

Missouri State Board of Education

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MINUTES OF MEETING OF THE STATE BOARD OF EDUCATION December 3, 2013

The Missouri State Board of Education met on December 3, 2013, in Jefferson City, Missouri.

Present: Peter Herschend, Branson, President
Mike Jones, St. Louis, Vice President
Debi Demien, Wentzville, Member
Charlie Shields, St. Joseph, Member
Russell Still, Columbia, Member
Chris L. Nicasastro, Commissioner of Education
Robin Barbour, Executive Assistant
Deputy Commissioners Ron Lankford and Margie Vandeven
Assistant Commissioners Stephen Barr, Paul Katnik, Sharon Helwig, Dennis Cooper, and Leigh Ann Grant Engle; Mark Van Zandt, General Counsel; Robin Coffman, Chief of Staff, and Sarah Potter, Communications Coordinator

No. 12168 President Peter Herschend called the meeting of the Missouri State
Call to Order Board of Education to order at 8:35 a.m. on Tuesday, December 3, 2013.
(12/03/2013)

No. 12169 The agenda for the December 3, 2013 meeting of the State Board was
Agenda approved as presented.

No. 12170 It was moved by Mr. Shields, seconded by Mr. Jones, to approve the
Minutes minutes of the October 21-22, 2013 meeting of the State Board of Education, as
presented.

Motion carried. (Yes: 5)

No. 12171
President's
Report
(12/03/2013)

President Herschend acknowledged that students from the Blue Springs R-IV School District recently submitted artwork for display in the Board Room and 6th floor offices. Each student will receive a letter from the State Board of Education thanking them for their good work.

Dr. Lenz reported that he recently attended the public hearing in Normandy on November 11 and in Riverview Gardens on November 20. Board members Debi Demien and Mike Jones attended the meeting in Normandy as well. The superintendents of the districts were given an opportunity to present their plan for regaining accreditation followed by a public comment period. A second public hearing will be held in each district later in December.

President Herschend reported that Board members heard a presentation from MASA regarding how to best help Missouri districts that are failing or beginning to fail.

Ms. Demien reported she had attended a meeting with Pam Sloan, Superintendent of the Francis Howell School District regarding student transfers.

Commissioner Nicasro also reported she had met with a group of the Education Roundtable to talk about the student transfer issue. She will continue to meet with focus groups and collect information with regard to student transfers.

No. 12172
NASBE
Report

Mr. Still reported that NASBE is hosting regional institutes on issues, practices and policies around implementing the Common Core State Standards to provide state boards of education an opportunity to engage with and learn from experts in the field and other state boards members regarding the

No. 12172
NASBE
Report Cont.
(12/03/2013)

implementation of the Common Core State Standards. Dr. Lenz is planning to attend the meeting for the central/southern region on January 23 in Arlington, VA.

Mr. Still also reported that NASBE's 2014 Legislative Forum is tentatively scheduled for March 13-14, 2014.

No. 12173
Closed Session

Mr. Still 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 13-14, 2014, 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 Mr. Jones and carried.

Vote: Yes Demien, Herschend, Jones, Shields, 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 Mr. Still 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. Shields and carried.

(Yes: 5)

No. 12174
Consent
Agenda
(12/03/2013)

It was moved by Mr. Shields, seconded by Mr. Jones, 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)

Consideration of the Report on the Recruitment and Retention of Teachers in Missouri Public Schools (Exhibit 3)

Motion carried. (Yes: 5)

No. 12175
Report on
House Interim
Committee on
Education

Representative Steve Cookson, Chair of the House Interim Committee on Education, reported to the Board regarding meetings held around the state to hear testimony on education related issues.

No. 12176
Consideration
of Approval of
Accredited
with
Distinction
Criteria

It was moved by Mr. Jones, seconded by Mr. Shields, to table the Consideration of Approval of Accredited with Distinction Criteria agenda item.

Motion carried. (Yes: 5) (Exhibit 4)

No. 12177
Consideration
of an Order of
Rulemaking to
Amend 5 CSR
20-300.110,
Missouri State
Plan for Part B
Regulations
Implementing
the Individuals
with
Disabilities
Education Act
(IDEA)

It was moved by Mr. Shields, seconded by Mr. Jones, to authorize publication in the *Missouri Register* of an Order of Rulemaking to Amend 5 CSR 20-300.110, Relating to the Missouri State Plan for Part B of the Individuals with Disabilities Education Act and that the State Board finds this amendment necessary to carry out the purpose of Sections 161.092 and 162.685, RSMo.

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

No. 12178
Consideration
of an Order of
Rulemaking to
Amend 5 CSR
20-300.120,
Missouri State
Plan for Part C
of the
Individuals
with
Disabilities
Education Act
(IDEA)
(12/03/2013)

It was moved by Mr. Shields, seconded by Mr. Jones, to authorize
publication in the *Missouri Register* of an Order of Rulemaking to Amend 5
CSR 20-300.120, Relating to the Missouri State Plan for Part C of the
Individuals with Disabilities Education Act and that the State Board finds this
amendment necessary to carry out the purpose of Sections 160.900-160.925,
161.092 and 376.1218, RSMo.

Motion carried. (Yes: 5) (Exhibit 6)

No. 12179
Consideration
of an Order of
Rulemaking to
Amend 5 CSR
20-300.160
Establishment
of Sheltered
Workshops, 5
CSR 20-
300.170
Operation of
Extended
Employment
Sheltered
Workshops, 5
CSR 20-
300.180
Renewal or
Revocation of
a Certificate of
Authority, 5
CSR 20-
300.190
Approval of
Eligible
Employees and
5 CSR 20-
300.200
Disbursement
of Funds

It was moved by Mr. Shields, seconded by Mr. Jones, to authorize
publication in the *Missouri Register* of an Order of Rulemaking to Amend 5
CSR 20-300.160, Establishment of Sheltered Workshops, 5 CSR 20-300.170,
Operation of Extended Employment Sheltered Workshops, 5 CSR 20-300.180
Renewal or Revocation of a Certificate of Authority, 5 CSR 20-300.190,
Approval of Eligible Employees and 5 CSR 20-300.200 Disbursement of Funds
and that the State Boards finds these amendments necessary to carry out the
purposes of Sections 178-900 to 178.926 RSMo.

Motion carried. (Yes: 5) (Exhibit 7)

No. 12180
Consideration
of an Order of
Rulemaking to
Amend Rule 5
CSR 10-1.010
General
Department
Organization
(12/03/2013)

It was moved by Mr. Shields, seconded by Ms. Demien, to authorize publication in the *Missouri Register* of an Order of Rulemaking to Amend Rule 5 CSR 10-1.010, Relating to the Organization of the Department.

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

No. 12181
Consideration
of an Order of
Rulemaking to
Rescind Rule 5
CSR 30-
640.100,
Rebuild
Missouri
Schools
Program

It was moved by Mr. Shields, seconded by Mr. Still, to authorize publication in the *Missouri Register* of an Order of Rulemaking to Rescind Rule 5 CSR 30-640.100, Rebuild Missouri Schools Program.

Motion carried. (Yes: 5) (Exhibit 9)

No. 12182
Consideration
of a Notice of
Proposed
Rulemaking to
Rescind Rules
5 CSR 20-
400.120, 5
CSR 20-
400.130 and 5
CSR 20-
400.140,
Relating to
Applicants
Denied
Certification

It was moved by Mr. Still, seconded by Mr. Jones, to authorize in the *Missouri Register* a Notice of Proposed Rulemaking to Rescind Rules 5 CSR 20-400.120, 5 CSR 20-400.130 and 5 CSR 20-400.140 Relating to Applicants Denied Certification.

Motion carried. (Yes: 5) (Exhibit 10)

No. 12183
Consideration
of a Request
for
Background
Clearance by
Camille D.
Villalobos

It was moved by Mr. Shields, seconded by Mr. Still, to approve the application of Camille Villalobos for a substitute certificate of license to teach.

Motion carried. (Yes: 5) (Exhibit 11)

No. 12184
Consideration
of Issuance of
a Substitute
Certificate of
License to
Teach to
Dajuan R.
Harris
(12/03/2013)

It was moved by Mr. Shields, seconded by Mr. Still, to deny the application of Dajuan Harris for a substitute certificate of license to teach.

Motion carried. (Yes: 5) (Exhibit 12)

No. 12185
Consideration
to Discipline
the License to
Teach of Leslie
Dorrel

It was moved by Mr. Shields, seconded by Mr. Still, to accept the statement of settlement and voluntary surrender submitted by Leslie Dorrel.

Motion carried. (Yes: 5) (Exhibit 13)

No. 12186
Consideration
to Discipline
the License to
Teach of David
W. Lawson

It was moved by Mr. Shields, seconded by Mr. Jones, to revoke David W. Lawson's certification of license to teach based upon the Statement of Surrender of Teaching Certificate submitted by Mr. Lawson.

Motion carried. (Yes: 5) (Exhibit 14)

No. 12187
Consideration
to Discipline
the License to
Teach of Kyle
Vesely

It was moved by Mr. Still, seconded by Mr. Jones, to accept the surrender of Kyle Vesely's certification based upon the settlement agreement submitted by Mr. Vesely.

Motion carried. (Yes: 5) (Exhibit 15)

No. 12188
Reports

The following reports were presented to the State Board of Education on December 3, 2013:

An Overview of the Extended Employment Sheltered Workshops
Report on Missouri Centers for Independent Living
Agenda Items for Two Months in Advance of Current Meeting

No. 12189
Adjournment
(12/03/2013)

The meeting adjourned at 1:13 p.m. on December 3, 2013. The next meeting of the State Board of Education will be held on January 13-14, 2014, in Jefferson City, Missouri.

President

Executive Assistant