

Student Address Rivalry Rekindled

BY BOB MERCER
State Capitol Bureau

PIERRE – An old feud is open again between South Dakota's public technical institutes and state universities over the names and addresses of middle-school and high-school students.

The Legislature's planning committee this week decided school districts should provide the information to the technical institutes too.

The full Legislature will decide in the 2014 session whether that happens.

In the meantime, school districts already must give that information to the executive director for the state Board of Regents, which governs the state universities.

That requirement has been in force since 2002.

That year, the Legislature directed school districts to annually provide by Nov. 1 a list of students by name in grades seven through 12, including each student's address.

The law says the regents "shall use the information to inform the parents and guardians of any such student in any public middle school and high school about the courses needed to prepare for post-secondary level work and about the benefits of such preparation."

Tad Perry of Fort Pierre was the regents' executive director at the time. He said the regents were attempting to get information into the hands of parents about what their children needed to be ready for college.

"Our goal was to increase preparedness and decrease remediation," Perry said. He recalled meetings involving tech-school officials regarding the mailings.

Those mailings have taken many forms. The latest happens to show all 10 institutions – the six state universities and the four public tech institutes – with their logos.

Unmentioned were any private or tribal colleges, universities or tech schools.

"The legislation was not designated for marketing activities by the regents and we were specifically directed by the legislature not to use the mail list for such purposes," said Janelle Toman, a spokeswoman for the regents.

"We have honored that commitment to this day. The list is retained in our office and we do not share it with our campuses," she said.

"The directive for use of the list was to share informational mailings specifically geared only to informing students and parents of the importance of preparing for post secondary study, including such study at the technical institutes."

The regents' control of the student information came to the attention of the Legislature's planning committee at its July 11 meeting.

Julie Brookbank, director of marketing for Mitchell Technical Institute, said the tech schools don't have access to student information in the same way as the state universities do.

Mark Wilson, president of Western Dakota Technical Institute at Rapid City, told the committee that legislation would be needed to get the student information to the tech schools.

Brookbank's and Wilson's comments came as part of dialogue with several legislators that day, including Sen. Mike



This is a recent mailing from the South Dakota Board of Regents tells parents what their kids will need to prepare for college. All public institutions are represented with the logos, although no private institutions are shown. An argument between the state's public technical schools and the state universities over the access to names and addresses of middle-school and high-school students has resurfaced when a legislative committee decided this week that the technical institutions should have access to that information, too.

Vehle, R-Mitchell, and Sen. Ryan Maher, R-Isabel.

No one from the Board of Regents or state universities testified that day. On Monday, the committee met and, in its only definitive action, decided to pursue the legislation on behalf of the tech institutes.

A member of the regent staff attended the meeting, but the committee didn't ask for any testimony or seek a review by the regent staff of the proposed legislation.

"The Board of Regents uses the student names for mailings to promote planning for the students' post-secondary education," said Deb Shephard, president of Lake Area Technical Institute at Watertown.

"It was pointed out the tech institutes should have that same opportunity, especially in light of most jobs not needing a bachelor's degree," she said.

Shephard said the tech institute officials would need to check their files to see whether the regents used the information for other marketing purposes.

"I know in the past kids in middle school got a mailing promoting university-bound plans. Perhaps the (regents) strategy changed," she said.

"The tech institutes are not included in the planning or see the mailings, unless someone brings them in. We were hoping to use the contact information to encourage students to explore the career paths which have tons of South Dakota jobs but not enough students in the pipeline."

In 2002, the regents sought the law. The board's leader, Harvey Jewett of Aberdeen, testified at legislative hearings. The proposal was supported by the Associated School Boards of South Dakota and by the South Dakota Education Association, the labor organization representing teachers.

There were two goals: Keep more high school students in South Dakota and help them be better prepared academically, especially in math and English. The South Dakota Opportunity scholarship, which was the regents' next step toward those ends, wasn't yet funded.

There is a misconception about the regents' use of the information, according to Paul Turman. He is the regent system's vice president for research and economic development.

"Currently our mailer directs middle school and high school students to our Select Dakota website which provides a wide range of information on college preparation, while also presenting them with educational opportunities at the four technical institutes and the six regental institutes," Turman said.

"It is clear that when going to the website, and by looking at the references in the mailer, that we are providing equal representation to the 10 public institutions in South Dakota," he continued.

"I think it is important to note that the current legislation does not allow the Board of Regents to provide access to this information to representatives at our six campuses so that they might engage in direct marketing to potential students."

"When the statute was initially put in place, school district personnel were opposed to our using their student data for those purposes and we have maintained that relationship in each year the program has been in place."

"Because we felt that the board could not honor a request from one of our campuses to obtain the student data, a request from the Department of Education three years ago was also denied."

The mailers originally targeted students by grade. After the Internet site was developed, the mailers' purpose changed to promoting it at www.selectdakota.org where all 10 institutions are featured on a rotating basis.

The 2002 legislation sailed through the Senate but barely passed in the House of Representatives. Among the senators voting for it was now-Gov. Dennis Daugaard, while one of the opponents in the House was now-Lt. Gov. Matt Michels.

Daugaard this week said his position hasn't changed.

"I continue to support the 2002 bill because it is important that students and parents to understand the consequences of their decisions when they are enrolling for courses," he said.

"I oppose expanding the use of this information beyond that current purpose. I need to understand how this information would be used under this proposal, because it should not be used to promote any specific institution or program."

Trooper Cleared In Rapid City Shooting

PIERRE (AP) — Attorney General Marty Jackley says an investigation has cleared a South Dakota Highway Patrol trooper who shot and wounded a Rapid City man following a chase.

The state Division of Criminal Investigation looked into the Sept. 30 shooting of 27-year-old William Chandler. The report released by Jackley says Trooper Mike Bock was justified in firing his gun.

The report says Chandler was handcuffed and in the back of a patrol car when he somehow got one hand out of the restraints, slid into the driver's seat and took off. It says Bock fired through the back window at Chandler when the squad car began moving backward toward him.

Chandler was hit in the right side of his face and neck. He survived and is facing numerous criminal charges.

Death Penalty May Be Sought In Killing

RAPID CITY (AP) — Prosecutors say they'll decide over the next month whether to seek the death penalty should a Rapid City man be convicted of killing his ex-girlfriend and her unborn child.

Thirty-two-year-old Michael Young is accused in the April 2012 stabbing death of Morgan Myers, who was pregnant with Young's child. Authorities say Myers died in the parking lot of a Rapid City Wal-Mart.

Young has pleaded not guilty to charges including first-degree murder and fetal homicide.

Pennington County State's Attorney Mark Vargo says he'll announce his decision on pursuing the death penalty at a Dec. 2 hearing on pretrial motions.

Should Young be convicted he would face a minimum sentence of life in prison.

FEMA Teams Start Documenting Blizzard Damage In Western S.D.

RAPID CITY (AP) — Federal Emergency Management Agency officials are documenting the damage caused by an Oct. 4 blizzard in western South Dakota.

The storm dumped up to 4 feet of snow in the region, cut power to about 30,000 customers, killed tens of thousands of cattle, and damaged or destroyed buildings, trees and electrical system infrastructure.

Starting this week, 14 FEMA teams are visiting 15 counties and two American Indian reservations where public infrastructure and nonprofit entities suffered damage, according to the *Rapid City Journal*. Damage from post-storm flooding is also being assessed.

Teams are visiting each of the rural electric cooperatives where snow and winds shattered power poles and downed lines. Others are working with municipal, county or tribal governments to evaluate damage and storm-related costs.

The damage assessment is necessary for a presidential disaster declaration, paving the way for federal aid.

"This is not a final review, this is really just to get a sense of the impact," said Brian Hvinden, an external affairs specialist with FEMA.

The teams expect to complete by Thursday their initial assessment that will be forwarded to the state Office of Emergency Management in Pierre. The state makes the final decision on asking for a disaster declaration, Hvinden said.

The primary

consideration for FEMA aid is whether the costs and damages exceed the ability of state and local governments to respond to the disaster, FEMA spokesman Phil Wernisch said. If South Dakota receives a federal disaster declaration, federal funds will cover 75 percent of the costs associated with the storm. The remaining 25 percent must come from state and local governments.

Separately, the Rapid City School Board has approved adding three days to the school year to make up for time students missed due to the blizzard. The extension means the academic year for Rapid City students will stretch beyond Memorial Day, to Wednesday, May 28. Teachers will work one more day after that.

The storm dumped nearly 2 feet of snow on the city of 68,000, damaging schools, making roads impassable and causing power outages. It damaged or destroyed thousands of trees.

Rapid City has spent nearly half a million dollars in the first week of a curbside pickup program for yard debris. Crews are working seven days a week, and the operation is expected to continue until Christmas, Rapid City Public Works Director Terry Wolterstorff said.

"FEMA would not reimburse us for picking up curbside the branches on private roads," Wolterstorff told KEVN-TV. "We're still going to pick those branches up; we believe that's a service we need to provide to those customers."

'Alleged Misconduct' At S.D. Econ. Development Office

PIERRE (AP) — South Dakota's economic development office is the subject of an investigation into what the governor called "alleged misconduct" from before he took office in 2011.

The *Argus Leader* reported that Gov. Dennis Daugaard acknowledged the investigation Wednesday in response to questions from the Sioux Falls newspaper.

"Earlier this year, I became aware of alleged misconduct, prior to my administration, at the economic development office," he said in a statement. "I asked the state attorney general to investigate and provided all relevant materials to him. There has also been a federal investigation."

Daugaard said he also started a review of the Governor's Office of Economic Development.

"I take very seriously my responsibility as governor to protect taxpayer dollars and to ensure the integrity of state economic development programs. I am confident in the integrity of those in my administration who work at GOED, and at my direction, GOED has initiated an independent review to verify that any alleged misconduct was an isolated incident," he said in the statement.

Daugaard referred other questions to U.S. Attorney Brendan Johnson, who said he could not confirm or deny

the existence of a federal investigation, and South Dakota Attorney General Marty Jackley.

"I will confirm that requests have been made for authorities to review allegations of financial misconduct. That investigation is ongoing, and I am therefore unable to provide further information," Jackley told The Associated Press.

The revelation of the investigation was made public a day after the funeral of Richard Benda, who served as secretary of tourism and state development from 2006

to 2010 under former Gov. Mike Rounds.

GOED was in that department at the time, but Daugaard returned it to a cabinet-level agency in 2011.

Rounds said he recently found out about the investigation but declined further comment, including whether he had been interviewed.

Daugaard aide Tony Venhuizen declined to say whether Benda was the subject of the investigation.

Investigators have not released details about Benda's death, other than his body was found in a grove of trees. Jackley told the *Argus Leader*

he's still waiting on results from the autopsy and other forensic testing and expects to release the findings in two to four weeks.

Heartland Consumers Power District, of Madison, announced earlier this month that it had hired Benda as its director of economic development.

Venhuizen said he expects the internal review of the department to finish by the end of the year and the results will be released.

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7:40 am Yankton Chamber (Carmen Schramm)
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8:20 am Yankton Area Arts (Jackie Quinn)

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