

EDUCATION AGENCY REVIEW COMMITTEE

Study Assignment

An agency review of the Department of Education, pursuant to SDCL 1-26E-2.

Summary of Interim

The committee met three times over four days at the State Capitol in Pierre. Members heard an overview from the directors of each division within the department. They posed extensive questions to each division and reviewed the answers to them. The committee took public testimony from a variety of individuals who have worked with the department, and they delved into issues such as *No Child Left Behind* and its impact on the state, the validity of the state's assessment tools, and the availability of distance learning opportunities.

Senator Olson kicked off the work of the committee by commenting on the major developments that have taken place within the Department of Education in recent times. These include the hiring of a new secretary, the reorganization of the department, and the implementation of *No Child Left Behind*.

Dr. Rick Melmer, Secretary of the Department of Education, began the review by highlighting the department's seven areas of primary focus. They include: high quality schools, professional development, high school initiatives, effective communication, early childhood, education service agencies, and Native American education. He noted that two main goals of the department are to emphasize customer service and to do a better job of communicating both within and outside the department. He was followed by members of his management team, who described the functions carried out by their individual divisions and the current projects on which they are working.

Later, those same management team members were called upon to answer a series of questions in writing. The questions focused on such issues as funding sources, division regulation, long- and short-term needs, and the challenges that each division faces. Several division directors mentioned that finding and maintaining qualified staff is difficult. They indicated that some positions are hard to fill because of the expertise required. Salary levels and the need to relocate to Pierre can also be hindrances in finding employees. Also, often those with the teaching skills that the department finds desirable would rather continue to work as a teacher for nine months a year than to work year round within the agency.

The committee took testimony from a variety of presenters on the experiences they have had with the department. Glenna Foubert, President of the SD Board of Education; Dan Guericke of the Mid-Central Educational Cooperative; Jim Parry of Technology and Innovation in Education; John Pederson, Superintendent of the Pierre Public Schools; Ryan Wise with Teach for America; and Donna DeKraai of the SDEA all spoke very highly of the current department staff and noted that their experiences with the Department of Education have been beneficial and positive.

Dr. Barbara Plake, the Director of the Buros Center for Testing at the University of Nebraska in Lincoln, provided members with an evaluation of the state's main assessment tool, the Dakota STEP test. According to Dr. Plake, the Dakota STEP test aligns to the established state content standards rather well, though a few areas need improvement. She suggested

that the state needs to determine if students have had an ample opportunity to learn by analyzing how the curriculum aligns to the content standards and tests. When questioned about how high the standards for students should be set, Dr. Plake noted that standards setting is a policy decision. Some states have high standards and others set them quite low in an attempt to avoid the sanctions associated with *No Child Left Behind*.

Martin Guindon, the Auditor General, and Gary Hoscheid with the Department of Legislative Audit presented to the committee a report on *No Child Left Behind* (NCLB). The report is available on the Legislative Audit Web site at http://www.state.sd.us/legislativeaudit/NCLB/NCLB_homepage_report_all.htm. The committee wanted to examine how much federal funding was coming to the state for NCLB and how much its implementation was costing the school districts in the state. Mr. Guindon, however, was quick to point out that it is nearly impossible to calculate the costs at this point in time because NCLB is still in its infancy. He also noted that making state-to-state comparisons on NCLB is also close to impossible. This is due to a number of factors, including differences in standards, student populations, and student achievement prior to the implementation of NCLB. Mr. Hoscheid commented that all public schools and school districts are accountable for the performance of their student subgroups which include students with limited English proficiency, students with disabilities, and students in major ethnic/racial subgroups. Due to privacy concerns, however, each subgroup must have at least ten members before it is counted. Thus, as Mr. Guindon pointed out, there are a lot of small subgroups in the state that are not being rated because of their size.

The committee also heard from Dr. Doreen Gosmire, who is an Assistant Professor in Educational Administration at the University of South Dakota. She focused on distance learning in the state. According to Dr. Gosmire, South Dakota has 16 providers of distance education courses, and they serve about 2300 students. Most of the providers offer common high school courses, while a few of them offer advanced placement courses or dual credit opportunities whereby students can earn college credit while still in high school. Most providers use web-based or Internet instruction. The funding for distance learning is provided by the federal government, state government, and through tuition and the support of private foundations. Most of the evaluative data currently available on distance learning providers is self-reported.

As the committee progressed through the review process, the members found themselves struggling to ask the right questions that would allow them to adequately review the agency. At the same time, they learned that the department has been working with Gloria Steele and others at Technology and Innovation in Education (TIE) in Rapid City to utilize the Baldrige Model as an internal evaluation tool. The Baldrige Model has applications in business, education, government, and other organizations. It is comprehensive, takes time and training to implement, and has a proven track record nationwide. It allows for decision-making based on proven results.

Staff members from the Department of Education who have begun using the Baldrige Model addressed the committee. They cited examples of how the Model is helping them more closely align their work plans to the department's overall priorities. Though they have only been using the Model since June, their experiences so far have been positive.

Upon a recommendation from Senator Olson, the committee voted to submit a letter to the LRC Executive Board suggesting the Baldrige Model as an evaluation tool for other

departments of state government and also for the Legislature as it continues to conduct agency reviews in the years ahead. Committee members believe the Model would provide the Legislature's agency review process with the consistency and clarity that it currently lacks.

With that decision, the committee concluded its work.

Listing of Legislation Adopted

None.

Summary of Meeting Dates and Listing of Committee Members

The following members of the South Dakota Legislature were appointed to the committee: Senator Ed Olson, Chair; Representative Phyllis Heineman, Vice Chair; Senators Al Kurtenbach and John J. Reedy; and Representatives Julie Bartling, Jim Bradford, Joel Dykstra, Burt Elliott, Kent Juhnke, Ted Klautdt, Maurice LaRue, Ed McLaughlin, Kathy Miles; and Bill Thompson.

The Committee met at the State Capitol in Pierre on the following dates: June 15, 2004; September 1, 2004; and September 22-23, 2004.

Staff members were Clare Cholik, Senior Research Analyst; Mark Zickrick, Principal Fiscal Analyst; and Reta Rodman, Legislative Secretary.