

Missouri State Board of Education

P. O. Box 480, Jefferson City, Missouri 65102-0480 • Phone 573-751-3563 • Fax 573-751-1179

MINUTES OF MEETING OF THE STATE BOARD OF EDUCATION August 18, 2020

The Missouri State Board of Education met on August 18, 2020, in Jefferson City, Missouri.

Present: Charlie Shields, St. Joseph, President
Vic Lenz, St. Louis, Vice President
Kim Bailey, Raymore, Member
Don Claycomb, Linn, Member
Carol Hallquist, Kansas City, Member
Peter Herschend, Branson, Member
Mary Schrag, West Plains, Member
Pamela Westbrook-Hodge, St. Louis, Member
Margie Vandeven, Commissioner of Education
Lisa Gerling, Executive Assistant
Deputy Commissioners Tracy Hinds and Kari Monsees
Assistant Commissioners Stephen Barr, Blaine Henningsen,
Paul Katnik, Chris Neale, and Tim Gaines; Jeff Falter, Chief
Data Officer; Shari LePage, Chief Operating Officer; Peggy
Landwehr, Chief Counsel; Mike Harris, Chief of
Governmental Relations; Pam Thomas, Chief of Strategic
Initiatives and Talent Development; and Mallory McGowin,
Communications Coordinator

No. 14419
Call to Order
(08/18/2020)

President Shields called the regular business meeting of the State Board of Education to order at 10:04 a.m. on Tuesday, August 18, 2020.

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. 14420
Roll Call
(08/18/2020)

The roll was called. Those present in the room were President Shields, Vice President Lenz, Dr. Claycomb, Ms. Hallquist, and Ms. Schrag. Those present virtually were Ms. Bailey, Mr. Herschend, and Ms. Westbrooks-Hodge.

Please note: Mr. Herschend was present intermittently.

No. 14421
Agenda

It was moved by Dr. Lenz, seconded by Dr. Claycomb, to approve the agenda for the August 18, 2020, meeting of the State Board of Education, as presented.

Motion carried. (Yes: 7)

No. 14422
Minutes

It was moved by Ms. Schrag, seconded by Dr. Lenz, to approve the minutes of the June 9, 2020, and the July 7, 2020, State Board of Education meetings, as presented.

Motion carried. (Yes: 7)

No. 14423
President's Report

President Shields welcomed Dr. Tracy Hinds, Deputy Commissioner of Learning Services, and Dr. Kari Monsees, Deputy Commissioner of Financial and Administrative Services, to their first regular State Board of Education meeting.

Ms. Westbrooks-Hodge reported attending local area superintendents meetings. She also attended New Board Member orientation on July 28, at the Jefferson Building, with the Department's Executive Leadership Team. She reported that she, Ms. Schrag and Dr. Claycomb attended the Missouri Association of Rural Education (MARE)

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President's Report
(cont.)
(08/18/2020)

meeting.

Ms. Bailey reported that she talked with area leaders and superintendents to keep on top of current issues.

Ms. Schrag reported that in addition to the previously mentioned meeting with Ms. Westbrook-Hodge and Dr. Claycomb, she attended weekly area superintendents meetings on school re-entry.

Dr. Claycomb also reported attending the MARE meeting with Ms. Schrag and Ms. Westbrook-Hodge. He also shared a positive news sports spotlight on a local soccer team and how they are dealing with the COVID situation.

Ms. Hallquist reported that she had a virtual meeting with Awais Sufi, President and Chief Executive Officer of SchoolSmart. She met with Robbyn Wahby, Executive Director of the Missouri Charter Public School Commission. She and Ms. Bailey met with Senator Emery. She also met with area principals on social and emotional health of teachers and students.

Dr. Lenz reported that he attended the following meetings associated with St. Louis Public Schools (SLPS): two Board of Education meetings; an SLPS Board of Education Workshop meeting; a meeting with Superintendent, Kelvin Adams, Superintendent; and a meeting with Dorothy Rohde-Collins, President SLPS Board of Education. Dr. Lenz also participated in a meeting with Mike Harris and members of the State House

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President's Report
(cont.)
(08/18/2020)

of Representatives. He attended the 59th Annual Cooperative Conference for School Administrators. He also attended 12 St. Louis area superintendents meetings. He attended four meetings of officers and executive directors of the Missouri School Boards' Association (MSBA) and Missouri Association of School Administrators (MASA) with Commissioner Vandeven. He also attended the MSBA Leadership Summit and Future Builders Foundation Board meeting and National Association of State Boards of Education (NASBE) Board meeting. He attended the following meetings associated with Normandy Schools Collaborative: Joint Executive Governing Board meeting; a parent meeting; a retirement celebration for Dr. Charles Pearson, retiring Superintendent; and two meetings with Marcus Robinson, Superintendent.

Mr. Shields reported that he helped distribute lunches to the victims and volunteers of the July flash flood in South St. Joseph. He ran across students and teachers from Benton High School who were helping to clean up damaged homes.

No. 14424
National
Association of
State Boards of
Education (NASBE)
Report

Dr. Lenz reported that the COVID pandemic has caused financial problems for the National Association of State Boards of Education (NASBE). Several foundations have withdrawn all or portions of promised funding due to interruptions in their own financial support. Also, several states are late in paying their dues because of interruptions in state funding. Missouri has been reported as one of the states having paid dues.

No. 14424
National
Association of
State Boards of
Education (NASBE)
Report (cont.)
(08/18/2020)

The majority of the meeting was focused on how the Fall Conference can be carried out on a virtual platform. A conference planning committee has been appointed to bring forward suggested solutions to the concerns involved in moving the conference forward virtually. NASBE is facing many of the same problems that we have faced during this ongoing pandemic. The Fall Conference is scheduled for October 21-24.

We will get the information regarding the virtual conference to you as soon as it is available.

No. 14425
Consent Agenda

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

Consideration of Personnel Report (Exhibit 1)

Consideration of Personnel Policies (Exhibit 2)

Consideration of Investment Transactions by Central Bank for Trust Funds (Exhibit 3)

Fiscal Year 2020 Financial Summary (Exhibit 4)

Consideration of Appointment to the Missouri Advisory Council of Certification for Educators (MACCE) (Exhibit 5)

Motion carried. (Yes: 7)

No. 14426
Consideration of
Charter
Sponsorship of
Hogan Preparatory
Academy

It was moved by Dr. Claycomb, seconded by Dr. Lenz, to assign Hogan Preparatory Academy to the Missouri Charter Public School Commission pending the approval of the charter renewal application during the 2020-2021 school year.

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

No. 14427
Consideration of a
Notice of Proposed
Rulemaking to
Rescind 5 CSR 20-
100.250, Charter
Schools
(08/18/2020)

It was moved by Ms. Schrag, seconded by Dr. Lenz, to authorize publication in the *Missouri Register* of a Notice of Proposed Rulemaking to Rescind 5 CSR 20-100.250, Charter Schools, and the State Board finds the proposed rescission necessary to carry out the purposes of Sections 160.400, and 161.092, RSMo.

Motion carried. (Yes: 8) (Exhibit 7)

No. 14428
Consideration of
an Order of
Rulemaking to
Rescind 5 CSR 20-
400.160,
Application for
Certificate of
License to Teach
for Administrators

It was moved by Dr. Claycomb, seconded by Ms. Schrag, to authorize publication in the *Missouri Register* of an Order of Rulemaking to Rescind 5 CSR 20-400.160, Application for Certificate of License to Teach for Administrators, and that the State Board finds the proposed rescission necessary to carry out the purposes of Sections 161.092, 168.011, 168.021, 168.071, 168.081, 168.400, 168.405, and 168.409, RSMo.

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

No. 14429
Consideration of
an Order of
Rulemaking to
Rescind 5 CSR 20-
400.170,
Application for a
Student Services
Certificate of
License to Teach

It was moved by Dr. Lenz, seconded by Ms. Hallquist, to authorize publication in the *Missouri Register* of an Order of Rulemaking to Rescind 5 CSR 20-400.170, Application for a Student Services Certificate of License to Teach, and that the State Board finds the proposed rescission necessary to carry out the purposes of Sections 161.092, 168.011, 168.021, 168.071, 168.081, and 168.400, RSMo.

Motion carried. (Yes: 8) (Exhibit 9)

No. 14430
Consideration of
an Order of
Rulemaking to
Rescind 5 CSR 20-
400.190,
Application for a
Career Education
Certificate of
License to Teach
(08/18/2020)

It was moved by Ms. Schrag, seconded by Ms. Hallquist, to
authorize publication in the *Missouri Register* of an Order of Rulemaking to
Rescind 5 CSR 20-400.190, Application for a Career Education Certificate of
License to Teach, and that the State Board finds the proposed rescission
necessary to carry out the purposes of Sections 161.092, 168.011, 168.021,
168.071, and 168.081, RSMo.

Motion carried. (Yes: 8) (Exhibit 10)

No. 14431
Consideration of
an Order of
Rulemaking to
Rescind 5 CSR 20-
400.200,
Application for an
Adult Education
and Literacy
Certificate of
License to Teach

It was moved by Dr. Claycomb, seconded by Dr. Lenz, to authorize
publication in the *Missouri Register* of an Order of Rulemaking to Rescind 5
CSR 20-400.200, Application for an Adult Education and Literacy Certificate
of License to Teach, and that the State Board finds the proposed rescission
necessary to carry out the purposes of Sections 161.092, 168.011, 168.021,
168.071, and 168.081, RSMo.

Motion carried. (Yes: 8) (Exhibit 11)

No. 14432
Consideration of a
Notice of Proposed
Rulemaking to
Amend 5 CSR 20-
400.640,
Certification
Requirements for
Initial Student
Services Certificate

It was moved by Ms. Schrag, seconded by Ms. Hallquist, to
authorize publication in the *Missouri Register* of a Notice of Proposed
Rulemaking to Amend 5 CSR 20-400.640, Certification Requirements for
Initial Student Services Certificate, and that the State Board finds this
proposed amendment necessary to carry out the purposes of Sections
161.092, 168.011, 168.021, 168.071, 168.081, 168.400, 168.405, and
168.409, RSMo.

Motion carried. (Yes: 8) (Exhibit 12)

No. 14433
Consideration of a
Notice of Proposed
Rulemaking and
Emergency
Rulemaking to
Amend 5 CSR 20-
400.220,
Application for a
Substitute
Certificate of
License to Teach
(08/18/2020)

It was moved by Dr. Claycomb, seconded by Ms. Schrag, to authorize publication in the *Missouri Register* of a Notice of Proposed Rulemaking to Amend 5 CSR 20-400.220, Application for a Substitute Certificate of License to Teach, and that the State Board finds the proposed amendment necessary to carry out the purposes of Sections 161.092, 168.011, 168.021, 168.071, and 168.081, RSMo.

Motion carried. (Yes: 6; No: 2) (Exhibit 13)

It was moved by Ms. Schrag, seconded by Dr. Claycomb, to authorize publication in the *Missouri Register* of an Emergency Rulemaking to Amend 5 CSR 20-400.220, Application for a Substitute Certificate of License to Teach, and that the State Board finds the proposed emergency amendment necessary to carry out the purposes of Sections 161.092, 168.011, 168.021, 168.071, and 168.081, RSMo.

Motion carried. (Yes: 6; No: 2) (Exhibit 13)

No. 14434
Consideration of a
Notice of Proposed
Rulemaking to
Amend 5 CSR 20-
400.180,
Temporary
Authorization of
Certificate of
License to Teach

No action, moved to October 20, 2020. (Exhibit 14)

No. 14435
Consideration of a
Notice of Proposed
Rulemaking to
Amend 5 CSR 20-
400.500,
Application for
Certificate of
License to Teach
(08/18/2020)

No action, moved to October 20, 2020. (Exhibit 15)

No. 14436
Consideration of a
Notice of Proposed
Rulemaking to
Amend 5 CSR 20-
400.510,
Certification
Requirements for
Teacher of Early
Childhood
Education (Birth-
Grade 3)

No action, moved to October 20, 2020. (Exhibit 16)

No. 14437
Consideration of a
Notice of Proposed
Rulemaking to
Amend 5 CSR 20-
400.520,
Certification
Requirements for
Teacher of
Elementary
Education (Grades
1-6)

No action, moved to October 20, 2020. (Exhibit 17)

No. 14438
Consideration of a
Notice of Proposed
Rulemaking to
Amend 5 CSR 20-
400.530,
Certification
Requirements for
Teacher of Middle
School Education
(Grades 5-9)
(08/18/2020)

No action, moved to October 20, 2020. (Exhibit 18)

No. 14439
Consideration of a
Notice of Proposed
Rulemaking to
Amend 5 CSR 20-
400.540,
Certification
Requirements for
Teacher of
Secondary
Education (Grades
9-12)

No action, moved to October 20, 2020. (Exhibit 19)

No. 14440
Consideration of a
Notice of Proposed
Rulemaking to
Amend 5 CSR 20-
400.550,
Certification
Requirements for
Teacher of K-12
Education

No action, moved to October 20, 2020. (Exhibit 20)

No. 14441
Consideration of a
Notice of Proposed
Rulemaking to
Amend 5 CSR 20-
400.560,
Certification
Requirements for
Teacher of Special
Education
(08/18/2020)

No action, moved to October 20, 2020. (Exhibit 21)

No. 14442
Consideration of a
Notice of
Emergency
Rulemaking and
Proposed
Rulemaking to
Adopt 5 CSR 30-
660.090, Charter
School Local
Education Agency
(LEA) Attendance
Hour Reporting

It was moved by Ms. Hallquist, seconded by Ms. Schrag, to
authorize publication in the *Missouri Register* of an Emergency Rulemaking
to Adopt 5 CSR 30-660.090, Charter School Local Education Agency (LEA)
Attendance Hour Reporting, and that the State Board finds the proposed
emergency rule necessary to carry out the purposes of Sections 160.415,
161.092, 163.031, 163.043, and 163.087, RSMo.

Motion carried. (Yes: 8) (Exhibit 22)

It was moved by Dr. Lenz, seconded by Ms. Hallquist, to authorize
publication in the *Missouri Register* of a Proposed Rulemaking to Adopt 5
CSR 30-660.090, Charter School Local Education Agency (LEA) Attendance
Hour Reporting, and that the State Board finds the proposed rule necessary
to carry out the purposes of Sections 160.415, 161.092, 163.031, 163.043,
and 163.087, RSMo.

Motion carried. (Yes: 8) (Exhibit 22)

No. 14443
Consideration to
Discipline the
License to Teach of
Amanda Gilmore,
Case # HR 19-015
(08/18/2020)

It was moved by Dr. Lenz, seconded by Dr. Claycomb, to approve the settlement agreement and suspend Ms. Gilmore's certificate of license to teach until May 27, 2021, pursuant to its authority under Section 168.071, RSMo.

Motion carried. (Yes: 7) (Exhibit 23)

No. 14444
Consideration to
Discipline the
License to Teach of
Heath Lance Potter
II, Case # HR 20-
004

It was moved by Ms. Schrag, seconded by Dr. Claycomb, to approve the settlement agreement and revoke Mr. Potter's certificate of license to teach pursuant to its authority under Section 168.071, RSMo.

Motion carried. (Yes: 7) (Exhibit 24)

No. 14445
Consideration to
Discipline the
License to Teach of
Marel Respress,
Case # HR 20-010

It was moved by Dr. Lenz, seconded by Ms. Hallquist, to approve the settlement agreement and revoke Mr. Respress' certificates of license to teach pursuant to its authority under Section 168.071, RSMo.

Motion carried. (Yes: 7) (Exhibit 25)

No. 14446
Reports

The following reports were presented to the State Board of Education on August 18, 2020:

Report on Fiscal Year 2022 Budget Instructions (Exhibit 26)

Missouri Online Course Access and Virtual School Program (MOCAP) Review (Exhibit 27)

Task Force for Learning Acceleration (Exhibit 28)

Report on School Re-Entry (Exhibit 29)

Agenda Items for Two Months in Advance of Current Meeting (Exhibit 30)

No. 14447
Closed Session
Motion and
Adjournment
(08/18/2020)

At 2:04 p.m., it was moved by Dr. Lenz, seconded by Ms. Hallquist, to adjourn and move into closed session, 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) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment; and
- 3) Closed criminal records

A roll call vote was called.

Vote: Yes Schrag, Claycomb, Hallquist, Lenz, Bailey, Herschend, Westbrooks-Hodge, Shields

Motion carried.

The next regular meeting will take place in Jefferson City on September 15, 2020.

President

Executive Assistant