



September 13, 2023, @ 1:00 p.m. CT & September 14, 2023, @ 8:30 a.m. CT

1 Location: MacKay Building, First Floor, Library Commons
2 800 Governors Drive, Pierre, South Dakota

3 September 13, 2023 @ 1:00 p.m. CT

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5 Present Nichole Bowman
6 Jean Gunderson
7 Alesha Limbo
8 Kaye Wickard
9 Crystal McMachen (Vice Chair)
10 Joy Robbins (Chair)

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

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15 Also Members of the public
16 Present:

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18 **CALL TO ORDER AND ROLL CALL**

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20 Chairman Robbins called the meeting to order at approximately 1:04 p.m. CT.

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22 Roll call. A quorum of the commission was present.
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24 **ADOPTION OF AGENDA**

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26 Motion by McMachen second by Limbo to approve the September 13 & 14, 2023, agenda.
27 Voice vote, all present voted in favor. Motion carried. Voting aye: Bowman, Gunderson, Limbo,
28 Wickard, McMachen, and Robbins.
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30 **APPROVAL OF MINUTES**

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32 Motion by Bowman second by Limbo to approve the June 26, 2023, minutes, as corrected.
33 Voice vote, all present voted in favor. Motion carried. Voting aye: Bowman, Gunderson, Limbo,
34 Wickard, McMachen, and Robbins.
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36 **PUBLIC COMMENT SDCL 1-25-1**

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38 There was no public comment.

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Previous Business

Gunderson is recused from PTPSC 2022-09.
Gunderson left the meeting at approximately 1:07 p.m. CT.

Hearing PTPSC 2022-09

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

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

Commission went into executive session at approximately 4:03 p.m. CT.
Commission came out of executive session at approximately 4:29 p.m. CT.

PTPSC 2022-09

Motion by Bowman second by McMachen that a private reprimand be issued in PTPSC 2022-09 for violations of ARSD 24:08:03:01(5)(8)(9), and that the chair be authorized to execute the Findings of Fact and Conclusions of Law and Order along with the private reprimand. Roll call vote, all present voted in favor. Motion carried. Voting aye: Bowman, Limbo, Wickard, McMachen, and Robbins.

Gunderson rejoined the meeting at approximately 4:31 p.m. CT.

New Business

PTPSC 2023-08

PTPSC 2023-10

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

Motion by Bowman 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, Limbo, Wickard, McMachen, and Robbins.

Commission went into executive session at approximately 4:31 p.m. CT.
Commission came out of executive session at approximately 4:50 p.m. CT.

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PTPSC 2023-08

Motion by Wickard second by Gunderson PTPSC 2023-08 be moved to a hearing. Roll call vote, all present voted in favor. Motion carried. Voting aye: Bowman, Gunderson, Limbo, Wickard, McMachen, and Robbins.

PTPSC 2023-10

Motion by Bowman second by Limbo that PTPSC 223-10 be moved to an investigation, and direct Commission Counsel to engage an investigator. Roll call vote, all present voted in favor. Motion carried. Voting aye: Bowman, Gunderson, Limbo, Wickard, McMachen, and Robbins.

Recess at approximately 4:52 p.m. CT.

September 14, 2023 @ 8:30 a.m. CT

- Present Nichole Bowman
- Jean Gunderson
- Alesha Limbo
- Kaye Wickard
- Crystal McMachen (Vice Chair)
- Joy Robbins (Chair)

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

- Also Members of the public
- Present:

CALL TO ORDER AND ROLL CALL

Chairman Robbins called the meeting to order at approximately 8:30 a.m. CT.

Roll call. A quorum of the commission was present.

Hearing PTPSC 2023-04

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

Motion by McMachen second by Gunderson, 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, Limbo, Wickard, McMachen, and Robbins.

127 Commission went into executive session at approximately 8:39 a.m. CT.

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129 Commission came out of executive session at approximately 8:54 a.m. CT.

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131 **PTPSC 2023-04**

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133 Motion by Bowman second by Limbo that a complaint be filed with the Secretary of
134 Education regarding PTPSC 2023-04, for proceedings to permanently revoke the educator
135 certificate and that the Chair be authorized to execute the Findings of Fact and Conclusions of
136 Law and Order along with the complaint to the secretary. Roll call vote, all present voted in
137 favor. Motion carried. Voting aye: Bowman, Gunderson, Limbo, Wickard, McMachen, and
138 Robbins.

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140 **Hearing PTPSC 2023-05**

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

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

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148 Commission went into executive session at approximately 9:05 a.m. CT.

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150 Commission came out of executive session at approximately 9:07 a.m. CT.

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152 **PTPSC 2023-05**

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154 Motion by Bowman second by McMachen that a complaint be filed with the Secretary of
155 Education regarding PTPSC 2023-05, for proceedings to permanently revoke the educator
156 certificate and that the Chair be authorized to execute the Findings of Fact and Conclusions of
157 Law and Order along with the complaint to the secretary. Roll call vote, all present voted in
158 favor. Motion carried. Voting aye: Bowman, Gunderson, Limbo, Wickard, McMachen, and
159 Robbins.

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161 **Hearing PTPSC 2023-06**

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

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

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169 Commission went into executive session at approximately 9:37 a.m. CT.

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171 Commission came out of executive session at approximately 9:40 a.m. CT.

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173 **PTPSC 2023-06**

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175 Motion by Bowman second by Limbo that a complaint be filed with the Secretary of
176 Education regarding PTPSC 2023-06, for proceedings to permanently revoke the educator
177 certificate and that the Chair be authorized to execute the Findings of Fact and Conclusions of
178 Law and Order along with the complaint to the secretary. Roll call vote, all present voted in
179 favor. Motion carried. Voting aye: Bowman, Gunderson, Limbo, Wickard, McMachen, and
180 Robbins.

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182 **Hearing PTPSC 2023-07**

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

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

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190 Commission went into executive session at approximately 5:15 p.m. CT.

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192 Commission came out of executive session at approximately 5:36 p.m. CT.

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194 **PTPSC 2023-07**

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196 Motion by Limbo second by Gunderson that PTPSC 2023-07 be dismissed, and that the Chair be
197 authorized to execute the Findings of Fact and Conclusions of Law and Order. Roll call vote, all
198 present voted in favor. Motion carried. Voting aye: Bowman, Gunderson, Limbo, Wickard,
199 McMachen, and Robbins.

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201 **ADJOURNMENT**

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

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206 Meeting adjourned at approximately 5:40 p.m. CT.

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209 Ferne G. Haddock

Date

210 Executive Secretary PTPSC