

SOUTH DAKOTA BOARD OF EDUCATION MINUTES

Date: Monday, May 15, 2017 – 9:00 a.m. Mountain Time

Location: Western Dakota Technical Institute, Dakota Hall Lecture Room
800 Mickelson Drive, Rapid City, South Dakota

Public telephonic access:
1-866-410-8397/conference code: 8381998525

For live streaming of meeting: <http://www.sd.net/remotel/>

Present: Sue Aguilar, Member
Glenna Fouberg, Member
Scott Herman, Member
Marilyn Hoyt, Member
Donald Kirkegaard, President
Kay Schallenkamp, Member
Gopal Vyas, Member
Lori Wagner, Member

Absent: Deb Shephard, Vice President

DOE Staff

in attendance: Dr. Melody Schopp, Abby Javurek-Humig, Tiffany Sanderson, Erin Larsen, Laura Scheibe, Becky Nelson, Keley Smith-Keller, Holly Farris, and Ferne Haddock.

Others in

attendance: Paul Turman (Board of Regents), John Heemstra (Mitchell Technical Institute), Jim Jacobsen (Southeast Technical Institute), Mark Wilson (Western Dakota Technical Institute), and other members of the public present in person and via telephone.

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

President Kirkegaard called the meeting to order at approximately 9:02 a.m. MT.

Adoption of Agenda:

President Kirkegaard added item 20.A. to the agenda to address the Board meeting schedule.

Motion by Aguilar, second by Hoyt, to adopt the agenda with President Kirkegaard's addition. Voice vote, all present voted in favor. Motion carried.

Approval of Minutes:

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Motion by Schallenkamp, second by Fouberg, to approve the March 20, 2017, minutes as proposed. Voice vote, all present voted in favor. Motion carried.

Conflicts disclosure (SDCL 3-23-3):

Lori Wagner requested a waiver regarding a contract between the Department of Education and Northern State University's E-Learning Center, which is her employer. The contract's purpose is to provide services related to college readiness coursework. Wagner does not perform the services under the contract and does not play a role in the contract's administration.

Motion by Aguilar, second by Hoyt, to approve the waiver as presented. Voice vote, all present voted in favor (Wagner abstained). Motion carried.

Lori Wagner requested an oral waiver for a potential agreement between the Webster Area Development Corporation (WADC) and the Webster School District. The potential agreement would lease a building owned by the WADC to the school district, which is a political subdivision of the state.

Motion by Vyas, second by Fouberg, to approve the waiver as presented. Voice vote, all present voted in favor (Wagner abstained). Motion carried.

Board of Regents Report:

Dr. Paul Turman, Board of Regents (BOR) vice president for academic affairs, presented information on the College Application Campaign undertaken by BOR and a summary of the collaboration between BOR and DOE on the proactive admissions program. BOR will be supported by a grant from the Lumina Foundation for a number of other activities in the upcoming months.

Every Student Succeeds Act (ESSA) State Plan Update:

Laura Scheibe, DOE division of assessment and accountability, presented an update on the Department's formulation of the ESSA State Plan. The plan focuses on meaningful adjustments to the school performance index and sets statewide goals against the indicators included in the index. The plan also sets out a summary of how college and career readiness will be measured, and details new ways through which students may display readiness in these areas. The plan also addresses how supports will be provided for low-performing schools, student subgroups, teachers, and vulnerable student populations such as English learners, homeless students, and foster children and discusses state plans for implementing several federal programs.

In response to Board questions, Scheibe discussed the comment period for the plan and the timeline for governor review and submission to the U.S. Department of Education. Secretary Schopp also discussed the proficiency goals for 4th and 9th grade students in the foundational

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skills of math and English as they relate to the department's aspirational goals. Scheibe talked about plans for continued stakeholder engagement and future plans to develop a safe and healthy schools indicator to be used in the system. Schopp further discussed the submission and approval process of the plan, and that Board feedback is an important part of the plan's development.

Praxis Score Scale Revisions:

Abby Javurek-Humig presented revisions to the Praxis and NOCTI cut score scale revisions for use in teacher certification, and requested approval of the state-designated test cut scores. Javurek-Humig discussed the development of both the assessments and the cut score ranges. South Dakota engages both national and local reviews to determine the appropriate cut scores. This ensures the cut scores reflect the appropriate level of content knowledge within the respective field. The scores presented today are for 17 new state-designated tests that have not been utilized in SD before. Subsequent to the new certification rules passing in March, a number of rules provide for new state-designated tests to be utilized in the certification process, in order to provide more avenues to obtain teacher certification.

Javurek-Humig noted that some exams currently have no multi-state settings, and the content in those exams was carefully reviewed. Further, those exams will receive additional review in the near future. For those exams with no multi-state settings, the teacher panel recommended scores are included in today's revisions. Javurek-Humig also discussed utilization of the PPAT and PLT scores.

In response to Board questions, Javurek-Humig stated that the Department could not accept a score until the Board approves a cut-off score in that area. Javurek-Humig also stated that there is no standard accepted score range across the board, but rather each content-area exam was considered individually and the expertise of the field taken into consideration. Javurek-Humig noted that these are new tests that South Dakota has not utilized before, so the Department will look at scores and the corresponding data over the next one to two years and make adjustments to the recommended scores if needed.

Motion by Aguilar, second by Schallenkamp, to approve the cut scores as presented. Voice vote, all present voted in favor. Motion carried.

President Kirkegaard declared a recess at approximately 10:26 a.m.

President Kirkegaard declared the meeting back in session at approximately 10:39 a.m.

Public Hearing—Standards: Career and Technical Education

The Board convened the fourth public hearing at approximately 10:40 a.m. MT on the following proposed standards: Career and Technical Education (CTE). This is fourth and final public hearing on the proposed standards.

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Erin Larsen, DOE division of career and technical education, testified in favor of all proposed CTE standards. Larsen provided an overview of the CTE standards and the standards' breakdown into career clusters, pathways, and courses. The standards in each career cluster were revised through a common process in which the DOE partnered with the National Center for College and Career Transitions. Industry organizations such as the South Dakota Chamber of Commerce, employers, and current teachers in the field were also consulted for feedback on the standards. Once feedback was gathered, workgroups consisting of teachers, industry representatives, parents, and the public were convened. The workgroups convened for three in-person, daylong sessions. The workgroups reviewed the feedback from the field, reviewed information on labor market needs and surveys to determine areas of focus for the standards. The workgroups then focused on the individual standards revisions. The proposed standards have been sent to industry for feedback and were made available to the public in various formats. Larsen also discussed an estimated timeline of implementation if the proposed standards are adopted today.

Agriculture, Food, and Natural Resources

Larsen testified that feedback within this area focused on incorporating employability skills and technology into these standards. Six pathways were developed, with several courses fitting into multiple pathways. Key changes involved adding employability skills into each course, developing a middle school course, and creating courses in advanced horticulture, and advanced natural resources. The advanced natural resources course specifically addresses needs in western South Dakota and its opportunity for forestry-related careers.

Agriculture, Food, and Natural Resources Exhibits 1-6 were received into the record and addressed at prior public hearings. No new comments were received.

There was no opponent testimony.

Arts, Audio-Video Technology, and Telecommunications

Larsen testified that this cluster focuses on the production and publication of multimedia. The workgroup focused on incorporating employability skills and changes in the industry due to technology, such as the development of 3D printing. New courses on advanced graphic design and entertainment production were included. The workgroup eliminated an existing desktop publishing course which didn't align with the rest of this cluster in light of other changes.

Arts, Audio-Video Technology, and Telecommunications Exhibits 1-4 were received into the record and addressed at prior hearings. No new public comments were submitted.

There was no opponent testimony.

Finance

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Finance standards workgroup focused on the areas of online financial services and the importance of confidentiality in the industry. The workgroup discontinued a business math course which it felt was not rigorous enough. Courses on investment planning, business economics, and expanded entrepreneurship were also added.

Finance Exhibits 1-4 were received into the record and addressed at prior public hearings. No new public comments were submitted.

There was no opponent testimony.

Health Science

Larsen testified that the revisions to the proposed health sciences standards focused on helping students understand cultural diversity and population age spans, as well as evolving technology. Key changes included adding Introduction to Emergency Medical Services and Introduction to Medical Diagnostics courses, as well as a course on health informatics.

Health Sciences Exhibit 1-4 were received into the record and addressed at prior public hearings. No new comments were received. Larsen noted that, based on the public comments, the workgroup did add additional math standards into a career course and determined that other concerns raised will likely be addressed during the implementation of the standards.

There was no opponent testimony.

Human Services

Larsen testified that the workgroup in this area focused on the importance of 24-hour services and providing individualized services. One of the primary changes involved the incorporation of employability skills being incorporated into the standards. Significant changes also involved revamping a "skills for parenting" course into a course titled "relationships across the lifespan." The workgroup discussed how parenting skills transfer into multiple relationships and work-related roles and felt this shift in the course was necessary. The workgroup also developed a consumer services course.

Human Services Exhibits 1-4 were received into the record and addressed at prior hearings. No new comments were submitted.

There was no opponent testimony.

Manufacturing

Larsen testified that the manufacturing standards workgroup focused on employability skills. Those were added into each course. A course on advanced machine tooling was created. The

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workgroup is also working with the four technical institutes to develop a concurrent credit course in this career cluster.

Manufacturing Exhibits 1-8 were received into the record and addressed at prior hearings. No new public comments were submitted.

There was no opponent testimony.

Motion by Vyas, second by Hoyt, to approve the CTE standards as proposed. Voice vote, all present voted in favor. Motion carried.

The standards hearing closed at approximately 10:58 a.m. MT.

Public Hearing—Administrative Rules:

The Board of Education convened a public hearing at approximately 10:59 a.m. Mountain Time on Monday, May 15, 2017, on proposed rules 24:10:42:27 and 24:10:42:28 (PTI Set Asides and Per Student Allocation), Chapter 24:10:49 (PTI Instructor Salary Support Funds), Section 24:17:03:06 (Student Attendance Drop Rule), Article 24:55 (Public School Accountability System), and Article 24:57 (Teacher Performance Standards & Evaluations). The hearing was held at the Dakota Hall Lecture Room, Western Dakota Technical Institute, 800 Mickelson Drive, Rapid City, South Dakota.

Board members in attendance: Sue Aguilar, Glenna Fouberg, Scott Herman, Marilyn Hoyt, Donald Kirkegaard, Kay Schallenkamp, Gopal Vyas, and Lori Wagner.

Department of Education (DOE) staff in attendance: Dr. Melody Schopp, Abby Javurek-Humig, Tiffany Sanderson, Erin Larsen, Laura Scheibe, Becky Nelson, Keley Smith-Keller, Holly Farris, and Ferne Haddock.

Others in attendance: Paul Turman (Board of Regents), John Heemstra (Mitchell Technical Institute), Jim Jacobsen (Southeast Technical Institute), Mark Wilson (Western Dakota Technical Institute), and other members of the public present in person and via telephone.

President Kirkegaard noted that this rules hearing originally included notice for a hearing on ARSD Article 24:58. The Department determined to withdraw those rules at this time and will provide an update on the status of those rules at the close of this hearing.

Sections 24:10:42:27 and 24:10:42:28 (PTI Set Asides and Per Student Allocation)

Tiffany Sanderson, DOE director of career and technical education, testified in support of the proposed rules. Sanderson stated that the proposed changes to ARSD 24:10:42:27 follow the legislature's appropriation to the technical institutes from the 2017 legislative session. For the current academic year, National Guard tuition benefit funds were included in the per student

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allocation funding and distributed through that funding formula. This did not allow each technical institute to receive funding in alignment with the actual enrollment of National Guard members at each institute. To address this issue, the National Guard tuition benefit will be held out as a set-aside for the future academic years and distributed to the technical institutes each term based on the actual tuition benefit applied for qualifying National Guard members.

Sanderson also stated that specific amounts are noted for both the current funding set-asides for facility fund payments and National Guard tuition benefits. The Legislative Research Council (LRC) raised a question about utilizing specific amounts in the rules, rather than including a formula which would prevent annual revision of the rules in these areas. Sanderson stated that while that could be accomplished for items like facility fund set-asides, it would be a complicated approach for the National Guard tuition benefit since that number fluctuates each year based on the number of qualifying members enrolled, the enrollees' credit loads, and federal tuition benefits applied. Since the required total funds will change each year, the distribution amounts will also change each year and so a set formula approach is not efficient for this rule.

No public comments were submitted regarding these rules.

There was no opponent testimony.

Motion by Fouberg, second by Aguilar, to approve the rules as proposed. Voice vote, all present voted in favor. Motion carried.

Chapter 24:10:49 (PTI Instructor Salary Support Funds)

Sanderson testified in support of the proposed rules and stated that the proposed amendments to this chapter clarify the purpose of the funds. The proposed rules clarify that salary support funds will be used to make instructor salaries competitive with supervisory-level salaries on a per day basis. The distribution of the funds to the technical institutes is based on common market values. Other proposed changes adjust deadline requirements for submission of information to better align with the technical institutes' receipt and compilation of that information. The proposed rules also clarify the establishment of market values for instructor salaries and how funds are distributed in light of the established values, taking into account factor such as changes in instructor numbers, teaching experience, advanced credentials, and contact days. Other changes make corrections to terminology and reporting requirements.

No public comments were submitted regarding these rules.

There was no opponent testimony.

Motion by Vyas, second by Aguilar, to approve the rules as proposed. Voice vote, all present voted in favor. Motion carried.

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Section 24:17:03:06 (Student Attendance Drop Rule)

Abby Javurek-Humig, DOE director of assessment and accountability, testified in support of the proposed rule. Javurek-Humig stated that this rule is a technical clarification regarding student records. The terminology in the current rule caused some potential confusion as to when districts could remove a student from enrollment in a school. The language in the proposed rule clarifies that if a student has missed more than 15 days prior to the day attendance is counted for state aid purposes, that student may not be included in the student count for purposes of state aid distribution. The rule further clarifies that all student due process requirements must still be followed.

No public comments were submitted regarding these rules.

There was no opponent testimony.

Motion by Hoyt, second by Schallenkamp, to approve the rules as proposed. Voice vote, all present voted in favor. Motion carried.

Article 24:55 (Public School Accountability System)

Laura Scheibe, DOE division of assessment and accountability, testified in support of the proposed rules. Scheibe stated that the rule changes are needed to run the final report card, for the current school year, under the flexibility waiver from No Child Left Behind under which South Dakota currently operates. References from the 2015-2016 school year are updated to the 2016-2017 school year. A third year is also being added to the school performance index calculation for the student achievement indicator, meaning schools will be accountable for the most recent three years' worth of scores. The Smarter Balanced assessment is being added to the college readiness indicator, as students that took the test are also now eligible for the college and career readiness indicator. This will be included with the ACT and Accuplacer tests in calculations of college readiness. The proposed rules will also allow the Department to continue to suspend calculations on school rankings since the 2014-2015 school year, because of the transition to the Every Student Succeeds Act requirements, which go into place next year. However, the DOE will allow schools currently identified as focus and priority schools to exit that status upon meeting the exit criteria. The criteria includes that interventions are met with fidelity.

No public comments were submitted regarding these rules.

There was no opponent testimony.

Motion by Hoyt, second by Schallenkamp, to approve the rules as proposed. Voice vote, all present voted in favor. Motion carried.

Article 24:57 (Teacher Performance Standards & Evaluations)

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Becky Nelson, DOE director of learning and instruction, testified in support of the proposed rules. The proposed changes are a result of feedback from workgroups including the educator effectiveness workgroup, the Commission on Teaching and Learning, and a survey sent to all teachers, principals, and superintendents in the fall of 2016. A subgroup from those groups was also gathered to review the information gathered in the survey and feedback, and help review the proposed rules. Nelson stated that the proposed rules allow districts to determine whether professional practice ratings and student growth ratings be combined into one summative rating or included separately. This summative rating was requested by districts and the flexibility to combine the ratings is supported by feedback from the workgroups and survey results. This change allows for flexibility without eliminating a component of the student learning objective. The proposed rules also remove the language of “state assessment” as the definition of a student learning objective, to add clarity to the rules. An additional change would keep the definition of “teacher” broad and removes language regarding classroom settings. The rules also provide that if a district submits an alternative measure for student growth, the alternative measure will have the same flexibility in relation to the removal of “state assessment” from other proposed rules.

No public comments were submitted regarding these rules.

There was no opponent testimony.

Motion by Fouberg, second by Aguilar, to approve the rules as proposed. Voice vote, all present voted in favor. Motion carried.

The rules hearing closed at approximately 11:25 a.m. Mountain Time.

Update on Principal Performance Standards and Evaluations Administrative Rules:

Holly Farris, legal counsel, and Becky Nelson, DOE director of learning and instruction, presented an update on the status of the principal performance standards and evaluation administrative rules. The rules were withdrawn due to public input received and to provide more time for the Department to review the proposed rules and gather feedback.

Department personnel will work with stakeholders to gather additional information and resubmit the rules at a later date. Comments and feedback already received will be considered going forward.

Technical Institute Bond Debt Service Coverage Ratio Report:

Tiffany Sanderson, DOE director of career and technical education, presented the technical institute bond debt service coverage ratio report. Sanderson stated that the current requirement is that the Board maintains debt coverage service of at least 103 percent, which includes revenues from appropriated funds, student fees, and other revenues pledged versus

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receipted costs, rentals, and other costs to the bonds. The current projected debt coverage service is 159 percent of payment requirement. The current projected amount is due to two bonds being bought off by the state, cash on hand in the tuition subaccount, fee collections, and IRS rebates and interest earnings.

Sanderson noted that the current facility fee amount of 35 dollars per credit is still needed to maintain the long-term health of the bond funding.

Motion by Vyas, second by Foubert, to approve the coverage certificate as presented. Voice vote, all present voted in favor. Motion carried.

2016 Technical Institute Placement Report:

Keley Smith-Keller, DOE division of career and technical education, presented the 2016 postsecondary technical institute graduate placement report. Six months after students graduate, the technical institutes send out surveys via various channels to gather information on current placements. Smith-Keller reported that technical institute graduate placements are high, with over 98% of survey respondents reporting employment, pursuit of continuing education, or enrollment in the military.

The top three career clusters for wages include: agriculture, food, and natural resources; information technology; and manufacturing.

Mitchell Technical Institute (MTI) Program Expansion: Automated Engineering Technology

Tiffany Sanderson, DOE director of career and technical education, and John Heemstra, Mitchell Technical Institute, presented MTI's application to offer the automated engineering technology program, which is a two-year A.A.S. degree option. Sanderson stated that the proposed program would also allow students to add a third year to specialize in automation or manufacturing. The program is a cost effective way for MTI to respond to industry needs, as no additional faculty will be needed to offer the program. Graduates in this field have high earning potential and are needed in the field.

Heemstra stated that the proposed program expansion is directly responsive to industry needs. He noted that industry partners expressed the need for persons with programming skills and automation control experience, as well as advanced manufacturing skills. This program responds to that need by offering a hybrid of skills from the automation control and manufacturing programs. Students can start directly in this program, or current students can use it as a continuing option to build additional marketable skills.

In response to Board questions, Heemstra noted that graduates would primarily be working in trouble-shooting, set-up, maintenance, and programming of automation equipment in a facility.

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Motion by Vyas, second by Aguilar, to approve the program expansion as presented. Voice vote, all present voted in favor. Motion carried.

MTI Program Expansion: Electrical Construction and Maintenance Registered Apprenticeship

Tiffany Sanderson, DOE director of career and technical education, and John Heemstra, Mitchell Technical Institute, presented MTI's application to expand the electrical construction and maintenance registered apprenticeship program. Sanderson stated that this program would allow students to "earn as they learn" and work toward journeyworker status. Graduates who become employed in this field may continue their education and advance in their field while still earning wages. Employers benefit by partnering with MTI to offer training without having to develop internal programming.

Heemstra stated that this expansion moves MTI to phase two in registered apprenticeships, where changes at the federal level have allowed schools to sponsor such apprenticeships. The work supports student progress to journeyman status. This expansion has industry support and has been requested by employers in the field, as well as graduates. This program can provide high quality continuing experience while students start their career paths.

In response to Board questions, Heemstra stated that students could work with MTI for up to four years from beginning to end. Some of those years would be in partnership with employers. The student would pay tuition and costs for the apprenticeship. The opportunity for employers to assist employees with tuition costs also exists.

Motion by Vyas, second by Hoyt, to approve the program expansion as presented. Voice vote, all present voted in favor. Motion carried.

MTI Program Name Change Update: Farm Power Program

Tiffany Sanderson, DOE director of career and technical education, and John Heemstra, Mitchell Technical Institute, presented an update on an MTI program name change. The Farm Power Program will change its name to the Diesel Power Technology Program to clarify what the program entails. The curriculum will remain the same, but the change will assist with marketing and help students better understand the focus of the program. Industry partners and advisory boards are in favor of the change.

Southeast Technical Institute (STI) Program Expansion: Medical Coding Certificate

Tiffany Sanderson, DOE director of career and technical education, and Jim Jacobsen, Southeast Technical Institute, presented an update on additional certificates offered through the STI Medical Coding program. STI will offer certificates in Professional Coding and Professional Billing beginning in the fall. Increased demand in the labor market is indicated due to changes in industry coding standards and the retirement of current medical coders. The Professional Coding certificate consists of seven courses, and the Professional Billing certificate is five

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courses. The certificate options may be continued into the full Medical Coding program for a diploma or degree.

Jacobsen stated that the current Medical Coding program is very popular and graduates are in high demand. The increased certificate options are directly responsive to demands from the health care field.

In response to board questions, Jacobsen stated that Western Dakota Technical Institute does offer some medical coding coursework, but not a full coding program. Jacobsen also noted that the STI program is the only option for students east river.

Western Dakota Technical Institute (WDT) Program Updates:

Tiffany Sanderson, DOE director of career and technical education, and Steve Buchholz, Western Dakota Technical Institute, presented an update on WDT program options in three areas. The Medical Assisting program will offer a one-year program and a medical assisting certificate, in addition to the two-year A.A.S. offering. This will allow students to obtain the needed skills and enter the workforce quickly. The existing Business Management and Marketing program will change its name to Business and Technology, to clarify career options and student preparation. Within that program, a social media marketing certificate will now be offered, instead of a social media marketing A.A.S. All courses for social media certification are embedded within the Business and Technology A.A.S. degree, so students may get social media certificate and then build up to an A.A.S. degree. Also in the Business and Technology program, the current diploma for Entrepreneurship will change to a certificate option. Students receiving the certificate can continue on to a full Business and Technology A.A.S. The Paramedic program will offer a certificate option comprised of the technical courses in paramedic skills, which will allow EMT workers to progress to full paramedic status by focusing on the technical skills needed.

Buchholz stated that the program changes will make the programs more marketable to students and create more convenient options that are aligned to the needs of business and industry.

Board of Technical Education (BOTE) Update:

Tiffany Sanderson, DOE director of career and technical education, presented an update on the Board of Technical Education. The board was established by Senate Bill 65 and will be effective on July 1. Sanderson reviewed the membership of the new board. Sanderson also reviewed information about the board's staff and budget. The board will focus on raising the value of technical education, and issues like increasing the South Dakota workforce and maintaining program affordability for students.

In response to Board questions, Sanderson discussed the length of technical education board member terms and the allocated budget.

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Board of Education Membership and Policy Review:

Dr. Schopp presented information on changes in the Board membership. Board membership was reduced from nine to seven members by Senate Bill 65, and as a result, Deb Shephard and Marilyn Hoyt will resign from the Board on June 30. Schopp thanked Shephard and Hoyt for their service on the Board. Schopp also noted that the name of the board will change from the state Board of Education to the Board of Education Standards. In response to Board discussion, Schopp talked about the name change in relation to the Board's ongoing duties and obligations.

Holly Farris, Board legal counsel, presented proposed revisions to Board policies. The revisions are in response to the change in the number of board members instituted by Senate Bill 65, which also created the Board of Technical Education.

Motion by Aguilar, second by Vyas, to revise the Board policies as proposed. Voice vote, all present voted in favor. Motion carried.

Secretary's Report:

Dr. Schopp presented an informational update on the statewide teacher mentoring program and new teacher academy, which provided support services to new teachers in the field. Schopp also reported on recent conversations with Secretary DeVos of the federal Department of Education regarding school choice, education budgets and Title II funding, and returning authority to the states. Schopp also discussed the post-secondary pipeline in South Dakota and efforts being made to make students aware of the pathways and opportunities for higher education and workforce placement.

Board Meeting Schedule:

The location of the July meeting was changed from Watertown to Pierre. The start time of the meeting was changed to 8:00 a.m. on July 17, 2017.

President Kirkegaard declared a recess at approximately 1:07 p.m. Mountain Time.

President Kirkegaard declared the meeting back in session at approximately 1:17 p.m. Mountain Time.

Executive Session (pursuant to SDCL 1-25-2(3)):

Motion by Vyas, second by Aguilar, to go into executive session pursuant to SDCL 1-25-2(3) to discuss legal issues with Board counsel. Voice vote, all present voted in favor. Motion carried.

The board went into executive session at approximately 1:20 p.m. Mountain Time.

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President Kirkegaard brought the board out of executive session at approximately 1:26 p.m. Mountain Time.

Adjournment:

The meeting was adjourned at approximately 1:27 p.m. Mountain Time.