NDSBA Negotiations Seminar Set for February

NDSBA's Negotiations Seminar will be held Friday, February 7, at the Ramada Bismarck Hotel. Two Early Bird Sessions will be held on Thursday, February 6.

Registration forms are available on the NDSBA website at: www.ndsba.org. Call the Ramada Bismarck Hotel (formerly Doublewood Inn) to make your sleeping room reservations (701-258-7000).

EARLY BIRD SESSIONS

NONRENEWAL TRAINING

Teacher nonrenewal training will begin at 1:00 p.m. on Thursday. We will provide a review of the nonrenewal process, starting with the importance of meeting the statutory requirements and deadlines for teacher evaluations. Performance-based (cause) nonrenewal, first-year teacher nonrenewal, and reduction-in-force nonrenewal will be discussed. Resignation and contract breach will also be covered in this three-hour early bird session.

SUPERINTENDENT SELECTION AND EVALUATION

The second early bird session will be a Thursday evening workshop for board members. Beginning at 6:30 p.m., we will discuss superintendent selection and evaluation including the hiring process, issuing superintendent contracts, complying with statutory requirements for evaluation, drafting improvement plans, and the nonrenewal process. Attendees at this session will receive a copy of NDSBA's new Superintendent Selection, Evaluation, Nonrenewal, and Discharge Handbook.

NEGOTIATIONS 2014

This year’s seminar will feature Gary Lee. Gary Lee has been an Associate Director of Management Services at the Minnesota School Boards Association (MSBA) since 2010. Prior to his employment with MSBA, Gary served on the Fertile-Beltrami School Board for seven years and was elected to the MSBA Board of Directors in 2005, representing school districts in the northwest corner of Minnesota. Gary has also served on the Minnesota School Boards Association Insurance Trust (MSBAIT) Board, the Minnesota State High School League Board, the Northwest Service Cooperative Board and as a school board representative for the Big Three group (cities, counties and school boards).

In his current position, Gary provides regional training on negotiations, treasurer duties, charter school finance, the Affordable Care Act, and Teacher Development and Evaluation requirements. Gary is a graduate of Minnesota State University – Moorhead with a degree in Accounting and Computer Science.

Schedule at a glance:

FRIDAY, FEBRUARY 7

8:00 a.m.-4:00 p.m.
• Keynote: Gary Lee
• Rebuilding Relationships with Teachers and Community After Impasse
• How Paying Both Sides of TFFR Decreases Teachers’ Retirement Benefits
• Lessons Learned in the Recognition Process
• Statutory Requirements for Recognition
• Guidance for Drafting Ground Rules
• Good Negotiations: We Settled Early
• Bad Negotiations: We Almost Went to Impasse Due to Difficult Issues
• Ugly Negotiations: We Went to Impasse Because Issues Couldn’t Be Resolved
• Statutory Requirements for Open Meetings
• Impasse Flow Chart
• Helpful Materials Available from NDSBA

School Board Recognition Month

January is School Board Recognition Month. School board members serve countless hours working to make public education the best it can be for every child.

North Dakotans know the best government is closest to the people it serves. Board members live and work close to students, parents, and educators and, therefore, know their needs and desires better than anyone. In a climate of change and challenge, they develop policies and make tough decisions on complex educational issues that affect the entire community and the lives of individual students.

NDSBA thanks those individuals who devote their time, energy, and talents to North Dakota students by serving on their local school boards.
Hall Named Superintendent of the Year

Steve Hall, Superintendent of Schools for Kindred Public School District, has been named the North Dakota Superintendent of the Year by the North Dakota Association of School Administrators (NDASA), as part of the ARAMARK—American Association of School Administrators (AASA) Superintendent of the Year Program.

As the North Dakota Superintendent of the Year, Hall will be placed in competition with other states’ winners for the award of National Superintendent of the Year. In addition, he will be honored along with other finalists at the National Conference on Education in Nashville, Tennessee, February 13-16, 2014.

Hall is currently in his 12th year as Superintendent at Kindred. He is a native of Berthold, North Dakota.

Nonrenewal Handbook Available for Purchase

With nonrenewal deadlines quickly approaching, now is the time to prepare. NDSBA has developed a handbook on teacher nonrenewal, discharge, and resignation. The handbook guides users through each of these processes from start to finish. It contains suggested timelines, step-by-step guidance based on law and best practices, sample board motions, and nonrenewal forms in a fillable format. The handbook is available for $200 (includes three years of updates) by clicking the NDSBA Store icon on the NDSBA homepage (www.ndsba.org). Upon purchase, your district will receive a password to access the handbook online, and the handbook can be downloaded and printed.
Negotiations Recognition Process

Each year at the start of negotiations NDSBA receives several calls regarding the recognition process and inquiries about determining the appropriate negotiating unit.

The process for recognition of the representative organization is outlined in the North Dakota Century Code. The recognition process occurs in five steps:

1. A group of teachers or a group of administrators may form a negotiating unit by filing with the board a description of the job groupings or positions that constitute the negotiating unit. N.D. Cent. Code §15.1-16-10. Carefully review the scope of the negotiating unit and remember, North Dakota Century Code defines teacher as “a public school employee licensed to teach by the education standards and practices board and primarily employed as a classroom teacher.” N.D. Cent. Code §15.1-16-01. Administrator is also defined by law and means “an individual who is employed primarily for administration of a school or schools and who devotes at least fifty percent of the individual’s time in any one year to the duties of administration.”

2. Upon receipt of the description of the negotiating unit, the board shall accept or reject the proposed negotiating unit. N.D. Cent. Code §15.1-16-10. Boards may reject the negotiating unit if the scope is beyond what is required by law.

3. If the board accepts the negotiating unit, the teachers or administrators within the unit may designate or select a representative organization as provided for in section 15.1-16-11. The organization that is interested in representing the group may then file a petition asserting the organization represents a majority of the teachers or the administrators within the negotiating unit. The petition must be accompanied by substantiating evidence.

4. Within ten days after receiving the petition, the board shall post notice of its intent to consider the petition in each school building where members of the negotiating unit are employed. N.D. Cent. Code §15.1-16-11(c).

5. No sooner than ten days, nor later than twenty days after posting the notice of intent to consider the petition, the board shall investigate the petition, determine the question of representation (i.e., Have a majority of teachers agreed to be represented by this organization? Have any teachers contested this representation?), and post notice of its determination in each school where members of the negotiating unit are employed.

Please review these steps and the corresponding statutes carefully before you begin the recognition process.

Remember, either party may give notice of desire to negotiate. Notice must be given no less than sixty days before the annual anniversary date of the contract. N.D. Cent. Code §15.1-16-13. Some negotiated agreements specify a different anniversary date.

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 start 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. If an individual serves in a superintendent/principal role, that individual should be evaluated separately for each position.

Property Tax Relief Starts at Local Level

by Rep. Mike Nathe, R-Bismarck

North Dakota property tax owners got good news in the mail recently when they received property tax statements showing a sizable reduction in their tax bill.

All one has to do is take a look and you will quickly realize that almost all the relief came through increased education funding from the Legislature. It is only logical that the state use school funding to provide a majority of state-funded property tax relief. The state has a constitutional obligation to fund adequate and equitable education for all children. With the changes in our state’s funding formula, the state now funds an average of 80 percent of all K-12 education costs.

As was our intention, a majority of school districts have passed along most of the increase in state school funding to property owners in the form of tax relief.

For example, as a result of the new education funding, Bismarck cut its property taxes 19 percent, Fargo 25 percent, Minot 25 percent, Linton 26 percent, just to name a few. I applaud the school districts that provided significant tax relief to their property owners for doing the right thing.

Unfortunately, you can’t say the same for many of the city, county, and park districts. Over the last four years, the state has sent property tax relief funding to local governments only to see many of those local governments use state tax relief funding to increase their spending instead of providing tax relief.

In 2013, the state funded an additional 12 percent property tax reduction for cities, counties, and park districts on top of the new education funding.

Again, many city, county, and park governments used the 12 percent
intended for tax relief to fund increased spending.

Don’t take my word for it. Look on your property tax statement and you will see what I am talking about.

As a legislator, this outcome is extremely frustrating.

So what is the solution? North Dakotans need to be vigilant of what local governments are doing. If voters are not happy with how these local governments manage budgeting, spending, taxing, and state funded tax relief, they need to hold these local elected officials accountable. The good news is that we are beginning to see voters actively engage their local elected officials, with good results.

The Legislature will continue to work on reforming the property tax system, but true property tax reform starts where it’s levied, collected and spent, and that is the responsibility of local city, county, schools, and park governments.

Policy Services Assistant

The North Dakota School Boards Association seeks an individual to provide professional support to the policy services director and other personnel. Must possess interest in policy review and development, have experience in editing, be self-directed, detail-oriented, able to multi-task, possess outstanding verbal and written communication skills, and be proficient in use of Access and Microsoft Office. Bachelor’s degree required. Salary range is based on experience ($35,000-$40,000), includes a SEP retirement plan and fully paid health insurance. Apply by February 14, 2014. Background checks will be conducted on applicants selected for an interview. Application materials and job description available at www.ndsba.org or call 701-255-4127.

Property Tax Relief

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Mark Your Calendar

2014 NDSBA Negotiations Seminar
February 6-7, 2014
Ramada Bismarck Hotel (formerly Doublewood Inn)

2014 NSBA Annual Conference
April 5-7, 2014
New Orleans, LA

2014 NDSBA Annual Convention
October 23-25, 2014
Ramkota Hotel, Bismarck

2015 NDSBA Annual Convention
October 29-31, 2015
Ramkota Hotel, Bismarck