

SOUTH DAKOTA BOARD OF EDUCATION MINUTES

Date:	Monday, November 17, 2014 - 9:00 a.m. Central Standard Time
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Location: MackKay Building, Library Commons, First Floor
800 Governors Drive, Pierre, South Dakota
Public Access to listen via telephone: dial 1-866-410-8397
Then enter conference code: 8381998525

Present: Kelly Duncan
Glenna Fouberg, Member
Marilyn Hoyt, Member
Donald Kirkegaard, President
Stacy Phelps, Member (joined the meeting at 9:05 a.m. CST)
Terry Sabers, Member
Patricia Simmons, Vice-President

Present
via phone: Richard Gowen, Member (joined meeting at 9:25 a.m. CST)

Absent : Julie Mathiesen, Member

DOE Staff: Melody Schopp, Bobbi Rank, Holly Farris, Becky Nelson, Sam Shaw, Tiffany Sanderson, Abby Javurek-Humig, Jan Martin, Laura Scheibe, Daria Bossman, and Ferne Haddock.

Others in
Attendance: Others in Attendance: Paul Turman (Board of Regents), Bob Mercer (media), Sandra Waltman (South Dakota Education Association), Bobbi Helmerick, Jodi Waltman, Linda Schaner, Mary Scheel-Buysse, Florence Thompson, Tonchi Weaver, Eva Omdahl, Mary Duvall, Senator Phil Jensen, Representative Elizabeth May (by phone), and other members of the public personally present and by telephone.

Call to Order, Pledge of Allegiance and Roll Call:

President Kirkegaard called the meeting to order at approximately 9:01 a.m. CST.

Adoption of Agenda:

Motion by Fouberg, second by Hoyt, to adopt the November 17, 2014, proposed agenda. Roll call vote, all present voted in favor. Motion carried.

Approval of Minutes:

Motion by Duncan, second by Sabers, to approve the September 15, 2014, minutes as corrected. Roll call vote, all present voted in favor. Motion carried.

Executive Session:

Motion by Duncan, second by Sabers, to move the Board into executive session pursuant to SDCL § 1-25-2(3). Roll call vote, all present voted in favor. Motion carried.

The Board went into executive session at approximately 9:05 a.m. CST.

President Kirkegaard brought the Board out of executive session at approximately 9:28 a.m. CST.

Public Hearing-Rules:

The Board of Education convened a public hearing at approximately 9:29 CST, November 17, 2014, on the proposed rules section 24:57:01:01 (teacher evaluation definitions) and article 24:58 (principal performance standards and evaluations),

Section 24:57:01:01 (teacher evaluation definitions)

Abby Javurek-Humig, South Dakota Department of Education (DOE) director of assessment and accountability, testified in favor of the proposed amendment to § 24:57:01:01 (10). The one-word amendment creates consistency between this rule and the principal evaluation rules.

There was no opponent testimony and no written public comment in regard to the proposed rule.

Article 24:58 (principal performance standards and evaluations)

Abby Javurek-Humig testified in favor of the proposed rules. The proposed rules were drafted with input from various stakeholders and the principal evaluation working group over the last two years. The rules describe the principal and assistant principal process which is required by the 2016-2017 school year pursuant to § 24:58:03:01. The rules provide definitions which apply to the article and include the principal performance standards, which are broken down into domains, with individual components. The rules also contain details on the state minimum requirements for the evaluation process and the ability of a district to use an alternative process in certain areas if it demonstrates alignment with the minimum requirements.

There was no written public comment in regard to the proposed rules. An oral comment had questioned why teachers were not involved in evaluating principals under the system. Javurek-Humig pointed out that the instructional leadership, school management operations, and ethical and cultural leadership portions of the performance standards took teacher input into account.

Javurek-Humig also proposed an amendment which had been previously posted on the Board's website. The amendment altered the definition of assistant principal in § 24:58:01:01(2). The amendment added that an assistant principal, in order to be subject to the principal evaluation requirements, must participate in the evaluation of teachers. The amendment was intended to address concerns about whether athletic directors, which are sometimes classified as assistant principals, are required to be evaluated under this system.

Tonchi Weaver, a citizen from Rapid City, testified in opposition to the proposed rules. The opposition was based upon the public vote against HB 1234, which contained provisions on teacher evaluation, and concern that only parents should be evaluating teachers.

Dr. Melody Schopp, Secretary of Education, responded to the testimony opposing the proposed rules. The Department is complying with statute in regard to the rules. The defeat of HB 1234 in 2012 left other statutory authority unaltered. This statutory authority requires districts to evaluate teachers.

There was no other testimony.

Motion by Hoyt, second by Fouberg, to amend the definition of assistant principal in § 24:58:01:01(2) as proposed. Roll call vote, all present voted in favor. Motion carried.

Motion by Duncan, second by Sabers, to approve the rules as amended. Roll call vote, all present voted in favor. Motion carried.

Rules hearing concluded at approximately 9:55 a.m. CST.

Public Hearing-Standards:

The Board of Education convened a public hearing at approximately 9:56 a.m. CST, November 17, 2014, on the following proposed standards: Science, K-12 Education Technology, Fine Arts, and Social Studies.

Fine Arts Standards (second hearing)

Becky Nelson, DOE director of learning and instruction, testified in favor of the proposed standards. A workgroup of South Dakota educators and business partners met to review and revise the standards. Nelson explained the similarities and differences between the current and proposed fine arts standards. A fifth standards area, media arts, was added to the existing four areas of visual arts, dance, theater, and music. All five "strands" include artistic processes and anchor standards for the different grade levels to create consistency in knowledge and skill-building among the strands.

Fine Arts Exhibits 1-5 were addressed at the September 15, 2014, public hearing and are part of the record. Public comments marked as Fine Arts Exhibits 6 and 7 were received into the

record and addressed. The exhibits raised concerns about curriculum requirements and that the standards did not adequately create opportunities to build technical skills. If the proposed standards are adopted, DOE will work on providing guidance at a local level to assist in implementing the new standards.

There was no opponent testimony.

K-12 Education Technology Standards (second hearing)

Becky Nelson testified in favor of the proposed standards. Nelson described the similarities and differences between the current and proposed standards for K-12 education technology. The strands include research and digital literacy, critical thinking, problem-solving and decision-making, digital citizenship, technology operations and concepts, creativity and innovation, and communication and collaboration. The strands each include one to two standards, as well as grade level outcomes. Examples have been removed from the proposed standards due to significant reliance on the examples as guidance for curriculum development, which is a local issue.

A public comment marked as K-12 Education Technology Standards Exhibit 1 was received into the record. The comment questioned why the previous standard of 20 words per minute in typing was removed from the 6th through 8th grade standards. Nelson explained that such specificity is a local curriculum issue, not a state standards issue.

There was no opponent testimony.

Science Standards (second hearing)

Sam Shaw, DOE team leader for learning and instruction, testified in favor of the proposed standards. Shaw discussed research regarding how students learn science and South Dakota's vision for science education. The workgroup referenced a number of items, including a framework developed by the National Research Council in 2012 and other states' standards. The workgroup reviewed each standard for age and grade appropriateness and considered input from current teachers, advanced placement teachers, and post-secondary teachers in regard to each standard.

Shaw compared the current and proposed standards. Content has not changed, but the core ideas have been more fully developed. The proposed standards are three-dimensional, emphasizing equally: 1) Core ideas in the physical sciences, life sciences, and earth and space sciences; 2) science and engineering practices; 3) crosscutting concepts common to science and engineering. The proposed standards limit the use of examples because the examples place limitations on local districts. The proposed standards promote flexibility to teach concepts and problem-solving and are banded by grade to ensure the standards are being appropriately developed for grade levels.

The proposed standards are appropriate to prepare students for college and careers, with expectations built around student outcomes, instead of the curriculum. The workgroup also provided information in the proposed standards on regional applications specific to South Dakota.

Science Standards Exhibits 1-7 were addressed at the September 15, 2014, public hearing and are part of the record. Public comments marked as Science Standards Exhibits 8-16 were received into the record and addressed. Some of the comments expressed support for the standards and noted that the proposed standards are more developed and in depth. One public comment referenced grade-level appropriateness, and the workgroup will review the standards regarding that issue.

In response to Board questions, Shaw pointed out that best practices and teacher training will be addressed.

Florence Thompson, member of the public, testified in opposition to the proposed standards based on her concerns that the standards overemphasize environmental issues.

Eva Omdahl, member of the public, testified in opposition to the proposed standards based on concerns about the life science portion of the standards and age appropriateness, stating that some things should be taught at home.

Mary Scheel-Buyse, member of the public, testified in opposition to the proposed standards based on her belief that the proposed standards violate 2014 SB 64 because they align too closely with Next Generation Science Standards.

Tonchi Weaver, member of the public, testified in opposition to the proposed standards based on concerns that, unlike the technology standards, the proposed science standards contain no language establishing ethics in the application of science.

State Senator Phil Jensen testified in opposition to the proposed standards. He discussed Wyoming's opposition to the Next Generation Science standards. He also noted that the intent of SB 64 was to put a hold on South Dakota implementing Common Core standards and that he believed the constitution was being violated.

Shaw addressed opponent testimony.

President Kirkegaard noted that no standards are being implemented at this time, but that the Board is only taking testimony and holding hearings.

President Kirkegaard declared a recess at approximately 11:21 a.m. CST.

President Kirkegaard declared the Board back in session at approximately 11:31 a.m. CST.

Representative Elizabeth May raised questions regarding what resources were referenced in regard to the science standards and referenced Common Core standards.

Shaw answered Representative May's questions and referred to the supplemental materials prepared for the hearing. He pointed out that the standards are not common core standards.

Social Studies (first hearing)

Sam Shaw testified in favor of the proposed standards. The workgroup met several times to consider information, including a survey of approximately 220 teachers. The proposed standards include strands in history, civics and government, geography, and economics. The anchor standards were unified to ensure the same goals are met and skills are developed, but through different content. Specific examples were removed from the proposed standards to ensure local control in developing the curriculum. High school economics was also developed as a stand-alone course.

The workgroup referenced a number of items, including the existing South Dakota standards, an updated version of the national curriculum standards in social studies, and the C3 framework. The C3 framework was referenced to ensure appropriate skills in research were addressed.

Public comments marked as Social Studies Standards Exhibits 1-10 were received into the hearing record and addressed. Several of the comments were from workgroup members expressing support for the proposed standards. One comment recommended restructuring the history standards by grade level, as well as adopting the International Baccalaureate economics program. Another comment objected to the inclusion of Christopher Columbus in history curriculums. Shaw reviewed and responded to each comment.

In response to Board questions, Shaw pointed out that the workgroup has reached out to outside groups to address South Dakota history curriculum.

In response to a question from Representative Elizabeth May, Shaw explained that the proposed standards are not Common Core.

In response to Board questions about attempts to integrate tribal history and concepts, Shaw responded that tribal entities were contacted, and the workgroup based its output on the information it actually received. Becky Nelson also pointed out that the workgroup understands that more needs to be done in that area, but that there is a distinction between curriculum and standards.

Florence Thompson testified in opposition to the proposed standards based on concerns that ideologies will be introduced under the guise of instruction.

Eva Omdahl testified in opposition to the proposed standards based on concerns about the openness of the standards and that the standards are leading students to believe certain ideas without thinking critically.

Bobbi Helmerick, member of the public, testified in opposition to the proposed standards. She tied the proposed standards to a 1963 Congressional Record document titled "45 Goals of the Communist Party for America."

The standards hearing closed at approximately 12:24 p.m. CST.

President Kirkegaard declared a recess at approximately 12:24 p.m. CST.

President Kirkegaard declared the Board back in session at approximately 12:58 p.m. CST.

Assessment and Achievement Level Setting Update:

Jan Martin, DOE assessment administrator, presented an update on the assessment and achievement level for the new state assessment. Martin described the process of setting the assessment and achievement levels. The levels are all linked to an operational definition of college-content readiness and preparation for life beyond high school.

Dr. Schopp addressed the recent approval by the Smarter Balanced consortium of the levels, as well as developing information about the levels and their meanings for guidance to ensure the levels are understood.

Board of Regents Report:

Paul Turman, Board of Regents System Vice President for Academic Affairs, addressed the development of the achievement levels and the preparation for higher education. Turman also reported on the use of the WICHE (Western Interstate Commission for Higher Education) system to align South Dakota higher education standards across several states. WICHE is a component of SARA (State Authorization Reciprocity Agreements), which regulates out-of-state institutions providing education services to populations in South Dakota. Turman also described the publication of data showing students' transition from high school to higher education via dashboards on the BOR website, and how the data is used and interpreted.

Oglala Lakota College Educator Preparation Program:

Steve Fiechtner, DOE, presented information on the Oglala Lakota College (OLC) Education Preparation Program. The review of the OLC program was completed in October 2012 and was granted only a two year approval at that time for failure to meet all required standards. An onsite review was completed in October 2014. The interviews and documentation indicated that the educator preparation program at OLC met the required standards, and a five-year approval is requested.

Motion by Phelps, second by Sabers, to approve the OLC Education Preparation Program for a five-year period. Roll call vote, all present voted in favor. Motion carried.

Vocational Education System Fund Statements Report:

Tamara Darnall, DOE director of finance and management, presented the Vocational Education System Fund Statements Report.

Technical Institute 10-Day Enrollment Update:

Tiffany Sanderson, DOE director of career and technical education, presented an update on the technical institutes' 10-day enrollment report for Fall 2014. The updated enrollment across the four schools was 6,305 after the 10-day period ended.

2014 Technical Institute Retention Report:

Tiffany Sanderson presented the technical institutes' retention report for Fall 2014. The nationwide average retention rate for two-year programs is 58 percent, while South Dakota's retention rate is 76 percent.

Lake Area Technical Institute (LATI) Program Application for Swine Management Option in Agriculture:

Tiffany Sanderson and Mike Cartney, LATI president, testified in support of LATI's application for a swine management option within LATI's agriculture program. The program would add four classes to LATI's offered curriculum to create the program. The program was developed at the request of the industry, and LATI is working on a relationship with South Dakota State University's swine management program.

In response to Board questions, Cartney pointed out that the large animal program will continue to be offered.

Motion by Fouberg, second by Phelps, to approve the LATI program application for Swine Management Option in Agriculture. Roll call vote, all present voted in favor. Motion carried. Board Member Duncan was absent for the presentation of this agenda item and did not participate in the vote.

LATI Equipment Amendment:

Tiffany Sanderson presented information on an amendment to LATI's request for funds from the technical institute equipment fund. LATI received federal grant funds to cover some of the equipment requested at the September Board meeting and has amended the fund request to reallocate the money to cover other needed equipment.

Motion by Sabers, second by Hoyt, to approve the LATI equipment amendment as listed in the document entitled "HB 1142 Round II Equipment: Proposed Reallocation of \$220,000." Roll call vote, all present voted in favor. Motion carried.

Technical Institute Bond Refund:

Tiffany Sanderson and Tamara Darnall presented information on the opportunity for a refund in regard to the technical institute bonding. The proposal is to issue new bonds at a lower interest rate, resulting in savings and a refund. Estimates indicate \$1.5 million in overall savings and \$200,000 in cash flow savings through a refund, and no other aspects of the bond would be impacted. The refund would be returned to the state for capital expenditures.

Board Member Phelps questioned if returning savings entirely to the state was appropriate because student fees funded a portion of the bond.

Motion by Sabers, second by Fouberg, to approve the resolution to authorize the technical institute bond refund as presented. Roll call vote. Seven ayes, one nay. Voting aye: Duncan, Fouberg, Gowen, Hoyt, Sabers, Simmons, Kirkegaard. Voting nay: Phelps. Motion carried.

Update on Bonding for Western Dakota Technical Institute (WDT) and Southeast Technical Institute (STI):

Tiffany Sanderson updated the board on campus expansion needs and resulting bonding issues at WDT and STI. The WDT bonding will be presented for approval at the next meeting, and the STI bonding will be pursued when possible. WDT can move forward without a facility fee increase.

Mitchell Technical Institute (MTI) Equipment Approval:

Tiffany Sanderson and Greg Von Wald, MTI president, presented MTI's first request for equipment funds from the technical institute equipment fund. The Mitchell School Board approved the request on Nov. 10.

Motion by Sabers, second by Duncan, to approve the MTI equipment funds request. Roll call vote, all present voted in favor. Motion carried.

Technical Institute Placement Report Discussion:

Tiffany Sanderson stated that the Legislature has asked DOE to work with the Department of Labor and Regulation (DLR) to help formulate the technical institute placement report going forward. Student survey results will be available in March, but DLR information will not be available until later. Board consensus was to postpone the presentation of the placement report until the DOL information is complete.

Secretary's Report:

Dr. Schopp gave a report on various items, including the January 15 meeting of the Board and an event to connect legislators with teachers and administrators, the meeting of the Parent Advisory Council, a statewide survey on new standards and evaluation systems, a survey of administrators, and National Education Week.

Standards Revision Cycle:

Becky Nelson presented an updated standards revision cycle pursuant to SDCL §13-3-48. The three sets of standards that were added to the revision cycle are English language arts, math, and foundational career and technical education courses.

Motion by Duncan, second by Hoyt, to approve the Standards Revision and Adoption Timeline as presented. Roll call vote, all present voted in favor. Motion carried.

2015 Meeting Schedule:

The following meeting dates and locations for 2015 were scheduled:

1. January 15 (Pierre)
2. March 16 (Sioux Falls)
3. May 18 (Aberdeen)
4. July 22 (Rapid City)
5. September 21 (Watertown)
6. November 16 (Sioux Falls)

Motion by Hoyt, second by Fouberg, to approve the meeting schedule as proposed. Roll call vote, all present voted in favor. Motion carried.

Election of Officers:

Motion by Fouberg, second by Hoyt, to nominate Kirkegaard for Board President. Roll call vote, all present voted in favor (Kirkegaard abstained). Motion carried.

Motion by Fouberg, second by Phelps, to nominate Simmons for Board Vice-President. Roll call vote, all present voted in favor (Simmons abstained). Motion carried.

Adjournment:

Meeting adjourned at 3:04 p.m. CST.

Ferne G. Haddock

Date

November 17, 2014