



SEPTEMBER 2012

bulletin

Excellence in North Dakota public education through local school board governance



■ VOL XXXVII ISSUE 9

Proposed Statewide Guidelines for Professional Evaluation of Teachers and Principals

During October 2011 through July 2012, a statewide advisory committee appointed by the state superintendent and consisting of teachers, administrators, legislators, and higher education representatives, drafted proposed guidelines on teacher and principal evaluations based on established and emerging statewide and national efforts. These guidelines adopt respective teacher and principal evaluation standards and provide for a more uniform framework for the professional evaluation of teachers and principals statewide.

The Department of Public Instruction



(DPI) is inviting all interested parties to submit public comments regarding these proposed statewide guidelines.

DPI has a website that posts separate teacher and principal evaluation guideline documents. This website also provides reporting forms to submit any public comments:
[http://www.dpi.state.nd.us/
ESEA/comment.shtm](http://www.dpi.state.nd.us/ESEA/comment.shtm).

All respondents are requested to submit their comments now through October 31, 2012. All public comments will assist the state superintendent regarding any future amendments and final disposition of these evaluation guidelines.

DPI Candidates to Speak At NDSBA Convention

School board members will have the opportunity to hear Kirsten Baesler and Tracy Potter, candidates for State Superintendent of Public Instruction, during the first business meeting

at the annual convention on Friday, October 26, at 2:15. This is a chance for school board members to learn each candidate's views on education issues before voting on November 6.

Committee Recommends North Dakota Apply for ESEA Waiver

In response to the Department of Education's ESEA flexibility waiver opportunity, State Superintendent Wayne Sanstead convened a committee of statewide education stakeholders to discuss the merits of the department's flexibility guidance and provide recommendations regarding pursuit of a waiver for North Dakota schools. The advisory committee prepared a state response to the ESEA Flexibility Request which included a comprehensive list of provisions related to the adoption of college- and career-ready standards and assessments; differentiated recognition, accountability, and support; and proposed development and implementation of local teacher and principal evaluations based on state guidelines. At its meeting on August 15, 2012, the ESEA Planning Committee recommended the final waiver application be released for public opinion.

Welcome New Board Members!

Congratulations to all newly elected board members and welcome to your first issue of NDSBA's monthly publication! As new school board members you will be exposed to many issues and concerns that may or may not be district related, but the board must remain focused on a common goal: promoting student achievement. Prioritize issues based on the impact they will have on achievement in your district, and you will find they can be

addressed with greater objectivity and fewer problems. Prioritizing issues around student achievement and focusing on the governing your board must do to ensure those priorities become reality will lead to a rich and rewarding experience as a board member making a positive difference for our children. Again, congratulations and welcome aboard!

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 our legislative agenda.

Resolutions are voted on at the Delegate Assembly where registered 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.

Convention delegates and alternates should be clearly noted on the district's registration form that must be received in the NDSBA office no later than **October 12** in order to vote at Delegate Assembly. Only those registered as alternates BY **THIS DEADLINE** will be allowed to substitute for a registered delegate. There will be no exceptions.

Governmental Affairs Committee Resolutions Report

The NDSBA Governmental Affairs Committee (GAC) convened on August 29 to review and recommend resolutions for consideration by the Delegate Assembly at the Annual Convention. Committee members are: Chair Maurice Hardy (Beach), Jim Johnson (Fargo), Lawrence King (Bismarck), Mike Lautenschlager (Lewis & Clark), and Jim Rostad (Minot).

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

BUSINESS MANAGER CERTIFICATE PROGRAM

Whereas, the role of business manager is vital to the ongoing successful operation of the school district; and **Whereas**, the position continues to grow in responsibility and complexity; and

Whereas, the position should not be confused with that of an administrative assistant; and

Whereas, ongoing professional development is essential for professional growth; and

Whereas, thirty-one states have enacted legislation regarding certification and/or professional development for school business managers; and

Whereas, the Board of Directors of both the Association of School Business Managers and the North Dakota School Boards Association support the concept;

Therefore, be it resolved that school boards support the Business Manager Certificate Program by providing financial support through the use of school district funds to encourage business managers to participate in this voluntary professional development opportunity. (NDSBA Board of Directors)

STATE AID FOR GROWING SCHOOL DISTRICTS

Whereas, school districts rely on significant funding from the state of

North Dakota through the Foundation Aid Program; and

Whereas, school districts must educate children as soon as they enroll; and **Whereas**, many more districts in the state are or will experience growth rather than decline in the future; and **Whereas**, previous versions of the Foundation Aid Program recognized growing school districts by considering fall enrollment as a basis for computing assistance; and

Whereas, the 2011 Legislature provided grants to some, but not all, rapidly growing school districts; and

Whereas, mechanisms could be employed to hold harmless districts with declining enrollment by basing their funding on the previous year's or the current year's enrollment, whichever is greater;

Therefore, be it resolved that NDSBA shall support legislation that modifies the Foundation Aid Program to allow the use of fall enrollment to provide adequate state support to districts with increasing enrollment. (West Fargo School Board)

ALTERNATIVE COMPENSATION

Whereas, school districts want to support excellence in teaching; and **Whereas**, current systems don't allow for innovation in how districts compensate teachers; and

Whereas, there is emerging evidence that alternative compensation models linking teacher performance, teacher evaluation, and teacher compensation are valued at the federal level; and **Whereas**, school districts need additional funding to support innovative alternative compensation models;

Therefore, be it resolved that NDSBA shall support legislation that provides school districts with separate and additional funding that encourages development of alternative compensation models that reward teaching practices that support measurable academic achievement for all students. (West Fargo School Board)

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33rd ANNUAL SCHOOL LAW SEMINAR

The thirty-third annual School Law Seminar, sponsored by the North Dakota Council of School Attorneys (NDCSA), will lead off the NDSBA Annual Convention beginning at 8:55 a.m. on Thursday, October 25, 2012. A great schedule of topics will be offered to assist and inform school attorneys, school board members, administrators, and business managers about current legal issues for schools.



DISCHARGE PROCEEDINGS – NEW PROCEDURAL REGULATIONS FROM OFFICE OF ADMINISTRATIVE HEARING

The opening session will feature attorney Gary Thune and Al Hoberg, Director of OAH, explaining the procedural requirements for discharge hearings issued by OAH and required by NDCC 15.1-15-08.

WRITING EFFECTIVE EVALUATIONS AND IMPROVEMENT PLANS FOR SUCCESSFUL NONRENEWAL

NDSBA Legal Counsel Annette Bendish and attorney Tiffany Johnson will discuss evaluations, improvement plans, and their role in the nonrenewal process. They will showcase good evaluations and explain how to improve tools used by school districts. They will also address new accreditation mandates.

IMPLEMENTING NORTH DAKOTA'S ANTI-BULLYING LEGISLATION

NDSBA Director of Policy Services Alyssa Martin and Tiffany Johnson will discuss potential legal liability as a result of implementing the anti-bullying legislation and resulting policies.

NAVIGATING CONSTRUCTION CONTRACTS AND BIDDING REQUIREMENTS

Attorneys Jon Sanstead and Rachel Bruner-Kaufman will end the morning by explaining construction contracts and bidding requirements for schools.

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Governmental Affairs Committee Resolutions Report

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RESOLUTIONS REQUIRING REVIEW RECOMMENDED FOR READOPTION AS WRITTEN

PERMANENT MECHANISM TO DISTRIBUTE SURPLUS SPECIAL EDUCATION DOLLARS

NDSBA shall support efforts to develop an appropriate funding level and provide a mechanism to distribute monies earmarked for special education back to school districts for which it was intended.

STATE TECHNOLOGY INFRASTRUCTURE MAINTENANCE AND OPERATION

NDSBA believes the cost of maintaining, supporting, and enhancing this system should continue to be financed with state dollars and there should be no transfer of the cost associated with this network back to the local school districts.

STATE FUNDING OF SPECIAL EDUCATION AND GIFTED AND TALENTED PROGRAMS

NDSBA supports the state ensuring program funding equity and full funding of special education costs to districts including gifted and talented education.

COLLECTIVE BARGAINING

NDSBA shall oppose legislation mandating school boards to collectively bargain with employees other than those currently required by 15.1-16-01: "...public school employee(s) licensed to teach by the ESPB or approved to teach by the ESPB and employed primarily as a classroom teacher."

INFORMATION ABOUT JUVENILE OFFENDERS

NDSBA will seek legislation that requires juvenile authorities to inform the principal or other appropriate administrator of a school where a juvenile is or will be enrolled if school attendance is a condition of disposition.

POSTING OF BILLS IN AN ALTERNATE FORMAT

NDSBA shall support state law changes to allow school districts the flexibility to post their bills using an electronic format such as the district's Website.

RESOLUTIONS LESS THAN FOUR YEARS OLD RECOMMENDED TO BE DROPPED

The following resolution is less than four years old and is recommended to be dropped because it has been accomplished through legislative action.

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. 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.

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.

LAW SEMINAR

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RECENT DEVELOPMENTS IN SCHOOL LAW FROM THE COURTS AND THE ATTORNEY GENERAL'S OFFICE

The afternoon will begin with a review of recent developments in school law. Gary Thune and Tiffany Johnson will discuss pending and recently decided state and national cases. Annette Bendish will present relevant information

from opinions issued by the North Dakota Attorney General's office. These cases and opinions will be presented to assist you with keeping your district out of court or to place you in the best position to win if sued.

PANEL QUESTION-AND-ANSWER SESSION

Finally, Annette Bendish, Tiffany Johnson, and Gary Thune will provide a panel question-and-answer session regarding topics and issues that are relevant and important to you and your

district. You will be able to submit your questions in the morning.

The day will conclude with the NDCSA annual meeting and directors' meeting.

YOU'RE INVITED

Please plan to attend on Thursday, October 25, at the Ramkota Hotel in Bismarck. The registration form was mailed to your school district and is also available on NDSBA's website at www.ndsba.org. Please take advantage of the reduced rate for early registration and ensure availability of printed materials when you preregister. We look forward to seeing you!



**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 NSBA Annual Conference

April 13-15, 2013

San Diego, California

2013 NDSBA Annual Convention

October 24-26, 2013

Ramkota Hotel, Bismarck

NOMINATING COMMITTEE SLATES CANDIDATES

In accordance with the NDSBA Constitution, President Angela Korsmo named the following to serve as the Nominating Committee for the purpose of slating candidates for the association's elections at the annual convention: Keith Gohdes, Central Cass (Chair); Lisa Longnecker, New Rockford-Sheyenne; and Randy Silliman, Leeds.

The committee met on August 29 and voted to forward the following slate of candidates:

President: Greg Allen, Jamestown School Board (current SE Director)

Vice President: Jim Rostad, Minot School Board (current NW Director)

Southwest Director: Evelyn Alt, Elgin-New Leipzig School Board
Ben Auch, Mott-Regent School Board
William Gion, Mott-Regent School Board
Lawrence King, Bismarck School Board

Northwest Director: Dennis Erickson, Max School Board
Mike Lautenschlager, Lewis & Clark School Board

Southeast Director: Jim Johnson, Fargo Board of Education
Jeff Shirley, West Fargo School Board

Delegates will vote between 7:30 and 10:00 a.m. on Saturday, October 27, at the NDSBA Convention.