



# bulletin



**NDSBA**  
NORTH DAKOTA SCHOOL  
BOARDS ASSOCIATION

JANUARY 2024

*Excellence in North Dakota public education through local school board governance* ■ VOL XLIX ISSUE 1

## Registration and Agenda Now Available for 2024 Negotiations Seminar

Registration is open for NDSBA's 2024 Negotiations Seminar, which will be held at the National Energy Center for Excellence on the Bismarck State College Campus on February 1-2, 2024.

Two pre-conference sessions will be held on Thursday, February 1, along with a networking social that evening. A single, all-inclusive registration fee of \$225 will provide attendees access to the pre-conference sessions and the networking social on Thursday, February 1, and Negotiations Seminar on Friday, February 2. The agenda and registration information are available at [www.ndsba.org](http://www.ndsba.org). Be sure to take advantage of advanced pricing discounts and register today! Prices increase on January 25.

### **Thursday, February 1**

8:30 a.m.: Registration Open

9 a.m. – 12:00 a.m.: School Elections Training

### **Pre-Conference Sessions**

2:00 p.m. – 3:30 p.m.: Employee

Investigations

4:00 p.m. – 6:00 p.m.: Negotiations Basics

### **Networking Social**

*Sponsored by NDPHIT*

6:00 p.m. – 7:30 p.m.

### **Friday, February 2**

7:30 a.m. – Registration Open

8:00 a.m. – Welcome and Statewide Updates

9:15 a.m. – Concurrent Sessions

- Administrator Negotiations
- Making Benefits Work for You Pt. 1
- J-1 Visa Teacher Experiences

10:30 a.m. – Concurrent Sessions

- Negotiations Scenarios
- Making Benefits Work for You Pt. 2
- Non-Certified Staff "Negotiations"

11:30 a.m. – Lunch

12:30 – General Session

2:00 – Adjourn

## School Elections Training

NDSBA will hold a School Elections Training on Thursday, February 1, 2024, at the National Energy Center for Excellence on the Bismarck State College Campus. Registration is \$75 and can be found at <https://www.ndsba.org/wp/resources/school-board-elections-training/>.

This training is geared for school business managers who serve as election officials, but all NDSBA members are welcome to attend. Registration includes a hard copy of the School Elections Manual. The presentation and recording will be emailed to registrants after the training. Those who register but cannot attend will also receive the training materials. ND School Business Manager Certification Program students can receive ½ credit for attending the training.



## Book Rooms for 2024 NDSBA Annual Convention

NDSBA's 2024 Annual Convention will take place on October 24-25, 2024, at the Bismarck Event Center.

Scan the QR code or go to <https://www.ndsba.org/wp/ndsba-events/annual-convention/> to view the hotels with a NDSBA room block reserved for the 2024 NDSBA Annual Convention to make your district's booking. Those who have rooms booked under the NDSBA

block at the Bismarck Hotel for the 2024 Annual Convention will still have their reservations. Call the Bismarck Hotel at 701-258-7700 if you have any questions about your reservations.

The list to book rooms for the 2025 NDSBA Annual Convention will come out in February's issue of the *Bulletin*. Please contact [taylor.lassiter@ndsba.org](mailto:taylor.lassiter@ndsba.org) with any questions.





# Legal Spotlight

## The Ins and Outs of Reimbursing School Board Members' Expenses

by Lexie Bergstrom, NDSBA Staff Attorney

School board members have a wide range of duties, including establishing a clear vision and goals for the district, setting school policies, developing an annual budget for the district, hiring and evaluating the superintendent, and serving as leaders and advocates of the community. Board members may receive compensation for the work they do within the district. It is each school board's responsibility to set the level of compensation for services payable to its members. In addition to their work within the district, school board member duties often involve work outside the district, including attending conferences, workshops, and other travel that may incur personal expenses. To ensure that these committed individuals can carry out their duties effectively, many school boards have established reimbursement policies.

The purpose of reimbursing school board members for expenses is multifaceted. Board members often

find themselves attending conferences, seminars, and workshops to stay updated on educational trends, policies, and best practices. Travel expenses, registration fees, and accommodation costs associated with these events can add up. Additionally, board members may incur expenses related to local meetings, training sessions, or community events. Under North Dakota law, school board members **may** be reimbursed for all necessary meals, lodging, and travel expenses incurred while engaged in official business of the board. This means that a school board can choose **not** to reimburse its members for these expenses. If the board chooses to reimburse, reimbursement must happen at the same rate as provided for state officers and employees. The state fiscal and administrative policy provides as follows for reimbursement of meals:

- If meals are included as part of a registration fee for a conference, seminar, or other meeting, the employee should be reimbursed for the entire registration fee, if paid by the employee. However, the employee cannot claim reimbursement for the applicable meal allowance for that quarter.
- An employee should be reimbursed for meals paid for by the employee while attending a meeting at the request of, or on behalf of, the state or any of its subdivisions, agencies, bureaus, boards, or commissions, up to the allowable rates established below.
- NDCC 44-08-04 provides that reimbursement is allowed only for overnight travel and other travel while away from the normal place of employment for four hours or more. Employees will not be reimbursed for the first quarter if travel begins after 7:00 a.m.
- In order to claim expenses for the second and third quarters, the employee must have been in travel status one hour before the start of the quarter being claimed, and travel status must extend at least one hour into the quarter being claimed.

- The expense allowance for each of any 24-hour period effective August 1, 2023, is as follows:

### Meal Allowance

1. First Quarter, 6 a.m. to 12 noon
  - a. In-State: \$9.00
  - b. Out-of-State: 20% of GSA M&IE rate
2. Second Quarter, 12 noon to 6 p.m.
  - a. In-State: \$14.00
  - b. Out-of-State: 30% of GSA M&IE rate
3. Third Quarter, 6 p.m. to 12 midnight
  - a. In-State: \$22
  - b. Out-of-State: 50% of GSA M&IE rate
4. Fourth Quarter, 12 midnight to 6 a.m.

• As for luggage charges, state employees are reimbursed for their first piece of checked luggage. It is up to each agency to decide if employees should be reimbursed for additional checked luggage, overweight luggage and subsequent charges. So, each school board decides if they wanted to reimburse for those items.

• Taxi charges are reimbursed for state employees provided that receipts are provided for each taxi fare in excess of \$10. For out of state travel, the U.S. General Services Administration Meals & Incidentals (M&IE) rate can be found on their website.

Transparency, accountability, and fiscal responsibility should be at the forefront of reimbursement policies to ensure that public funds are used efficiently and effectively. Prepayment for expenses incurred while traveling is generally not allowed, although the district may direct book and pay for travel and lodging expenses (which alleviates the need for an individual school board member to incur the expense). It is recommended board members provide receipts of the expenses occurred after their travel and be reimbursed once the board has had the chance to review the receipts and make calculations in accordance with North Dakota law. NDSBA has a template policy regarding compensation and expenses for board members (BBD) which addresses reimbursement. Please feel free to contact NDSBA for additional information regarding this topic.

The **Bulletin** is the official newsletter of the North Dakota School Boards Association. It is published twelve times each year and is mailed as third class mail from New Salem, North Dakota.

#### EDITOR

Alexis Baxley

#### PUBLISHER

North Dakota School Boards Association  
1224 West Owens Avenue  
Bismarck, ND 58501

**TELEPHONE** 1-800-932-8791

**LOCAL** (701)255-4127

**FAX** (701)258-7992

**WEBSITE** [www.ndsba.org](http://www.ndsba.org)

**TWITTER** @ndsbaorg

#### EXECUTIVE DIRECTOR

Alexis Baxley, Bismarck

#### OFFICERS

##### PRESIDENT

Patti Stedman, West Fargo

##### VICE PRESIDENT

Lucas Greff, Mott-Regent

##### PAST PRESIDENT

Karl Lembke, Bismarck

#### DIRECTORS

Marlana Knudson, May-Port CG  
Jim Rostad, Minot  
Nathan Berse, Richland 44  
Michelle Orton, Dickinson

# HHS Encourages Schools to Apply for Student Behavioral Health Grants

News Release from the North Dakota Health and Human Services

The North Dakota Health and Human Services (HHS) Behavioral Health Division is encouraging eligible North Dakota public, private and tribal elementary and secondary schools to apply for the Behavioral Health School Grant program. Special education units and school districts that billed North Dakota Medicaid during the 2022-2023 school year are eligible to apply and use the funds to enhance their behavioral health services and supports for students. Schools can

learn more at [www.hhs.nd.gov/education/grant-funding](http://www.hhs.nd.gov/education/grant-funding).

The goal of this funding is to identify and address gaps along the behavioral health continuum of care. This includes identifying prevention and early intervention services that have no other funding source, using funds to reimburse clinical or treatment services that are effective, but not currently covered services and filling gaps in service coverage for populations that do not qualify for other forms of reimbursement.

Eligible schools can apply at: [hhs.nd.gov/education/grant-funding](http://hhs.nd.gov/education/grant-funding).

Completed applications can be emailed to [kastastny@nd.gov](mailto:kastastny@nd.gov).

To determine if a district or special education unit is eligible to apply or to view more information about the school grant program, visit [hhs.nd.gov/education/grant-funding](http://hhs.nd.gov/education/grant-funding). Deadline to apply is March 31, 2024. Funds must be expended by June 30, 2024.

Questions regarding this funding opportunity can be directed to Kayla Stastny, Behavioral Health and Education Administrator at [kastastny@nd.gov](mailto:kastastny@nd.gov).



## NDSBMCP to Host Upcoming Training in February

The North Dakota School Business Manager Certification Program (NDSBMCP) will host a one-day training for business manager students in Bismarck on Wednesday, January 31, at the Bismarck Public Schools Career Academy (1221 College Drive). Budget, Budget Forecasting, and School Accreditation and School Law for

Business Managers will be taught to first-year students while Business Manager's Role in Negotiations and Data-Driven Decision Making and Board Reporting will be taught to second-year students. These classes are available only for current and graduate students of the program. Students can register by going to the NDSBMCP webpage.



mark your calendar

### Elections Training

February 1, 2024  
BSC NECE, Bismarck

### 2024 Negotiations Seminar

February 1-2, 2024  
BSC NECE, Bismarck

### 2024 COSSBA Annual Conference

February 22-25, 2024  
Hilton Anatole - Dallas, TX

### 2024 NSBA Annual Conference

April 6-8, 2024  
Ernest N. Morial Convention Center - New Orleans, LA

### 2024 NDSBA Annual Convention

October 24-25, 2024  
Bismarck Event Center, Bismarck

## Superintendent Evaluation Deadline March 15

North Dakota law requires that a school board complete the superintendent's summative evaluation process **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.

It is best to begin the process early in February to ensure compliance with the statutory deadline. The statute also requires that the superintendent be evaluated using a satisfactory or unsatisfactory rating in each area evaluated.



## State Mileage Rate Changes

As of January 1, 2024, the state rate for mileage reimbursement is **\$0.67 per mile**.

State mileage rates can be found on the North Dakota Office of Management and Budget website at [www.nd.gov/omb/agency/financial/fiscal-policies](http://www.nd.gov/omb/agency/financial/fiscal-policies) under Fiscal Administrative Policy Updates Effective 1/1/2024.

Mileage rate updates can also be found on NDSBA's webpage under QuickClicks: Mileage Reimbursement Rate (link to [www.gsa.gov](http://www.gsa.gov) website).



## 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](http://www.ndsba.org) for more information.



1224 West Owens Avenue  
Bismarck, ND 58501

PRE-SORTED  
STANDARD  
U.S. POSTAGE  
**PAID**  
PERMIT NO. 6  
NEW SALEM, ND  
58563



superintendent.  
**vacancies**

**Hillsboro School District**

Vicky Grothmann  
701-636-4360  
[vicky.grothmann@k12.nd.us](mailto:vicky.grothmann@k12.nd.us)  
Deadline: January 31, 2024  
Position Begins: July 1, 2023

**Solen School District**

Michael Heilman  
701-527-4621  
[mikeheilman1190@gmail.com](mailto:mikeheilman1190@gmail.com)  
Deadline: February 2, 2024  
Position Begins: July 1, 2024

**Underwood School District**

Dr. Brian Duchscherer  
701-321-5719  
[dduchscherer.brian@gmail.com](mailto:dduchscherer.brian@gmail.com)  
Deadline: February 2, 2024  
Position Begins: July 1, 2024

**Williston Basin School District  
Assistant Superintendent Position**

Ray & Associates  
701-393-3221  
Deadline: February 4, 2024  
Position Begins: July 1, 2024

**Richardton-Taylor School District**

Alexis Baxley  
701-255-4127  
[alexis.baxley@ndsba.org](mailto:alexis.baxley@ndsba.org)  
Deadline: February 5, 2024  
Position Begins: July 1, 2024

**Flasher School District**

Alexis Baxley  
701-255-4127  
[alexis.baxley@ndsba.org](mailto:alexis.baxley@ndsba.org)  
Deadline: February 19, 2024  
Position Begins: July 1, 2024



## 2024 School Board Election Deadlines Example

Annual school board elections must be held between **April 1 and June 30** (NDCC 15.1-09-22). **NDSBA is using June 11, 2024, as an EXAMPLE election date.** If you have a different election date, compute your schedule in accordance with state law cited below. If your school board election is held in conjunction with a county election, the county election board should administer the election in the same manner as the county or state election. (NDCC 15.1-09-13 (4))

MARCH							APRIL							MAY							JUNE						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2		1	2	3	4	5	6		1	2	3	4	5	6							1
3	4	5	6	7	8	9	7	8	9	10	11	12	13	5	6	7	8	9	10	11	2	3	4	5	6	7	8
10	11	12	13	14	15	16	14	15	16	17	18	19	20	12	13	14	15	16	17	18	9	10	11	12	13	14	15
17	18	19	20	21	22	23	21	22	23	24	25	26	27	19	20	21	22	23	24	25	16	17	18	19	20	21	22
24	25	26	27	28	29	30	28	29	30					26	27	28	29	30	31		23	24	25	26	27	28	29
31																					30						

**March 9, 2024 - 94 days before the election**

**30 days before** the deadline for candidate names to be printed on the ballot, an official notice of this deadline must be published in the official newspaper of the city or county. (NDCC 15.1-09-09)

**April 8, 2024 - 64 days before the election**

An individual seeking election to the board of a school district shall prepare and sign a document (Statement of Intent) stating the individual's name and the position for which that individual is a candidate. A candidate shall also file a Statement of Interests as required by section 16.1-09-02. These documents must be filed with the school district business manager or mailed to and in the possession of the business manager by 4:00 p.m. **on the 64th day before** the election. (NDCC 15.1-09-08)

Each board of a school district that enters into an agreement with the county (to share election expenses) must notify the county auditor in writing, **at least 64 days before** the election, the offices to be filled at the election and any measures to appear on the ballot. (NDCC 15.1-09-24) NOTE: This deadline only applies to school districts holding the annual election in conjunction with a primary election and sharing election expenses with a county.

**May 2, 2024 - 40 days before the election**

**At least 40 days before** the election, the business manager shall prepare and cause to be printed, or otherwise uniformly reproduced, an official ballot containing the names of all individuals who have indicated their intent to be candidates by meeting the provision in NDCC 15.1-09-08. (NDCC 15.1-09-11)

**May 7, 2024 - 35 days before the election**

**At least 35 days prior** to the annual election, the board of each school district shall designate one or more precincts for the election. The board shall arrange the precincts in a way that divides the electors of the district as equally as possible. (NDCC 15.1-09-13 (1))

**At least 35 days prior** to the annual election, the board of each school district shall designate one or more polling places for each precinct. The board shall locate the polling places as conveniently as possible for the voters in the precinct. (NDCC 15.1-09-13 (2))

**May 28, 2024 - 14 days before the election**

**At least fourteen days before** the date of an annual or special school district election, the school board shall publish a notice in the official newspaper of the district stating the time and place of the election and the purpose of the vote. (NDCC 15.1-09-09)

**June 11, 2024 - Election day**

School Board Election

**June 24, 2024 - 13 days after the election**

**On the thirteenth day after the election**, the school board shall meet to canvass all election returns and shall declare the result of an election. (NDCC 15.1-09-15)

**June 27, 2024 - 3 days after canvassing**

**Within three days after the canvass** by the school board for a school district election, the business manager of the school district shall provide to each elected individual written notice of the individual's election and of the duty to take an affirmation or oath of office. (NDCC 15.1-09-17)

**June 25 - July 5, 2024 - 10 days after canvassing**

**Within ten days after the canvass** by the school board, the business manager shall certify the individuals elected and their terms to the County Superintendent of Schools. (NDCC 15.1-09-17)

An individual elected as a member of or appointed to a school board shall take and file with the school district business manager an affirmation or oath of office **within ten days** after receiving notice of the election or appointment and before commencing duties. (NDCC 15.1-09-25)



## TEACHER AND ADMINISTRATOR

### EVALUATION, CONTRACT, AND NONRENEWAL DEADLINES

**Note:** Administrator is defined as principal, assistant superintendent, and associate superintendent. It excludes the superintendent.

EVALUATIONS OF TEACHERS AND ADMINISTRATORS	
<b>First three years individual holds the position:</b> Two evaluations must be conducted on or before December 15 and April 15.	
<b>Fourth year or more individual holds the position:</b> One evaluation must be conducted on or before April 15. <b>NDCC 15.1-15-01(2)</b>	
TEACHERS AND ADMINISTRATOR CONTRACT ISSUANCE & RENEWAL	
Offering contracts to teachers and administrators currently employed	No earlier than March 1 and no later than May 1. Provide at least 14 calendar days to return contracts. <b>NDCC 15.1-15-04(2)</b>
Offering contracts to newly hired teachers and administrators	No deadline in law. Give new hires a reasonable timeframe to consider offer and return the contract (e.g., 10 days).
Contract issuance during negotiations	Issuance suspended until negotiations are complete. <b>NDCC 15.1-15-04(4)</b>
NONRENEWAL DEADLINES FOR TEACHERS AND ADMINISTRATORS	
Notice of contemplated nonrenewal	Must be in writing and no earlier than March 1 and no later than April 15. <b>NDCC 15.1-15-05(1)</b>
Nonrenewal hearing deadline	No later than April 21. <b>NDCC 15.1-15-05(1)(b)</b>
Notice of nonrenewal decision	In writing and no later than May 1. <b>NDCC 15.1-15-06(10)</b>
EXCEPTIONS TO NONRENEWAL DEADLINES FOR PROBATIONARY TEACHERS AND ADMINISTRATORS IN POSITIONS FOR LESS THAN TWO YEARS	
Probationary teacher (an individual teaching in your district for less than two years)	After April evaluation is complete, the board meets with the teacher in executive session to discuss reasons for contemplated nonrenewal. Notice of Nonrenewal must be provided no earlier than April 15 and no later than May 1. <b>NDCC 15.1-15-02(4)</b>
Administrators employed in that position by a district for less than two years	Provide written notice of nonrenewal decision before May 1. Board shall meet with administrator in executive session to convey reasons for nonrenewal if requested. <b>NDCC 15.1-15-05.1(1)</b>

## SUPERINTENDENT

### EVALUATION, CONTRACT, AND NONRENEWAL DEADLINES

SUPERINTENDENT EVALUATIONS	
<b>NDCC 15.1-14-03(1)</b> requires that each school board conduct two evaluations:	
<ul style="list-style-type: none"> <li>On or before November 15</li> <li>On or before March 15</li> </ul>	
SUPERINTENDENT CONTRACT ISSUANCE & RENEWAL	
Contract duration	No more than three years. <b>NDCC 15.1-09-33(25)</b>
Renewal deadline	Automatically renews for one year unless board provides notice of contemplated nonrenewal on or before April 15 or superintendent provides written resignation on or before June 1. <b>NDCC 15.1-14-11</b>
Offering contract to newly hired superintendent	No deadline in law. Ensure contract of former superintendent has been terminated before issuance. Give new hire a reasonable timeframe to consider offer and return a contract (e.g., 10 days).
NONRENEWAL DEADLINES FOR SUPERINTENDENT WITH A DISTRICT LESS THAN TWO YEARS (count only years employed as superintendent)	
Notice of nonrenewal	Provide written notice of nonrenewal decision before May 1. Board shall meet with superintendent in executive session to convey reason for nonrenewal if requested. <b>NDCC 15.1-14-12(1)</b>
NONRENEWAL DEADLINES FOR SUPERINTENDENT WITH A DISTRICT TWO OR MORE YEARS	
Notice of contemplated nonrenewal	In writing and on or before April 15. <b>NDCC 15.1-14-09(1)</b>
Nonrenewal hearing deadline	On or before April 21. <b>NDCC 15.1-14-09(1)(b)</b>
Notice of nonrenewal decision	In writing and no later than May 1. <b>NDCC 15.1-14-10(8)</b>
<b>Questions? Contact NDSBA at 800-932-8791</b>	