

**CONSTITUTION
OF THE
NORTH DAKOTA SCHOOL BOARDS ASSOCIATION, INC.**

October 2013

**ARTICLE I
NAME AND PURPOSE**

Section 1: Name

The name of the organization shall be the North Dakota School Boards Association, Inc.

Section 2: Purpose

The purpose of the association shall be to bring together school board members from all parts of the state, to stimulate their interest in matters pertaining to public schools, to keep them informed of trends of education in this state and elsewhere, to promote local control of public education, to correlate work of public school organizations, and in other ways to promote improvement of elementary and secondary public schools.

**ARTICLE II
MEMBERSHIP**

Section 1: District Membership

Any school board of any public school district in the state of North Dakota may become a member of the association by payment of determined dues.

Section 2: Associate Memberships

Associate memberships are nonvoting. County or regional school boards associations, special education multidistricts, career and technical multidistricts, and regional education associations may affiliate as associate members upon payment of the determined dues.

Section 3: Other Memberships

The Board of Directors shall review requests for membership. Each case will be based on its merits, and the Board of Directors shall decide whether or not to admit the requestor, shall assess a dues amount, and shall determine which services and privileges are to be allowed.

ARTICLE III DELEGATE ASSEMBLY

Section 1: Delegate Eligibility

Each delegate to meetings of the association shall be a member of a school board of a public school district that has paid its current dues. Only delegates shall be entitled to vote at association meetings. No person shall act as a school board delegate or retain membership on any committee of the association after ceasing to be a member of a school board that is a member of the association.

Section 2: Number of Delegates

The number of delegates at any meeting shall be determined by the number of teachers in a district according to the following formula:

TEACHERS	DELEGATES
0 - 10	1
11 - 30	2
31 and over	3

In addition, districts with a pupil population of 1,000 or more pupils shall be granted an additional number of delegates based on the formula below:

PUPILS	ADDITIONAL DELEGATES
1,000-4,999	1
5,000 and over	2

The maximum number of delegates to which any district is entitled is five. For purposes of determining the number of pupils in a respective district, the latest pupil census conducted by the Department of Public Instruction shall be used. A delegate must be present in order to vote and has only one vote.

Members of the Board of Directors shall be delegates in addition to delegates to which their districts are entitled.

Section 3: Certification

In order to be eligible to take part in the business of the association and vote, a delegate must be certified by the respective business manager as a duly qualified school board member and delegate at the time of such meeting, and dues from the district represented shall be paid for the current year.

Section 4: Time and Place of Annual Meeting

Time and place of the annual meeting shall be determined by the Board of Directors of the association.

Section 5: Special Meetings

Special meetings of members of the association shall be called by the president upon written request of not less than three (3) members of the Board of Directors or ten (10) percent of member districts. Notice, including agenda, of all special meetings shall be mailed to each member of the association at least ten (10) days in advance of such meeting.

Section 6: Quorum

The membership present at the annual or any special meeting shall constitute a quorum.

ARTICLE IV FISCAL OPERATIONS

Section 1: Fiscal Year

The fiscal year of the association shall begin on the first day of July and end on the 30th of June of the year following.

Section 2: Annual Dues

Members shall pay dues as determined by the Delegate Assembly. Annual dues become payable on the first day of each fiscal year.

Section 3: Audit of Finances

The Board of Directors of the association shall provide for an annual audit of all its resources and expenditures. A financial report shall be furnished at each annual meeting.

ARTICLE V DIRECTORS

Section 1: Board of Directors

The Board of Directors shall consist of the president, vice president, immediate past president, and four directors. In addition, any North Dakota school board member who holds an office in the National School Boards Association will be a member of the NDSBA Board of Directors.

Section 2: Regional Directors

Four directors shall be elected from the membership at the association's annual meeting. They must be bona fide members of local school boards that have paid current dues. There shall be one director from each of the following districts:

- A. NORTHEAST - Counties of Towner, Cavalier, Pembina, Walsh, Ramsey, Benson, Eddy, Foster, Nelson, Grand Forks, Griggs, Steele, and Traill.
- B. SOUTHEAST - Counties of Stutsman, Barnes, Cass, Logan, McIntosh, LaMoure, Dickey, Ransom, Sargent, and Richland.
- C. NORTHWEST - Counties of Rolette, Pierce, Wells, Bottineau, Renville, Burke, Divide, Williams, Mountrail, Ward, McHenry, Sheridan, and McLean.
- D. SOUTHWEST - Counties of McKenzie, Dunn, Mercer, Oliver, Morton, Stark, Billings, Golden Valley, Slope, Bowman, Hettinger, Adams, Grant, Sioux, Emmons, Burleigh, and Kidder.

These directors shall be elected for terms of two years; the directors from the Northeast and Southwest Districts shall be elected in odd-numbered years, while directors from the Northwest and Southeast Districts shall be elected in even-numbered years. They may succeed themselves once.

Section 3: General Powers

Property, affairs, and business of the association shall be managed by the Board of Directors.

Section 4: Organizational Meeting

Immediately after adjournment of the annual meeting, the new Board of Directors shall meet to organize and transact business. Notice of such meeting need not be given. A majority of the Board of Directors shall constitute a quorum for the organizational meeting.

Section 5: Special Meetings

The association's president may call a meeting of the Board of Directors whenever deemed necessary. Directors may call a meeting upon written request of three directors; said meeting shall be held within two weeks after such request is made. Each member of the board shall receive timely notice of all meetings. A majority of the Board of Directors shall be sufficient to conduct business.

Section 6: Vacancies

All members of the Board of Directors shall hold the office to which elected or appointed for the term thereof or until a successor is elected or appointed. Vacancies on the Board of Directors that result from resignation, removal, death, disqualification, inability to act, failure of the members to elect the prescribed number of directors, or any other cause may be filled by the Board of Directors for the unexpired term. Vacancies in director positions filled by the Board of Directors shall be filled by a board member from the region with the vacancy.

Officers and directors of the association who have ceased to be members of their local school board shall continue to hold their respective office until the next annual election of the association. The past president may continue to serve on the Board of Directors even if no longer a member of a local board.

Section 7: Removal of a Board Member

When the Board of Directors determines that removal of an NDSBA board member is in the best interest of the Association, it shall implement the following procedure. The Board of Directors shall consider the issue of removal at either a regular or special meeting and shall provide notice of such meeting to the member being considered for removal. Removal shall require a two-thirds majority vote of the entire Board of Directors, excluding the member being considered for removal. Removal shall create an immediate vacancy on the Board of Directors.

Section 8: Reimbursement

It shall be the policy of the association to pay the actual and necessary expenses of members of the Board of Directors as determined by the Board of Directors.

ARTICLE VI ASSOCIATION OFFICERS

Section 1: Composition

Officers of the association shall be a president, vice president, and executive director/secretary-treasurer. President and vice president shall be elected by delegates at the annual meeting for one-year terms, eligible to succeed themselves once. Eligibility to be elected president or vice president requires an individual to have served as a regional director. The Board of Directors shall appoint the executive director to serve as secretary-treasurer. Duties of such officers shall be as herein provided.

Section 2: President

The president shall preside at all meetings of the association, Board of Directors, and Delegate Assembly, and shall be a member ex-officio of all regular and special committees. The president shall appoint annually, subject to approval of the Board of Directors, such standing, general, or special committees, in addition to those hereinafter provided for, as deemed necessary and shall perform such other duties as usually pertain to such office.

Section 3: Vice President

The vice president shall attend meetings of the board and shall perform duties of the president in the event of the president's disability or absence at meetings and such other duties as shall be specifically assigned.

Section 4: Executive Director/Secretary-Treasurer

The executive director shall be responsible to and work under the direction of the Board of Directors. It shall be the duty of the executive director to be thoroughly conversant with all affairs of the association and to inform members of matters of importance to the association. The executive director shall be responsible for all monies received and the accounting thereof. The executive director shall be paid a salary as set by the Board of Directors.

Section 5: Vacancies

Any vacancy occurring in an officer's position, other than secretary-treasurer, shall be filled in the same manner as prescribed for directors in Article V, Section 6, above.

Section 6: Reimbursement

Officers shall be reimbursed for expenditures in the same manner as directors described in Article V, Section 7, above.

ARTICLE VII APPOINTMENTS

Section 1: Governmental Affairs Committee

A Governmental Affairs Committee (GAC) shall be appointed by the president, taking into account diversity of school district size and geographic location. Terms of appointment shall be four years. The Committee will convene in August to review submitted resolutions and make recommendations for action by the Delegate Assembly.

GAC members will act as legislative liaisons for the purpose of working as advocates with legislators and the public in promoting NDSBA's legislative agenda.

Section 2: Credentials Committee

A Credentials Committee of at least three members shall be appointed by the president each year prior to the annual meeting whose duty it shall be to determine eligibility of attending delegates on the basis of requirements previously stated in Article III, Sections 1, 2, and 3. Members will also tally votes cast by hand or written ballot.

Section 3: Nominating Committee

A Nominating Committee of at least three members shall be appointed by the president each year prior to the annual meeting whose duty it shall be to select candidates for the offices and directorships of the association, with the recommendation that two names be proposed for each directorship where there is no incumbent. The Nominating Committee is expected to present nominees representative of a cross section of the membership.

Section 4: Ballot Counting Committee

A Ballot Counting Committee of at least three members shall be appointed by the president each year prior to the annual meeting whose duty it shall be to count ballots cast by members of the Delegate Assembly for candidates running for election.

Section 5: Other Committees

The Board of Directors may appoint or recommend members to represent the association on external committees, boards, commissions, and other bodies as appropriate.

Section 6: Expenses

Expenses of committee members required to attend meetings of the association may be allowed by action of the Board of Directors.

ARTICLE VIII AMENDMENTS

Section 1: Amendments

This Constitution may be amended or a new one adopted at any annual meeting by vote of two-thirds of the delegates present and voting, provided that not less than twenty (20) days notice of the proposed amendment or revision shall have been given to all members of the association.