

## SOUTH DAKOTA BOARD OF EDUCATION MINUTES

Date: Monday, March 24, 2014 - 8:00 a.m. Central Daylight Time

Location: Southeast Technical Institute,  
Mickelson Center, MC101,  
2320 B Career Avenue, Sioux Falls, South Dakota

Present: Kelly Duncan, Member  
Glenna Fouberg, Member  
Richard Gowen, Member-(joined the meeting at 8:15 a.m. CDT)  
Donald Kirkegaard, President  
Julie Mathiesen, Member  
Terry Sabers, Member  
Patricia Simmons, Vice-President  
(All members personally present in the meeting room)

Absent Marilyn Hoyt, Member  
Stacy Phelps, Member

DOE Staff: Dr. Melody Schopp, Bobbi Rank, Mary Stadick Smith, Linda Turner, Abby Javurek-Humig, Tiffany Sanderson, Becky Nelson, Karen Keyser, and Ferne Haddock.

Others in Attendance: Sam Gingerich, (Board of Regents), Mark Wilson-via phone (Western Dakota Technical Institute), Dean Krogman, Pamela Miller, Megan Meyers, June Herman (American Heart Association), Sandra Waltman, (South Dakota Education Association), Lezlie Larsen, (Southeast Area Cooperative), Jeff Holcomb, James Jacobson, Tracy Noldner, (Southeast Technical Institute), Paula Gordon (South Dakota Physical Education Standards Review and Revision Committee), Daniel Guericke, (Mid-Central Educational Cooperative), Greg Von Wald, (Mitchell Technical Institute), Slate Barr, (Sioux Falls Development Foundation), Mike Sparry, (J.H. Larsen Company), Scott Reed, (John Morrell and Company), Mike Anderson, (Thompson Electric), Bob Jarding, (Electric Supply Company), Chris Houwman, (Malloy Electric) Bob Mercer, Kealey Bultena, (Press) Wendy Swanson, Megan Tschetter, (public) and other members of the public personally present and by telephone.

### **Call to Order, Pledge of Allegiance and Roll Call:**

President Kirkegaard called the meeting to order at approximately 8:07 a.m. CDT.

### **Adoption of Agenda:**

Motion by Fouberg, second by Sabers, to adopt the March 24, 2014, proposed agenda. All present voted in favor. Motion carried.

### **Approval of Minutes:**

Motion by Duncan, second by Mathiesen, to approve the January 27, 2014, minutes. All present voted in favor. Motion carried.

Motion by Simmons, second by Duncan, to go into executive session to discuss proposed litigation with legal counsel pursuant to SDCL 1-25-2 (3). All present voted in favor. Motion carried.

Board went into executive session at approximately 8:10 a.m. CDT and came out of executive session at approximately 8:25 a.m. CDT.

### **2013 Professional Administrators Practices and Standards Commission Annual Report**

Bobbi Rank, Legal Counsel, South Dakota Department of Education (SD DOE), presented the 2013 Annual Report for the Professional Administrators Practices and Standards Commission.

### **Board of Regents Report**

Dr. Sam Gingerich, System Vice President for Academic Affairs, South Dakota Board of Regents (SD BOR), presented a report on the schools within the Board of Regents system. He also presented the South Dakota Board of Regents FACT BOOK Fiscal year 2014. Gingerich expressed BOR concern on the decline of the number of graduates.

### **Vocational Education System Fund Statements Report**

Tiffany Sanderson, Director, Division of Career and Technical Education, SD DOE, presented the Vocational Education System Fund Statements Report.

### **Update on 2014 Career & Technical Education Grants**

Tiffany Sanderson, SD DOE, presented an update on 2014 Career & Technical Education (CTE) Grants awarded from the Future Fund. Twelve secondary school districts received \$8.5 million to bolster regional implementation of quality CTE programs. Sanderson also reported on Governor Dugaard's grants for equipment at the Technical Institutes, totaling \$3.7 million. The grants will create greater opportunities for students in technical trades in South Dakota. Future Fund dollars are also being invested in critical needs workforce scholarships in select programs at the technical institutes for school years 2014-15, 2015-16 and 2016-17.

### **First Reading Proposed Rule: Articles 24:10:42:26 and 24:10:42:28**

Tiffany Sanderson, SD DOE, presented proposed rules changes to Sections 24:10:42:26 and 24:10:42:28. Section 24:10:42:26 makes changes to calculation of state fees, and Section

24:10:42:28 updates the per student allocation. Both changes are in response to legislation from the 2014 session.

Motion by Fouberg, second by Gowen, to move proposed rules changes to a public hearing. All present voted in favor. Motion carried.

### **Technical Institute Maintenance and Repair Process and Fees Changes**

Tiffany Sanderson, SD DOE, presented a request for change in the fees and process for maintenance and repair of buildings at the technical institutes. In order to ensure quality facilities on their campus in the long term, maintenance and repair is moving toward a percentage of replacement value to follow state and national processes. Sanderson proposed technical institutes charge \$4 per credit hour (an increase of \$1 per credit hour) which each will keep for local maintenance and repair investment. Sanderson also proposed the technical institutes submit an annual proposal for their use of fees to be approved by the Department of Education, submit amendments as necessary throughout the fiscal year and submit a final report following the close of the fiscal year.

Mark Wilson, President, Western Dakota Technical Institute (WDT) testified via phone in favor of the proposed changes.

Motion by Duncan, second by Sabers, to approve the proposed technical institute maintenance and repair process & fees changes. All present voted in favor. Motion carried.

### **Technical Institute Placement Report -2013 Graduates**

Tiffany Sanderson, SD DOE, shared the annual report on placement from the technical institutes. The report reflected the employment and continuing education rate of 2013 graduates, 6 months following their graduation. 87% of 2013 graduates were employed or continuing their education 6 months following graduating. 79% of graduates were employed in their field of study, and 69% were working in South Dakota in their field of study.

The placement of 2014 graduates will be conducted following SDCL 13-1-63

**Public Hearing-Rules:** Articles 24:05 (Special Education), 24:15 (Certification), and 24:53 (Teacher Preparation Programs)

The Board of Education convened a public hearing at approximately 9:07 a.m. CDT, March 24, 2014, on the proposed rules Articles 24:05 (Special Education), 24:15 (Certification), and 24:53 (Teacher Preparation Programs) at Southeast Technical Institute, Mickelson Center, MC101, 2320 B Career Avenue, Sioux Falls, South Dakota.

Written public comments in response to the proposed rules were marked as Exhibit 1 and received.

#### Articles 24:05 (Special Education)

Linda Turner, Director of Special Education, SD DOE, testified in favor of the proposed rules.

The changes to Article 24:05 (Special Education) remove unused definitions, update outdated language to reflect current names, and update requirements for certain evaluators to reflect licensure by the Department of Health instead of certification through the Department of Education.

Turner proposed an amendment to remove section 24:05:24.01:28 (criteria for language disorder) from the proposed set of rules in response to public comment. DOE will work with stakeholders and determine whether to bring back changes to that section in future proposed rules.

There was no opponent testimony.

Motion by Gowen, second by Mathiesen, to remove section 24:05:24.01:28 from the proposed set of rules. All present voted in favor. Motion carried.

Motion by Mathiesen, second by Sabers, to approve changes to Article 24:05 as amended. All present voted in favor. Motion carried.

#### 24:15 (Certification)

Linda Turner, SD DOE, testified in favor of the proposed rules.

The changes to Article 24:15 (Certification) remove outdated language regarding K-12 blind or visually impaired endorsements.

There was no opponent testimony.

Motion by Duncan, second by Mathiesen, to approve the proposed rules changes to Article 24:15. All present voted in favor. Motion carried.

#### 24:53 (Teacher Preparation Programs)

Abby Javurek-Humig, Director, Division of Assessment and Accountability, SD DOE, testified in favor of the proposed rules.

The changes to Article 24:53 remove speech/language pathologists from the definition of "Other School Personnel" and remove other language which is no longer needed because of licensure by the Department of Health.

There was no opponent testimony.

Motion by Sabers, second by Gowen, to approve the proposed changes to Article 24:53. All present voted in favor. Motion carried.

Rules Hearing concluded at approximately 9:29 a.m. CDT.

**Public Hearing-Standards: First Hearing, Physical Education Standards**

The Board of Education convened a public hearing at approximately 9:30 a.m. CDT, March 24, 2014, on the proposed standards, Physical Education, at Southeast Technical Institute, Mickelson Center, MC101, 2320 B Career Avenue, Sioux Falls, South Dakota

Written public comments in response to the proposed standards were marked as Exhibit 1 and received.

Becky Nelson, Director, Division of Learning and Instruction, SD DOE, and Karen Keyser, Health and Physical Education Specialist, Division of Educational Services & Support, SD DOE, presented the proposed South Dakota K-12 Physical Education Standards. The South Dakota Physical Education Review and Revision Committee worked to develop the South Dakota Physical Education Standards. The Physical Education Standards include student outcomes for three grade spans: 1.) Grades K-5; 2.) Grades 6-8; and 3.) Two levels at high school -grades 9-12. The proposed Physical Education Standards emphasize fundamental motor skills as the foundation for movement competency, the application of fundamental motor skills, and a focus on fitness/wellness, lifetime activities, and personal choice. Students will be physically literate individuals who are college, career and life ready.

Paula Gordon, South Dakota Physical Education Review and Revision Committee, testified in favor of the proposed standards. She stated that the South Dakota K-12 Physical Education Standards are adapted to fit the needs of South Dakota students and reiterated the need for our children to move more and be physically fit.

Megan Meyers, Government Relations Director, American Heart Association, testified in favor of the proposed standards. The South Dakota K-12 Physical Education Standards are really a great step to encourage our children to being physically fit. She felt the standards helped to maximize our children's healthier and physically fit future.

Wendy Swanson, a member of the public, asked to provide comment neither for nor against the South Dakota K-12 Physical Education Standards. She indicated our children need more activity, not less. She also felt that schools need to be able to balance outdoor physical activity with safety concerns and that physical activity needs to be part of the students' daily routine and that fresh air is essential.

Megan Tschetter, a member of the public, provided comment neither for nor against the proposed standards. She posed several questions: What is the nutrition log? Where will that information be going? Who will be monitoring the log?

Karen Keyser, SD DOE, explained that the nutrition log is an optional activity that students can do to reflect on their eating and physical activity. The teacher reviews the information with the student.

There was no opponent testimony.

Standards Hearing closed at approximately 10:10 a.m. CDT.

President Kirkegaard called a recess at approximately 10:10 a.m. CDT.

President Kirkegaard called the meeting back to order at approximately 10:23 a.m. CDT.

#### **Lake Area Technical Institute Agriculture Aviation Program Proposal**

Tiffany Sanderson, SD DOE, presented the Lake Area Technical Institute (LATI) Agriculture Aviation Program Proposal. There has been a request from the business community for needed training in the field of agriculture aviation, with emphasis on public safety and environmental concerns.

Deb Shepard, President, LATI, testified via phone in favor of the proposal.

Greg Klein, Aviation Department Supervisor, LATI, testified via phone in favor of the proposal.

There was no opponent testimony.

Motion by Fouberg, second by Duncan, to approve the LATI Agriculture Aviation Program Proposal. All present voted in favor. Motion carried.

#### **Southeast Technical Institute Electrician Program Proposal**

Tiffany Sanderson, SD DOE, presented the Southeast Technical Institute (STI) Electrician Program Proposal. Due to an expressed need for technically trained electricians in the South Dakota workforce, STI is proposing this new program. The Governor's Office reviewed the proposal and believes that going forward with the program would be beneficial for the state.

Jeff Holcomb, STI President, testified in favor of the proposal. STI feels that they can fill a need for training electricians in South Dakota, especially in the Sioux Falls area. Non-traditional students and traditional students would benefit from a program in this region. STI is positioned to benefit the students and the workforce.

Jim Jacobsen, STI, testified that industry partners expressed a critical need for electricians in the Sioux Falls Area. Construction and other industries have need of trained electricians. STI would be able to help fill that need.

Scott Reed, John Morrell and Company, testified that his company is recruiting trained electricians, and they are hard to find. Technical schools with bridges to employment programs are essential. The John Morrell Company supports the addition of an electrical program at STI. South Dakota and the Sioux Falls region particularly, need a deeper candidate pool.

Slate Barr, Sioux Falls Regional Development Association, testified that Sioux Falls has vigorous growth and a need for more technically trained, educated employees, especially electricians.

Bob Jarding, Electric Supply Company, testified that there is a critical need to find qualified candidates for jobs in and around Sioux Falls.

Chris Houwman, Malloy Electric, testified that it is a challenge getting employees with electrical backgrounds.

Mike Anderson, Thompson Electric, testified to the need for experienced, trained, and educated candidates.

Greg Von Wald, President Mitchell Technical Institute (MTI), testified in opposition to the proposed program. MTI believes the program is an unwarranted duplication. The electrical programs already in place in South Dakota and the Sioux Falls area (including some Iowa and Minnesota programs) do not fill up with students. Von Wald also preferred a process where the technical institute presidents work these things out before they are brought to the Board.

Tracy Noldner from STI responded to the opposition by stating that students will not travel to Mitchell if they have ties to Sioux Falls and are working in Sioux Falls while they are working on their degree.

Exploring the process for bringing technical institute programs to the Board in the future was discussed.

Motion by Gowen, second by Duncan, to approve the Southeast Technical Institute Electrician Program Proposal. Roll call vote, six Aye, one Nay (Fouberg). Motion carried.

#### **2014-2015 Technical Institute Tuition**

Tiffany Sanderson, SD DOE, presented the 2014-2015 Technical Institute tuition proposal.

Motion by Sabers, second by Duncan, to approve the 2014-2015 Technical Institute tuition fee schedule as presented. All present voted in favor. Motion carried.

## Update on Statewide Implementation Survey and Professional Development

Becky Nelson, SD DOE, and Abby Javurek-Humig, SD DOE, presented the Board with a summary of the Statewide Implementation Survey and information on professional development. The survey provided the state valuable feedback on implementation of standards for English language arts and math and Teacher/Principal Effectiveness to determine how the state could support districts in the future. SD DOE is providing districts onsite coaching days to support district's future plans for professional development and the Teachers Effectiveness system. This process has produced positive feedback. This summer's focus for teacher training will be on student learning objectives. SD DOE will be partnering with the South Dakota Education Association for additional training. Districts will receive a set number of state sponsored days/trainers for in-district training of their choice through June of 2016.

## CPR in Schools/SB 145

Dean Krogman, representing the American Heart Association, spoke to the Board about SB 145, passed by the 2014 Legislature, and the importance of getting CPR training into schools.

Motion by Gowen, second by Duncan, that the Board endorse and encourage the Department to develop a plan to implement SB 145, and that the Secretary of Education report back to the Board. All present voted in favor. Motion carried.

## Secretary's Report

Dr. Melody Schopp, Secretary, SD DOE, gave a report on items including the Smarter Balanced assessment, the dual credit program approved by the Legislature, and that April is the month of the Military Child.

## Adjournment

Motion by Gowen, second by Duncan to adjourn. All present voted in favor. Motion carried.

Adjourned at approximately 12:35 p.m. CDT.

Ferne G. Haddock \_\_\_\_\_ 5/20/2014  
Ferne G. Haddock Date