



**Professional Administrators Practices and Standards Commission
February 6, 2023 @9:30 a.m. CT**

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

Present: Erin Brenden
Linda Heerde
Chantal Ligtenberg
Daniel Martin
Darla Mayer
Peter Books, Vice Chairman 2023
Samantha Walder, Chairman 2023

Others Present Paul Bachand, Commission Counsel
Ferne Haddock, Executive Secretary

February 6, 2022

Call to Order and Roll call

Chairman Walder called the meeting to order at approximately 9:33 a.m. CT.

Roll Call: a quorum of the PAPSC membership was present.

Adoption of Agenda

Motion by Ligtenberg second by Heerde to amend the agenda to approve the 01/23/2023 Minutes instead of the 01/17/2023 Minutes. Voice vote. All present voted in favor. Voting aye: Brenden, Heerde, Ligtenberg, Martin, Mayer, Books, and Walder. Motion carried.

Approval of Minutes

Motion by Books second by Mayer to approve January 23, 2023, minutes. Voice vote. All present voted in favor. Voting aye: Brenden, Heerde, Ligtenberg, Martin, Mayer, Books, and Walder. Motion carried.

Public Comment (SDCL 1-25-1)

No public comment.

Previous Business

Motion by Martin second by Ligtenberg to go into executive session to discuss legal issues with Commission Counsel. Voice vote. All present voted in favor. Voting aye: Brenden, Heerde, Ligtenberg, Martin, Mayer, Books, and Walder. Motion carried.

Commission went into executive session at approximately 9:36 a.m. CT.

Commission came out of executive session at approximately 9:43 a.m. CT.

PAPSC 2022-07

Motion by Books second by Ligtenberg that the Commission accept the dismissal of PAPSC 2022-07 as requested. Voice vote. All present voted in favor. Voting aye: Brenden, Heerde, Ligtenberg, Martin, Mayer, Books, and Walder. Motion carried.

PAPSC 2022-12

Motion by Books second by Ligtenberg that the Commission accept the dismissal of PAPSC 2022-12 as requested. Voice vote. All present voted in favor. Voting aye: Brenden, Heerde, Ligtenberg, Martin, Mayer, Books, and Walder. Motion carried.

PAPSC 2022-13-Hearing (Private)

Executive Session (SDCL 1-25-2)

Motion by Books second by Ligtenberg to go into executive session to discuss legal issues with Commission Counsel. Voice vote. All present voted in favor. Voting aye: Brenden, Heerde, Ligtenberg, Martin, Mayer, Books and Walder. Motion carried.

Commission went into executive session at approximately 5:03 p.m. CT.

Commission came out of executive session at approximately 6:38 p.m. CT.

Motion by Books second by Heerde to adjourn. Voice vote. All present voted in favor. Voting aye: Brenden, Heerde, Ligtenberg, Martin, Mayer, Books, and Walder. Motion carried.

Meeting adjourned at approximately 6:40 pm. CT.

February 7, 2022

Call to Order and Roll call

Chairman Walder called the meeting to order at approximately 8:55 a.m. CT.

Roll Call: a quorum of the PAPSC membership was present.

Motion by Ligtenberg second by Brenden to go into executive session to discuss legal issues with Commission Counsel. Voice vote. All present voted in favor. Voting aye: Brenden, Heerde, Ligtenberg, Martin, Mayer, Books and Walder. Motion carried.

Commission went into executive session at approximately 8:56 a.m. CT.

Commission came out of executive session at approximately 10:58 a.m. CT.

PAPSC 2022-13

Motion by Books second by Ligtenberg that in PAPSC 2022-13 the Commission found violations of the Code of Ethics for Administrators:

- (1) Make the well-being of the students the basis of decision making and action;
- (3) Exemplify high moral standards by not engaging in or becoming a party to such activities as fraud, embezzlement, deceit, moral turpitude, gross immorality, illegal drugs, or use of misleading or false statements;
- (4) Respect the civil rights of those with whom the administrator has contact in the performance of duties;
- (7) Fulfill professional responsibilities with honesty and integrity;
- (8) Maintain professional relationships which are free from vindictiveness, willful intimidation, and disparagement.

Roll call vote. All present voted in favor. Voting aye: Brenden, Heerde, Ligtenberg, Martin, Mayer, Books and Walder. Motion carried.

Motion by Heerde second by Brenden regarding PAPSC 2022-13, the commission orders that this matter be referred to the Secretary of the South Dakota Department of Education for proceedings to suspend the educator certificate of the administrator as provided for in SDCL 13-43-49. The Commission recommends a suspension for a period of 3 years. It is further ORDERED that pursuant to SDCL 13-43-48, that within 90 days of the Order by the Secretary that the administrator obtain a drug and alcohol assessment and provide proof thereof to the Secretary and Commission. It is further

ORDERED that pursuant to SDCL 13-43-48, that the administrator comply with any and all recommendations as contained in the drug and alcohol assessment and provide proof of such compliance with the Secretary and Commission. It is further

ORDERED that pursuant to SDCL 13-43-48, that within 90 days of the Order by the Secretary that the administrator obtain a psychological evaluation in order to determine the severity of any mental health matters and to specifically determine his capacity for functioning as an educator in South Dakota. The administrator shall follow any recommendations as

contained in the evaluation and provide proof of such compliance with the Secretary and Commission. It is further

ORDERED that pursuant to SDCL 13-43-48, that within 180 days of the Order by the Secretary that the administrator complete an anger management course. The administrator shall provide proof of such compliance with the Secretary and Commission. It is further

ORDERED that pursuant to SDCL 13-43-48, prior to the reapplication for an educator's license, the administrator must present an updated psychological evaluation demonstrating the capacity to function as an educator. It is further

ORDERED that prior to any request for recertification, that the administrator provide proof to the Accreditation and Certification office of the South Dakota Department of Education of the administrator's compliance with the above conditions. It is further

ORDERED that should the administrator be allowed to obtain an educator's certificate at the conclusion of any period of suspension that the administrator be required to obtain a professional mentor within the teaching profession, inform the Commission of the mentor's identity for approval, and maintain a mentor/mentee relationship with that person for a period of two years for the purpose of professional development and guidance.

Roll call vote. All present voted in favor. Voting aye: Brenden, Heerde, Ligtenberg, Martin, Mayer, Books and Walder. Motion carried.

Motion by Martin second by Ligtenberg that a complaint be filed with the Secretary of Education regarding to PAPSC 2022-13, for proceedings to suspend the educator certificate, along with conditions, and that the Chair be authorized to execute the Findings of Fact and Conclusions of Law and Order along with the complaint to the secretary. Roll call vote. All present voted in favor.

New Business

PAPSC 2022-15

Mayer recused herself from PAPSC 2022-15.

Mayer left the meeting at approximately 11:10 a.m. CT.

Executive Session (SDCL 1-25-2)

Motion by Ligtenberg second by Books to go into executive session to discuss legal issues with Commission Counsel. Voice vote. All present voted in favor. Voting aye: Brenden, Heerde, Ligtenberg, Martin, Books and Walder. Motion carried.

Commission went into executive session at approximately 11:12 a.m. CT.

Commission came out of executive session at approximately 11:20 a.m. CT.

Motion by Books second by Ligtenberg that PAPSC 2022-15 be dismissed. Roll call vote. All present voted in favor. Voting aye: Brenden, Heerde, Ligtenberg, Martin, Books and Walder. Motion carried.

Adjournment

Motion Brenden second by Heerde to adjourn. Voice vote. All present voted in favor. Voting aye: Brenden, Heerde, Ligtenberg, Martin, Books and Walder. Motion carried.

Meeting adjourned at approximately 11:24 a.m. CT.

Ferne Haddock-Executive Secretary

03/24/2023