

**STATE BOARD OF PUBLIC SCHOOL EDUCATION
MINUTES OF MEETING
September 23, 2024**

State Board of Public School Education members met in the CTE Conference Room, 15th Floor at the State Capitol and via Teams on Monday, September 23, 2024.

State Board Members in Attendance:

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

State Board Member Present Virtually:

Board Member Levi Bachmeier (left at 2:43 pm)

State Board Member Absent:

Board Member Eric Nelson

Others in Attendance: Allyson Hicks (Asst. Atty General), Judge Timothy Dawson (Administrative Law Judge), Shauna Marchus (NDDPI Admin), Bob LaFavor (DPI-NDIT), Mark Openshaw (Asst. Atty General), Jason McKibben (Petitioner), Todd Kaylor (Minot Public Schools Assistant Superintendent for Secondary Education), Matt Norby (Nedrose Public Schools Superintendent), Jodi Johnson (Ward County Superintendent of Schools)

Others Present Virtually: Adam Tescher (NDDPI), Donna Fishbeck (NDDPI), Glenda Haugen (Traill County Superintendent of Schools), Chelsey Raymond, Dr. Alyssa Martin (Director of NDCDE)

Chair Meehl called the meeting to order at 1:02 p.m. and confirmed that there was a quorum present.

1. APPROVAL OF MINUTES

a. June 24, 2024 – Regular Meeting

b. July 22, 2024 – Special Meeting

Lyndsi Engstrom moved to approve the minutes from the June 24, 2024 regular meeting and the July 22, 2024, special meeting. Superintendent Baesler seconded the motion. No discussion. The motion carried unanimously.

2. Election of Officers

Superintendent Baesler nominated Sonia Meehl as Chair and Mike McHugh as Vice Chair.

Levi Bachmeier moved to suspend nominations and cast a unanimous ballot for Sonia Meehl as Chair and Mike McHugh as Vice Chair. Superintendent Baesler seconded the motion. No discussion.

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

Motion passed 5-0.

3. Presentation: North Dakota Center for Distance Education (NDCDE) School Approval Report – Dr. Alyssa Martin, Director

Dr. Alyssa Martin gave a brief presentation on the NDCDE School Approval Report and included both the school-level and district-level reports for the board to review.

Vice Chair Mike McHugh moved to approve the NDCDE School Approval Report. Superintendent Baesler seconded the motion. No discussion. The motion carried unanimously.

4. Reorganization and Dissolution Manuals – Allyson Hicks

Allyson Hicks reported that the ND Guide to Annexations manual was well received at the County School Superintendent training, but a request was made to amend the manual to add land exchange as a remedy. She also noted that there has been a request to create a reorganization and dissolution manual as well. She requested that the Board authorize her to begin the addendum to the annexation manual and to create reorganization and dissolution manuals for the Board to review and adopt at a later date.

Vice Chair Mike McHugh moved to authorize Allyson Hicks to move forward with an addition of land exchange guidance to the annexation manual, and to create a reorganization and dissolution manual. Lyndsi Engstrom seconded the motion. The motion carried unanimously.

5. Hold a hearing, discuss, and take action on the annexation of property from the Nedrose Public School District No.4 of Ward County to the Minot Public School District No.1 of Ward County in North Dakota (McKibben Petition)

The McKibben Annexation hearing was held beginning at 1:20 pm and was conducted by Administrative Law Judge Timothy Dawson from the Office of Administrative Hearings, pursuant to North Dakota Century Code (N.D.C.C) Chapters 15.1-12 and 28-32. This was an evidentiary hearing for the Board to hear testimony and consider other evidence as presented on issues as outlined in the McKibben Annexation packet from the Ward County Reorganization Committee, which was entered into evidence and marked as Exhibit 1. Judge Dawson explained the procedures of the hearing as well as the penalties for perjury. He noted that the Board wished to waive the rules of evidence per N.D.C.C § 28-32-24. He explained that at the close of testimonies, the State Board of Public School Education will make the final decision. If any party does not agree with the final decision, they may appeal under N.D.C.C ch. 28-32, the Administrative Agencies Practices Act. The proceedings were

recorded, and all persons testifying were sworn in by Judge Dawson.

The Board members heard testimony from:

- Jodi Johnson, Ward County Superintendent of Schools
- Jason McKibben, Petitioner
- Todd Kaylor, Assistant Superintendent for Secondary Education in the Minot Public School District – testified in support of the annexation.
- Matt Norby, Superintendent of Nedrose Public School District - testified in opposition to the annexation.

Chair Meehl and Allyson Hicks read through the petition, and Board members listed relevant factors to be considered and added to the findings of fact. Vice Chair Mike McHugh moved to approve the McKibben annexation for the following reasons:

1. The Petitioner has agreed to pay the debt and taxes of Minot Public School as well as the sinking and interest fund levy of the Nedrose Public School District.
2. The Ward County Committee unanimously approved the petition for annexation.
3. If approved, the school buildings the Petitioner's children would attend in Minot Public School District would be closer to the Petitioner's home than the school buildings the Petitioner's children would attend if they attended school in Nedrose Public School.
4. The Petitioner is aware of the increase in taxes if the petition is approved.
5. Approval of the annexation would provide more certainty to the Petitioner that their children would be able to attend the schools of the family's choice.

Superintendent Baesler seconded the motion

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

Motion passed 5-0.

Board Member Levi Bachmeier left the meeting at 2:43 pm.

6. **Review the record, discuss, and take action on the petition for annexation by an exchange of property between the May-Port CG Public School District No.14 of Traill County, in which the petitioners reside, and the Northern Cass Public School District No.97 of Cass County in North Dakota (Erickson Annexation).**

Allyson Hicks noted that this Petition has not met the statutory requirements to be heard by the Board and will be sent back to the County Committees to hold additional county reorganization committee hearings before the Board can consider it. Chair Meehl stated that the Board will defer action on this annexation back to the county committees.

7. Review the record, discuss, and take action on the annexation of property from the Williston Basin School District No.7 of Williams County to the Eight Mile School District No.6 of Williams County in North Dakota (Schaefer Annexation)

Chair Meehl and Allyson Hicks read through the petition, and Board members listed relevant factors to be considered and added to the findings of fact. Lyndsi Engstrom moved to approve the Schaefer petition for the following reasons:

1. The Williams County Committee unanimously approved the petition for annexation.
2. The per student taxable valuation of the petitioned property is reasonable.
3. The annexation involves a single lot and a single family.
4. There was no opposition testimony at the Williams County Reorganization hearing.

Vice Chair Mike McHugh seconded the motion. No discussion.

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

Motion passed 4-0.

8. Board Member Training: Communications with Public - Allyson Hicks

Allyson Hicks provided training focused on the importance of understanding appropriate communication and responses to public inquiries to Board members. She explained that Board members are public officials and represent the public's interests, but they can only speak on behalf of the Board if authorized during official meetings. She explained that a Board member should direct constituents to appropriate agencies to answer questions rather than attempting to provide information themselves. Superintendent Baesler instructed members to direct questions to the Department of Public Instruction, which is the administrative officer of the Board.

Allyson Hicks requested that the Annexation Guide be posted online on the DPI website and advised that it will be posted on the Attorney General's website as a resource for counties and schools.

The Board also discussed the desired detail in the state board's meeting minutes. Members' consensus was to change the protocol of minutes to a more concise format with a brief summary of key points, findings, and decisions made during meetings.

There being no other business before the Board, the meeting was adjourned at 3:45 p.m.

Minutes taken and prepared by Shauna Marchus

Respectfully submitted,

ATTEST:

Sonia Meehl
Chairwoman

Date

Kirsten Baesler
Executive Director & Secretary

Date