



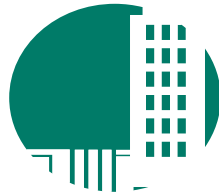
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SEPTEMBER 2010 *Excellence in North Dakota public education through local school board governance* ■ VOL XXXV ISSUE 9

Commission Gets First Look at Funding Proposal

The North Dakota Commission on Education Improvement reviewed a first-draft report at its August 31 meeting in Bismarck. The draft contained subcommittee recommendations, most of which had been reported at previous Commission meetings. However, of great interest was a first look at the Formula Subcommittee's budget summary and funding priorities.



The budget summary begins by calculating new dollars required to maintain previously authorized expenses. Per pupil payments increased \$579 in the second year of this biennium (2010-11) and it will require more than 40 million new dollars to maintain that increase for 2011-13. In addition, HB1400 called for one new instructional day at a cost of \$7.36 million and a .025 at-risk factor costing \$6.2 million--both to begin after June 30, 2011. This is important background information because, before enhancements to K-12 funding can be considered, nearly \$54 million will need to be appropriated just to maintain these previously adopted expenditures.

The report goes on to recommend the following factor adjustments:

- Increase special education ADM factor from .07 to .073 (\$2.5 million)
- Change .002 "technology" factor to a .005 "data collection" factor paid per student tracked by Power School or on schedule to be tracked at the beginning of the school year (\$116,311 net increase--\$2.5 million cost is largely offset by \$2.3 budget savings at ITD)
- New .06 factor for districts piloting an approved Alternative Teacher Compensation plan (\$7.5 million)

The proposal includes revisions to the Isolated Schools Formula, computation of Statewide Average Imputed Taxable Valuation Per Student, and transition maximum payments. Also included are increases in transportation reimbursement (\$5 million) and special education excess cost reimbursement (\$500,000).

In addition to formula changes, the report recommends \$1.7 million in increases to DPI grant programs including:

- DPI covering the entire cost of administration of ACT including

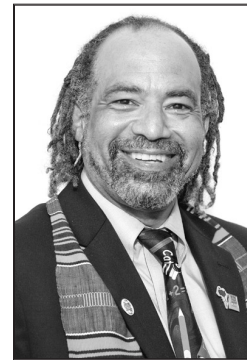
- addition of the writing section
- Principal mentoring program
- REA base grants
- Continuing education grants for pre-school educators

The report recommends a \$50 increase in the base per-pupil payment for each year of the biennium at a cost of \$15 million.

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NSBA President to Attend NDSBA Convention

NSBA President Earl C. Rickman III will bring greetings to North Dakota school board members at the NDSBA Annual Convention.



Rickman is a board member of the Mount Clemens Community School District and the Michigan Association of School Boards. He holds a bachelor's degree in political science

and master's degree studies in public administration. He was the youngest

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Designate Delegates and Alternates

NDSBA's Annual Convention is an excellent event for board member development. It is also the time NDSBA elects state board members and adopts resolutions that drive the legislative agenda.

NDSBA has a representative Delegate Assembly. Those who are registered as delegates are responsible to cast votes representing their local boards.

Resolutions that are passed dictate NDSBA's collective legislative position on critical issues. It is important to review proposed resolutions as a board so your delegates come

prepared. A special clinic session on Saturday morning will allow time for in-depth questions and clarification of resolutions.

Convention delegates and alternates must have their names submitted to the NDSBA office **BY OCTOBER 15** in order to vote in the Delegate Assembly. If you aren't sure who will be attending, submit all possible names as either delegate or alternate. They will be allowed to change status at the convention only if their names were submitted by the deadline.

■ FUNDING PROPOSAL

Continued from page 1

Total cost of budget recommendations is \$80.8 million. These will not be entirely general fund dollars since increased dollars expected to be available from the School Lands Trust total approximately \$15 million.

The Commission will take action on some or all of the report's recommendations at their next meeting scheduled for Tuesday, October 19.

You can access the draft report at www.ndcel.org.

■ NSBA PRESIDENT

Continued from page 1

person elected to his local school board where he has served for 20 years.

After his tenure as president of the National Caucus of Black School Board Members, Rickman served on the NSBA Board of Directors representing the Central Region from 2003 to 2008. He has received numerous awards for outstanding community service and is a well-traveled lecturer.

Board members will be inspired by the national perspective Mr. Rickman will bring to the convention.

bulletin

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Governmental Affairs Committee Resolutions Report

NDSBA's Governmental Affairs Committee (GAC) met on August 26 to review and recommend resolutions for consideration by the Delegate Assembly at the Annual Convention.

All resolutions remain as standing resolutions for four years unless significant legislative or staff action prompt an earlier review. At the end of four years they are dropped unless readopted by the Delegate Assembly.

Following are recommendations of the GAC:

NEW RESOLUTIONS RECOMMENDED FOR ADOPTION

ND TEACHER OF THE YEAR PROGRAM

Whereas, the 2009 Legislative Assembly provided funds in DPI's budget to administer the Teacher of the Year Program with the intent that DPI would hold an announcement event and reception; and

Whereas, the Teacher of the Year announcement was again made at the NDEA Instructional Conference in 2009; and

Whereas, NDSBA believes the Teacher of the Year represents all teachers in North Dakota--not just NDEA members--and therefore should be announced and honored at a reception open to the public; and

Whereas, further legislation is necessary to guarantee intent of the 2009 Legislative Assembly is carried out;

Therefore, be it resolved that NDSBA shall support providing a line item in DPI's budget for the North Dakota Teacher of the Year Program. Legislation must include the following directive to DPI: The DPI shall assign responsibility to its department staff to coordinate preparation of application materials, distribution of materials to the selection committee, publicity, and serve as exclusive host of a reception held in the Great Hall in the State Capitol by September 30 at which the Teacher of the Year is announced. The selection committee appointed by the department may not include more than one representative from any education-related organization or association. (NDSBA Board of Directors)

COMMISSION ON EDUCATION IMPROVEMENT

Whereas, K-12 education funding formulas, equity, and adequacy are

complex subjects requiring extensive study; and

Whereas, it is critical that stakeholders and experts in the field participate in long-term, in-depth review of current practices and potential improvements to funding and academic equity and adequacy; and

Whereas, continuous operation of the Commission allows for multiple subcommittee meetings studying specific education topics; and

Whereas, after considerable consensus building, the Commission is able to make recommendations to the Governor's office and legislature for consideration;

Therefore, be it resolved that NDSBA shall support the North Dakota Commission on Education Improvement as the vehicle for comprehensive study of K-12 education equity and adequacy. (NDSBA Board of Directors)

TEACHERS' FUND FOR RETIREMENT AND PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Whereas, the shortfall in the TFFR and PERS pension funds must be remedied; and

Whereas, most districts currently rely on state funding for the majority of their operating budgets; and

Whereas, any employer contribution increases will have to come from new revenue to districts; and

Whereas, teachers and public employees are the beneficiaries of the pension funds; and

Whereas, certain benefits of the program are too costly for present economic conditions; and

Whereas, benefits of the retirement programs must be restructured to ensure funding adequacy into the future;

Therefore, be it resolved that NDSBA shall support TFFR and PERS contribution increases as long as there are no enhancements to benefits until the plans are at least 90 percent funded and only if accompanied by employee contribution increases, benefit concessions, and adequate state funding to cover employer contribution increases in addition to normal foundation aid increases. (NDSBA Board of Directors)

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2010 NDSBA ANNUAL CONVENTION

TENTATIVE PROGRAM

All sessions will be held at the Ramkota Hotel in Bismarck

PRECONVENTION SESSIONS

THURSDAY, October 28

- 8:00-9:00 a.m. Registration and Continental Breakfast
- 8:55-3:30 NDCSA School Law Seminar
- 9:00-4:00 NDSBA New Member Seminar
- 3:30-5:00 p.m. Early Registration (Dakota Ballroom Coatrium)
- 5:30 p.m. NDSBA Board of Directors' Meeting
Business Managers' Board Meeting

NDSBA CONVENTION

FRIDAY, October 29

- 7:30 a.m. Registration (Dakota Ballroom Coatrium)
Exhibit Visitation (coffee and rolls available)

8:00-9:30 **GENERAL SESSION** - Greetings from Earl Rickman, President, National School Boards Association
Keynote Address - *Behind The Blind Side: Overcoming Obstacles in the Face of Adversity*

Collins Tuohy, daughter of the family whose story was chronicled in the blockbuster movie *The Blind Side*

10:00-10:45

CLINIC SESSIONS:

- The World in 2025: How the ND Center for Distance Education Plans to Evolve to Meet Current and Future ND Student Needs
- Economic Update and Investment of School Funds
- Leadership Track: How to Strengthen Your Team; How to Partner for Success: Board/Superintendent Relations
- 21st Century Skills: Youth Council Members
- Informal Conversation with Collins Tuohy

11:00-11:45

CLINIC SESSIONS:

- 21st Century Skills: A Framework for 21st Century Learning
- Creating a Positive School Climate - Comprehensive Policies and Action Plans to Address Bullying and Harassment in Your Schools
- Leadership Track: How to Effect Change through Community Engagement; Panel of Experienced Board Members
- AVID: An Avenue to Prepare "Students in the Middle" for College and Success
- Timely Updates from the ND Commission on Education Improvement

11:30-12:15

Business Managers' Lunch Buffet

12:00-1:30

Lunch Buffet & Exhibit Visitation

1:30-2:15

CLINIC SESSIONS:

- EduSocial for Administrators
- TFFR Funding Challenge and Legislative Proposals
- ESPB Educator Licensure Updates
- Schools & Discipline: Harassment, Cyberbullying & the Future
- Principa/Superintendent Evaluations
- New Online Resources for School Boards
- ND Small Organized Schools Annual Meeting (1:30-3:15)

2:30-3:15

CLINIC SESSIONS:

- 21st Century Skills: Improving Education or Stifling Student Development (teacher panel)
- Discussion with Earl Rickman, NSBA President
- Risk Management in Schools
- Graduation/Scholarship Requirements and Statewide ACT/WorkKeys Testing
- Alternative Teacher Compensation System

3:30 **First Business Session & Delegate Assembly**

Business Managers' Business Meeting

4:30-5:30 NETWORKING SOCIAL for All Convention Attendees

SATURDAY, October 30

7:00 a.m.

Buffet Breakfast

8:00-8:45

GENERAL SESSION - *Principles of the Lighthouse: How leaders across the country make a lasting difference in their schools*

Bob Uppgren, author and independent consultant

9:00-9:45

CLINIC SESSIONS:

- 21st Century Skills: Integrating Technology and Real World Applications to Improve Classroom Instruction
- Use of Laptop Computers by the School Board
- State and Federal Legislative Update
- Hot Topics in Special Education
- Board Members' Questions, NDSBA's Answers by Gary Thune and Alyssa Martin
- Shop Talk for Business Managers

10:00-10:45

CLINIC SESSIONS:

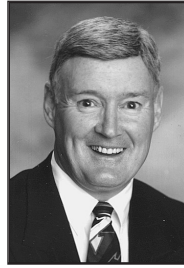
- Standing Rock Dropout Prevention Initiative
- NDSBA Resolutions Review
- Question Box for Business Managers
- Proposed Legislation Regarding Approval of all Public and Nonpublic Schools

Second Business Session & Delegate Assembly

Adjourn (no lunch provided)

comments of counsel

■By Gary R. Thune, NDSBA Legal Counsel



31ST ANNUAL SCHOOL LAW SEMINAR

The thirty-first annual School Law Seminar, sponsored by the North Dakota Council of School Attorneys, will lead off the NDSBA Annual Convention commencing at 8:55 a.m. on Thursday, October 28, 2010. The following topics will be offered to assist school attorneys, school board members, administrators, and business managers.

TWO NDIRF PUBLICATIONS

Alyssa Martin, NDSBA's Director of Policy Services, and I will introduce and overview two newly revised publications that have been updated with a grant provided by the North Dakota Insurance Reserve Fund (NDIRF). The publications, entitled *North Dakota Public Employers Handbook* and *North Dakota Public School Employers Handbook*, provide advice, assistance, and practical forms in a new online format. We invite participants to bring their laptops and follow along.

POTPOURRI I

NDSBA Associate Legal Counsel Tiffany L. Johnson will be providing a potpourri session on topics including FERPA, FMLA, and student sex offenders.

TOP NEW MANDATES FOR SCHOOLS

One role of Policy Services is to track changes to state and federal legislation to ensure sample policies remain current. Alyssa Martin will again present a series of mandates that were proposed and/or enacted during the 2009-10 school year. These items have the potential to significantly impact our public schools in the coming year.

SEARCH AND SEIZURE

In the final session before lunch (which is included in your registration fee), Tiffany will revisit the Fourth Amendment's challenges surrounding

search and seizure in our schools--generally and as related to computers, cell phones, and other electronics.

CHANGES IN EMPLOYMENT BENEFITS

The first afternoon presentation will explore changes and financial implications of the recently enacted federal health care legislation. Two presenters from Eide Bailly will overview this timely and financially significant subject.

POTPOURRI II

Topics for this session include employment-at-will, open meetings, and open records.

WHO'S BEING SUED AND WHY?

After a short break, Tiffany and I will close out the afternoon session with the traditional summary of litigation and discrimination cases brought against North Dakota's public school districts in the past year. Status reports will be provided with reference to ongoing cases, as well as those that have been decided or settled. These topics are presented to assist in keeping our schools out of court or, in the alternative, placing them in the best position to win--the goal of NDSBA's Legal Services Program.

YOU'RE INVITED!

Please mark your calendar for THURSDAY, OCTOBER 28, and join us at the Ramkota Hotel in Bismarck for the Thirty-first Annual School Law Seminar. By sending in the early registration form mailed to your school district (also available on NDSBA's website at ndsba.org), you can take advantage of the lower registration fee and ensure availability of printed materials when you check in as a preregistered participant. We look forward to seeing you on October 28!

DPI Launches Professional Development Blog Site

The Department of Public Instruction has launched a website devoted to educator professional development (PD). The new site contains pertinent documents and an interactive blog. This resource was produced through efforts of the North Dakota Professional Development Advisory Committee (NDPDAC) with technical support from Jody French and EduTech.

The NDPDAC was organized in 2009 in compliance with HB1400. The 24-member committee, appointed by the Superintendent of Public Instruction, includes educational leaders representing administrators, teachers, school board members, North Dakota professional organizations, and the university system. Lois Myran, DPI Assistant Director of Professional Development, has lead the committee for the past year as they researched best practice and produced criteria for PD plans in North Dakota schools.

Documents produced by the Advisory Committee are available on the new website and include:

- Introduction to ND Teacher Standards
- ND Professional Teacher Standards
- ND Professional Development Plan Cover Letter
- ND Professional Development Plan Guidance
- ND Professional Development Plan Template

Educators are encouraged to participate in the site's blog to share PD ideas or events and communicate your thoughts on effective PD.

Go to <http://blogs.edutech.nodak.edu/professionaldevelopment/> and give it a try.

RESOLUTIONS

Continued from page 2

PAY FOR PERFORMANCE

Whereas, student achievement should be the top priority for school boards, administrators, and teachers; and

Whereas, current salary schedules recognize longevity and continuing education but do not take into consideration level of performance; and

Whereas, student academic growth should be one of multiple factors in teacher/principal evaluations for the purpose of establishing incentive compensation, promotion, improvement plans, and retention; and

Whereas, teachers/principals should be compensated according to their level of performance;

Therefore, be it resolved that NDSBA shall support the recommendation of the North Dakota Commission on Education Improvement to pilot an alternative compensation plan with appropriate funding. (NDSBA Board of Directors)

EARLY CHILDHOOD EDUCATION

Whereas, all children benefit from early educational opportunities when they receive age-appropriate instruction by educators trained in early childhood education; and

Whereas, children now enter kindergarten with wide-ranging readiness skills; and

Whereas, research indicates that the earlier children are identified who need support strategies for success and the earlier such strategies are provided, the greater the likelihood that children will attain age-appropriate academic proficiency; and

Whereas, the cost of providing interventions for underperforming students throughout their K-12 experience is substantial and early intervention could help many students function more independently alongside their peers; and

Whereas, school dropouts are often students who have experienced academic failure and on-time graduation for all students would benefit society as well as individual graduates;

Therefore, be it resolved that NDSBA shall support separate state funding for preschool programs meeting prescribed standards. (GAC)

RESOLUTIONS REQUIRING REVIEW RECOMMENDED FOR READOPTION AS WRITTEN

FUNDING ADEQUACY, BOARD TAXING AUTHORITY, AND PROPERTY TAX

NDSBA will support direct state funding of K-12 education at a level adequate to reduce reliance on local property taxes.

AFTER-SCHOOL PROGRAMMING

NDSBA will support legislation that will allow all school districts in North Dakota an equal opportunity to participate with after-school programming.

RESOLUTIONS REQUIRING REVIEW RECOMMENDED FOR READOPTION AS AMENDED

MANDATORY ATTENDANCE AGE

~~NDSBA will seek legislation that requires students to remain in school until they acquire proficiencies required for graduation or until they reach the age of 18.~~

Whereas, we believe it is in the best interest of every child in North Dakota to graduate from high school with a high school diploma; and

Whereas, we recognize that legislation needs to provide a waiver to mandatory attendance based on mutual agreement between the local school district and parent/guardian when it would be in the student's best interest;

Therefore, be it resolved that NDSBA shall seek legislation requiring the Department of Public Instruction to provide strategies, tools, and funding to identify and assist at-risk students throughout their education experience through the time they graduate or until they reach age 18.

RESOLUTIONS THAT WILL BE DROPPED

The following resolutions are four years old and will be dropped unless a motion to readopt is made from the floor. Because they have been accomplished, are no longer relevant, or have become an ongoing effort of NDSBA, it is the belief of the GAC that if a district has particular interest in one of these topics, a new resolution should be submitted.

ND COMMISSION ON EDUCATION IMPROVEMENT

NDSBA will encourage the Governor's Commission and the legislature to develop and establish a long-term solution for implementation of a formula that addresses both adequacy and

equity, providing support, and holding school districts harmless from changes in the formula through the next several legislative processes.

TUITION REIMBURSEMENT

NDSBA will support legislation that requires the superintendent of public instruction to remit the amount withheld from state aid equal to unpaid tuition to the admitting school district as payment of tuition within a timely manner.

NATIONAL CERTIFICATION OF TEACHERS

NDSBA will promote, encourage, and support a greater involvement of educators from North Dakota in the National Certification Program.

TEACHER MENTORING PROGRAM

NDSBA will promote, encourage, and support greater involvement by local school districts and REAs in developing mentoring programs.

RETENTION INCENTIVES

NDSBA shall seek legislation that allows for incentive payments, outside the negotiated agreement and off the salary schedule, for retention of teachers in difficult-to-fill positions with such payments considered as salary for continuing contract purposes at the discretion of the board.

ND TEACHER OF THE YEAR PROGRAM

NDSBA shall support providing a line item in DPI's budget for the North Dakota Teacher of the Year Program including the selection process, recognition event, and necessary travel for the honoree.

If your board votes to bring a resolution to the convention floor for consideration by the Delegate Assembly, the following process must be followed:

1. Have 400 copies of your resolution ready to distribute at the close of the First Business Session on Friday afternoon.
2. At the Second Business Session on Saturday morning, the chair will ask if there are resolutions that were distributed on Friday. At that time, a delegate from your board must come to the microphone and move the resolution. A delegate from a different board must make the second.
3. Once a motion and second have been made, your resolution will be debated and voted on by the Delegate Assembly.

Convention Committees Named

President Maurice Hardy has appointed two committees for the Annual Convention: Ballot Counting and Credentials. Board members named to the committees are:

Ballot Counting Committee:

Dinah Goldenberg, Fargo, Chair
Roger Pohlman, Grand Forks
Steve Halldorson, Devils Lake

Credentials Committee:

Scott Fetch, Carrington, Chair
Larry Luick, Fairmount
Evelyn Alt, Elgin/New Leipzig
Lawrence King, Bismarck

Thank you to all who agreed to serve. Everyone's time is precious, and the willingness of these board members to volunteer is greatly appreciated.



2010 NDSBA Annual Convention

PRE-CONVENTION

NDSBA New Member Seminar

NDCSA School Law Seminar

Thursday, October 28, 2010

Ramkota Hotel, Bismarck

ANNUAL CONVENTION

October 29 & 30, 2010

Ramkota Hotel, Bismarck

Nominating Committee Slates Candidates

In accordance with the NDSBA Constitution, President Maurice Hardy named the following to serve as the Nominating Committee for the purpose of slating candidates for the association's elections at the Annual Convention: Kris Fehr, Dickinson (chair); Rosemary McDougall, Jamestown; and Janet Staloch, Beulah.

The committee met on September 1 and voted to forward the following slate of candidates:

President:	Angela Korsmo, West Fargo School Board
Vice President:	Dave King, Kenmare School Board
Northwest Director:	Jim Rostad, Minot School Board Mike Lautenschlager, Lewis and Clark School Board
Southeast Director:	Greg Allen, Jamestown School Board

Delegates will vote between 7:30 and 10:00 a.m. on Saturday, October 30, at the NDSBA Convention.

IMPORTANT CONVENTION DEADLINES

Convention Rooms

If you have sleeping rooms reserved at the Ramkota Hotel for the 2010 NDSBA Annual Convention, you must give them a specific name for each reserved room by **October 6** or the rooms will be released.

If a room is reserved for both Thursday and Friday nights and the guest does not arrive on Thursday, the reservation will automatically be canceled for the second night.

Ramkota Hotel reservations (701)258-7700; fax (701)224-8212.

Convention Delegate Designations

Convention delegates and alternates must be clearly noted on the district's registration form which must be submitted **no later than October 15** in order to vote at Delegate Assembly.

