

**STATE BOARD OF PUBLIC SCHOOL EDUCATION
MINUTES OF MEETING
May 20, 2024**

State Board of Public School Education members met in the CTE 15th Floor Conference Room at the State Capitol and via Teams on Monday, May 20, 2024. The meeting was called to order by Chairwoman Sonia Meehl at 1:00 p.m.

State Board Members in Attendance:

Chair Sonia Meehl
Board Member Josh Johnson
Vice Chairman Mike McHugh

State Board Member Present Virtually:

Board Member Eric Nelson
Board Member Lyndsi Engstrom

Others in Attendance: Allyson Hicks (Asst. Atty General), Shauna Marchus (NDDPI Admin)

Others Present Virtually: Melissa Hamilton (ND Atty Gen. Office), Adam Tescher (NDDPI), Donna Fishbeck (NDDPI), Sarah Duttonhefner (Petitioner), Sally Whittingham (County Supt.)

Chair Meehl started the meeting by requesting that an item be added to the agenda: a procedural discussion of the upcoming Edmore Dissolution.

Mike McHugh moved to amend the agenda and add item #4: procedural discussion regarding the Edmore Dissolution. Josh Johnson seconded the motion. No discussion. The motion carried unanimously.

1. APPROVAL OF MINUTES – April 22, 2024

Josh Johnson moved to approve the minutes from the April 22, 2024 - regular meeting. Lyndsi Engstrom seconded the motion. No discussion. The motion carried unanimously.

2. Review the record, discuss, and take action on the annexation of property from the Beulah Public School District No. 27 of Mercer & Dunn Counties in North Dakota to the Killdeer Public School District No. 16 of Dunn County in North Dakota (Duttonhefner Petition)

Chair Meehl read the Duttonhefner annexation petition. She noted that some recent corrections have been added to the petition and Allyson Hicks would address those corrections as they reviewed the packet.

Allyson Hicks explained that there was an administrative error and stated that Sally Whittingham, the Dunn County superintendent, indicated the correct current taxable valuation for Beulah Public School District to be \$32,310,667 instead of \$2,000,000 listed in the packet. Later in the reading of the petition, Allyson Hicks noted another correction

regarding a difference between the Killdeer District's current taxable valuation and the acreage listed. She clarified that it is the entire 147.64 acres that are being annexed instead of the 2 residential acres listed. She stated that how it was listed does not change the taxable valuation of the petitioned property, and the full 147.64 acres match the tax statement in the packet, noting the number of acres was listed wrong, not the taxable valuation. Chair Meehl noted that the correct taxable valuation for the Beulah School District, if approved, is \$32,301,712. The new taxable valuation for Killdeer School District will be \$67,686,271. There was a brief discussion about the correct number of sections in the districts. Allyson Hicks agreed to verify the correct number of sections, and it will be adjusted, if needed, in the final Findings of Fact.

Allyson Hicks read Section M, the current per-student valuation. She noted there is no change to the enrollment with this annexation because both students have been open-enrolled in Killdeer Public Schools. She also explained that in the original calculations, the difference in per-student valuation still ended up being \$28.00, so there was not a change from what the county committee considered to what the State Board considered, even though there was an administrative error in the numbers.

Discussion included:

- Josh Johnson added that if approved, the petitioner would be responsible for all taxes in the Killdeer School District and no taxes in the Beulah School District.
- Josh Johnson added that the difference in per-student taxable valuation of the petitioned property seems reasonable.
- Lyndsi Engstrom added that there was no opposition at either county level hearing.
- Josh Johnson added the petitioners had narrowed the petition to the least amount of land required for this annexation.

Mike McHugh moved to approve the Duttonhefner Annexation as requested based on the facts that have been presented including:

- There was no opposition at either county level hearing.
- The difference in per-student taxable valuation of the petitioned property seems reasonable.
- The petitioners had narrowed the petition to the least amount of land required for this annexation.

Lyndsi Engstrom seconded the motion. No further discussion.

NAME	VOTE (Yes/ No)
Board Member Lyndsi Engstrom	Yes
Board Member Josh Johnson	Yes
Vice Chair Mike McHugh	Yes
Board Member Eric Nelson	Yes
Board Member Burdell Johnson	Absent – No Vote
Superintendent Kirsten Baesler	Absent – No Vote
Chair Sonia Meehl	Yes

Motion passed 5-0.

3. **Annexation Training Manual Review – Allyson Hicks**

Allyson Hicks mentioned the need to finalize and approve the Annexation Training Manual before the training that is scheduled in July and it will also be distributed to the county superintendents. She asked board members for comments or revisions. No comments or questions were raised, and it was confirmed that all had reviewed the document. Eric Nelson moved to approve the Annexation Training Manual as presented, Josh Johnson seconded the motion.

Discussion: Josh Johnson extended appreciation to Ms. Hicks for putting this information together and mentioned how beneficial it will be to county superintendents going through the annexation process, and ultimately, this will benefit the State Board also.

NAME	VOTE (Yes/ No)
Vice Chair Mike McHugh	Yes
Board Member Josh Johnson	Yes
Board Member Lyndsi Engstrom	Yes
Board Member Eric Nelson	Yes
Board Member Burdell Johnson	Absent – No Vote
Superintendent Kirsten Baesler	Absent – No Vote
Chair Sonia Meehl	Yes

Motion passed 5-0.

4. **Procedural Discussion – Edmore Dissolution**

Discussion was held amongst the board members that revolved around administrative considerations about scheduling and time constraints to address the Edmore Dissolution. There was discussion around dates, timing, noticing requirements, and consideration of public comment. Concerns were raised about accommodating a potentially large number of attendees and whether public comments should be allowed. Allyson Hicks noted that dissolutions do not have hearings, and there is no statutory authority to hold a hearing, so public comment at the meeting is at the discretion of the chair. The board discussed the boards role in dissolutions, as well as the pros and cons of allowing public comment during a contested dissolution. Some board members expressed willingness to hear from the public; others expressed concern about allowing public comment. Lack of precedence for public comment in similar situations was noted. The discussion delved into the various opportunities for public input previously in the dissolution process, highlighting that formal hearings typically occur at the county committee level and dissolutions are not subject to a hearing at the State Board level. Overall, there seemed to be a consensus to allow some public comment with parameters. The meeting concluded with plans to schedule a special meeting if a date could be agreed upon, and guidelines for public comments would be outlined.

There being no other business before the board, the meeting was adjourned at 2:05 p.m.

NEXT MEETING: The next meeting is scheduled for June 24, 2024, at 1:00 p.m.

Minutes taken and prepared by Shauna Marchus

Respectfully submitted,

ATTEST:

Sonia Meehl
Chairwoman

Date

Kirsten Baesler
Executive Director & Secretary

Date