

South Dakota Board of Education Minutes

Date:	Tuesday, October 1, 2013 –3:30 p.m. Central Daylight Time
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Location: Cedar Shore Resort-(River Run/Wetlands Room)
1500 Shoreline Drive
Oacoma, South Dakota.

Present: Kelly Duncan, Member
Glenna Fouberg, Member
Richard Gowen, Member
Marilyn Hoyt, Member
Donald Kirkegaard, President
Julie Mathiesen, Member
Stacy Phelps, Member
Terry Sabers, Member
Patricia Simmons, Vice-President

SD DOE Staff: Dr. Melody Schopp, Mary Stadick Smith, Bobbi Rank, Tamara Darnall, Abby Javurek-Humig, Becky Nelson, Tiffany Sanderson, and Ferne Haddock.

Others in

Attendance: Wade Pogany, Gerry Kaufman (Associated School Boards of South Dakota), Sandy Arseneault, Anne Plooster (South Dakota Education Association) John Fathke (South Central Co Op), Dean Kueter (Cornbelt Co Op), Lezlie Larsen (Southeast Co Op), Jerry Aberle (Northeast Education Co Op), Darold Rounds (Colman-Egan School), Sara Lindquist, Jeremy Kays, Megan Tschetter, Carrie Pederson, Donna Hotchkiss, Wendy Swanson, Cindy Peterson, and others (members of the public)

Call to Order, Pledge of Allegiance and Roll Call:

President Kirkegaard called the meeting to order at approximately 3:30p.m. CDT

Adoption of Agenda:

Motion by Simmons, second by Sabers, to adopt the October 1, 2013 proposed agenda. All present voted in favor, voice assent. Motion carried

Approval of Minutes:

Motion by Gowen, second by Duncan, to approve the August 13, 2013 minutes. All present voted in favor, voice assent. Motion carried

Public Hearing on Rules: ARSD Article 24:05 (Extraordinary Costs Fund), Article 24:08 and Article 24:11 (Professional Teachers and Professional Administrators), Article 24:56 (Cooperation in Education), Article 24:57 (Teacher Performance Standards and Evaluation)

The Board of Education convened a public hearing at 3:34 p.m. Central Daylight Time on Tuesday, October 1, 2013, in River Run/Wetlands Conference Rooms, Cedar Shore Resort, 1500 Shoreline Drive, Oacoma, South Dakota, on the proposed rules numbered Article 24:05 (Extraordinary Costs Fund), Article 24:08 and Article 24:11 (Professional Teachers and Professional Administrators), Article 24:56 (Cooperation in Education), Article 24:57 (Teacher Performance Standards and Evaluation)

Board Members in Attendance: Donald A. Kirkegaard (President), Patricia Simmons (Vice-President) Kelly Duncan, Glenna Fouberg, Richard Gowen, Marilyn Hoyt, Julie Mathiesen, Stacy Phelps, and Terry Sabers.

Department of Education Staff in Attendance: Melody Schopp, Mary Stadick Smith, Bobbi Rank, Tamara Darnall, Abby Javurek-Humig, Becky Nelson, Tiffany Sanderson, and Ferne Haddock.

Others in Attendance: Wade Pogany, Gerry Kaufman (Associated School Boards of South Dakota), Sandy Arseneault, Anne Plooster (South Dakota Education Association), John Fathke (South Central Co Op), Dean Kueter (Cornbelt Co Op), Lezlie Larsen (Southeast Co Op), Jerry Aberle (Northeast Education Co Op), Darold Rounds (Colman-Egan School), Sara Lindquist, Jeremy Kays, Megan Tschetter, Carrie Pederson, Donna Hotchkiss, Wendy Swanson, Cindy Peterson (Public) and other members of the public.

Procedure

Public comments were received in response to the proposed rules. These comments and written responses were received as Exhibits A, B, C, and H.

The Board took oral testimony, questions, comments, and amendments to these rules in the following order.

Article 25:56 (Cooperation in Education)

Bobbi Rank, legal counsel, South Dakota Department of Education (SD DOE) testified in favor of the Cooperation in Education proposed rules.

The effect of the rules will be to set deadlines, requirements, and criteria for approval of school district consortium agreements and whole grade sharing agreements. The reason for adopting the proposed rules is to provide more structure to the submission and approval process and fulfill rulemaking requirements imposed in statute.

In response to the public comments in Exhibit A requesting shorter time for decision from the SD DOE, Rank requested the Board to amend the rules to move the deadline from July first to April first as detailed in Exhibit D.

There was no opponent testimony.

Motion by Gowen, second by Sabers, to amend Article 24:56 (Cooperation in Education) as detailed in Exhibit D.

All in favor, voice assent.
Motion carried.

Motion by Fouberg, second by Duncan, to approve Article 24:56 (Cooperation in Education) as amended.

All in favor, voice assent.
Motion carried.

Articles 24:08 & 24:11 (Professional Teachers and Professional Administrators) and Article 24:57 (Teacher Performance Standards and Evaluation)

Bobbi Rank testified in favor of Articles 24:08 & 24:11 (Professional Teachers and Professional Administrators).

The effect of the rules is to remove unused definitions, change the article titles for the ease of the reader, and move the teacher performance standards rule to another article. The reason for adopting the proposed rules is for clean-up and clarification of the focus of the articles.

In response to public comments in Exhibit A requesting that the definition of “noncertified educator” not be deleted, Rank requested the Board to remove the overstrikes from the definition as detailed in Exhibit E.

There was no opponent testimony.

Motion by Mathiesen, second by Hoyt, to amend Article 24:08 (Professional Teachers and Professional Administrators) as detailed in Exhibit E.

All in favor, voice assent.
Motion carried.

Abby Javurek-Humig, Director, Division of Assessment and Accountability, SD DOE, testified in favor of Article 24:57 (Teacher Performance Standards and Evaluation)

The effect of the rules will be to reference the most recent version of the Danielson framework and to allow a school district to use its own process for evaluating teachers, as long as it can provide evidence that the process aligns with the Danielson framework and includes, as a significant factor, data on student growth. The reason for adopting the proposed rules is to provide school districts with flexibility to evaluate and support teachers in their professional growth, while still maintaining consistency across the state.

In response to public comments in Exhibits A and B, Javurek-Humig requested the Board to amend the rules as detailed in Exhibit F.

There was no opponent testimony.

Motion by Sabers, second by, Duncan, to amend Article 24:57 (Teacher Performance Standards and Evaluation) as detailed in Exhibit F.

All in favor, voice assent.
Motion carried.

Motion by Duncan, second by Simmons, to approve Article 24:08 and Article 24:11 (Professional Teachers and Professional Administrators) and Article 24:57 (Teacher Performance Standards and Evaluation) as amended.

All in favor, voice assent.
Motion carried.

Article 24:05 (Extraordinary Costs Fund)

Tamara Darnall, Director, Division of Finance and Management, SD DOE, testified in favor of proposed rules Article 24:05 (Extraordinary Costs Fund).

The effect of the rules will be to revise and clarify the application, approval, distribution, and expenditure process for requesting extraordinary cost funds and reduce the number of mandatory meetings of the Extraordinary Cost Oversight Board. The reason for adopting the proposed rules is to return the focus of extraordinary cost funds to assisting districts in meeting the extraordinary needs of students and programs rather than excess costs.

Darnall responded to all public comments received and presented a written summary of her testimony as Exhibit H, which was received.

In response to public comments in Exhibit C, Darnall requested the Board to amend the rules as detailed in Exhibit G.

There was no opponent testimony.

Motion by Gowen, second by Sabers, to amend Article 24:05 (Extraordinary Costs Fund) as detailed in Exhibit G.

All in favor, voice assent.
Motion carried.

Motion by Duncan, second by Sabers, to approve Article 24:05 (Extraordinary Costs Fund) as amended.

All in favor, voice assent.
Motion carried.

Motion by Duncan, second by Fouberg, to approve title amendments

All in favor, voice assent.
Motion carried.

Hearing concluded at approximately 4:33 p.m. CDT

Board Policies-

Bobbi Rank presented the Board with amendments of Board policies previously discussed at July Board meeting

Motion by Hoyt, second by Mathiesen to approve amendments to Board policy as presented with the following amendment: Paragraph 2.5, second sentence to read, "To take any official action, the affirmative vote of five members of the Board shall be required."

All in favor, voice assent. Motion carried.

Report on Vocational Education System Funds Statements

Tamara Darnall gave standing report to the Board of Education on monthly statements for each SDHEFA Vocational Education Program account.

First reading rules draft

Tamara Darnall presented proposed changes to Chapter 24:05:33 (Special Education Funds) for first reading.

Motion by Duncan, second by Sabers, to bring proposed rules to a public hearing.

All in favor, voice assent. Motion carried.

High School Suggested Reading List

Becky Nelson, Director, Division of Learning and Instruction, SD DOE, gave information regarding High School suggested reading list.

The appendix documents were not adopted by the Board. The SD DOE will be removing appendix B from the web site.

Public Comment/Questions

Megan Tschetter read a prepared statement regarding concerns with common core standards.

Wendy Swanson, Cindy Peterson, and Carrie Pederson addressed questions regarding common core to Secretary Schopp.

Adjournment

Motion by Fouberg, second by Mathiesen, to adjourn.

All in favor, voice assent. Motion carried.

Adjourned: 5:46 p.m. CDT