



January 31, 2024 @9:00 a.m. CT &  
February 1, 2024, @9:00 a.m. CT

Location: MacKay Building, First Floor, Library Commons  
800 Governors Drive, Pierre, South Dakota

January 31, 2024 @9:00 a.m. CT

Present Nichole Bowman  
Jean Gunderson  
Crystal McMachen (Vice Chair)  
Joy Robbins (Chair)

Absent Alesha Limbo  
Kay Wickard

Others Paul Bachand, Kendra Mulder, Commission Counsel  
Present: Ferne Haddock. Executive Secretary

Others Members of the public  
Present:

#### CALL TO ORDER AND ROLL CALL

Chair Robbins called the meeting to order at approximately 9:00 a.m. CT.

Roll call. A quorum of the Commission was present.

#### ADOPTION OF AGENDA

Motion by McMachen second by Bowman to approve the January 31, 2024 & February 1, 2024, agenda. Voice vote, all present voted in favor. Motion carried. Voting aye: Bowman, Gunderson, McMachen, and Robbins.

#### APPROVAL OF MINUTES

Motion by Bowman second by Gunderson to approve the November 8, 2023 & November 9, 2023, minutes. Voice vote, all present voted in favor. Motion carried. Voting aye: Bowman, Gunderson, McMachen, and Robbins.

37 **ELECTION OF OFFICERS**

38  
39 **Chair**

40  
41 Bowman nominated Robbins for Chair for 2024.

42  
43 Motion by Bowman second by McMachen that nominations cease, and a unanimous ballot be  
44 cast for Robbins for Chair 2024. Voice vote, all present voted in favor. Motion carried. Voting  
45 aye: Bowman, Gunderson, McMachen, and Robbins.

46  
47 **Vice Chair**

48  
49 Gunderson nominated McMachen for Vice Chair for 2024.

50  
51 Motion by Bowman second by Gunderson that nominations cease, and a unanimous ballot be  
52 cast for McMachen for Vice Chair 2024. Voice vote, all present voted in favor. Motion carried.  
53 Voting aye: Bowman, Gunderson, McMachen, and Robbins.

54  
55 **APPOINTMENT OF EXECUTIVE SECRETARY**

56  
57 Motion by McMachen second by Bowman to appoint Ferne Haddock executive secretary. Voice  
58 vote, all present voted in favor. Motion carried. Voting aye: Bowman, Gunderson, McMachen,  
59 and Robbins.

60  
61 **DESIGNATION OF COMMISSION COUNSEL**

62  
63 Motion by Bowman second by Gunderson to designate Paul Bachand and Kendra Mulder as  
64 Commission Counsel. Voice vote, all present voted in favor. Motion carried. Voting aye:  
65 Bowman, Gunderson, McMachen, and Robbins.

66  
67 **PTPSC ANNUAL REPORT-2023**

68  
69 Motion by Gunderson second by Bowman to approve the PTPSC Annual Report-2023 and  
70 authorize the Chair to sign and submit the report to the South Dakota Secretary of Education.  
71 Voice vote, all present voted in favor. Motion carried. Voting aye: Bowman, Gunderson,  
72 McMachen, and Robbins.

73  
74 **PUBLIC COMMENT SDCL 1-25-1**

75  
76 There was no public comment.

77  
78 **Previous Business**

79  
80 **Hearing PTPSC 2023-09**

81  
82 **EXECUTIVE SESSION SDCL 1-25-2(3)6**  
83

84 Motion by Bowman second by McMachen to go into executive session to discuss legal issues  
85 with Commission Counsel. Voice vote, all present voted in favor. Motion carried. Voting aye:  
86 Bowman, Gunderson, McMachen, and Robbins.  
87

88 Commission went into executive session at approximately 10:03 a.m. CT.  
89

90 Commission came out of executive session at approximately 10:10 a.m. CT.  
91

92 Hearing PTPSC 2023-09 Continued  
93

94 **EXECUTIVE SESSION SDCL 1-25-2(3)6**  
95

96 Motion by Gunderson second by McMachen to go into executive session to discuss legal issues  
97 with Commission Counsel. Voice vote, all present voted in favor. Motion carried. Voting aye:  
98 Bowman, Gunderson, McMachen, and Robbins.  
99

100 Commission went into executive session at approximately 2:55 p.m. CT.  
101

102 Commission came out of executive session at approximately 3:08 p.m. CT.  
103

104 PTPSC 2023-09 hearing was continued to a future date.  
105

106 **Hearing PTPSC 2023-14**  
107

108 Motion by Gunderson second by McMachen to go into executive session to discuss legal issues  
109 with Commission Counsel. Voice vote, all present voted in favor. Motion carried. Voting aye:  
110 Bowman, Gunderson, McMachen, and Robbins.  
111

112 Commission went into executive session at approximately 3:44 p.m. CT.  
113

114 Commission came out of executive session at approximately 4:28 p.m. CT.  
115

116 Motion by McMachen second by Bowman that a complaint be filed with the Secretary of  
117 Education regarding PTPSC 2023-14 for proceedings to revoke the educator certificate and that  
118 the Chair be authorized to execute the Findings of Fact and Conclusions of Law and Order along  
119 with the complaint to the secretary. Roll call vote, all present voted in favor. Motion carried.  
120 Voting aye: Bowman, Gunderson, McMachen, and Robbins.  
121

122 **New Business**  
123

124 **PTPSC 2023-15**

Motion by Bowman second by McMachen that PTPSC 2023-15 be moved to a hearing. Roll call vote, all present voted in favor. Motion carried. Voting aye: Bowman, Gunderson McMachen, and Robbins.

#### **PTPSC 2023-16**

Motion by Bowman second by Gunderson that the commission direct the executive secretary to send a letter to respondent from PTPSC 2023-16 requiring the respondent to submit a written response to the complaint. Roll call vote, all present voted in favor. Motion carried. Voting aye: Bowman, Gunderson, McMachen, and Robbins.

#### **PTPSC 2023-17**

Motion by McMachen second by Bowman that the commission direct the executive secretary to send a letter to respondent from PTPSC 2023-17 requiring the respondent to submit a written response to the complaint. Roll call vote, all present voted in favor. Motion carried. Voting aye: Bowman, Gunderson, McMachen, and Robbins.

RECESS at approximately 4:31 p.m. CT, January 31, 2024.

February 1, 2024 @9:00 a.m. CT
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Chair Robbins called the meeting to order at approximately 9:17 a.m. CT.

Roll call. A quorum of the Commission was present.

#### **Hearing PTPSC 2023-13**

#### **EXECUTIVE SESSION SDCL 1-25-2(3)6**

Motion by Gunderson second by McMachen to go into executive session to discuss legal issues with Commission Counsel. Voice vote, all present voted in favor. Motion carried. Voting aye: Bowman, Gunderson, McMachen, and Robbins.

Commission went into executive session at approximately 12:33 p.m. CT.

Commission came out of executive session at approximately 12:40 p.m. CT.

Motion by Gunderson second by McMachen to go into executive session to discuss legal issues with Commission Counsel. Voice vote, all present voted in favor. Motion carried. Voting aye: Bowman, Gunderson, McMachen, and Robbins.

Commission went into executive session at approximately 1:03 p.m. CT.

Commission came out of executive session at approximately 1:53 p.m. CT.

Motion by Gunderson second by Bowman to go into executive session to discuss legal issues with Commission Counsel. Voice vote, all present voted in favor. Motion carried. Voting aye: Bowman, Gunderson, McMachen, and Robbins.

Commission went into executive session at approximately 2:03 p.m. CT.

Commission came out of executive session at approximately 3:11 p.m. CT.

### **PTPSC 2023-13**

Motion by Gunderson second by McMachen that a private reprimand be issued in PTPSC 2023-13 for violation of ARSD 24:08:03:01(5), and that the Chair be authorized to execute the Findings of Fact, Conclusions of Law and Order along with the private reprimand. Roll call vote, all present voted in favor. Motion carried. Voting aye: Bowman, Gunderson, McMachen, and Robbins.

### **ADJOURNMENT**

Motion by Bowman second by McMachen to adjourn. Voice vote, all present voted in favor. Motion carried. Voting aye: Bowman, Gunderson, McMachen, and Robbins.

Meeting adjourned at approximately 3:13 p.m. CT.

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Ferne Haddock

Executive Secretary PTPSC

Date