

**STATE BOARD OF PUBLIC SCHOOL EDUCATION
MINUTES OF MEETING
May 18, 2026**

State Board of Public School Education members met at the State Capitol Building in the Sakakawea Room in Bismarck and via Microsoft Teams on Monday, May 18, 2026.

State Board Members in Attendance:

Chair Sonia Meehl
Vice Chair Mike McHugh
Board Member Morgan Forness
Board Member Eric Nelson
Board Member Lyndsi Engstrom
Superintendent Levi Bachmeier

State Board Members in Attendance Virtually:

Board Member Jason Rohr

Others in Attendance:

Mark Openshaw (Assistant Attorney General), Mike Heilman (Morton County Superintendent)

Others in Attendance Virtually: Shauna Marchus (NDDPI Admin), Melissa Hamilton (Attorney General Paralegal), Jill Schwab (NDDPI), Adam Tescher (NDDPI)

Chair Meehl called the meeting to order at 1:00 p.m. CST. Shauna Marchus conducted the roll call. Chair Meehl noted that a quorum was reached with 7 board members in attendance.

1. Approval of Meeting Minutes: April 27, 2026

Mike McHugh moved to approve the minutes from the April 27, 2026, meeting. Morgan Forness seconded the motion. No discussion. Motion carried unanimously.

2. Review the record, discuss, and take action on the annexation of property from the Sawyer Public School District No. 16 of Ward County to the South Prairie Public School District No. 70 of Ward County (Dahl Petition)

Chair Meehl noted that no hearing was required, and it was a regular annexation and not an exchange of property. Chair Meehl and Mark Openshaw read through the Dahl petition packet.

Mark Openshaw noted the following changes from the original packet:

- Calculation error on #4 - the taxable valuation for the South Prairie District should read \$16,266,803.

Supt. Bachmeier moved to approve the Dahl annexation petition for the following reasons:

- There was no opposition at the county hearing
- Petitioner understood and agreed to the increase of taxes
- Reduction in the difference in taxable valuation per student
- South Prairie has turned away students for tuition agreements in recent years
- South Prairie is the family's preferred school district

Eric Nelson seconded the motion. No discussion.

NAME	VOTE (Yes/ No)
Board Member Jason Rohr	Yes
Board Member Eric Nelson	Yes
Board Member Morgan Forness	Yes
Board Member Lyndsi Engstrom	Yes
Vice Chair Mike McHugh	Yes
Superintendent Levi Bachmeier	Yes
Chair Sonia Meehl	Yes

Motion passed 7-0. The Dahl petition was approved and will take effect on July 1, 2026.

3. Review the record, discuss, and take action on the annexation of property from the Williston Basin Public School District No. 7 of Williams County to the Eight Mile Public School District No. 6 of Williams County (Stearns Petition)

Eric Nelson disclosed that he lives in District 7, but stated that he does not have a conflict of interest for this annexation petition.

Mark Openshaw noted that living in the district does not rise to the level of being a conflict of interest, but there is the option to allow the board to vote to allow him to participate in this decision, which relieves him of any liability. Eric Nelson agreed the board should vote.

Mike McHugh moved to allow Eric Nelson to participate in the Stearns annexation action. Levi Bachmeier seconded the motion.

The board discussed whether simple residency should be considered a conflict of interest and agreed that residency alone does not disqualify someone, while employment or direct involvement in the related process might. Members emphasized transparency and noted there was no reason to believe Eric Nelson had a disqualifying conflict. They agreed the voting process was appropriate for transparency and liability protection.

NAME	VOTE (Yes/ No)
Board Member Lyndsi Engstrom	Yes
Board Member Jason Rohr	Yes
Board Member Morgan Forness	Yes
Superintendent Levi Bachmeier	Yes
Vice Chair Mike McHugh	Yes
Chair Sonia Meehl	Yes
Board Member Eric Nelson	Abstained

Motion passed 6-0

Chair Meehl and Mark Openshaw read through the Stearns petition packet.

Mark Openshaw noted the following changes from the original packet:

- Changes in dollar amounts from the original information due to rounding differences. Mark Openshaw explained that it is standard to round up to the nearest dollar, and not include cents.
- Box 1, Section M: the Williston Basin School District #7 per student valuation should be \$54,314.

Discussion:

Section N: The Board agreed to not include the county's findings that stated smaller class sizes and personnel increase educational opportunities in the State Board's findings.

Supt. Bachmeier moved to approve the Stearns annexation petition for the following reasons:

- Voluntary tax increase by the petitioner
- No oppositional testimony at the county hearing
- County approved the petition unanimously
- Student's commute will be shorter

Mike McHugh seconded the motion. No further discussion.

NAME	VOTE (Yes/ No)
Board Member Eric Nelson	Yes
Board Member Lyndsi Engstrom	Yes
Board Member Jason Rohr	Yes
Board Member Morgan Forness	Yes
Superintendent Levi Bachmeier	Yes
Vice Chair Mike McHugh	Yes
Chair Sonia Meehl	Yes

Motion passed 7-0. The Stearns petition was approved and will take effect on July 1, 2026.

4. Review the record, discuss, and take action on the annexation of property from the Mandan Public School District No. 1 of Morton County to the Sweet Briar Public School District No. 17 of Morton County (Larson Petition)

Mike McHugh declared a conflict of interest, stating that his wife is a teacher and principal at Sweet Briar School District. He announced his decision to recuse himself from the Larson Annexation.

Mark Openshaw clarified that any members who are recused from participating in any portion of a meeting are welcome to remain present, but they are not permitted to participate in any discussion or vote on the item, and are to refrain from any demonstrative behavior.

Chair Meehl noted this is a regular annexation and not an exchange of property. Chair Meehl and Mark Openshaw read through the Larson petition packet.

Mark Openshaw recalculated the per-student valuations after the Board determined that

a five-year-old child in question should not be subtracted from enrollment numbers. Using the corrected enrollment figures, he calculated Mandan's per-student valuation should be \$46,291 and Sweet Briar's should be \$51,467, resulting in a difference of \$5,176. Box 4: This change increases the valuation gap by \$444 per student. He confirmed the petition-area property value per student as \$12,812.

Mike Heilman, the Morton County Superintendent, was permitted by Chair Meehl to raise a clarification question regarding whether the five-year-old child should be included in the computation, noting that the child was approved for open enrollment next year but not currently enrolled. Mark Openshaw explained that historically, children not yet enrolled or only approved for future enrollment are not added or subtracted in these calculations. The group confirmed that the current calculation remains appropriate and would have been applied the same way even before the open enrollment application was approved.

Discussion:

Board members unanimously agreed to not include the county's finding that referenced a preference for a smaller educational environment in the State Board's findings, as it was deemed irrelevant.

It was noted that there have been an increase of annexations where petitioners are responsible for the bonded indebtedness of the school they are being detached from. Members discussed how bonded indebtedness should be represented in the findings going forward. They specifically noted that in this case the petitioners remain responsible for Mandan's existing bond obligation until its scheduled expiration, and Mike Heilman clarified that the obligation will expire in 2041. Mark Openshaw stated he will add the expiration date in the final findings. Members raised concerns about how refinancing or consolidating debt might affect this obligation. The Board agreed that a petitioner should continue paying as long as the specific bond levy appears on the tax statement, and that the obligation ends when that levy is no longer assessed.

Members agreed that clearer guidance is needed and requested that their attorney, Mark Openshaw add clarification to the annexation guidance materials.

Morgan Forness moved to approve the Larson annexation for the following reasons:

- Approved unanimously at the county level
- No oppositional testimony at the county hearing
- Travel time was shorter for children
- Parents noted interest in serving on the school board

Lyndsi Engstrom seconded the motion. No further discussion.

NAME	VOTE (Yes/ No)
Board Member Jason Rohr	Yes
Board Member Eric Nelson	Yes
Board Member Morgan Forness	Yes
Board Member Lyndsi Engstrom	Yes
Vice Chair Mike McHugh	Recused
Superintendent Levi Bachmeier	Yes
Chair Sonia Meehl	Yes

Motion passed 6-0. The Larson petition is approved and will take effect on July 1, 2026.

Additional Discussion:

Board members discussed the need for clearer annexation guidance, especially on bonded indebtedness. Mark Openshaw agreed to highlight this issue in the upcoming county superintendent training. The Board unanimously agreed Mark Openshaw could update the Annexation Guide accordingly. Members suggested simplifying the process to ensure consistency in future filings.

They also discussed whether the annexation hearing process could be streamlined, especially for uncontested petitions, and considered potential legislative changes or procedural adjustments to improve efficiency. Board members noted that in earlier years every petition required a full hearing, but current law requires a hearing for contested annexations, and requires non-contested annexations to be "considered" by the Board. They discussed whether the board must read the entire petition packet out loud during meetings. Mark Openshaw stated that the information has to be considered, so reading it out loud puts the information on record. They acknowledged that some of the information is repetitive or unnecessary for creating the record, and agreed that the process likely could be refined without formal legislative changes.

The meeting was adjourned at 2:24 p.m. CDT

Respectfully submitted,

ATTEST:



Sonia Meehl
Chairwoman

6/22/26

Date



Levi Bachmeier
Executive Director & Secretary

6/29/2026

Date

Minutes taken and prepared by Shauna Marchus