State Board of Public School Education members met in the CTE 15th Floor Conference Room at the State Capitol in Bismarck and via Teams on Monday, May 22, 2023, for a special meeting. The meeting was called to order by Chair Sonia Meehl at 1:04 p.m.

Board Members in attendance:
Chair Sonia Meehl
Josh Johnson
Mike McHugh
Superintendent Kirsten Baesler

Members Present Virtually: Lyndsi Engstrom, Eric Nelson
Members Absent: Burdell Johnson
Others Present: Allyson Hicks, Donna Fishbeck, Shauna Marchus, Robert LaFavor
Others Present Virtually: David Gerding, Twila Gantzer

This special meeting was called to address one agenda item: consideration of materials and appointment of a school board member pursuant to NDCC 15.1-09-05 for the Surrey School District.

Allyson Hicks informed the state board members that state law provides that when we have a school board that falls to less than a quorum, the State Board of Public School Education appoints not all the vacancies on a school board, but just up to the bare quorum. Once there are enough board members for a quorum, the school board will appoint the other members. At that time, the member that was appointed by the state board will be removed, and then the school board will refill that position. The school board can opt to keep that person on, but they are not obligated to keep that person appointed by the state board. Today the state board is to review the two applications that were submitted and make a selection for whom to appoint to the Surrey School Board.

Chair Meehl questioned if this board needs to give any consideration to the geographical requirements of the school district. She also asked if a reorganized district is in play.

Ms. Hicks explained the person appointed to the school board has to be an elector of the school district. Ms. Hicks was not sure if Surrey is a reorganized district. She stated that all the state
Chair Meehl explained there are two letters presented to the state board for consideration. Lea Atterton and Ronald Aberle submitted letters expressing interest in being appointed to the Surrey School Board.

Superintendent Baesler noted that Mr. Aberle was previously on the school board, and she questioned if Mr. Aberle resigned, or if he ran and was not re-elected.

Ms. Hicks noted all the information we have is what was in their letters.

Chair Meehl reminded the members that they are not obligated to take information from anyone, this is the work of the state board alone.

Superintendent Baesler stated that Mr. Aberle mentioned in his letter that he is currently a girl’s basketball coach. She stated that a person can’t be an employee and be on the school board at the same time.

Superintendent Baesler moved to appoint Lea Atterton to the Surrey School Board.

Josh Johnson seconded the motion.

Discussion was held about the timelines for this appointment. Ms. Hicks explained the urgent need for an appointment was because the Surrey School Board is in the middle of teacher contract negotiations, and they cannot wait for elections. She also explained this person appointed by the state board would be appointed for one board meeting. At the next board meeting, they would use this quorum to appoint more board members, then this board member will be done unless reappointed by the Surrey School Board.

At the request of Chair Meehl, Donna Fishbeck explained the history of communication from the Surrey Superintendent and business manager. They called and emailed asking for the state board to appoint someone to get a quorum to be able to continue business for writing checks, paying bills, and to continue teacher negotiations. Initial contact was made with DPI when the Surrey School Board could not get in touch with one of its board members who was not attending meetings. About a week later, the absent board member officially resigned. Donna stated that when this issue came about, Kirsten Baesler and Allyson Hicks were contacted, and they instructed the state board to schedule a special meeting to appoint someone. A letter and resume
were requested from the applicants, but due to time constraints, a resume was not required, so we just received letters from the applicants.

Josh Johnson asked if an employee of the school district is seeking a position on the school board, does that disqualify one of the two candidates?

Ms. Hicks explained that according to her understanding of the conflict-of-interest policy, a person cannot serve in a sub-role and a managerial role simultaneously. She stated that since the school board approves all the coaching contracts, she assumed it would be a conflict. Ms. Hicks stated it does raise concern for her regarding appointing Mr. Aberle for this reason.

No further discussion was held. Chair Meehl asked for the roll call vote:

<table>
<thead>
<tr>
<th>NAME</th>
<th>VOTE (Yes/ No)</th>
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<tbody>
<tr>
<td>Lyndsi Engstrom</td>
<td>Yes</td>
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<tr>
<td>Eric Nelson</td>
<td>Yes</td>
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<tr>
<td>Chair Meehl</td>
<td>Yes</td>
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<tr>
<td>Josh Johnson</td>
<td>Yes</td>
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<td>Mike McHugh</td>
<td>Yes</td>
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<td>Superintendent Baesler</td>
<td>Yes</td>
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Motion carried unanimously.

Chair Meehl stated that the Surrey School District shall be notified that the State Board of Public Education appointed Lea Atterton to fulfill the school board position pursuant to NDCC 15.1-09-05 and to fulfill that obligation as outlined by law.

There being no other business before the board, the meeting was adjourned at 1:21 p.m.

**NEXT REGULAR MEETING** is scheduled for Monday, June 26, 2023, at 1 p.m.

Minutes taken and prepared by Shauna Marchus