

SOUTH DAKOTA BOARD OF EDUCATION MINUTES

Date:	Tuesday, September 20, 2016— 10:00 a.m. Central Time
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Location: Library Commons, MacKay Building
800 Governors Drive, Pierre, South Dakota 57501

Public telephonic access:
1-866-410-8397/conference code: 8381998525

Present: Sue Aguilar, Member
Glenna Fouberg, Member
Scott Herman, Member
Donald Kirkegaard, President
Deb Shephard, Member
Gopal Vyas, Member

Present via
phone: Marilyn Hoyt, Member

Absent: Kelly Duncan, Member
Kay Schallenkamp, Member

DOE Staff

in attendance: Dr. Melody Schopp, Mary Stadick Smith, Tiffany Sanderson, Abby Javurek-Humig,
Becky Nelson, Shannon Malone, Laura Scheibe, Keley Smith Keller, Bobbi Rank,
Ferne Haddock, and Holly Farris.

Others in

attendance: Mike Cartney (Lake Area Technical Institute), Richard Aguilar, Bob Mercer
(media), Dr. Paul Turman (Board of Regents), and other members of the public
present in person and via telephone.

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

President Kirkegaard called the meeting to order at approximately 10:01 a.m. CT.

Adoption of Agenda:

Motion by Aguilar, second by Vyas, to adopt the September 20, 2016, proposed agenda. Roll
call vote, all present voted in favor. Motion carried.

Approval of Minutes:

Motion by Fouberg, second by Vyas, to approve the August 15, 2016, minutes. Voice vote, all present voted in favor. Motion carried.

Conflicts Disclosures (SDCL 3-23-3):

Deb Shephard requested a waiver for a contract with Lake Area Technical Institute (LATI) to provide adjunct instructor services. Shephard stated that the contract is only for instruction and does not involve any financial or administrative functions at LATI. Further details are in the written waiver request.

Motion by Aguilar, second by Fouberg, to approve the waiver for Shephard’s LATI contract as presented. Roll call vote, all present voted in favor (Shephard abstained). Motion carried.

Gopal Vyas requested an oral waiver pursuant to the GOAC letter of intent for ongoing warranty work provided by his employer, Tessiers, Inc., to LATI and other technical institutes for installed machinery. Since July 1, 2016, Tessiers has provided several hundred dollars in warranty services to LATI and could provide similar services at the other technical institutes. Vyas stated that this waiver request was not for new individual, competitively bid contracts, but for the ongoing maintenance work that may be required on existing equipment.

Motion by Shephard, second by Aguilar, to approve an oral waiver for Vyas for ongoing warranty/maintenance work to the technical institutes with the condition that Vyas will report details of the ongoing work to the Board at regular meetings. Roll call vote, all present voted in favor (Vyas abstained). Motion carried.

Technical Institute Facilities Report

Tiffany Sanderson, DOE director of career and technical education, provided a report on technical institute facility fees and bond service. Sanderson discussed full-time enrolled (FTE) and FTE-equivalent projections for the current and future fiscal years and noted that growth is projected. The state is required to have at least 105 percent debt service coverage for upcoming bond payments. Based on actual and projected FTE calculations, that requirement will be met through fiscal year 2024. For fiscal years 2025 and beyond, the state is examining options to ensure appropriate debt service coverage and consider campus expansions as needed.

In response to Board questions, Sanderson addressed the impact of legislative and administrative rule changes that paid off some bonds early and adjusted the percentage of payment amounts. Sanderson also stated that the current focus is on paying existing bonds. If alternative financing, such as a partnership with an industry partner, is examined, decisions may be made on a local level. Sanderson also noted that facility fees are based on collected fees, which include dual credit courses.

Public Hearing—ARSD 24:10:47 (Workforce Education Grants)

Public comment

No public comments were received.

Proponent testimony

Tiffany Sanderson, DOE director of career and technical education, testified in favor of the proposed rules. The purpose of the proposed rules is to add private, non-profit entities that provide specialized career and technical services and education to the list of eligible recipients for workforce education grants in accordance with changes to SDCL 13-13-89 made during the 2016 legislative session.

Sanderson outlined the proposed changes to the rules. The proposed rules define private, non-profit entities, incorporate private, non-profit entities into the procedures for the grant application and award period, and clarify which portions of the rules apply to a school district applying for grant funds and which apply to private, non-profit entities applying for grant funds. In addition, the proposed rules clarify grant conditions for these entities, including that grant funds cannot be utilized for training programs for English learners or high school equivalency.

In response to Board questions, Sanderson provided examples of entities that had been identified as potential private, non-profits. Sanderson also provided more information about the application and award process for the grants, which includes utilizing reviewers from business and industry. Sanderson also clarified that grant funds could possibly be utilized for adult learners but not specifically for training programs for adult basic education.

Opponent testimony

There was no opponent testimony.

Motion by Vyas, second by Fouberg, to approve the workforce education grant rules as proposed. Roll call vote, all present voted in favor. Motion carried.

Rules hearing concluded at approximately 10:38 a.m. Central Time.

LATI Program Application—Community Healthcare Worker

Tiffany Sanderson, DOE division of career and technical education, presented information on LATI's application for a community healthcare worker program. Sanderson stated that all requirements of the South Dakota administrative rules were met during the program application process. The proposed program would start in Fall 2017 with 18 to 20 students. The program would be set up to award six-month certificates, one-year diplomas, and two-year A.A.S. degrees. This would be the first program of its kind in South Dakota and would provide workers in a high-need area. The program would share faculty and equipment across other

healthcare programs at LATI. The program would also allow for medical assistants or human service technicians to continue one extra year and earn two degrees. LATI expects instructors to have at least three years of industry experience with an associate's degree or higher in the health care industry.

Mike Cartney, president of LATI, testified in favor of the program application. Cartney stated that the program will be beneficial for both rural and tribal health care needs. LATI has been in contact with the South Dakota Department of Health and Board of Nursing about the program. The program is well supported by local health care systems and LATI has already been approached by the area health education center in Aberdeen.

In response to Board questions, Cartney stated that the program will provide opportunities for health care systems to expand services. The certificate program would allow workers to perform functions such as home health care, wellness checks, blood pressure monitoring, and telemedicine functions, and would be useful to entities like Indian health services. The A.A.S. program would produce workers with more advanced skill sets able to perform additional services.

Motion by Aguilar, second by Fouberg, to approve program as presented. Roll call vote, all present voted in favor (Shephard and Vyas abstained). Motion carried.

Build Dakota Scholarship Update

Keley Smith-Keller, DOE division of career and technical education, provided an update on the Build Dakota program. Smith-Keller detailed the applicant and award demographics for the first and second cohort years. Technical institutes are also partnering with industry leaders to provide scholarship funds. Qualifying programs continue to be evaluated to ensure high-need programs are supported. The Department of Labor is providing assistance with that evaluation.

In response to Board questions, Smith-Keller discussed the sustainability of the program and the need for industry involvement.

Technical Institute 2015 Placement and 2016 Ten-Day Enrollment Reports

Keley Smith-Keller, DOE division of career and technical education, provided reports on technical institute graduate placement for 2015 and the ten-day enrollment report for 2016. Regarding the placement report, approximately 88 percent of TI graduates responded. Of those, 96.44 percent were employed, in the military, or pursuing continued education. DOE continues to work with the Labor Market Information Center to utilize the data gathered on graduate placement. Smith-Keller also provided the ten-day enrollment report and stated that TI enrollment increased to 6,569 from 6,523 from last year's report. Smith-Keller also provided data on the impact of the dual credit and Build Dakota scholarship programs on TI enrollment.

In response to Board questions, Smith-Keller discussed the methods for contacting graduates and obtaining placement data.

President Kirkegaard declared a recess at approximately 11:15 a.m. CT.

President Kirkegaard declared the Board back in session at approximately 11:28 a.m. CT.

Administrative Rule 24:56:03:06—First Reading:

Becky Nelson, DOE director of learning and instruction, presented the first reading of proposed amendments to ARSD 24:56:03:06 and requested approval to hold a public hearing in November on the proposed rule. Nelson noted that the proposed rules on shared services grants were previously presented. When the rules were submitted, the intention was to award the grant to one school district but, in August, the Department of Legislative Audit recommended that the grants be awarded to both districts proposing to share services under a grant, not just a lead district. The language of the rules has been amended accordingly.

Motion by Vyas, second by Aguilar, to move the rules to a public hearing. Roll call vote, all present voted in favor. Motion carried.

Board of Regents Report

Dr. Paul Turman, Board of Regents, presented an update on Board of Regents activities. Turman discussed new data dashboards developed by Regents to track student progression, potential funding for needs-based scholarships and studies completed on contribution sources for students attending a Regental institution, and the impact of the dual credit program on student progression and enrollment.

ESSA Workgroup Update:

Laura Scheibe, DOE division of accountability systems, and Shannon Malone, DOE division of education services and support, presented an update on the workgroups that have been meeting since April to put forward recommendations on how South Dakota's implementation of the Every Student Succeeds Act (ESSA). The workgroups focused on implementation of accountability measures, school improvement, and English learners. Final recommendations will be presented to the Board once concluded.

In response to Board questions, Scheibe stated that assessments must measure state standards and, as long as Smarter Balanced assessments continue to align with those standards, that assessment method will continue for the foreseeable future.

Secretary's Report

Dr. Schopp presented information on the release of Report Card information and innovation grant awards.

Review of Board Mission Statement

Bobbi Rank, Board legal counsel, provided background information on the Board of Education Mission Statement, which appeared to be adopted in 1995. President Kirkegaard asked the DOE to put the statement on the agenda and recommend changes, which requires Board discussion and input.

The Board discussed whether the mission statement should address and distinguish functions the Board is required to perform from functions the Board does not have authority to perform. The Board also discussed whether the results of the November ballot issue on postsecondary technical school governance would impact the contents of a revised mission statement. The Board directed legal counsel to draft a more concise mission statement or similar document for the Board’s review and potential consideration at the November meeting.

Executive Session—SDCL 1-25-2(3)

Motion by Shephard, second by Vyas, to go into executive session pursuant to SDCL 1-25-2(3) to discuss legal issues with Board counsel. Roll call vote, all present voted in favor. Motion carried.

The Board went into executive session at approximately 12:47 p.m. CT.

President Kirkegaard brought the Board out of executive session at approximately 12:55 p.m. CT.

Adjournment:

Motion by Fouberg, second by Aguilar, to adjourn the meeting. Voice vote, all present voted in favor (Phone participant Hoyt logged off prior to the vote). Motion carried.

The meeting was adjourned at 12:56 p.m. CT.

Ferne G. Haddock 11/16/2016
Ferne G. Haddock Date