

bulletin



FEBRUARY 2022

Excellence in North Dakota public education through local school board governance ■ VOL XLVII ISSUE 2

Negotiations Seminar

The 2022 NDSBA Negotiations Seminar was held in person on February 3-4 at the National Energy Center of Excellence in Bismarck. Three early bird sessions were held on Thursday, February 3, that addressed teacher nonrenewal, investigating allegations of employee misconduct, and principal and non-superintendent administrator contracts. The Negotiations Seminar on Friday, February 4, addressed negotiations basics, prep and strategies, dos and don'ts of negotiation agreements, negotiation scenarios, probationary teacher challenges, and relations in divisive times. The informative seminar was well attended and generated good conversation.



Vogel Law Firm attorney KrisAnn Norby-Jahner discussing details from her session, Investigating Allegations of Employee Misconduct, with an attendee.

Save the Date for the 6th Annual Human Resource Conference

HR Today and Beyond, the 6th Human Resource Conference for Local Government, is scheduled for April 20 and 21, 2022 at the Ramkota Hotel in Bismarck. The registration fee is \$200. This conference is geared towards human resource personnel and those performing human resource functions but all are welcome. Interested parties may register by going to the HR Collaborative website at <http://www.hrndgov.org> and clicking on the Events tab at the top of the page. Additional information on the conference will be shared on the HR Collaborative website in the coming weeks and in the March Bulletin. A block of rooms has been reserved at the Ramkota Hotel under the HR Conference. Students of the Business Manager Certification Program can receive up to 1.5 affiliate credits for attending the conference. Contact Rebecca Duben at 1-800-932-8791 for more information.



Attendees gathered for the Principal and Non-Superintendent Administrator Contracts session, led by NDSBA Legal Counsel Amy De Kok.



Election Deadlines

North Dakota election laws are specific regarding dates and deadlines. Relevant election law is found in NDCC 15.1-09. Election deadline information and a sample calendar were included in the January *Bulletin* and are posted on NDSBA's website under QUICK CLICKS.

Superintendent Evaluations

North Dakota law requires that a school board complete the superintendent's evaluation **ON OR BEFORE MARCH 15**. This means all paperwork, compilations, and public discussion of the evaluation must occur before March 15. A board cannot complete the process if they wait until the March meeting. There are no exceptions in century code; your district must complete a spring evaluation even if your superintendent is leaving the district.

A sample evaluation form is available on NDSBA's webpage under RESOURCES.



Legal Spotlight Importance of Board Maintaining Authority Over Meeting

by Amy De Kok, NDSBA Legal Counsel

Public school districts are public entities, and school boards, their governing bodies, must comply with open meeting requirements under North Dakota law. This means that, generally, school boards may only exercise their governing authority by taking action at a properly noticed meeting accessible by the public. As such, the person(s) who prepares and approve the board agenda essentially acts as a gatekeeper for the issues on which the board may or may not take action. So, who should prepare and approve the board's agenda? Well, a little background on school board meetings helps us arrive at the answer.

Pursuant to North Dakota law, each board must hold a regular meeting once during each month following the annual meeting for the transaction of the regular, expected business of the district. Typically, minutes from previous meetings and bills to be paid are approved at regular meetings. Most action of a school board takes place

at regular meetings, but occasionally, significant, or unexpected issues are handled at special meetings. NDCC 15.1-09-30(3) provides that special meetings may be called by the board president or by any two members of a board. This means that the board president or any two board members acting together have the authority to decide which issues, in addition to the regular business of the board, come before the board for consideration.

Most boards adopt a policy addressing the preparation of meeting agendas. NDSBA has a template policy in this regard. Policy BCAA (Board Meeting Agenda & Pre-Meeting Preparation) provides that the board president, in consultation with the superintendent, shall prepare agendas. It further provides that requests from persons wishing to be included in the agenda shall be submitted to the superintendent no later than five days prior to the board meeting. Inclusion on the agenda is at the discretion of the board president. Items may be added to the agenda at a regular meeting upon consent of a majority of the board. The crux of this all is that the board maintains control over its

agendas and the issues that come before it at a meeting. A board should certainly consider the advice of its superintendent and business manager in terms of the issues it should address and when they should be included in the agenda; however, the board should ultimately retain its authority over the issues to be discussed at its meetings. Delegating the authority to (or simply allowing) your superintendent or business manager to exclusively control the items or issues placed on meeting agendas is strongly discouraged.

As indicated above, the board president generally has the authority to determine meeting agendas in advance of meetings. In exercising such authority, the board president should be careful to act in their capacity as a representative of the board, rather than in their own interest or pursuant to their own motivations. Boards should keep this in mind when electing their board president each year at the annual meeting.

Please contact NDSBA for additional information regarding preparation of board meeting agendas or our template policies relating to board meeting preparation and procedures.

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Business Manager Certification Program Training to Be Held March 3

Graduate and second-year students of the North Dakota

Business Manager Certification Program may now register for Bidding, Purchasing and Inventory and/or Human Resources II to be held on March 3 at the at the Bismarck Public Schools

Career Academy. Both courses are required for second-year students to graduate this spring. Students may go to the NDSBMCP website at www.ndsbmcp.org and click on the NEWS to learn more and register for the upcoming classes.

NSBA 2022 Annual Conference Registration and Housing

The NSBA Annual Conference and Exposition will be held April 2-4 in San Diego, California.

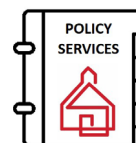
For conference information, registration and housing: <https://www.nsba.org/Events/NSBA-2022-Annual-Conference-and-Exposition>.

Threat Assessment Training

Does your district have a threat assessment team or a plan in place in case of such an emergency? NDSBA offers this training on an as-requested basis to educate school district staff on how to identify possible signs of trouble, evaluate the severity, and provide resources on how to properly handle the situation. We can train up to six teams (3-7 members each)

at a time, so it is possible to partner with other districts to host the training.

The four-hour training consists of classroom time and a hands-on exercise. If your district would like to discuss scheduling a training, please contact NDSBA at 1-800-932-8791 or email Alexis at alexis.baxley@ndsba.org.



Policy Updates

New NDDPI Regulations

New NDDPI

regulations regarding

virtual instruction (Admin Rule 67-30) took effect in January. The regulations consist of how to set up temporary virtual instruction when the school building can't be accessed (e.g., during bad weather) and the requirements for setting up permanent virtual schools. A policy must be in place prior to districts offering either of these virtual learning options. NDSBA policies ABAC, Virtual Learning Because of Weather or Other Conditions, and ABAD, Virtual Schools, are now available to its members. Contact us today for more information.

3 & 5 Year Plan

The updated 3 & 5 Year Plan template is now available on the NDSBA website under the Resources tab. By June 30 of every even numbered year, the district must solicit feedback from the public regarding school district demographics and the effects they may have on the district in the ensuing three- and five-year periods, prepare a report, and publish a notice in the official newspaper indicating the report is available. Questions about the template or ensuing details can be answered by contacting NDSBA at 1-800-932-8791.



Drayton School District

Contact: Denise Knatterud

Phone: 701-454-3324

Email: Denise.knatterud@dps19.com

Website: <https://www.dps19.com/>

Deadline: March 15, 2022

Position Begins: July 1, 2022

Mandaree School District

Contact: Alexis Baxley

Phone: 701-250-4127

Email: alexis.baxley@ndsba.org

Application: www.ndsba.org

EXTENDED Deadline: March 4, 2022

Position Begins: July 1, 2022

Lone Tree School District

Contact: Dr. Timothy W. Tharp or Leah Zook

Phone: 701-872-3674

Email: tim.tharp@k12.nd.us or

leah.zook@k12.nd.us

Website: www.golva.k12.nd.us

Deadline: until filled

Position Begins: July 1, 2022

North Border School District

Contact: Dr. Paul Stremick

Phone: 701-520-5963

Email: Paul.Stremick@outlook.com

Website:

www.dakotaleadershipsolutions.com

Deadline: March 2, 2022

Position Begins: July 1, 2022

Williston Basin School District

Contact: Kathy Schoenfelder

Phone: 319-393-3115

Email: kathy@rayassoc.com

Website: www.rayassoc.com

Deadline: March 6, 2022

Position Begins: July 1, 2022

Linton School District

Contact: Alexis Baxley

Phone: 701-255-4127

Email: alexis.baxley@ndsba.org

Application: www.ndsba.org

Deadline: March 14, 2022

Position Begins: July 1, 2022



BoardBook Premier

BoardBook Premier is available to North Dakota school districts, political subdivisions, and businesses. BoardBook Premier is a paperless meeting and document storage program designed by school boards and is the new standard in board agenda preparation and decision making. Visit www.ndsba.org for more information.



Book Rooms for 2023 NDSBA Convention

NDSBA's 2023 Annual Convention will begin on Thursday, October 26, with the Law Seminar and New Member Seminar. Regular convention activities will begin that afternoon and conclude on the afternoon of Friday, October 27.

The Ramkota is now taking sleeping room reservations for the 2023 Annual Convention. Call the Ramkota at 701-258-7700 to secure your room early.



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2022 NSBA Annual Conference & Exposition

April 2-4, 2022
San Diego, CA

Human Resource Collaborative Conference

April 20-21, 2022
Ramkota Hotel, Bismarck

Board Member Bootcamp

July 18, 2022
State Capitol, Bismarck

2022 NDSBA Annual Convention

October 27-28, 2022
Ramkota Hotel, Bismarck



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Facebook!**



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