



# bulletin



**NDSBA**  
NORTH DAKOTA SCHOOL  
BOARDS ASSOCIATION

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*Excellence in North Dakota public education through local school board governance* ■ VOL XLVIII ISSUE 6

## ND Startup, Be More Colorful, Joins Elite Nationwide Cohort through SETDA Emerging Partners Program

Be More Colorful, an award-winning immersive media and virtual reality video production studio based out of Fargo, has been selected to participate in the State Educational Technology Directors Association's (SETDA) Emerging Partners program for 2023, through its flagship edtech product, CareerViewXR.

CareerViewXR is designed to help students make more informed career decisions through immersive field trip and job shadow experiences. CareerViewXR was chosen from a highly competitive pool of over 40 international educational technology startups. It is one of only five to be selected to join the prestigious program, offering a testament to the innovation and potential impact of Be More Colorful's immersive educational technology.

"Being chosen to participate in the SETDA Emerging Partners program is a tremendous honor," said Matt Chaussee, CEO of Be More Colorful. "Being recognized as one of the most innovative startups in edtech is an affirmation of our team's dedication to creating engaging, immersive learning experiences and an endorsement of the hard work and support we have received from educators, career services professionals, industry leaders, and students from around North Dakota."

The SETDA Emerging Partners Program is designed to offer edtech startups opportunities to be seen and heard by state and national technology and digital learning leaders, which aligns perfectly with Be More Colorful's mission to help students make informed career



**Be More  
Colorful**  
Real-World Virtual Reality Solutions®

decisions by bringing the jobsite into the classroom. This partnership will provide a platform for CareerViewXR to showcase its immersive field trip and job shadow experiences to an influential audience of educational technology leaders and potential collaborators to ensure a nationwide impact.

CareerViewXR was introduced during SETDA's annual Emerging Trends Forum in early June alongside four other Emerging Partners cohort startups including: Connected Class (Florida), Infini-D Learning (Utah), XRTerra (Massachusetts), and Curipod (Norway). During the 2022 NDSBA Annual Convention, CareerViewXR was presented during the clinic sessions and as an exhibit booth.

For more information about Be More Colorful and CareerViewXR, please contact Maddysen Boecker, Communications Coordinator at [maddy@bemorecolorful.com](mailto:maddy@bemorecolorful.com) or visit <https://bemorecolorful.com/cvxr>. For more information about SETDA and the Emerging Partners program, please contact Missy Greene, Director of Strategic Partnerships at [mgreene@setda.org](mailto:mgreene@setda.org).

### NE and SW Director Openings

The Northeast and Southwest Director seats on the NDSBA Board of Directors will be open during the election at the 2023 Annual Convention in October. Both successful candidates will be eligible for two, two-year terms. If you are interested in being a candidate for one of the positions, you must (1) be from the Northeast or Southwest regions (see NDSBA Regions Map on the NDSBA website for reference) and (2) fill out a corresponding regional Candidate Information Form that can be attained from the NDSBA office. The form must be received in the NDSBA office by Friday, August 18, 2023. The Nominating Committee will review applications and select candidates to be placed on the ballot for the election held during the Annual Convention on October 26-27, 2023, in Bismarck. Candidates slated for election by the Nominating Committee will have time to make brief comments at the first business session on Thursday afternoon, October 26. Contact the NDSBA office for more information.



# Legal Spotlight Post-election and Annual Meeting Requirements

by Lexie Bergstrom, NDSBA Staff Attorney

By the time many read this article, most school districts will have held their annual election. So, what happens once the polls close? First, on election night, judges canvass the returns (i.e., count the votes). Then, on the thirteenth day following the election, the school board must meet to canvass votes and certify the results. The canvass must occur at a properly noticed, open meeting of the school board. The purpose of the canvass meeting with the board is to finalize the election.

In elections where individuals are being elected to the school board, the individual receiving the highest number of votes for each office must be declared elected. If the election results in a tie, the business manager must, within three days after the votes are canvassed by the board, notify the candidates, in writing, that a tie exists. Thereafter, in the presence of the judges and clerks of the election, at a time agreed to by the candidates, the

election must be decided by a drawing of names. A candidate involved in a tie vote may withdraw their name from consideration if they are willing to sign a statement to that effect in the presence of, and witnessed by, the business manager.

NDCC § 15.1-09-17 requires the business manager provide each person elected to the board written notice of their election within three days after the votes are canvassed by the board. Within ten days after the canvass by the school board, the business manager must certify the individuals elected and their terms to the county superintendent of schools.

An individual elected as a member of a school board is required to take and file with the school business manager an affirmation or oath of office within ten days after receiving notice of the election and before commencing duties. If the individual elected does not meet the qualifications for office (e.g., not a resident of the district, fails or refuses to take oath/affirmation) or if the candidate declines the seat, then a vacancy occurs pursuant to NDCC § 44-02-01. A vacancy on a school board must be filled within 60 days in accordance with the process outlined in 15.1-09-05.

Following the declaration and certification of the election winners and the administration of the affirmation or oath of office, a school board must hold its annual meeting in the month of July. A number of important items are accomplished at the annual meeting. The following is a brief summary of each of these items. First and foremost, NDCC § 15.1-09-02 provides that the term of office for a school board member begins at the annual meeting held in July following the member's election and continues until a successor is elected and qualified. This also means the term of any board member who is transitioning off of the board (either because the board member has

chosen not to run again or because the board member was not re-elected to the board) ends as of the annual meeting. The term of each elected member of a school board is three (3) years, except when the member is completing the unexpired term of another or the school board has by resolution changed the terms of office for its members from three to four years. NDSBA has a recommended procedure (BCAB-BR) for seating new board members at the annual meeting. This procedure directs that the annual meeting be called to order by either the most senior board member remaining on the board or the superintendent. This individual will serve as chair pro-tem until a new president is elected. The chair pro-tem will then acknowledge all new board members who will be seated after the call to order. The chair pro-tem will then follow the order of business delineated in the agenda. Election of officers should be considered a special order and acted upon before addressing unfinished business and new business.

The next task at the annual meeting is for the school board to elect its officers to serve over the next year. North Dakota law requires, at a minimum, all boards to elect from among themselves a president to serve for one year. The president presides at all meetings of the board, appoints all committees subject to approval by the board, provides authorization for the issuance of negotiable instruments, and performs all other acts required by law. The president also typically has several additional responsibilities as set forth in board policy (e.g., policy BBBA). These duties and responsibilities should be considered by the board in choosing the individual to serve as its president. Nothing in law prevents the president from making a motion, seconding a motion or voting on a motion (other than possibly in the case of a conflict of interest under NDCC

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## Legal Spotlight

§§ 15.1-07-17 or 44-04-22). However, board policy may limit the president's ability to make or second a motion. The board may also elect a vice president at the annual meeting to serve in the absence of the president at any meeting.

In addition, standing committee assignments are often determined at the annual meeting. As indicated above, the president is responsible for making assignments to committees, subject to the approval of the board. NDSBA has a recommended template policy for school board committees (BBBB) that includes directives

regarding committee membership. Generally, NDSBA recommends that less than a quorum of the board be assigned to serve on any one committee in order to avoid committee meetings being deemed meetings of the full board. The general purpose of board committees is to gather information and make recommendations to the board for action. The board should generally not delegate any final decision-making authority to a board committee. Remember - committee meetings are subject to open meetings requirements, including notice and

public access.

Finally, if it has not already done so, the board should at its annual meeting set a schedule of its regular monthly meetings for the upcoming year as required by NDCC § 15.1-09-30(2). The schedule of these meetings must be filed annually with the county auditor or posted on your district website.

Please feel free to contact NDSBA for further information in advance of your annual meeting.

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## Calling All Business Managers!

Whether you are a veteran business manager or new to the position, the North Dakota

Association of School Business Managers (NDASBM) and North Dakota School Boards Association (NDSBA) have partnered once again to bring you relevant, voluntary courses and training through the

**North Dakota School Business Manager Certification Program (NDSBMCP).** We will be holding fall courses for those interested in professional growth; strategies to increase skills/proficiencies; gaining knowledge of duties as defined in law; networking opportunities with top professionals; and elevating the status of your occupation. Application forms to enter the program and start

courses this fall are available online at <https://www.ndsbmcp.org/wp-content/uploads/2023/06/Applicationform.pdf> and will be accepted through September 15th. For more information on the program, please contact Patty VerDouw at 800-932-8791 or [patty.verdouw@ndsba.org](mailto:patty.verdouw@ndsba.org).



## NDSBA Standing Resolutions

Each year, NDSBA seeks to improve its advocacy strategy by keeping its Standing Resolutions up to date.

Any member board may submit a resolution for consideration using the

format found on the NDSBA Annual Convention webpage by **August 25, 2023**. Please view current Standing Resolutions before submitting. Resolutions are automatically dropped after four years unless brought to the Delegate Assembly for reconsideration. Both Standing

Resolutions and Beliefs and Policies are on the NDSBA website at <https://www.ndsba.org/wp/beliefs-and-policies/>.

Submit proposed resolutions by email to Taylor Lassiter at [taylor.lassiter@ndsba.org](mailto:taylor.lassiter@ndsba.org).

## 2023 NDSBA Board Member Service Awards

When a board member has earned 100 points, a certificate will be awarded designating the individual as a Veteran Board Member. When 200 points are earned, the designation is Master Board Member and a certificate and lapel pin will be awarded. Recipients will be recognized at the NDSBA Annual Convention. Board members who participate in a national meeting will earn either certificate "with

distinction."

The school district business manager should maintain one of these forms for each board member and record activities as they occur. A copy of a qualifying board member's points form must be received in the NDSBA office by Friday, September 22, for board members to be recognized at the 2023 Annual Convention. Forms are available under "Resources" on the NDSBA website. Also available

on the webpage is a spreadsheet that may be useful to record board members' yearly activities.

When 100 or 200 points have accumulated, the form should be submitted to NDSBA, 1224 West Owens Avenue, Bismarck, ND 58501 or by email to Taylor Lassiter.

**RETURN SERVICE REQUESTED**

 **mark your calendar**

**2023 North Dakota Indian Education Summit**

July 6-7, 2023  
ND Heritage Center, Bismarck

**2023 NDDPI & NDSBA Board Member Bootcamp**

August 7, 2023  
State Capitol, Bismarck

**2023 Governor's Summit on Innovative Education**

August 15, 2023  
Cheney Middle School, West Fargo

**2023 NDSBA Annual Convention**

October 26-27, 2023  
Bismarck Hotel, Bismarck

**2024 NDSBA Negotiations Seminar**

February 1-2, 2024  
BSC National Energy Center of Excellence, Bismarck



**2023-24 NDSBA DUES STATEMENTS** have been sent to district business managers. School districts in North Dakota have long benefited from the support, training, information, and legislative advocacy provided by the North Dakota School Boards Association. When public school boards join together, they make a difference in their own effectiveness and overall support for public education.

**NDSBA INFORMATION FORMS** will be sent to district business managers at the end of June. The information is vital to ensure: (1) all NEW board members, superintendents, and business managers receive our mailings as soon as they are a member of the board or district, (2) we have the correct board president, board members, superintendent, and business manager, and (3) mailing addresses, phone numbers, and email addresses for board members and staff are up to date.

**POLICY SERVICES RENEWAL INVOICES**, along with an explanation of the different types of services available, will be mailed to each district's Policy Services contact at the end of June. Your Policy Services membership will ensure that you have the latest policy updates.

**Keep your school district up to date by submitting payments promptly.**