

MINUTES

CAPITOL PRESERVATION COMMITTEE

November 19, 2010
Room 144-S—Statehouse

Members Present

Representative Valdenia Winn, Chairperson
Representative Rocky Fund
Mary Madden, delegate for Jennie Chinn, State Historical Society
Tim Graham
Joanne Budler, State Library
Llewellyn Crain, Kansas Arts Commission
William Wagnon
Carol McDowell
Barry Greis, Statehouse Architect

Members Absent

Representative Lana Gordon
Jennie Chinn, State Historical Society
Melissa Gregory
John Pinegar

Staff Present

Reed Holwegner, Kansas Legislative Research Department
Melissa Calderwood, Kansas Legislative Research Department
Jim Wilson, Office of the Revisor of Statutes
Kathy Letch, Committee Secretary

Other Attending

Cindy Roupe, State Library

Morning Session

The Chairperson called the meeting to order at 1:30 p.m.

The Chairperson announced that the Legislative Coordinating Council approved meeting days for the meeting in progress and the meeting scheduled for December 17, 2010.

The Chairperson provided a corrected copy of the transcript of testimony of Cheryl Brown Henderson for the October meeting minutes (Attachment 1).

The Chairperson stated the Capitol Preservation Subcommittee met on the previous Monday, November 15, to prepare the drafts of the Request for Qualifications (RFQ) and Request for Proposals (RFP) in line with the subject matter. The documents are not yet a finished product, the Chairperson noted.

The Chairperson called on Reed Holwegner, Kansas Legislative Research Department (KLRD), to give an overview of the RFQ and RFP recommendations made by the Subcommittee. Mr. Holwegner prefaced his remarks by saying that language changes in either the RFQ or the RFP also may require a similar change in the other document, since many terms are repeated (Attachments 2 and 3).

The intent language for the *Brown v. Board of Education* mural is similar to the intent language found in the RFQ and RFP documents for the 1st Kansas Colored Voluntary Infantry Regiment [First Kansas Infantry] mural.

Compared to the definition of "mural" found in the documentation for the First Kansas Infantry mural, the Subcommittee has recommended a shortened definition. The Subcommittee further recommended that the mural be fixed and made permanent to the Capitol.

The term "resident" was defined to include only residents of the United States.

The Subcommittee proposed to require that the selected artist be a part of an educational program.

It is recommended that the number of finalists should not be limited.

The Subcommittee proposed that the Kansas Arts Commission receive applications and visual support materials.

The Subcommittee's proposals did recommend a person or agency who would respond to future inquiries after the RFQ and RFP documents are issued.

Mr. Holwegner informed the Committee that bibliographical and historical material would be attached to both documents. At the request of the Chairperson, the material was compiled by the State Historical Society and the State Library.

Barry Greis, Statehouse Architect, stated that in talking with the Kansas Arts Commission, it appears to be a common practice to expect the artists to be actively involved in contributing to the community. The Chairperson stated it is a missing piece of the puzzle, at this time, where the responses to the RFQ are to be received. A location capable of accepting the large digital files is still to be identified.

Mr. Holwegner addressed the Committee regarding the RFP (Attachment 4). He stated that, after receipt of resumes and qualifications from artists, the RFP is given to a chosen few to complete. Under the heading "Artist Criteria," demonstrating artistic excellence, a chronology of

achievement, and a record of professional public art activity is required. The Subcommittee discussed whether one, two, or all three elements should be required. It was recommended by the Subcommittee that all three be required.

Jim Wilson, Office of the Revisor of Statutes, stated the use of the copyright statement in the RFP or RFQ is a matter of stating intent, a matter of notice. The protection and long-term rights of the artist would need to be considered when the contract is written.

Mr. Holwegner stated the suggestion was made that the Arts Commission handle submissions. Contents of what the proposal would include are listed on page three of the RFP. The project sketch is defined as a visual representation with dimensions and scale of either 40 inches by 16 inches or 40 inches by 20 inches. Nothing in the proposed documentation states the mural will be on specific walls or have specific dimensions. This provision may need elaboration. Mr. Greis stated that he sees no need to make comments about toxic materials being used.

The Chairperson said the Subcommittee updated the RFP by making it specific to the *Brown* mural; however, there are additional items to be addressed, *i.e.*, advertising, who negotiates the contract, and other general questions.

A Committee member expressed concern about the project's name and focus. The Committee member suggested the project name be changed to "Kansas Capitol Mural Commemorating *Brown v. Board of Education*" to be consistent with the statute that created the Committee. It also was stated that the case should be cited as: *Oliver L. Brown, et al. v. Board of Education, Topeka, et al.*

The Committee discussed the historical background terminology used for the project (Attachment 5), making sure not to focus in on activist judges. The possibility of using Internet links instead of a single historical analysis may make it creatively open to interpretation.

The Committee discussed the following specifics of the RFP: whether the applicants are residents of the U.S. or citizens and whether the Committee should limit its artistic resources in this way; typing details and specific wordings; work experience with governmental agencies; the use of a statement regarding the state being an equal opportunity employer in the RFP and copyrights; request for a narrative instead of "ideas"; and the artist selection criteria.

Llewellyn Crain, Kansas Arts Commission, explained that the Commission deals with applications for grants from visual artists often, and all submitting artists work with digital images now. The submitted photographs would be of the artists' works of other public art. Ten images would be fine to submit, but from at least six different pieces of public art. The Arts Commission would make all the copies of the images, so the Committee would have a uniform platform from which to view the images.

Mr. Wilson said the contract with the artist would specify the future use of the images of the mural by the artist.

Mr. Greis discussed the use of non-deteriorating materials, assuming consistent temperature and humidity. This item will be discussed with the artist in the interview. Mary Madden, State Historical Society, said the item about medium and materials in the First Kansas Infantry mural addressed the concern that other types of materials (*i.e.*, mirrors or feathers) not be incorporated in the mural.

The Committee then discussed what role, if any, the funding donors would have over the story the mural tells. Mr. Wilson said that if the project in the Committee's perspective is not acceptable to a potential donor, that source would not donate, most likely.

At the December 17 meeting, the Committee will discuss, among other things, the following:

- Distribution methods for the RFQ;
- Scheduling another Subcommittee meeting;
- To whom (contact person) and how the applications should be sent. Ms. Crain said, for the RFQ, everything could be submitted digitally on disc; for the RFPs, actual drawings or sketches should be submitted, with further information submitted by e-mail or disc;
- The location and dimensions for the mural;
- Finalist sketches on display for the public;
- Who selects the artist;
- The entertainment of a motion to forward the Committee's approved RFQ and RFP documents, along with its annual report, to the Joint Committee on Arts and Cultural Resources. As per the Preservation Committee's enabling legislation, the Joint Committee is to be consulted;
- How the mural project is paid for, by whom, and the process and potential timeline for financing; and
- Fund raising for initial expenditures, such as distribution.

The Committee directed staff to provide the Committee members with electronic copies of the draft Subcommittee RFQ and RFP. Members who wish to propose specific changes to the documents should have them submitted to staff by December 1.

Ms. Crain moved that the minutes with the correction to Ms. Brown Henderson's testimony be approved; Mr. Greis seconded the motion; and the motion carried.

The next meeting of the Committee is scheduled for December 17, 2010, at 10:00 a.m. In Room 548-S, Statehouse. The meeting was adjourned at 4:00 p.m.

Prepared by Kathy Letch
Edited by Reed Holwegner

Approved by the Committee on:

December 17, 2010

1.03

**Transcript of Testimony From
Cheryl Brown Henderson, Supt. of *Brown Vs. Board* Historic Site,
To The Capitol Preservation Committee
October 28, 2010**

CHERYL BROWN HENDERSON: The myth of *Brown v. Board of Education* is that my father Oliver Brown filed this case on behalf of my sister Linda. The reality is much different. The myth was fueled in part by the legal name of the case, *Oliver L. Brown et. al. v. the Board of Education of Topeka (KS) et. al.*, however, it is commonly known as *Brown v. Board of Education of Topeka*. This case was an extension of legal challenges to racially segregated schools that began in the 1800s. The first documented school desegregation case was filed in 1859, in the state of Massachusetts. The State of Kansas became the site of twelve legal challenges to racially segregated schools beginning in 1881. Three of the early Kansas cases were brought against the Topeka Board of Education prior to *Brown*. So by the 1950s, *Brown* was nothing new for the state of Kansas or the city of Topeka, in terms of legal challenges to racially segregated schools. That is an important fact to remember. With that in mind, it is clear that the concepts for the proposed mural need to embrace the entire history of the State of Kansas and not just starting with *Brown* in 1950 to 1954.

1948 was the eve of the last case prior to *Brown*. It was the beginning of a case on behalf of African American students in Merriam, Kansas, Commonly known as the *Webb* case. All of the early cases from Galena, Parsons, Coffeyville, Ottawa, Topeka, Wichita, and Johnson County were argued in State Supreme Court Chambers located in the Capitol. Kansas had been a hotbed of legal activity. Based on this history the wall outside the Old Supreme Court Chambers in the Capitol would be an ideal place for the mural.

The final challenge to racially segregated schools in Kansas began in 1950, when the NAACP decided to organize one last case only this time they would file in federal court, not State Supreme Court.

McKinley Burnett, for whom the Administrative Center for School District 501 is named, was the strategist behind *Brown v. Board of Education*. Mr. Burnett decided that as President of the Topeka NAACP, he would try again to convince the Topeka Board of Education to integrate their elementary schools. In Kansas the law governing racially segregated schools had been passed by the Kansas Legislature in 1879. This legislation specified that Kansas could operate segregated schools only in first class cities defined as those with populations of 15,000 or more and

only at the elementary level. So some cases from cities with populations under that threshold were illegally segregating elementary schools. The cities that qualified to have segregated elementary schools were Wichita, Kansas City, and Topeka. The *Brown v. Board of Education* case was really only concerned with these three communities and only elementary schools in these communities. Junior and senior high schools were already integrated. The only exception was Sumner High School in Kansas City, Kansas, which came about because of special legislative action at the request of the African American parents.

Mr. Burnett in his efforts to convince the Topeka Board of Education to desegregate elementary schools, attended every school board meeting for two years, however, he was unsuccessful with presenting petitions and had not been permitted to verbalize his concerns. As a result in 1950 he approached Lucinda Todd who was the [NAACP] chapter secretary, who was now retired after teaching in one of the segregated schools in Topeka. Mrs. Todd along with Charles Scott, John Scott, and Charles Bledsoe, the attorneys for the chapter, decided they needed to recruit families to be plaintiffs for the class action suit they were going to file. Lucinda Todd was a strategist and the first person to sign on as a plaintiff for the Topeka case. By 1950 they had thirteen families on the roster. Again the myth is disproven in that my father Oliver Brown did not initiate this case. He was the tenth parent to agree to join their efforts. Charles Scott was a friend of my father and had asked him personally if he would be willing to join the case being organized. My father said yes. In the fall of 1950, their roster now included thirteen families representing a total of twenty children. They were instructed by the NAACP to attempt to enroll their children in a segregated school for white children closest to their home. It was recommended that they be accompanied by another adult to serve as a witness and the report back to the NAACP. That is exactly what they did. Their actions in the fall of 1950 concluded the direct involvement of the families in Topeka. Once the case was filed only three or four of the plaintiffs testified in court. The only child to testify was Katherine Carper, who most likely was selected because she was the oldest of the children represented by the parents. In this legal challenge, the parents were plaintiffs on behalf of their minor children.

On February 28 of 1951, the case was filed in federal district court which at that time was located on the upper floors of the post office at Fourth and Kansas Avenue. At the time of filing it became known as *Oliver L. Brown, et. al., v. Board of Education of Topeka (KS)*. The legal shorthand et. al. means "and others". When the case was filed on February 28, for whatever arbitrary reason, my father Oliver Brown was assigned to head the roster. Alphabetically first was plaintiff Darlene Brown; so Oliver Brown was not the first plaintiff listed. The arbitrary assignment may

have been based on gender as Oliver Brown was the only male name on the roster of parents. Clearly happenstance and gender at a time when men were considered the head of household may indicate why my father was chosen to head the roster. When *Brown v. Board* was argued in federal court, the three judge panel was led by Walter Huxman who although a federal judge at the time of *Brown*, had been a former Governor of Kansas. It is believed that Walter Huxman crafted the opinion of the court in a manner that would force the U. S. Supreme Court to determine the meaning of the Fourteenth Amendment with respect to all citizens of this country. Louisa Holt, a psychologist at the Menninger Foundation who also taught at KU, testified as an expert witness, and it was her words that Judge Huxman used in his opinion and it was her words that the U. S. Supreme Court used in issuing their decision about the detrimental effects of segregation when it has the weight of law behind it. So Kansas played a key role in this decision. At the U.S. Supreme Court level the *Brown* case was combined with similar cases brought by the NAACP from Delaware, South Carolina, Virginia and Washington, D. C. It is this combination of cases that are collectively known as *Brown v. the Board of Education*. Dwight D. Eisenhower was President when the ruling went into effect and was involved in the first public test of the political will to enforce the court decision, when he was called upon to respond to the attempted integration of Central High School in Little Rock, Arkansas.

This is the story of the people, places and events that contributed to the historic milestone in, *Brown v. Board of Education*. My family has come to understand that the myth we live with was a creation of the media, emanating from two photographs published in *Life* magazine in 1953. One of the photos was of our family and the other of my sister standing in front of one of the segregated African American elementary schools. Even though the facts were known about the case, we believe the photographer had designs on promoting what he hoped would be an award winning photo depicting *Brown v. Board of Education*. He seemed to have also developed a narrative to go along with his photo, that Oliver Brown initiated the case on behalf of his daughter who had a traumatic experience trying to get to school, and when she arrived at school, the quality of education was lacking. None of that happens to be true. African American children rode school buses to school, some even took city busses and the schools they arrived at were sturdy brick buildings filled with excellent teachers.

We spend every day at the Brown [National Historic Site] and The Brown Foundation, trying to educate people about the compelling story of the collective action on the part of the NAACP and the parents that stood with them. Attorney Charles Huston was the one who began this process

of ending segregation in public education. Thurgood Marshall was Mr. Huston's protégé but was not involved at the beginning of this process. Huston hired him later on to assist with his campaign to end educational disparities in teacher salaries, underfunded segregated schools and school districts that did not provide buses for African American children. Huston died in 1950 leaving Thurgood Marshall to complete the work they were engaged in together. What the legal team was able to do involved turning constitutional abstracts into everyday reality. What does the Fourteenth Amendment really mean?

On May 17, 1954, at 12.52 p.m., when Justice Earl Warren announced the Supreme Court decision, the *Brown* decision began to dismantle any legal framework for racial segregation. My father Oliver Brown, the other plaintiffs, and even some of the legal counsel never appeared before the U.S. Supreme Court. But their courage in standing up to bigotry was on full display in the arguments of the NAACP attorneys.

Another reason people say that *Brown* is one of the most significant judicial turning points in history, is that by declaring racial segregation violated the Fourteenth Amendment of the Constitution, *Brown v. Board of Education* laid the groundwork for shaping future national and international policies regarding human rights. This case had global impact; so much so that President Truman, while *Brown* was going through the courts and before he left the White House, directed the State Department to submit a "friends of the court brief" to the U. S. Supreme Court saying this decision needed to be successful and being unanimous wouldn't hurt. He said so because the Soviet Union and other Communist-leaning countries had started a propaganda campaign against the United States during the period of the Cold War saying that the United States didn't have any moral standing in the world because the United States was engaged in human rights abuses against African Americans. The United States needed *Brown* to counteract that propaganda. After *Brown* succeeded, one of the first things President Eisenhower did was to go on Voice of America radio broadcast to announce to the world that the United States of America was living up to its constitutional promise relating to African Americans. So *Brown v. Board* had foreign policy implications.

In many ways *Brown* really wasn't about children and education at all. Schools were the battlefield, but society--in fact--was the target. The laws and policies that *Brown* sought to address are at the core of human tendencies to prejudge and stereotype others based on ethnicity, religion, based on physical traits. You can in fact legislate behavior. You cannot legislate what is to be in our hearts and minds. The process of getting people to talk about race relations really began with the *Brown* decision.

It began dialogue and galvanized people around the issues of segregation, discrimination, and lack of opportunity. Ultimately what *Brown* did for all of us—whether white, brown, black, white, or Hispanic, disabled or fully able - what *Brown* did for citizens of this country was to finally define that our rights are guaranteed by the Declaration of Independence and the United States Constitution and cannot be arbitrarily restricted by state and local government. The federal government and the U. S. Supreme Court safeguard our constitutional rights.

In 2004 when many of us were crisscrossing the nation and other parts of the world talking about *Brown*, people said to me that *Brown* didn't make any difference, didn't matter. My response to those people was that *Brown v. Board* did exactly what it set out to do, it created access to opportunity. What people do with that opportunity is up to them. *Brown* opened the door of opportunity.

I think it is important work that the committee is doing because Kansans don't know enough about their history and don't know enough to be as proud of it as they should be. We are not only the geographical center of the mainland of the United States, as some people think, but have been the glue historically. John Brown stopped the westward expansion of slavery. The pioneers from the 1800s that litigated cases recognized that they had certain rights and were willing to stand up for them. Our state has been immensely important to this country and I want our citizens to be proud of that. And that is what this mural, in my view, will certainly represent.

1 CAPITOL PRESERVATION SUBCOMMITTEE on RFQs and RFPs
2 RECOMMENDED DRAFT
3 Stage ONE—Call for Artists
4 REQUEST FOR QUALIFICATIONS
5

6 Capitol Commemorative Work to Honor
7 U.S. Supreme Court Decision-*Brown v. Board of Education*
8

9 Project Name: *U.S. Supreme Court Decision-Brown v. Board of Education*
10 Commissioned by: Kansas Capitol Preservation Committee
11 Deadline for Submission of Qualifications: March 1, 2011 (received by 5:00 p.m. CST)
12

13
14 **Project Intent**

15 The Capitol Preservation Committee seeks to commission a mural for the Kansas State Capitol
16 in Topeka, Kansas, honoring the U.S. Supreme Court Decision-*Brown v. Board of Education*.
17 The mural should:

- 18
- 19 • Honor and commemorate the rich history of the U.S. Supreme Court Decision-*Brown v.*
20 *Board of Education*
 - 21 • Celebrate and convey the historic impact of the U.S. Supreme Court Decision-*Brown v.*
22 *Board of Education* on the state, the nation and the international community.
 - 23 • Inspire viewers to remember the past and educate them to see a legacy that belongs to
24 them and to future generations.
- 25

26 **Mural**

27 This painted mural is to be applied to and made integral with a wall. The mural must be
28 durable, low maintenance, and appropriate to the location. The artist should take into
29 consideration the high amount of pedestrian traffic within the Kansas State Capitol, light (both
30 natural and electric), and temperature control when designing the artwork. The mural needs to
31 be stable, or non-deteriorating, with an intended life span of at least 100 to 200 years.
32

33 Although the Capitol Preservation Committee does not place any restrictions on any particular
34 artistic interpretation, the Capitol Preservation Committee shall consider the historical accuracy
35 in making its decision.
36

37 **Eligibility**

38 Open to artists who are residents of the United States. The State of Kansas is an equal
39 opportunity employer.
40

41 **Artist Criteria**

42 The artist must demonstrate artistic excellence, a chronology of achievement, and a record of
43 professional public art activity.
44

45 **Educational Public Programs**

46 The artist will be required to participate in no more than three educational public programs
47 during or within a year of the completion of the project. The goal is to create a meaningful
48 process that engages the community, including Capitol patrons and all Kansans, through
49 discussions about the artist's concepts and ideas that shaped the mural's content.
50

1 **Selection Process**

2 The selection of the artist, or artist team, will be conducted in two stages.

3
4 **Stage ONE (RFQ):** The Capitol Preservation Committee will evaluate artists' Request
5 for Qualifications (RFQ) submissions to select the finalists.

6 **Stage TWO (RFP):** The finalists will be asked to submit a Request for Proposal (RFP)
7 to give a more detailed submission that will include, to scale, preliminary color sketches
8 of the proposed artwork. Finalists are strongly encouraged to visit the site prior to the
9 submission of their proposal.

10
11 **Selection Criteria**

12 The Capitol Preservation Committee will consider the following criteria when making its
13 selection: the applicant's artistic qualifications; proven ability to undertake projects of a similar
14 scope; artistic merit as evidenced by the submitted materials; and demonstrated ability to work
15 positively with people in government agencies and the public in the creation of an art project.
16 Based on the proposal and review of submitted digital images and support materials, the
17 finalists will be recommended to participate in Stage TWO (RFP). The Capitol Preservation
18 Committee reserves the right to reject any and all applications.

19
20 **Budget**

21 The funding for this project will be provided by private donations. The project budget and the
22 selected artist's fee are subject to negotiation.

23
24 **Timeline**

25 The schedule is contingent upon the Capitol Preservation Committee's schedule and project
26 funding. The schedule may be changed at any time.

27

28	March 1, 2011	Deadline for response to RFQ (received by 5:00 p.m. CST)
29	May 1, 2011	Finalists notified by this date and a site-visit will be coordinated if 30 requested by the artist.
31	July 1, 2011	Deadline for RFP (received by 5:00 p.m. CST)
32	Sept. 1, 2011	Interview of finalists by the Capitol Preservation Committee
33	Nov. 1, 2011	Selected artist will be notified of award.
34	Dec. 1, 2011	Anticipated execution of contract date.
35	Jan 2012-Jan 2013	Art Production Phase. Depending upon installation-completion of mural, 36 there will need to be coordination of schedules among the mural project 37 manager, statehouse architect and/or engineer.
38	Jan. 1, 2013	Completion of mural

39

40 **How To Apply**

41 Artists interested in this project must prepare and submit the following qualifications by 5:00
42 p.m. CST, March 1, 2011. Mail to:

43
44 Kansas Arts Commission
45 700 SW Jackson, Ste 1004
46 Topeka, KS 66603-3761
47 ATTN: Capitol Preservation Committee
48

49 The application should be packaged in such a manner that the sealed envelope clearly reflects
50 the project name, *Brown v. Board of Education* Mural Project, and the applicant's name and
51 address. All materials submitted become the property of the Capitol Preservation Committee

1 and will not be returned unless a self-addressed and stamped envelope (S.A.S.E.) with
2 sufficient postage is provided. The Capitol Preservation Committee will make every effort to
3 protect submitted materials; however, it will not be responsible for any loss or damage.
4

5 **Application Presentation**

6 Please do not staple any materials together. All pages of your application should clearly
7 indicate your name, the date, and "*Brown v. Board Mural Project.*" Present your materials in the
8 following order.
9

10 **Application Content**

- 11 1. Artist resume'. Teams must submit a resume' for each member.
- 12 2. Three Client References. Include client name, contact number, phone number, and
13 email.
- 14 3. Visual Support Materials. [text to be provided by Arts Commission]
15
- 16 4. Optional Relevant Experiences and Qualifications Support Information. Artists may
17 submit one copy of printed materials such as articles, catalogues, etc.
- 18 5. Self-addressed Stamped Envelope (S.A.S.E.). To have your application materials
19 returned following the competition of the selection process, include a S.A.S.E. with
20 accurate postage.
21

22 **Inquiries**

23 All questions regarding this Request for Qualifications are to be directed to _____
24
25

26 [Attach bibliography and historical data provided by KSHS and the State Library.]
27
28
29

Capitol Preservation Subcommittee
Proposed Text for the Request for Qualifications for the Brown v. Board Mural
Project
Visual Support Materials

- a. Artist must submit a maximum of ten digital images, only four of which can be detailed images, of previous work. This work must include murals, paintings and other public art designed by the artist or artistic-team.
- b. Each image must be labeled with name, medium, title, if any, date completed, dimensions and where installed.
- c. Resolution should be 600dpi or higher. Images must be in jpg format.
- d. Provide a website address, if available, for the artist or artistic team where additional images may be viewed.
- e. All application materials must be submitted on one computer disk that is clearly labeled with the applicant's name and contact information. All documents must be submitted as pdfs. Images must be in jpg format. No materials shall be returned.

1 CAPITOL PRESERVATION SUBCOMMITTEE on RFQs and RFPs
2 RECOMMENDED DRAFT
3 Stage TWO—Submission
4 REQUEST FOR PROPOSALS
5

6 Capitol Commemorative Work to Honor
7 *U.S. Supreme Court Decision-Brown v. Board of Education*
8

9 Project Name: *U.S. Supreme Court Decision-Brown v. Board of Education*
10 Commissioned by: Kansas Capitol Preservation Committee
11 Deadline for Submission of Proposal: July 1, 2011 (received by 5:00 p.m. CST)
12

13 **Eligibility**

14 Artists selected from Stage ONE (RFQ) competition for the U.S. Supreme Court Decision-*Brown*
15 *v. Board of Education* are invited to submit a detailed proposal for further consideration by the
16 Capitol Preservation Committee. Open to artists who are residents of the United States. The
17 State of Kansas is an equal opportunity employer.
18

19 **Budget**

20 The funding for this project will be provided by private donations. The project budget and the
21 selected artist's fee are subject to negotiations.
22

23 **Project Intent**

24 The Capitol Preservation Committee seeks to commission a mural for the Kansas State Capitol
25 in Topeka, Kansas, honoring the U.S. Supreme Court Decision-*Brown v. Board of Education*.
26 The mural should:
27

- 28 • Honor and commemorate the rich history of the *U.S. Supreme Court Decision-Brown v.*
29 *Board of Education*
- 30 • Celebrate and convey the historic impact of the *U.S. Supreme Court Decision-Brown v.*
31 *Board of Education* on the state, the nation and the international community.
- 32 • Inspire viewers to remember the past and educate them to see a legacy that belongs to
33 them and to future generations.
34

35 **Mural**

36 This painted mural is to be applied to and made integral with a wall. The mural must be
37 durable, low maintenance, and appropriate to the location. The artist should take into
38 consideration the high amount of pedestrian traffic within the Kansas State Capitol, light (both
39 natural and electric), and temperature control when designing the artwork. The mural needs to
40 be stable, or non-deteriorating, with an intended life span of at least 100 to 200 years.
41

42 Although the Capitol Preservation Committee does not place any restrictions on any particular
43 artistic interpretation, the Capitol Preservation Committee shall consider the historical accuracy
44 in making its decision.
45

46 **Art Theme**

47 The theme for the new mural is the U.S. Supreme Court Decision-*Brown v. Board of Education*.
48 The artist's proposal will include ideas on how the theme will be illuminated or articulated
49 through the mural and public programs. The goal of the mural project is to contribute
50 meaningful content to Capitol visitors and assist them in making personal connections and

1 experiences with the facility. Potential directions for the theme to include are, but not limited to:
2 heritage, cultural expression, history, life stories, multicultural experiences, cross-generational
3 communication, and areas of interest to Kansans, the nation and the international community.
4 Preliminary designs for the permanent mural must be approved by the Capitol Preservation
5 Committee. The Capitol Preservation Committee will facilitate research meetings between the
6 artists and interested community members.
7

8 **Installation**

9 The artist will be required to submit anticipated installation needs for the mural prior to
10 commencement of the work. Depending upon the installation needs, the artist will coordinate
11 schedules with the statehouse architect and lighting consultant to avoid construction and
12 installation delays.
13

14 **Background of the Project**

15 As directed by Senate Bill 54 passed in the 2010 Legislative session, the Capitol Preservation
16 Committee shall develop plans to place a mural in the State Capitol commemorating the U.S.
17 Supreme Court Decision-*Brown v. Board of Education*. Plans will be developed in consultation
18 with the Joint Committee on Arts and Cultural Resources. Reference: K.S.A. 75-2268 and 75-
19 2269. Design for the installation of the work is to commence on January 2012. Completion of
20 installation is scheduled for January 2013.
21

22 **Artist Criteria**

23 The artist must demonstrate artistic excellence, a chronology of achievement, and a record of
24 professional public art activity.
25

26 **Educational Public Programs**

27 The artist will be required to participate in no more than three educational public programs
28 during or within a year of the completion o f the project. The goal is to create a meaningful
29 process that engages the community, including Capitol patrons and all Kansans, through
30 discussions about the artist's concepts and ideas that shaped the mural's content.
31

32 **Selection Process**

33 Stage Two Request for Proposal (RFP) The finalists selected from the RFQ process will be
34 asked to visit the Capitol for an orientation provided by the Capitol Preservation Committee.
35 The artists will be asked to submit a Request for Proposal to give more detailed submission that
36 will include, to scale, preliminary sketches or a maquette of the proposed mural.
37

38 **Selection Criteria**

39 **Stage TWO (RFP):** The finalists will be asked to submit a Request for Proposal (RFP)
40 to give a more detailed submission that will include, to scale, preliminary color sketches
41 of the proposed artwork. Finalists are strongly encouraged to visit the site prior to the
42 submission of their proposal.
43

44 **Copyright**

45 The Capitol Preservation Committee will comply with the Visual Artists Rights Act of 1990.
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4-2

1 **Timeline**

2 The schedule is contingent upon the Capitol Preservation Committee's schedule and project
3 funding. The schedule may be changed at any time.
4

- 5
- | | |
|------------------------|---|
| 6 July 1, 2011 | Deadline for RFP (received by 5:00 p.m. CST) |
| 7 Sept. 1, 2011 | Interview of finalists by the Capitol Preservation Committee |
| 8 Nov. 1, 2011 | Selected artist will be notified of award. |
| 9 Dec. 1, 2011 | Anticipated execution of contract date |
| 10 Jan. 2012-Jan. 2013 | Art Production Phase. Depending upon installation-completion of mural,
11 there will need to be coordination of schedules among the mural project
12 manager, statehouse architect and/or engineer. |
| 13 Jan. 1, 2013 | Completion of mural |
- 14
15

16 **How to Submit**

17 Finalist artists must prepare and submit the following proposal by 5:00 p.m., CST, July 1, 2011
18 to:

19
20 Kansas Arts Commission
21 700 SW Jackson, Ste 1004
22 Topeka, KS 66603-3761
23 ATTN: Capitol Preservation Committee
24
25
26

27 **Contents**

28 The submission should be packaged in such a manner so that it clearly reflects the project
29 name and the applicant's name and address. All materials submitted become the property of the
30 Capitol Preservation Committee and will not be returned unless a self-addressed and stamped
31 envelope (S.A.S.E.), with sufficient postage, is provided. The Capitol Preservation Committee
32 will make every effort to protect submitted materials; however, it will be not be responsible for
33 any loss or damage.
34

35 Please do not staple any materials together. All pages of your application should clearly
36 indicate your name, the date, and *Brown v. Board of Education* Mural Project. Present your
37 materials in the following order:
38

- 39 1. Proposal: Typed, four-page maximum. Include your name in the proposal title.
- 40 2. Educational Public Programs: Describe your overall "theme" and style of art to be used.
41 Describe your proposed schedule, process, and medium. Discuss your experience in
42 developing and presenting programs.
- 43 3. Fabrication and Installation: Describe the anticipated fabrication and installation needs
44 for the mural. Be sure to include information that will help to protect the artistic integrity
45 of your work. Describe how you envision the installation. Will it need wall space, floor
46 space, hang from the ceiling, or protrude from the wall?
- 47 4. Project Sketch: Sketch your proposal to scale on paper or design board, but it should
48 not exceed the dimensions of either 40" X 16" or 40" X 20".
- 49 5. Project materials: [text to be provided by Barry Greis]
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- 6. Optional Support Illustrations (two pages 8½" X 11" maximum size) Artist may include additional visual support material, illustrations, or both to show proposal.
- 7. Self-Addressed Stamped Envelope (S.A.S.E): To have your application materials returned following the competition, include a self-addressed and stamped envelope with sufficient postage.

Inquiries

All questions regarding this Request for Qualifications are to be directed to _____

[Attach bibliography and historical data provided by KSHS and the State Library.]

4-4