

**STATE BOARD OF PUBLIC SCHOOL EDUCATION  
MINUTES OF MEETING  
June 23, 2025**

State Board of Public School Education members met in the Brynhild Haugland Room, 1st Floor at the State Capitol and via Teams on Monday, June 23, 2025

**State Board Members in Attendance:**

Chair Sonia Meehl  
Vice Chairman Mike McHugh  
Lyndsi Engstrom  
Superintendent Kirsten Baesler

**State Board Member Present Virtually:**

Board Member Jason Rohr  
Board Member Levi Bachmeier

**Others in Attendance:** Mark Openshaw (Assistant Attorney General), Shauna Marchus (NDDPI Admin), Jodi Johnson (Ramsay County Superintendent of Schools), and four guests.

**Others Present Virtually:** Adam Tescher (NDDPI), Melissa Hamilton (Attorney General Paralegal), Dillon Juve (Cass County), Brandy Madrigga (Cass County Supt. of Schools), Kandy Christopherson, Brianna Attleson (Petitioner), Krista Shultz (NDDPI), Lisa Diseth, Beverly Bachmeier, Jessica Alonge, Jeff Frith

Chair Meehl called the meeting to order at 1:01 p.m.

**1. APPROVAL OF MINUTES**

Lyndsi Engstrom moved to approve the minutes from the May 19, 2025, regular meeting. Mike McHugh seconded the motion. There was no discussion. The motion carried unanimously.

**2. Review the Guiding Framework for Regional Educational Association (REA) Audit Presentations**

Lyndsi Engstrom declared a potential conflict of interest, noting that she is employed by one of the six REAs in North Dakota. She stated that she believes she can act on this framework because there is no financial impact.

Mike McHugh moved to allow Lyndsi Engstrom to act on the Guiding Framework for REA Audit Presentations. Superintendent Baesler seconded the motion. No discussion.

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

The motion passed 5 to 0.

Chair Meehl explained that the statute requires the State Board to review an audit of each of the REAs biannually and approve their presentation to the Board. She noted that this framework was developed a few years ago and is open for review and amendments.

No amendments were discussed.

Superintendent Baesler moved to approve the Guiding Framework for REA Audit Presentations as presented. Jason Rohr seconded. No discussion.

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

The motion passed 6 – 0.

**3. Review the record, discuss, and take action on the annexation of property from the Jamestown Public School District No. 1 of Stutsman County to the Barnes County North Public School District No. 7 of Barnes County, in North Dakota. (Attleson-Johnson Petition)**

Jason Rohr declared a conflict of interest, stating that he is a member of the Jamestown School Board. He announced his decision to recuse himself from the Attleson-Johnson Annexation.

Chair Meehl and Mark Openshaw read through the Attleson–Johnson petition packet.

Mark Openshaw noted the following changes from the original packet:

- There was a change in the taxable valuation for both districts
- The number of children to be annexed should be two, both of which are currently open-enrolled.
- The result is an increase in the taxable valuation difference of \$141.
- The petitioned property's per student valuation for two students resulted in \$15,119.

Levi Bachmeier moved to approve the Attleson-Johnson annexation from Jamestown to Barnes County North for the following reasons:

- Convenience for the family
- Absence of a burden on either the losing or the gaining districts
- Approved unanimously by both county committees
- Both school districts provided testimony in favor
- Tax valuation appears to be reasonable
- The amount of land annexed appears to be reasonable
- No testimony in opposition
- Unanimous support from both the detaching and attaching school districts

Lyndsi Engstrom seconded the motion. No discussion.

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

Motion passed 5-0. The Attleson-Johnson petition is approved and will take effect on July 1, 2025.

**4. Final approval of the Findings of Fact, Conclusions of Law, and Order for the annexation of property from the Minto Public School District No. 18 of Walsh County to Park River Area Public School District No. 8 of Walsh County, in North Dakota. (Sanders Petition)**

Mark Openshaw explained changes in the packet that were discussed at the May meeting, including: Section M- per student valuation was increased by \$38 per student. He noted that the taxable valuation per student of the property remained the same at \$3,120.

Mike McHugh moved to approve the Findings of Fact, Conclusion of Law and Order for the Sanders annexation petition. Superintendent Baesler seconded the motion. No discussion.

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

Motion passed 6-0.

**5. Final approval of the Findings of Fact, Conclusions of Law, and Order for the annexation by an exchange of property between West Fargo Public School District No. 6 of Cass County and Mapleton Public School District of Cass County, in North Dakota. (Anderson Petition)**

Lyndsi Engstrom moved to approve the Findings of Fact, Conclusion of Law and Order for the Anderson annexation petition. Mike McHugh seconded the motion. No discussion.

<b>NAME</b>	<b>VOTE (Yes/ No)</b>
Superintendent Kirsten Baesler	Yes
Board Member Jason Rohr	Yes
Vice Chair Mike McHugh	Yes
Board Member Lyndsi Engstrom	Yes
Chair Sonia Meehl	Yes
Board Member Levi Bachmeier	Recused
Board Member Eric Nelson	Absent

Motion passed 5-0.

**6. Final approval of the Findings of Fact, Conclusions of Law, and Order for the annexation by an exchange of property between May-Port CG Public School District No. 14 of Traill County and Northern Cass Public School No. 97 of Cass County, in North Dakota. (Erickson Petition)**

Mark Openshaw clarified that three of the four students were already open-enrolled, so the number of students changed by only one student, for a total of four students.

Superintendent Baesler moved to approve the Findings of Fact, Conclusion of Law, and Order for the Erickson annexation petition. Mike McHugh seconded the motion. No discussion.

<b>NAME</b>	<b>VOTE (Yes/ No)</b>
Vice Chair Mike McHugh	Yes
Board Member Lyndsi Engstrom	Yes
Board Member Jason Rohr	Yes
Superintendent Kirsten Baesler	Yes
Chair Sonia Meehl	Yes
Board Member Levi Bachmeier	Recused
Board Member Eric Nelson	Absent

Motion passed 5-0.

**7. Review the record, discuss, and take action on the proposed dissolution of the Edmore School District No. 2 to the following school districts: Langdon Public School District No. 23 of Cavalier County, Park River Area Public School District No. 8 of Walsh County, Lakota Public School District No. 66 of Nelson County, Devils Lake Public School District No. 1 of Ramsey County, and Munich Public School District No. 19 of Cavalier County in North Dakota. (Edmore Dissolution)**

Chair Meehl and Mark Openshaw read the Edmore Dissolution plan into the record.

Mark Openshaw noted multiple edits including:

- The number of students enrolled in the Devils Lake School District is 1,853.
- The current per student taxable valuation of Devils Lake School District is \$30,114.
- Approval of the dissolution would result in an increase of \$5,572 of the per student valuation in the Munich School District.

The board held a discussion about the Edmore Dissolution Plan, and key concerns discussed amongst Board members were:

1. Chair Meehl noted that the dissolution plan lacked a specified effective date, but a revised document that was submitted separately proposed August 1, 2025, as the effective date. This date was acknowledged and accepted as the intended effective date for the dissolution.

Board members highlighted that the Edmore School District had entered nonoperating status one year ago, and that the proposed effective date of August 1, 2025, would result in the dissolution occurring thirteen months after the commencement of nonoperational status. It was noted that pursuant to the provisions of the North Dakota Century Code, school districts classified as nonoperating are to be dissolved within a twelve-month period. Levi Bachmeier inquired whether the approval of the dissolution plan, as currently proposed with an effective date beyond the statutory timeframe, would pose any legal risk or liability for the Board.

Superintendent Baesler explained that precedent exists for extensions beyond the 12-month requirement. She recalled a previous dissolution that exceeded one year because the plan had to be returned to the county committee to complete additional compliance steps and ensure all legal requirements were met. She also emphasized that while following the law as closely as possible is the goal, fulfilling one legal obligation may occasionally require deviations from another section of law.

Mark Openshaw agreed that although the Century Code states the dissolution “shall” occur within 12 months, there is no legal consequence for going beyond that timeframe. He stated that if the board determines that August 1, 2025, is an appropriate date for dissolution, he does not see any consequence in Century Code.

2. The Board discussed that there were no reasons listed in the reasons section of the dissolution packet.
3. Attorney Mark Openshaw raised a legal concern regarding the proposed \$500,000 transfer to the City of Edmore. He explained that although Senate Bill 2158 has been passed, which would authorize such a transaction, it does not take effect until August 1, 2025, and therefore is not currently law. He stated that his advice to the Board is to consider what is

legal for this Board to act on today and not what will be legal in the future. He advised the Board not to pass this dissolution plan because, as of the date of the meeting, it was illegal to distribute the unobligated cash in the manner presented.

He also explained the legal implications of acting against the advice of an attorney. He noted that under North Dakota Century Code, the State's Risk Management provides legal protection for Board members who act according to the advice of the Board's attorney, even if it ends up being wrong. However, if the Board does not follow the advice of the Attorney General, then the Board will not have that same protection. He added that a court could potentially find the Board to be in dereliction of duty, which could expose individual members to individual liability if damages were sustained as a result of the Board's actions.

The Board discussed options for acting on the dissolution plan, including approving it as presented against the attorney's advice, denying it, or sending it back to the county committee for resubmission.

Another question was raised regarding whether the State Board has the ability to amend the dissolution plan and remove the questionable section about the cash transfer. Mark Openshaw clarified that, according to North Dakota Century Code, the State Board does not have the ability to modify the dissolution plan; the Board can either approve or deny the plan.

Chair Meehl emphasized that the two offending provisions of the dissolution plan were that the proposed \$500,000 transfer to the City of Emore would violate current state law, and approving the plan now could place the Board and the school district in violation of state law. Second, the proposed effective date of August 1, 2025, is already putting the district out of compliance with state law. Board members noted that if the Board approves the current dissolution plan, it would proactively be approving a plan that knowingly violates two areas of ND law.

Superintendent Baesler moved to send the dissolution plan back to the Ramsey County Committee to address the \$500,000 transfer to the City of Emore. Levi Bachmeier seconded the motion.

The Board held further discussions about what to include in the motion.

Lyndsi Engstrom moved to amend the motion to request that the county committee add reasons for the dissolution and document a clear effective date in the dissolution plan. Mike McHugh seconded the amendment. The superintendent stated she supported the amendment. There was no further discussion. The members voted on the amendment:

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

Amendment approved 6-0.

The Board resumed acting on the motion as amended to send the Edmore dissolution back to the Ramsey County Committee to address the unlawful \$500,000 transfer to the City of Edmore, the lack of reasons stated in the reasons section of the plan, and the lack of a clearly defined effective date in the plan.

No further discussion was held.

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

Motion passed 6-0.

Chair Meehl noted that the next regular State Board of Public School Education meeting is scheduled for September 23, 2025. Board members and Mark Openshaw discussed that a possible special meeting may be called if the Edmore Dissolution plan is resubmitted and determined to be urgent. Superintendent Baesler noted that local LEAs have budget deadlines and tax deadlines to consider, so a meeting to act on the dissolution as soon as possible would be in order. It was also suggested to hold a brief special meeting to approve the final Findings of Fact, Conclusions of Law, and Order for the Attleson-Johnson Annexation petition within the next 30 days.

Scheduling of a special meeting will be communicated.

The meeting was adjourned at 2:41 p.m.

Minutes taken and prepared by Shauna Marchus

Respectfully submitted,

ATTEST:

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Sonia Meehl  
Chairwoman

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Date

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Kirsten Baesler  
Executive Director & Secretary

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Date