

# Missouri State Board of Education

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## MINUTES OF MEETING OF THE STATE BOARD OF EDUCATION January 12-13, 2015

The Missouri State Board of Education met in Jefferson City on January 12-13, 2015 in Jefferson City, Missouri.

Present: Peter Herschend, Branson, President  
Mike Jones, St. Louis, Vice President  
Joe Driskill, Jefferson City, Member  
Vic Lenz, St. Louis, Member  
Charlie Shields, St. Joseph, Member  
Russell Still, Columbia, Member  
Margie Vandeven, Commissioner of Education  
Robin Barbour, Executive Assistant  
Deputy Commissioner Ron Lankford  
Assistant Commissioners Paul Katnik, Sharon Helwig,  
Dennis Cooper, Leigh Ann Grant Engle, Stephen Barr,  
Jeanne Loyd, and Stacey Preis; Mark Van Zandt, General  
Counsel; and Sarah Potter, Communications Coordinator

Absent: John Martin, Kansas City, Member  
Maynard Wallace, Thornfield, Member

No. 12453                      President Peter Herschend called the meeting of the Missouri State  
Call to Order  
(01/12/2015)                      Board of Education to order at 1:24 p.m. on Monday, January 12, 2015. The  
meeting was held in the State Board of Education meeting room on the first  
floor of the Jefferson State Office Building in Jefferson City, Missouri.

No. 12454                      The agenda for the January 12-13, 2015 meeting for the State Board  
Agenda                              of Education was approved, as presented.

Motion carried. (Yes: 5)

No. 12455  
Minutes  
(01/12/2015)

It was moved by Mr. Shields, seconded by Mr. Still, to approve the minutes of the December 4-5, 2014 and December 16, 2014 State Board of Education meetings, as presented.

Motion carried. (Yes: 5)

No. 12456  
President's  
Report

President Herschend announced that Item N. Consideration of Compliance of Charter School Proposal: KC Collegiate Inc., has been removed from the agenda. He also announced that Item G. Reports from Provisional and Unaccredited Performance Districts, would be presented Tuesday at 9:00 a.m.; and Item H. Report on Initiatives Connecting High Schools Students to Career-Oriented Experiences, would be presented immediately following the consent agenda.

President Herschend acknowledged that students from the St. Joseph School District recently submitted artwork for display in the Board Room and 6<sup>th</sup> floor offices. The artwork showcases the excellent quality of students and teachers in Missouri. Each student will receive a letter from the State Board of Education thanking them for their good work.

President Herschend announced that this is the last Board meeting for the Department's General Counsel, Mark Van Zandt. Dr. Van Zandt has thirty years of service to the kids of Missouri. President Herschend announced that this is also the last meeting for the Assistant Commissioner of Quality Schools, Dennis Cooper. Dr. Cooper cares deeply about kids and has made a difference to the work of the Department.

No. 12456  
President's  
Report  
(cont.)  
(01/12/2015)

President Herschend informed the Board that proposed meeting dates for July through December are included in the Board's folders. Please let Robin Barbour know of any conflicts.

Mr. Driskill reported that he had the opportunity to visit with Scott Springston, Superintendent at Park Hill School District. He appreciates the report on the Northland Center for Advanced Professional Studies (CAPS) being added to the January agenda.

Mr. Driskill also reported that he will address the area career center directors at their meeting on February 10.

Dr. Lenz reported that he will give greetings to the Missouri Music Educators Association at their conference on January 31.

Mr. Still reported he observed an English language learning program in Philadelphia where his daughter is an educator. He indicated he would like to see a presentation on this subject to the State Board of Education at a future meeting.

Mr. Shields reported he met with the administration and board of education of the Blue Springs School District. He visited about the priorities for the Department and State Board of Education.

No. 12457  
NASBE Report

A NASBE report was not given.

No. 12458  
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 February 17, 2015, as posted by the Executive Assistant, to consider the following:

No. 12458  
Closed Session  
(cont.)  
(01/12/2015)

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 Dr. Lenz and carried.

Vote: Yes Driskill, Herschend, Lenz, 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 therefore 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, notice of the 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. 12459  
Consent  
Agenda

It was moved by Dr. Lenz, seconded by Mr. Still, to approve the consent agenda as follows:

Consideration of Personnel Report (Exhibit 1)

Fiscal Year 2015 Financial Summary (Exhibit 2)

Consideration of Sending Assignment to Area Career Centers – North Andrew R-VI School District (Exhibit 3)

No. 12459  
Consent  
Agenda  
(cont.)  
(01/12/2015)

Consideration of Sending Assignment to Area Career Centers –  
Richland R-I School District (Exhibit 4)

Consideration of Sending Assignment to Area Career Centers – North  
Platte R-I School District (Exhibit 5)

Motion carried. (Yes: 5)

No. 12460  
Consideration of  
Investment  
Strategy for the  
Trust Funds for  
State Board  
Operated Schools

It was moved by Mr. Still, seconded by Mr. Jones, to direct the  
Department to contact the Missouri State Treasurer’s Office to determine  
whether they may provide these services more efficiently and effectively,  
and to also develop a Request for Proposal (RFP) from financial entities  
relative to administrative costs for handling the trust accounts for the  
Missouri School for the Blind, Missouri School for the Deaf, and the  
Missouri Schools for the Severely Disabled. The Board requested that the  
Department present a recommendation to the State Board at the February 17  
meeting.

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

No. 12461  
Consideration  
of Elementary  
and Secondary  
Education Act  
(ESEA) NCLB  
Waiver  
Renewal  
Process

It was moved by Dr. Lenz, seconded by Mr. Shields, to approve moving  
forward with the renewal process, including seeking public input, on the ESEA  
flexibility waiver.

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

No. 12462  
Consideration of  
a Notice of  
Proposed  
Rulemaking to  
Adopt Rule 5  
CSR 20-700.100  
Statewide  
Longitudinal  
Data System  
(01/12/2015)

It was moved by Mr. Jones, seconded by Dr. Lenz, to authorize publication in the *Missouri Register* of a Notice of Proposed Rulemaking to Adopt Rule 5 CSR 20-700.100, Relating to Statewide Longitudinal Data System, and that the State Board finds the proposed rule necessary to carry out the purposes of Sections 161.092 and 161.096.

Motion carried. (Yes: 6) (Exhibit 8)

No. 12463  
Consideration of  
a Notice of  
Proposed  
Rulemaking to  
Adopt Rule 5  
CSR 30-640.200  
Early Learning  
Facilities  
Funding  
Formula for  
Lease  
Agreements

It was moved by Mr. Still, seconded by Mr. Driskill, to authorize publication in the *Missouri Register* of a Notice of Proposed Rulemaking to Adopt Rule 5 CSR 30-640.200, Relating to Establishing a Funding Formula for Early Learning Programs Facility Lease Agreements, and that the State Board finds the proposed rule necessary to carry out the purposes of Sections 161.092 and 161.215.

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

No. 12464  
Consideration of  
a Notice of  
Proposed  
Rulemaking to  
Amend Rule 5  
CSR 20-  
200.260,  
Relating to  
Academic  
Standards

It was moved by Dr. Lenz, seconded by Mr. Still, to authorize publication in the *Missouri Register* of a Notice of Proposed Rulemaking to Amend Rule 5 CSR 20-200.260, Relating to Academic Standards, and that the State Board finds the proposed amendment necessary to carry out the purposes of Sections 161.092 and 160.514.

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

No. 12465  
Consideration of  
Missouri  
Assessment  
Program Grade-  
Level Testing  
Achievement  
Levels

It was moved by Mr. Jones, seconded by Dr. Lenz, to approve the achievement levels and achievement level descriptors as presented.

Motion carried. (Yes: 6) (Exhibit 11)

No. 12466  
Consideration of an Order of Rulemaking to Amend Rules 5 CSR 10-2.010 Scholarship Granting Organizations, 5 CSR 10-2.020 Scholarships and 5 CSR 10-2.030 Eligibility for Scholarships, as required by Bryce's Law, and that the State Board finds the amendment necessary to carry out the purposes of Section 135.1220.

It was moved by Dr. Lenz, seconded by Mr. Still, to authorize publication in the *Missouri Register* of an Order of Rulemaking to Amend Rules 5 CSR 10-2.010 Scholarship Granting Organizations, 5 CSR 10-2.020 Scholarships and 5 CSR 10-2.030 Eligibility for Scholarships, as required by Bryce's Law, and that the State Board finds the amendment necessary to carry out the purposes of Section 135.1220.

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

(01/13/2015)

No. 12467  
Consideration of a Notice of Proposed Rulemaking to Amend Rule 5 CSR 20-600.120 Instruction for Prekindergarten

It was moved by Dr. Lenz, seconded by Mr. Still, to authorize publication in the *Missouri Register* of a Notice of Proposed Rulemaking to Amend Rule 5 CSR 20-600.120, Relating to Instruction for Prekindergarten, and that the State Board finds the proposed amendment necessary to carry out the purposes of Sections 163.031 and 163.018.

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

No. 12468  
Consideration of Issuance of a Substitute Certificate of License to Teach to Alan R. Carroll

It was moved by Mr. Jones, seconded by Dr. Lenz, to approve the application of Alan Carroll for a substitute certificate of license to teach.

Motion carried. (Yes: 6) (Exhibit 14)

No. 12469  
Consideration of Issuance of a Substitute Certificate of License to Teach to Macia A. Latimer

It was moved by Dr. Lenz, seconded by Mr. Still, to approve the application of Macia Latimer for a substitute certificate of license to teach.

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

No. 12470  
Consideration of  
Issuance of a  
Substitute  
Certificate of  
License to  
Teach to Jesse  
R. Bilderback  
(01/13/2015)

It was moved by Mr. Still, seconded by Mr. Jones, to approve the application of Jesse Bilderback for a substitute certificate of license to teach.

Motion carried. (Yes: 6) (Exhibit 16)

No. 12471  
Consideration of  
Disciplinary  
Actions by  
Stipulation

It was moved by Mr. Shields, seconded by Mr. Still, to accept the settlement agreements submitted by the Department of Elementary and Secondary Education as follows: Lauralei Bradley, accept voluntary surrender of certificates; and Nicholas P. Chapman, revoke certificate of substitute teaching certificate.

Motion carried. (Yes: 6) (Exhibit 17)

No. 12472  
Consideration to  
Discipline the  
License to  
Teach of Carrie  
Hardy

It was moved by Mr. Jones, seconded by Mr. Shields, to revoke Carrie Hardy's teaching certificate.

Motion carried. (Yes: 6) (Exhibit 18)

No. 12473  
Consideration to  
Discipline the  
License to  
Teach of Donald  
W. Counts

It was moved by Mr. Still, seconded by Mr. Jones, to revoke Donald W. Counts' teaching certificate.

Motion carried. (Yes: 6) (Exhibit 19)

No. 12474  
Consideration to  
Discipline the  
License to  
Teach of Stacie  
A. Scroggins

It was moved by Mr. Still, seconded by Mr. Jones, to revoke Stacie A. Scroggins' teaching certificate.

Motion carried. (Yes: 6) (Exhibit 20)

No. 12475  
Consideration to  
Discipline the  
License to  
Teach of  
Michael  
Kearbey  
(01/13/2015)

It was moved by Dr. Lenz, seconded by Mr. Still, to suspend Michael Kearvey's teaching certificate for four (4) years; the effective date retroactive to November 6, 2012. Mr. Driskill abstained from the vote of this item.

Motion carried. (Yes: 5) (Exhibit 21)

No. 12476  
Reports

The following reports were presented to the State Board of Education on January 12-13, 2015:

Reports from Provisional and Unaccredited Performance Districts: Jennings, Hickman Mills C-1 and Riverview Gardens (Exhibit 22)

Report on Initiatives Connecting High School Students to Career-Oriented Experiences: Pathways to Prosperity and Center for Advanced Professional Studies (CAPS) (Exhibit 23)

Update on Governmental Affairs (Exhibit 24)

Recognition of Staff Achievements (Exhibit 25)

Agenda Items for Two Months in Advance of Current Meeting (Exhibit 26)

No. 12477  
Adjournment  
(01/13/2015)

The open session meeting of the State Board of Education adjourned at 11:29 a.m. on Tuesday, January 13, 2015. The next meeting of the State Board of Education will be held on February 17, 2015 in Jefferson City.

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President

Executive Assistant