

SOUTH DAKOTA BOARD OF TECHNICAL EDUCATION MINUTES OF THE AUGUST 18, 2020, REGULAR MEETING

South Dakota Board of Technical Education Minutes of the August 18, 2020, Regular Meeting Teleconference

An audio recording of this meeting can be electronically accessed through the South Dakota Public Broadcasting's (SDPB) Stream Archive. The below timestamps are aligned with SDPB's audio stream, which can be accessed at:

<https://sdpb.sd.gov/streamarchive/bote08182020.mp3>

1. Call to Order and Roll Call (0:06)

The South Dakota Board of Technical Education (hereinafter referred to as "BOTE") met on August 18, 2020. Chairman Dana Dykhouse called the meeting to order at approximately 9:30 am (CST) with the additional members present: Bob Faehn (Vice-Chairman), Terry Sabers (Secretary), Rod Bowar, Doug Ekeren, Scott Knuppe, Scott Peterson, and Diana VanderWoude. One member, Ed Mallett, joined after roll call.

Also present:

Nick Wendell, Executive Director, BOTE
Michael Cartney, President, Lake Area Technical College
Mark Wilson, President, Mitchell Technical College
Robert Griggs, President, Southeast Technical College
Dr. Ann Bolman, President, Western Dakota Technical College
Will Mortenson, Attorney, Mortenson Law

2. Adoption of the Agenda (3:50)

Motion made by Bowar and seconded by Sabers to adopt the proposed agenda as presented in [Attachment #1](#).

Roll call vote. Voting yes: Bowar, Dykhouse, Ekeren, Faehn, Knuppe, Peterson, Sabers, VanderWoude.

Motion carried.

3. Approval of Meeting Minutes – June 25, 2020 (5:00)

Motion made by Ekeren and seconded by VanderWoude to adopt the meeting minutes from the June 25, 2020, regular meeting as presented in [Attachment #2](#).

Roll call vote. Voting yes: Bowar, Dykhouse, Ekeren, Faehn, Knuppe, Peterson, Sabers, VanderWoude.

Motion carried.

4. Declaration of Conflicts (6:00)

Per SDCL 3-23-10, state boards and commissions are required to publicly address the expectations regarding annual disclosures and waivers. No BOTE members submitted new declarations of conflicts.

5. Public Comment (6:25)

Dykhouse opened the floor to public comment, though none was present.

6. Executive Director Update, Nick Wendell (6:42)

Wendell presented the executive director update.

7. Public Hearing: ARSD 24:59:02 (Postsecondary Technical Institute Funding Distribution) (12:58)

The South Dakota Board of Technical Education held a public hearing to consider proposed revisions ([Attachment #3](#)) to rules §§ 24:59:02 (Postsecondary Technical Institute Funding Distribution), adopted under the authority of SDCL 13-39A-18.

Dykhouse provided introductory remarks, a summary of the public hearing process, and stated the effect and purpose of the proposed revisions.

As reflected in the Notice of Public Hearing ([Attachment #4](#)), the effect of the rules will be to update and clarify language related to the South Dakota Board of Technical Education's set-aside funds, formula for funding, and "technical institute" to "technical college" name change.

The reason for adopting the proposed rules is to streamline administrative processes related to fund distribution to the technical colleges and update language in response to the recent "institute" to "college" name change.

Dykhouse stated there were no public comments received before the hearing.

Dykhouse proceeded to proponent testimony, followed by opponent testimony.

Proponent:

No proponent testimony was offered.

Opponent:

No opponent testimony was offered.

Following the conclusion of testimony, Dykhouse opened the floor to BOTE member comments and questions.

Sabers proposed two amendments to further clarify the rules.

The first proposed amendment pertained to §§ 24:59:02:03 Subsection 1. The amendment included the removal of "for operating expenses" and insertion a period after "the appropriations act." Therefore, the subsection language under the amendment

would read: “Subtract the total set-asides reserved in § 24:59:02:02 from the total amount appropriated by the Legislature within the general appropriations act;”

Wendell provided additional rationale for the amendment.

The motion to amend was seconded by Faehn.

Roll call vote on the motion to amend §§ 24:59:02:03 Subsection 1. Voting yes: Bowar, Dykhouse, Ekeren, Faehn, Knuppe, Peterson, Sabers, VanderWoude.

Motion carried.

The second proposed amendment pertained to §§ 24:59:02:03 Subsection 3 Paragraph A. The amendment included the removal of “South Dakota Board of Technical Education, taking into account the available operating funds and the anticipated number of full-time equivalent students” and the insertion of “Legislature within the general appropriations act” Therefore, the paragraph language under the amendment would read: ““Per student allocation” is an amount set by the Legislature within the general appropriations act;”

The motion to amend was seconded by Faehn.

Roll call vote on the motion to amend §§ 24:59:02:03 Subsection 3 Paragraph A. Voting yes: Bowar, Dykhouse, Ekeren, Faehn, Knuppe, Peterson, Sabers, VanderWoude.

Motion carried.

With no further comments or questions, Dykhouse requested a motion to adopt the rule change as amended.

Motion made by Sabers seconded by Knuppe to adopt the rules as amended.

Roll call vote on the motion to approve the amended rules. Voting yes: Bowar, Dykhouse, Ekeren, Faehn, Knuppe, Peterson, Sabers, VanderWoude.

Motion carried.

8. **Board Policy Consideration (22:25):**

A. *401: Annual Revisions to Set-Aside Funds and PSA*

Wendell overviewed the board policy development, adoption, and implementation process. Additionally, Wendell discussed the rationale of supplementing administrative rule with board policy. Whereas the actual appropriations for set-aside funds and the “per student allocation” are currently reflected in administrative rule (specifically, ARSD 24:59:02), the purpose of adopting Board Policy 401 is to remove the actual appropriations in ARSD 24:59:02 and supplement in a board policy format.

Motion made by Peterson and seconded by Knuppe to adopt Board Policy 401 as presented in [Attachment #5](#).

Roll call vote. Voting yes: Bowar, Dykhouse, Ekeren, Faehn, Knuppe, Peterson, Sabers, VanderWoude.

Motion carried.

9. FY 2022 Budget Request (24:25)

Wendell overviewed the FY2022 Budget Request.

Motion made by Mallett and seconded by Ekeren to approve the FY 2022 Budget Request as presented in [Attachment #6](#).

Roll call vote. Voting yes: Bowar, Dykhouse, Ekeren, Faehn, Knuppe, Mallett, Peterson, Sabers, VanderWoude.

Motion carried.

10. Summer 2020 Enrollment Report (40:18)

Wendell overviewed the Summer 2020 Enrollment Report as presented in [Attachment #7](#).

11. Technical College Presidents' Reports (45:00)

Cartney (LATC), Wilson (MTC), Griggs (STC), and Bolman (WDTTC) provided technical college presidents' updates as presented in [Attachment #8](#).

12. Adjournment (1:21:27)

Motion made by Faehn and seconded by Sabers to adjourn the meeting.

Roll call vote. Voting yes: Bowar, Dykhouse, Ekeren, Faehn, Knuppe, Mallett, Peterson, Sabers, VanderWoude.

Motion carried.

The meeting adjourned at approximately 11:50 am CST.

Submitted on:
August 24, 2020

Approved on:
Present version is draft only.

DRAFT