

STATE BOARD OF PUBLIC SCHOOL EDUCATION

MINUTES OF MEETING

June 27, 2022

Members of the State Board of Public School Education met in the Peace Garden Room in the State Capitol and via Teams on Monday, June 27, 2022. The meeting was called to order by Chairman Sonia Meehl at 1:09 p.m. with the following State Board members in attendance:

Mr. Burdell Johnson

Ms. Lyndsi Engstrom

Dr. Steve Holen

Chairman Sonia Meehl

Also present: Allyson Hicks, Ann Ellefson, Laura Doll, and Administrative Law Judge Timothy Dawson

Present Virtually: Adam Tescher, Alice Johnson, and Brian Lawton (GNWEC)

APPROVAL OF MINUTES

Ms. Lyndsi Engstrom moved to approve the minutes from the April 25, 2022 meeting.

Mr. Burdell Johnson seconded the motion. Motion carried unanimously.

REA AUDIT PRESENTATION – GUIDING FRAMEWORK

GNWEC (Great Northwest Education Coop)– Brian Lawton presented the guiding framework for the year ended June 30, 2021. Mr. Lawton shared they have brought in a new executive director, Ben Schaefer, who will be overseeing an increased capacity of services to offer. Mr. Lawton added they are currently without a business manager and after July 1st CREA will be supporting the business manager efforts of GNWEC.

They currently have 15 member schools and four base staff which include a CT director, career and counselor and after-school coordinator, the REA director, and the CTE health sciences instructor. There are 15 head start staff and a variety of after-school and summer program staff. There is a 15-member school board that serves as the governing board. This will be changing to more of a regional representation board similar to CREA consisting of two

members from each region. This will be more of an 8-9 member school board.

Mr. Lawton stated they have had a 100% success rate on all grant applications. Which has brought in millions of dollars of funds to support additional employment opportunities as well as curriculum offerings. Some of the challenges are limited staff and filling positions with highly qualified personnel. Mr. Lawton noted that state-wide collaborative efforts include the literacy grant, MTSS, Science of Reading, TSI CSI, after-school network, and beginning teacher network.

Mr. Burdell Johnson moved to approve the Great Northwest Education Cooperative REA report. Ms. Lyndsi Engstrom seconded the motion. Motion carried unanimously. Motion passed 4-0.

NAME	VOTE (Yes/ No)
Ms. Lyndsi Engstrom	Yes
Dr. Steve Holen	Yes
Mr. Burdell Johnson	Yes
Chairman Meehl	Yes

HOLD A HEARING, DISCUSS, AND TAKE ACTION ON THE ANNEXATION OF PROPERTY FROM PARSHALL PUBLIC SCHOOL DISTRICT #3 TO LEWIS & CLARK PUBLIC SCHOOL DISTRICT #161 (MYERS PETITION)

The hearing was held Monday, June 27, 2022, beginning at 1:22 p.m. and was conducted by Administrative Law Judge Timothy Dawson from the Office of Administrative Hearings, pursuant to North Dakota Century Code Chapter 15.1-12. This is an evidentiary hearing for the board to hear testimony, consider other evidence as presented on issues as outlined in the annexation packet. The annexation packet was entered into evidence and marked as **Exhibit 1**. Judge Dawson noted the rules of evidence were waived applying North Dakota Century Code Section 28-32-24. Only relevant evidence will be admitted at the hearing. The proceedings were tape-recorded and persons testifying were sworn in by Administrative Law Judge Dawson. **Jodi Johnson**, Ward County Superintendent of Schools. Ms. Johnson reviewed transportation or busing in North Dakota; it is not required by a school district, and a school board can change any policies at any school board meeting. Lewis & Clark opted not to bus outside of the district

because it is not reimbursed by the state. Ms. Johnson reviewed the maps in the packet, where the petitioners live, and the lots involved. Ms. Johnson noted both districts participate in open enrollment. The three children have always attended Lewis & Clark, they live on the border, and the family did receive farm exemption.

In Support:

Jeff Myers, petitioner. Mr. Myers shared a document that Judge Dawson entered as evidence and marked as **Exhibit 2**. Mr. Myers explained they moved from a farm in the Lewis & Clark School District to the Parshall School District when the oil industry peaked in 2012, and they built a home there. This farm is just outside of the Lewis & Clark School District where they open enrolled the older child in school at Plaza School; Parshall School District did not offer preschool. Mr. Myers stated up until the 2021-22 school year Lewis & Clark district provided busing from their residence to the school. There was an issue with being available to pick up the children in the afternoon, which required them to pick them up at the stop every day at a specific time in the afternoon. Mr. Myers stated another consideration in addition to transportation would be to be more involved with the district their children attend, vote for school board elections, or run for school board given the opportunity. Mr. Myers stated one district is not better than the other, the reason is their children are familiar with this school, they would have transportation and to keep it stable. Ms. Meehl asked if Mr. Myers serves on any other boards. Mr. Myers stated he does serve on other boards currently and has in the past.

Marc Ritteman, Superintendent for Lewis & Clark School District. Mr. Ritteman added they opted to set up pick-up points for out-of-district kids. There are 30 kids that come from the Parshall School District and 45 from New Town, so they have established 2 pick-up points. The Myers live a great distance from both pick-up points, so they had a choice to make whether they would bus to the nearest district stop or to one of the pick-up points. They decided to bus to the nearest district stop. Ms. Engstrom asked whether the district has a policy for transferring in-district students? Mr. Ritteman responded they do not have a specific policy. Mr. Holen asked what percentage of the costs are reimbursed through transportation funding at the state level. Mr. Ritteman stated he cannot answer that question, as he needs to submit those numbers by June 30th.

Opponents:

Shane Sagert, Superintendent of Parshall School District. Mr. Sagert shared his concerns about losing land, which determines the mill levy. Mr. Sagert stated taxable valuation for a school district is vital, which gives them their state aid. Mr. Sagert further stated when you lose the land and students, you lose taxable valuation and state aid. Mr. Sagert stated they are opposing because they feel the next farmer can come in and take more land and change the district lines. Mr. Sagert stated the district lines are there for a reason and should not be changed.

There being no further testimony, Judge Dawson closed the evidentiary hearing at approximately 1:49 p.m. and returned the meeting to Chairman Meehl.

Discussion and decision:

Chairman Meehl read the Findings of Fact for the annexation. Assistant Attorney General Allyson Hicks stated the board needs to clarify and make a decision as to the indebtedness of the detached and attached properties before approving the final findings. Ms. Hicks clarified there are two different options, either the Ward County option or the McLean County option, or the board can choose something completely different, but the final decision is up to the board. Dr. Holen questioned what the petitioner's understanding was on paying both the tax burdens. Chairman Meehl questioned Mr. Myers that he understands his taxes would be higher in annexing to the Lewis & Clark district, and he is okay with that. Mr. Myers stated yes. Dr. Steve Holen moved to approve the annexation based on the findings of fact that have been presented, that the impact on taxable valuation per student is minimal, the minimum amount of land was taken in this situation, and the transportation issues that were presented at this meeting regarding the petitioners were acknowledged, the fact that the petitioner is okay with the indebtedness of the detached school district being included in this proposal and propose to utilize the Ward County proposal regarding the indebtedness associated with this petition. Chairman Meehl stated Dr. Holen moved to accept the Ward County tax treatment and the findings he stated as per student valuation is reasonable, the petitioner was aware of increased taxes, and even if the Ward County proposal was approved, the minimum land was taken and the transportation issues. Ms. Engstrom clarified the motion is with regard to C2 and approval. Ms. Engstrom seconded the motion. Motion passes 4-0.

NAME	VOTE (Yes/ No)
Dr. Steve Holen	Yes
Mr. Burdell Johnson	Yes
Chairman Meehl	Yes
Ms. Lyndsi Engstrom	Yes

Review the record, discuss, and take action on the annexation of property from Williston Basin School District #7 to Eight Mile School District #6 (Arend Petition)

Chairman Meehl read the annexation petition. Ms. Lyndsi Engstrom made a motion to approve the Arend annexation based on the county findings, with the addition of the family would have access to transportation to school, taxable valuation per student was reasonable, the least amount of property was taken to annex, and county approval 5-0. Chairman Meehl confirmed the findings of the least amount of land was taken, busing is provided by Eight Mile District, the per-student taxable valuation is reasonable and there was no opposition at the county and the county approved 5-0. Mr. Burdell Johnson seconded the motion. Motion passes 4-0.

NAME	VOTE (Yes/ No)
Chairman Meehl	Yes
Ms. Lyndsi Engstrom	Yes
Mr. Burdell Johnson	Yes
Dr. Steve Holen	Yes

Review the record, discuss, and take action on the reorganization of the McClusky School District No. 19 and Goodrich School District No. 16 to McClusky-Goodrich Public School District # 29

Chairman Meehl asked that Ms. Hicks give a history of the advertising matter and what action needs to be taken. Ms. Hicks stated the Sheridan County Reorganization committee meeting was held on May 23, 2022, pursuant to statute the notice needs to be advertised 14 days prior to the hearing, however, it was only advertised 11 days prior. Ms. Hicks stated this is a procedural defect and the board can decide that it was in substantial compliance with the statute. It appears there was good turnout at the hearing. It does not appear there was any opposition. It is up to the

board to make the determination and motion that advertising at the county level was in substantial compliance with the state law and the board can move forward with consideration of the reorganization plan. Mr. Burdell Johnson made a motion that the district made a good faith effort to advertise, and the board can continue with the reorganization. Dr. Steve Holen seconded the motion. Motion passed 4-0.

NAME	VOTE (Yes/ No)
Dr. Steve Holen	Yes
Chairman Meehl	Yes
Ms. Lyndsi Engstrom	Yes
Mr. Burdell Johnson	Yes

Ms. Hicks addressed the board regarding the notification issue. Ms. Hicks stated under Century Code the board is not required to take any public comment for reorganizations, it is a meeting to review and consider, and the hearings are at the county level. There was an error in the notice published that stated the State Board would be accepting public comment on the reorganization. The board is required to accept any public comment if anyone has public comment to make. Chairman Meehl asked if anyone had public comment. Deneen Richter, School Board member for Goodrich stated she is in favor of the consolidation. Roberta Hunt, President of the McClusky School Board stated she is in support of the reorganization.

Chairman Meehl read the reorganization plan which includes the following reasons:

1. Lack of students, it's a necessity to do the reorganization
2. Reorganization was comprehensive and justified rationale for reorganization
3. Meets all of the legal requirements of 15.1-12-10
4. Plan appears to be unanimously supported by both districts

Dr. Steve Holen made a motion to accept the reorganization plan of McClusky School District No. 19 and Goodrich School District No. 16 into McClusky-Goodrich School District No. 29. Ms. Lyndsi Engstrom seconded the motion. Motion passed 4-0.

NAME	VOTE (Yes/ No)
Mr. Burdell Johnson	Yes
Ms. Lyndsi Engstrom	Yes
Chairman Meehl	Yes
Dr. Steve Holen	Yes

Final approval of Findings of Fact, Conclusions of Law, and Order for the annexation of property from Williston Basin School District #7 to Eight Mile School District #6 (Dansie Petition)

Dr. Steve Holen made a motion to approve the Findings of Fact for the Dansie annexation. Mr. Burdell Johnson seconded the motion. Motion passed 4-0.

NAME	VOTE (Yes/ No)
Ms. Lyndsi Engstrom	Yes
Dr. Steve Holen	Yes
Mr. Burdell Johnson	Yes
Chairman Meehl	Yes

DISCUSSION AND ACTION ON THE NORTH DAKOTA LEARNING CONTINUUM

Ann Ellefson from the NDDPI was a guest presenter and provided the most recent update on the ND Learning Continuum, which was attached to the meeting invite. Ann stated there are two elements that they continue to work on: 1) to ensure the DPI branding and logo and coloring are ADA compliant and accessible; and 2) the bibliography and compiling of the resources that were referenced and used by the 8-9 committees that did this work. After completion, it will be posted on the Department’s website. No action is needed from the board.

NEXT MEETING

The next meeting is scheduled for Monday, September 26, 2022, at 1:00 PM.

Ann Ellefson stated there may be an opportunity for a State Board designee to attend one of the Interim Education Committee meetings to introduce to the legislative body the work that was done on the ND Learning Continuum. The committee feels that recognizing the State Board’s role in this work would be

important. Ann will follow up with the dates. Chairman Meehl designated herself to attend with or without Mr. Josh Johnson, the Vice-Chair of the State Board.

There being no other business before the Board, the meeting was adjourned at 3:11 p.m.

Minutes taken and prepared by Laura Doll