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Excellence in North Dakota public education through local school board governance ■ VOL XXXVII ISSUE 10

NDSBA Convention: A Time to Learn and Share

NDSBA's Annual Convention will be held **October 26-27** at the Ramkota Hotel in Bismarck. The schedule is full of informative and educational sessions. Since individual board members will not be able to attend them all, it is a good idea for boards to review clinic sessions ahead of time, attend as many different sessions as possible, and later share what was learned. Two general session speakers will address attendees on both Friday and Saturday. Issues presented during general sessions and clinic sessions will be important to board members, business managers, and superintendents.



Dr. Ruby Payne

Saturday, 8:00 a.m.
Mindsets of Economic Classes and Overcoming Poverty
Dr. Ruby Payne



Dr. Ken Wesson

Saturday, 10:00 a.m.
How Children Learn: Brain Research and Inquiry-Based Science
Dr. Ken Wesson

Clinic Sessions will cover information in several areas of interest:

- Policy Hot Topics
- Workplace Violence – Personal Safety in North Dakota
- Regional Education Associations and Hess Grant Funding
- Statewide Longitudinal Data System (SLDS)
- What School Board Members Need to Know About National Teacher Certification
- Business Manager Certification Program
- Two Tools for Teaching – Use of Cell Phones and iPads in the Classroom

- Proposed Plan for Statewide Accreditation
 - TFFR: What Lies Ahead?
 - Oil – Changing the Landscape of North Dakota Schools
- Consult NDSBA's website at www.ndsba.org to view clinic session times.

See you October 26-27 in Bismarck!

Keynote Speakers

Friday, 8:30 a.m.
Six Keys to Success
Karl Mecklenburg



Karl Mecklenburg



David Quam

Friday, 9:45 a.m.
The New Frontier in Public Education
David Quam

Convention Reminders

Thursday, October 25

Law Seminar registration opens at 8:00 a.m.

Seminar start time: 8:55 a.m.

New Member Seminar registration opens at 8:00 a.m.

Seminar start time: 9:00 a.m.

NDSBA Convention early registration: 3:30-5:00 p.m.

Friday, October 26

Convention registration opens at 7:30 a.m.

Exhibit Visitation opens at 7:30

General Sessions: 8:30 a.m. and 9:45 a.m.

First Business Session/Delegate Assembly: 2:15 p.m.

Saturday, October 27

General Sessions: 8:00 a.m. and 10:00 a.m.

Second Business Session/Delegate Assembly: 11:15 a.m.

Legal Services Program Available to NDSBA Members

The NDSBA Legal Services Program is an integral part of membership in NDSBA. No separate fee is charged to member school districts for this service. NDSBA members are welcome to contact attorney Annette Bendish to obtain information regarding general requirements of laws and regulations. Topics include personnel matters, open

meetings and open records, student discipline, conflict of interest, negotiations, bid requirements, and parliamentary procedure.

For additional information about available legal assistance, please contact Annette Bendish, NDSBA Attorney, at annette.bendish@ndsba.org or 1-800-932-8791.

NSBA 2013 Annual Conference Registration & Housing Opens

The 2013 NSBA Annual Conference will be held **April 13-15** in San Diego, California. Conference registration and housing reservation will open on October 17. You can register online at: www.nsba.org under *Conferences and Events*. You must be registered for the conference before you can make hotel reservations through the housing bureau.



Jamestown School District

Contact: Jon Martinson
701-255-4217
eMail: Jon.Martinson@ndsba.org
Deadline: Open
Position begins: July 1, 2013

Wilton School District

Contact: Jon Martinson
701-255-4217
eMail: Jon.Martinson@ndsba.org
Deadline: Open
Position begins: July 1, 2013



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from the director's chair

■ by Jon Martinson, NDSBA Executive Director

State Law Requires New Members to Attend Seminar

October is my favorite month of the year. It comes with crisp fresh air, pumpkins, the harvest moon, Halloween, and our annual convention. We have four amazing general session speakers this year and a range of interesting clinic session topics. In addition, a seminar for new board members is held the day before convention.

Timing of the New Member Seminar (October) is perfect because new members have now experienced a couple of school board meetings. The amount of information in board packets and the range of issues to be discussed can be overwhelming and confusing at times. That's why it is important to attend the New Member Seminar. Attendees learn about the role of the board vs. the role of the superintendent, duties of the board, open meetings/open records, board ethics, and the importance of maintaining an up-to-date policy manual.

This unique seminar is designed to provide professional development

for new board members and is written in state law (15.1-09-32). This statute requires new members to attend "within one year of assuming office." Experience tells us that the chance to talk with other board members during the convention is also highly beneficial. By the way, as overwhelming as board service appears at first, it all makes sense before long. Most board members value the experience so much that they eagerly run for reelection because representing the public on the local school board and working on behalf of children is both personally and professionally rewarding.

2012 Convention Committees

NDSBA President Angela Korsmo appointed members to three committees for the Annual Convention: Nominating, Ballot Counting, and Credentials. Members are:

Nominating Committee

Keith Gohdes, Chair, Central Cass
Lisa Longnecker, New Rockford-Sheyenne
Randy Silliman, Leeds

Ballot Counting Committee

Jamie McLean, Chair, Wilton
Paul Hofer, Larimore
Leone Kramer, Milnor

Credentials Committee

Kris Ehlis, Chair, New England
Audrey Lorenz, Edmore
Cindy Schmidt, Hazelton-Moffit
Kris Wallman, Fargo

The willingness of these members to serve their association is greatly appreciated!

Superintendent Evaluations

North Dakota law requires that school boards complete a formative evaluation of superintendents **before December 15** [NDCC 15.1-14-03]. This evaluation must take place at an open public meeting. One purpose of the December evaluation is to highlight areas of performance in need of improvement and provide an improvement plan and timeline for expected enhanced performance. This process allows opportunity for professional growth before the superintendent's formal summative evaluation in April.

Student Suspension and Expulsion

By Annette Bendish, NDSBA Legal Counsel

Q: Is a school district required to have a policy that addresses suspension and expulsion of students?

A: Yes, North Dakota Century Code section 15.1-19-09 requires a school district to adopt rules regarding the suspension and expulsion of a student.



Q: How long can a student be suspended?

A: Under the law, a student may be suspended for up to ten days for insubordination, habitual indolence (laziness), disorderly conduct, or for violating a school district weapons policy. A student enrolled in an alternative education program for which state per student payments are available may be suspended for up to twenty days for insubordination, habitual indolence, disorderly conduct, or for violating a

school district weapons policy. Some district policies further limit the duration of suspension (up to five days instead of ten). If your district has such a policy, it supersedes the “up to ten day” suspension period in law.



Q: Who can make decisions regarding suspension or expulsion?

A: Your policy should delegate student suspension authority to the superintendent and principal. The board should also designate a hearing officer in its suspension and expulsion policy for expulsion hearings.

Q: Are there special procedures for the suspension or expulsion process for students with disabilities?

A: Yes, suspension or expulsion of students with disabilities must comply with the provisions of the Individuals with Disabilities Education Act (IDEA), which allows these students additional rights and requires schools to follow additional procedural requirements when suspending or expelling a student with a disability. NDSBA has developed a guidance document to assist districts with suspension and expulsion of students covered by IDEA.

Q: When can a student be suspended?

A: Under the law, a student may be suspended for insubordination, habitual indolence (laziness), disorderly conduct, or for violating a school district weapons policy. Your suspension and expulsion policy can further define conduct that is subject to suspension. Suspension can either be an in-school suspension or the dismissal of a student from school classes, buildings, and grounds. A student can only be suspended after the student is given oral or written notice of the charges against him/her, an explanation of the evidence against him/her, and an opportunity to present his/her side of the story.

Q: When can a student be expelled?

A: Under the law, a student, including one enrolled in an alternative education

Continued on page 4

2013 ND Teacher of the Year Announced

“*Andrea exemplifies North Dakota’s outstanding teachers who are dedicated to education excellence and to helping our young people achieve their full potential.*”

Governor Jack Dalrymple and State Superintendent Wayne Sanstead named West Fargo English language arts teacher Andrea Noonan as North Dakota’s 2013 Teacher of the Year. The announcement was made during a ceremony at Cheney Middle School where Noonan was surrounded by her teaching peers, students, administrators, family, and representatives of education organizations.

Noonan was one of the four finalists that included Linda Hope, a science teacher at Langdon High School; Phyllis Kadrmas, an English teacher at Devils Lake High School; and Scott Johnson, a chemistry and anatomy teacher at Century High School in Bismarck.

In presenting the award to Noonan, Governor Dalrymple said, “North Dakota has one of the best educational systems in the country and that is due in large part to the great work that is going on in classrooms across our state. Andrea exemplifies North Dakota’s outstanding teachers who are



Governor Jack Dalrymple and North Dakota 2013 Teacher of the Year Andrea Noonan.

dedicated to education excellence and to helping our young people achieve their full potential.”

“Competent and caring teachers make the real difference when it comes to educating our youth and preparing them for the future,” Sanstead said. “Andrea is a great example of our teachers who are making a difference in North Dakota’s schools.”

Noonan will contend for National Teacher of the Year and travel to Washington, D.C., to be honored along with awardees from each state.

■ SUSPENSION

Continued from page 3

program, may be expelled from school for insubordination, habitual indolence, or disorderly conduct. Your suspension and expulsion policy can further define conduct that is subject to expulsion.

Q: How long can a student be expelled?

A: Under the law, expulsion cannot last beyond the termination of the current school year. A student who violates the school district weapons policy may be expelled for up to twelve months. A student who violates firearm prohibitions contained in school district policy must be expelled for one year, subject to reduction by the superintendent on a case-by-case basis determined by criteria contained in the weapons policy.

Q: Are there notices that must be provided to a student before he/she is expelled?

A: Yes, you should provide the student with notice of the specific charges against the student, notice of the hearing date, notice that the student may present witnesses or documentary evidence to rebut the charges against the student, and notice that the student

has the right to representation by a lawyer or another adult at the hearing.

Q: Is there a specific process that must be followed when a student is expelled?

A: Yes, the process is outlined in law. Before expelling a student, a school board or its designated hearing officer, within ten days of the student's suspension if the student is currently suspended, must provide the student with a hearing at which time the school board or its designated hearing officer will take testimony and consider evidence, including the existence of mitigating circumstances.

Q: Who can participate in the expulsion hearing on behalf of the student?

A: A student and his/her parent or adult representative must be allowed to participate in the expulsion hearing.

Q: Can an expulsion decision be reviewed?

A: Yes, if a designated hearing officer orders that a student is expelled, the student may seek a review of the decision by the school board, based on the record of the expulsion hearing.

For more information, or help with a specific disciplinary situation, please contact NDSBA Legal Services at

1-800-932-8791 or annette.bendish@ndsba.org. Sample policies regarding suspension and expulsion including suspension and expulsion regulations, suggested procedure for conducting an expulsion hearing, and information regarding suspension and expulsion of special education students are available from NDSBA Policy Services.



mark your calendar

2012 NDSBA Annual Convention PRE-CONVENTION

*NDSBA New Member Seminar
NDCSA School Law Seminar*
Thursday, October 25, 2012
Ramkota Hotel, Bismarck

ANNUAL CONVENTION
October 26 & 27, 2012
Ramkota Hotel, Bismarck

2013 NDSBA Negotiations Seminar
February 7-9, 2013
Doublewood Inn, Bismarck

2013 NSBA Annual Conference
April 13-15, 2013
San Diego, California

2013 NDSBA Annual Convention
Thursday, October 24-26, 2013
Ramkota Hotel, Bismarck