



# bulletin



**NDSBA**  
NORTH DAKOTA SCHOOL  
BOARDS ASSOCIATION

NOVEMBER 2022

*Excellence in North Dakota public education through local school board governance* ■ VOL XLVII ISSUE 11

## 2022 Election and Delegate Assembly Results

At the election held prior to NDSBA's Delegate Assembly on October 28, the following members were elected to serve on the NDSBA Board of Directors: Patti Stedman (West Fargo) – President; Lucas Greff (Mott-Regent) – Vice President; Jim Rostad (Minot) – Northwest Director; Sonya Hansana (Hazen) – Southwest Director; and Nathan Berseth (Richland 44) – Southeast Director. Completing the board is Karl Lembke (Bismarck) – Past President; and Steve Halldorson (Devils Lake) – Northeast Director.

Additionally, the Delegate Assembly re-adopted five resolutions as written, re-adopted one resolution as amended, and adopted one new resolution as recommended by the Government Affairs Committee.

The resolutions are below. Full text can be found at [www.ndsba.org](http://www.ndsba.org).

### Resolutions re-adopted as written:

1. Costs Associated with English Language Learners.
2. School Construction Loan Program.
3. Early Childhood Education.
4. Funding Adequacy, Board Taxing Authority, and Property Tax Reductions.



*Sonya Hansana was elected as NDSBA Southwest Director on October 27, 2022. Hansana is the newest face to join the Board of Directors.*

5. North Dakota State Standards.

### Resolutions re-adopted as amended:

1. Teachers Fund for Retirement and Public Employee Retirement System.

### Resolution adopted:

1. Sign-On Bonuses.

## FCC Affordable Connectivity Program

The FCC is offering a benefit program to households that helps ensure they can afford and receive adequate broadband needed for school, work, healthcare, etc. The Affordable Connectivity Program provides a monthly discount of up to \$30 toward internet service for eligible households and up to \$75 monthly for households on qualifying Tribal Lands. One time opportunities for eligible households include discounts to receive up to \$100 for purchasing a laptop, desktop computer, or tablet from participating providers if more than \$10 and less than \$50 is contributed to the purchase price. The Program is limited to one monthly service discount and one device discount per household.

The two-step enrollment includes submitting an application and contacting a preferred participating provider to have a plan selected to be applied to the bill. Households eligible for the program are those whose income is 200% or lower of the Federal Poverty Guidelines, or if a member of a household meets at least one of the criteria listed at [fcc.gov/acp](http://fcc.gov/acp), where enrollment, Outreach Toolkit, Consumer FAQ, and other information can be found.



## NDSBA Seeks Student Artwork

NDSBA is seeking holiday-themed student artwork to be featured on our holiday cards. Artwork should be landscape-oriented and 5.5x4.75 inches. The student whose artwork is chosen will be recognized in the December issue of the *Bulletin* and receive a \$50 Amazon gift card. NDSBA will also make a

\$200 donation to the student's classroom.

Artwork can be submitted in two ways:

1. Original artwork can be mailed to NDSBA, 1224 West Owens Ave., Bismarck ND 58501.
2. High quality scans (300 dpi or greater) of original artwork can be emailed to [taylor.lassiter@ndsba.org](mailto:taylor.lassiter@ndsba.org).

All submissions should include the name and grade of the student, the name of the student's teacher, and the school district. Artwork must be received in the NDSBA office **by December 2**.

## 2023 Legislative Committee Members Needed

NDSBA is seeking board members to serve on the 2023 Legislative Committee. This committee plays an important role in NDSBA's advocacy efforts. Two to four board members are needed from each region. If you are interested in serving on the committee, please fill out the form at <https://forms.gle/CHb9jFJxtBNMmA4L8>.



# Legal Spotlight Refresher on the Recognition Process

by Amy De Kok, NDSBA Legal Counsel

For the past few years, negotiations have started to begin earlier in many districts. This seems to be particularly true this year, likely due to changes made to Chapter 15.1-16 of the North Dakota Century Code last legislative session. NDSBA has recently received several inquiries from school officials regarding these changes and how they should work in practice as the next negotiations season fast approaches. This article provides a summary of the changes made to the recognition process by the North Dakota legislature and recommends best practices to move through the process smoothly.

Negotiations cannot begin until either the board or a representative organization (usually the local teachers association) for the negotiating unit (the teachers) provides notice to the other side of their intent to negotiate. As a result of changes made by the North Dakota legislature last session, this notice must be provided no later

than 160 days before anniversary of the negotiated agreement (typically July 1<sup>st</sup>). If neither the board nor the representative organization provides this notice, the other party is not obligated to negotiate that year. If the term of the negotiated agreement is set to expire on the anniversary date, the agreement will automatically renew for another one year term.

If timely notice of intent to negotiate is provided and regardless of which party provides the notice, a 2-step recognition process is supposed to occur before actual negotiations may begin. The process begins with the filing of a petition for recognition of an appropriate negotiating unit. This petition must be filed no later than February 1 of the current school year. The board must then consider and act on the petition within 30 days. The board should confirm that the description of the negotiating unit is appropriate and in line with the definitions set forth in NDCC 15.1-16-01. If the board has concerns about the description of the unit in the petition, it is recommended the board seek guidance from its legal counsel on the handling of the petition.

Once the board approves the appropriate negotiating unit, the second step is for a representative organization to file a petition with the board to be recognized as the party that will represent the unit in negotiations. This petition must be filed with the board no later than March 1 of the current school year and must be accompanied by evidence substantiating the claim that the representative organization represents more than a majority of unit members. The law does not dictate what this evidence must be; however, typically, the petition will include a list of names and/or signatures of the unit members who support the organization. Upon receipt, the board is required to post notice of its intent to consider the petition within 10 days in each school building at which unit members are employed. The board must then meet no earlier than 10 days but no later than 20 days from the posting of this notice

to consider and act on the petition and the evidence submitted along with the petition. If the petition does not include evidence demonstrating the representative organization represents the requisite number of unit members, the board should reject the petition. The petition with the required evidence may be refiled as long as it is filed on or before March 1 of the current school year.

In most districts, the local teachers association often submits a petition containing both requests: the request to recognize the appropriate negotiating unit and the request to recognize the representative organization. In that situation, the board can handle it in one of two ways: (1) the board can promptly meet and consider the petition for recognition of the appropriate negotiating unit and simultaneously post notice of intent to consider the second request and then meet no earlier than 10 days, but no later than 20 days to consider that request; or (2) the board can promptly post notice of its intent to consider the second request and then schedule a meeting to occur no earlier than 10 days, but no later than 20 days from posting of the notice and consider both requests at that meeting.

Once the recognition process is complete, negotiations must begin within 30 days unless the parties agree otherwise. Negotiations must be completed by July 1, unless the parties agree otherwise.

NDSBA has updated its Negotiations Basics Handbook to reflect the changes made by the North Dakota legislature last session, including those relating to the recognition process. Districts may obtain a copy of the Handbook by contacting NDSBA or by attending our Negotiations Seminar in February 2023. In the meantime, please feel free to contact NDSBA for further guidance on this issue.

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# Board Members Receive Awards at Annual Convention

Eleven school board members were recognized during NDSBA's 2022 Annual Convention.

NDSBA recognizes board members for their professional development and service on two levels: Veteran Board Member and Master Board Member.

The following nine individuals received service awards:

### **Veteran Board Members**

Marlana M. Knudson, May-Port CG  
Scott P. Harms, Montpelier  
Sheila Lindbo, South Prairie  
James Peters, Glenburn

### **Veteran Board Members with Distinction**

Brent Seaks, Dickinson  
Kimberly Schwartz, Dickinson

### **Master Board Members**

Randy Korslien, South Prairie  
Dianne Hensen, Glenburn

### **Master Board Member with Distinction**

Bernie A. Belgarde, St. John

In addition to those who received service awards, two members of the NDSBA Board of Directors were recognized for their time on the board. Past president Holly Stromsodt (Finley-Sharon) completed her time on the board. Holly was first elected to the board in 2015 as Northeast Director. She served in that capacity until 2018 when she was elected president. For the past two years, Holly has served on the NDSBA board of directors as past president.

Succeeding Holly as past president is Karl Lembke (Bismarck), who completed his term as president of the board at the 2022 Annual Convention. In 2016, Karl was elected

to the NDSBA board as Southwest Director to complete a vacated term. He served in that capacity until 2018 when he was elected vice president and then in 2020 as president. He will continue on the NDSBA board as past

president for two additional years.

Congratulations to all award winners and thank you for your dedicated board service!



*Marlana M. Knudson (May-Port CG), Sheila Lindbo (Montpelier), and James Peters (Glenburn) receiving Veteran Board Member service awards from NDSBA past president Karl Lembke (Bismarck). Not pictured: Scott P. Harms.*



*Bernie A. Belgarde (St. John) receiving Master Board Member with Distinction service award from NDSBA past president Karl Lembke (Bismarck).*



*Brent Seaks and Kimberly Schwartz (Dickinson) receiving Veteran Board Member with Distinction service awards from NDSBA past president Karl Lembke (Bismarck).*



*Dianne Hensen (Glenburn) and Randy Korslien (South Prairie) receiving Master Board Member service awards from NDSBA past president Karl Lembke (Bismarck).*

## NDSBMCP Winter Online Training

The North Dakota School Business Manager Certification Program first-year students will be able to register for the Introduction to Accounting and Introduction to Payroll online course or test-out option on December 12, 2022. This online training is available to both current and graduate students. Graduates of the business manager certification program will receive a discounted rate and earn 1.5 continuing education credits for each class taken. Interested business managers can learn more about these courses by going to the NDSBMCP website at [www.ndsbmcp.org](http://www.ndsbmcp.org) and clicking on the NEWS tab or by calling the NDSBA office at 1-800-932-8791



## BoardBook Premier

BoardBook Premier is available to North Dakota school districts, political subdivisions, and businesses. BoardBook Premier is a paperless meeting and document storage program designed by school boards and is the new standard in board agenda preparation and decision making. Visit [www.ndsba.org](http://www.ndsba.org) for more information.



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**New Members Seminar**

February 2, 2023  
Bismarck Hotel, Bismarck

**2023 NDSBA Negotiations Seminar**

February 2-3, 2023  
Bismarck Hotel, Bismarck

**2023 NDSBA Annual Convention**

October 26-27, 2023  
Bismarck Hotel, Bismarck



**Mandaree School District**

Superintendent Position  
Contact: Alexis Baxley  
Website: [www.ndsba.org](http://www.ndsba.org)  
Phone: 701-255-4127  
Email: [alexis.baxley@ndsba.org](mailto:alexis.baxley@ndsba.org)  
Deadline: January 16, 2023  
Position Begins: July 1, 2023