one (1) calendar year,
effective from the date of the Board's action. The motion failed to receive the
required majority votes (5) for adoption.

Motion failed. (Yes: 4; No: 2) (Exhibit 14)

No. 11810
Consideration
to Discipline
the License to
Teach of
Raymond
Stewart III

It was moved by Rev. Archie, seconded by Mr. Still, to take no action
against Raymond Stewart III's certificate of license to teach.

Motion carried. (Yes: 6) (Exhibit 15)

No. 11811
Reports

The following reports were presented to the State Board of Education on
December 1-2, 2011:

Governmental Affairs Update

School Foundation Formula – Adequacy Target Calculation

Agenda Items for Two Months in Advance of Current Meeting

No. 11812
Adjournment
(12/2/2011)

The meeting adjourned at 10:28 a.m. on December 2, 2011. The next meeting of the State Board of Education will be held on January 17, 2012, in Jefferson City, Missouri.

President

Executive Assistant