

**SOUTH DAKOTA BOARD OF EDUCATION STANDARDS
TELEPHONIC**

May 11, 2020 - 9:00 a.m. Central Time

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

Public Telephone Access:
1-312-626-6799
Meeting ID: 982 1925 0127
Password: 014901
For live streaming of meeting: <http://www.sd.net>

Meeting Archived: <https://boardsandcommissions.sd.gov/Meetings.aspx?BoardID=32>

Present: Jaqueline Sly, President
Via Becky Guffin, Vice-President
ZOOM & Phyllis Heineman
Phone: Scott Herman
Kay Schallenkamp
Lori Wagner
Julie Westra

DOE staff Dr. Ben Jones, Becky Nelson, Diane B. Roy, Linda Turner, and Joe Moran.
via phone:
@ MacKay: Ferne Haddock

Others in attendance: Juliana White Bull-Taken Alive, Nick Wendell, Jay Perry, Robert Sittig, Susan Shebby, and other members of the public in attendance via phone.

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

The South Dakota Board of Education Standards (BOES) was called to order by President Sly at approximately 9:02 a.m. Central Time.

A quorum was present.

Adoption of Agenda:

Notification from Haddock that there was a typographical error on the proposed agenda. The date listed as minutes for January 28, 2020, should be January 27, 2020.

Motion by Schallenkamp and second by Guffin to adopt the May 11, 2020, agenda as corrected. Roll call vote. All present voted in favor. Voting aye: Guffin, Heineman, Herman, Schallenkamp, Sly, Wagner and Westra. Motion carried.

Approval of Minutes:

Motion by Wagner second by Guffin to approve the minutes for January 27, 2020, and April 6, 2020. Roll call vote. All present voted in favor. Voting aye: Guffin, Heineman, Herman, Schallenkamp, Sly, Wagner and Westra. Motion carried.

Conflicts Disclosures (SDCL 3-23):

No conflicts of interest were disclosed, or waivers requested.

Public Comment Period:

No public comment was offered.

Public Hearing: Administrative Rules Article 24:05 Special Education

Hearing began at approximately 9:12 a.m. CT.

Proponent Testimony

Linda Turner, Director, Special Education, DOE, presented proposed changes to Article 24:05 (Special Education Programs) rules. Turner stated that the changes would update state rules to accurately reflect the federal Individuals with Disabilities Education Act (IDEA) rules amended by Every Student Succeeds Act (ESSA) and correct the definition of preschool age and preschool program to align with the IDEA preschool age, and ensure federal and state rule reference and language aligns.

There was one comment received on these rules: The comment received was more of a clarification question. The comment asked if the definition of early childhood is changed; does that change the age at which they are required to do evaluations? Ms. Turner explained that students age three through five are considered preschool under Individuals with Disabilities Education Act (IDEA). When they turn six, they do an evaluation to determine progress that was made in the preschool program. We use the Battelle developmental inventory and report progress federally. Currently we are operating when the child turns six that had to be completed. The proposed rules changes would not change that. The other impact could be on developmentally delayed disability category. That category is for children eligible through the age of five. By the time they turn six they had to be evaluated and placed in another disability category. The rule changes align with our current practices. They do not change any practices.

We are already treating preschool in that manner. We had just found that the language did not reflect what our policy and practices were.

Opponent Testimony

There was no opponent testimony.

Motion by Guffin and second by Wagner to approve the rules as presented. Roll call vote. All present voted in favor. Voting aye: Guffin, Heineman, Herman, Schallenkamp, Sly, Wagner and Westra. Motion carried.

Hearing concluded at approximately 9:24 a.m. CT.

PAPSC 2019 Annual Report

Robert Sittig, Chairman of the Professional Administrators Practices and Standards Commission (PAPSC) presented the PAPSC 2019 Annual Report.

Office of Indian Education Report:

Juliana White Bull-Taken Alive, director of the Office of Indian Education (OIE) said that, the OIE has successfully transitioned from the DOE to the Department of Tribal Relations (DTR), allowing for more flexibility to work with all schools that serve indigenous students. In partnership with the DOE, the OIE continues to provide input for the Civics Standards Work Group by advocating for the inclusion of the Oceti Sakowin Essential Understandings (OSEU).

White Bull-Taken Alive presented an update on the Wóokiye – Očhéthi šakówiŋ Essential Understandings Project, that focuses on the region's Native American culture and traditions, with a grant from the Bush Foundation.

Taken-Alive reported that at the Indian Education Advisory Council (IEAC) meeting April 23, 2020, they added a new member; a DOE representative; Joe Moran, director of policy and strategic initiative.

OIE collaborating currently with DOE with Mid-continent Research for Education and Learning (McREL) Region 11 Comprehensive Center, Bright Spots Project and REL-Marzano Research Regional Educational Laboratory.

White Bull-Taken Alive reported that the 2020 Indian Education Conference that was scheduled for October 2020, has been rescheduled to be held virtually, August 10, 2020.

Joe Moran, DOE, told the board that an indigenous-needs assessment will gather a better understanding of how South Dakota teachers use Oceti Sakowin curriculum and help identify bright spots and successes.

Susan Shebby, McREL, Region 11 Comprehensive Center, stated that her organization has been working with OIE and DOE in support of the initiative to support Native American education.

Board of Technical Education Report

Nick Wendell, executive director of the South Dakota Board of Technical Education (BOTE), presented an update to the Board regarding the Technical Institutes, beginning with a new state law that takes effect July 1, 2020, changing the names of the campuses from institutes to colleges. It changes the language not the mission, and better aligns South Dakota with the postsecondary industry across the country.

Wendell stated that this spring the BOTE and BOR have signed a new General Education Articulation Agreement. The four technical colleges and the six public universities in the state agreed that any individual completing general education courses within the system may transfer their credits seamlessly.

Wendell reported that the impact of COVID 19 crisis has closed the campuses until at least the end of May 2020. However, there is remote and online learning available. Transitions for some of the technical education, without a hands-on environment has been challenging. There are plans to reopen the campuses in the fall of 2020 with continued monitoring of the situation.

Wendell gave a progress report on grant from Lumina Foundation. They have assembled a taskforce, to review and assess how to maintain high quality academic programs, both old and new.

Wendell stated that Western Dakota Technical Institute (WDT) has petitioned the BOTE to become a Local Education Agency (LEA). WDT and the Rapid City School District have been working on a plan to make WDT separate and distinct from the local school board.

President Sly commended BOTE and BOR for collaborating on the General Education Articulation Agreement.

Board of Regents Report

Dr. Jay Perry, System Vice President for Academic Affairs, South Dakota Board of Regents, stated that the new General Education Articulation Agreement with the four technical colleges and the six public universities will show benefits in years to come.

Perry went on to give an overview of the Teacher Education Report. Education continues to be the second most popular field in South Dakota, after the Health-related fields. One out of every ten graduates are an Education major. This year's report shows about one-third of Education majors are Elementary majors, with Special Education and Early childhood rounding out the top three majors. The Praxis pass rate was about 94%, a 1% decline from last year. About 50 % of Education graduates are finding jobs in South Dakota within a year of graduation. A blip in the

2018 report showed that fewer Education majors were entering teaching within a year of graduation. That was very concerning, there is no blip to report this year. They are hoping that the one year was an anomaly.

Perry went on to report that last year South Dakota had the lowest percentage of workers who had an undergraduate degree in education, working in education in our contiguous states. This year, we now have the highest percentage of workers who had an undergraduate degree in education who were working in education in our contiguous states.

Board Questions:

Are the colleges recruiting people specifically to go into education?

Perry replied that three of the institutions, Black Hills, Northern and Dakota State, are by statutory mission, primarily set-up for the teaching profession. At those schools there is a concerted effort to recruit students for the teaching profession. Some students are looking for the bigger school experience and look at SDSU and USD. The demand for jobs does increase the opportunity for recruiting in certain fields, and in South Dakota it is teaching and nursing.

Can you update the Board on the Critical Needs Scholarships?

Perry stated during the 2020 legislative session approximately one million dollars was added to the fund to grant the Critical Needs scholarships. They also want to look at the criteria for awarding the scholarships, to not disadvantage awards due to testing. Hopefully the funding will not be altered due to the current COVID-19 situation.

Standards Revision Timeline:

Becky Nelson, director, Division of Learning and Instruction, DOE presented proposed changes to the Standards Revision Timeline, with a reminder that core content standards are reviewed every seven years and CTE standards are reviewed every five years.

Nelson requested that social studies and fine arts standards hearings be moved up to start in the fall of 2021 and science standards hearings be moved back to start in fall 2022.

Motion by Guffin and second by Westra to approve the Standards Revision timeline as presented. Roll call vote. All present voted in favor. Voting aye: Guffin, Heineman, Herman, Schallenkamp, Sly, Wagner and Westra. Motion carried.

Board of Education Standards (BOES) Mission Statement revision review

Diane B Roy, General Counsel, DOE, presented proposed changes to the BOES Mission Statement.

Motion by Wagner and second by Herman to approve the Mission Statement revisions as presented. Roll call vote. All present voted in favor. Voting aye: Guffin, Heineman, Herman, Schallenkamp, Sly, Wagner and Westra. Motion carried.

Welcome New Member

Phyllis Heineman gave a brief autobiography and introduction.

Secretary's Report

Dr. Benjamin Jones, DOE, reported that during the most recent legislative session, that in addition to the confirmation of the two Board of Education Standards appointees, the legislature passed a two percent increase in the budget for state aid in the funding formula. This would keep South Dakota on pace with inflation for target teacher compensation for the coming fiscal year and continues to meet the requirement of changes in the state aid formula legislation passed in 2016.

The legislature also included the initiation of a statewide Jobs for American Graduates (JAG) program. JAG is a national program that has seen great success in supporting High School and Middle School students who have profound barriers to graduation; not only to graduate from High School but to thrive after graduation in jobs, postsecondary, college, the military, and in life. DOE will soon have a JAG program manager on staff. The program now can raise private funds to help support these students and school district as they develop programs. Jones stated that he believes that, "If this program is done well, it can make one of the greatest differences in schools with the greatest needs."

Jones reported that the Governor signed a Bill to allow certain qualified teachers a quicker and less costly path back to recertification. Certification office staff is drafting rules for Board's review and consideration later this fall.

Jones reported interest on the part of legislators on various education issues; particularly deaf and dyslexia education. Jones stated that DOE was pleased to be able to work with Representative Healy on her Bill regarding deaf education statistics and information. DOE will be collecting the data and look forward to releasing that information to the public in coming year. The definition of dyslexia was placed in the statute with the signing of HB 1175. Towards the end of session funding for deaf and dyslexia education was placed on the budget on a one-time use, and consideration is under way to get the most out of the \$250, 000 dollars that was appropriated for dyslexia and deaf education.

At the end of March Schools were closed to assess the course of the Corona Virus in South Dakota. Ultimately the Governor and the Secretary of Health made the determination that it was wise to keep kids learning from home for the remainder of the year. Jones stated that, "Teachers and students have been nothing short of impressive, before and since the middle of

March". Beginning in March Jones and senior staff in the department began to have regular phone calls with superintendents and administrators to try and stay ahead of the rapidly changing environment. These have been vital in helping understand the issues, priorities, and needs within the school districts. The department's web site has added guidance for schools on a wide variety of issues; and it will continue to build on the library of information supporting accredited schools through issues associated with the virus.

Jones reported that the US DOE has developed a process for speedy approval of various issues and have opened lines of communication. Jones said that he had spoken with Secretary DeVos and others with US DOE staff by phone and video conference calls that they have done to push out information related to the federal law and various changes due to the Corona virus. South Dakota's request to waive state assessments was approved by the US DOE within six hours, and waivers for Title funding and flexibility were approved within a day. Additionally, the Department of Agriculture approved Child and Adult Nutrition Services (CANS) Waivers.

Jones stated that on March 20th the President signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Two parts of that law make funding available for state education agencies and school districts. Currently SD DOE is applying for one part of the law which is the Elementary and Secondary School Emergency Relief Fund. If the application is approved, districts will determine how those funds would be disbursed; as laid out in the CARES Act. Another part of the act is the Governors Emergency Education Fund. This is available directly to K-12 schools and a process is being set-up for schools to apply for the funding. Evaluation is continuing for the potential of one or two of the recent Competitive Grants from US DOE and deciding as to what is best for South Dakota. Jones said the he understood that Tribal Schools have a different pipeline from the Bureau of Indian Education for the CARES Act funding.

Jones stated that work on closing the opportunity gap has continued. The work group has determined four areas to take a deeper look at: Whole Child, Child and Family Engagement, Early Learning, and Well-Rounded Education Instructional and Support.

Jones also presented the DOE Strategic Plan progress to the board. The plan will also now include Covid-19 related work, which demonstrates the plans flexibility to keep up with the times.

Jones also stated that the impact of the virus has had a severe impact on the South Dakota economy. The budget that passed in March may not be able to be executed, especially if state revenues continue to decline. Federal funding has certainly helped.

Jones wanted to thank the internet service providers for stepping up during the transition to flex education; with time, equipment, and personnel during this emergency. This dedication and responsiveness have made a big difference in connectivity for students and teachers.

Jones thanked teachers, school staff, and school leadership for their tireless efforts. Imagination, innovation, and flexibility have been vital in all aspects of this situation. He went

on to recognize the work of parents in being more involved as their children are learning from home.

Jones stated that as we begin to think about how to start school next fall, the Department of Education is working to establish guidelines for schools. Jones has been in collaboration with his counterparts around the country. The Department hopes to publish a guideline for *Opening Well* in the fall of 2020. Establishing guidelines for school districts to review and think about how to be there for their students.

BOARD QUESTIONS:

Media reports have stated that there are a number of students not being heard from. What is being done to reach those students?

Jones said that is a concern. However, there is no uniform response. Some teachers and administrators have been communicating with them and affording them the opportunity to touch base in a variety of ways, including in person if necessary. There is a struggle on how to count them for attendance and so forth, there is no single definition of attendance, that is a local issue, participation seems to be a key element. As school starts in the fall there has been considerable discussion as to how to benchmark students at the start of classes. There may be a wide variety of district policies.

What is involved in the federal government application funding?

Jones responded that the law requires that the funds be distributed at levels 90% of the Title I allocations, and 9.5% could be retained by the state agency (which we have determined that this 9.5% would be allocated directly to the school districts at an enrollment basis), and 0.5% would go to managing the grants. Though it is allocated on Title I levels, it is not to be spent on Title I purposes. It was just a mechanism to distribute the funds. The application is fairly simple. We state that we will comply with the law and distribute the funds according to the guidelines.

Do we have any idea as to the grade level for any of the students who haven't checked in, and do we have an area where this occurred, is it rural areas or bigger cities?

Jones responded that he did not have the specific of the information. He had only anecdotal reports.

Is there a way to gather that information from the districts?

Jones replied there is not straight forward data at this time.

At this point there was some general discussion on how Covid-19 is affecting members.

NEXT MEETING: July 13, 2020, Pierre

Adjournment:

Motion by Heineman and second by Schallenkamp adjourn.

Roll call vote. All present voted in favor. Voting aye: Guffin, Heineman, Herman, Schallenkamp, Sly, Wagner and Westra. Motion carried.

Meeting adjourned at approximately 11:21 a.m. CT.

Ferne G. Haddock
Executive Secretary BOES

07/15/2020