

## Unapproved School Board Meeting Minutes

Dickinson Public Schools  
Special School Board Meeting

March 3, 2015; 4:00 p.m.  
Board Room, Central Office

The Dickinson Public School Board held a special meeting on March 3, 2015, at the Central Administration Office. Board members present were: President Kris Fehr, Mrs. Tanya Rude, Ms. Leslie Ross, and Mrs. Sarah Ricks. Board member absent was Vice-president Jason Hanson. Administrators present were: Superintendent Douglas Sullivan, Assistant Superintendent Vince Reep, Mr. Shawn Leiss, Mrs. Susan Cook, Mrs. Melanie Kathrein, and Dr. Marcus Lewton. Others present were: Chris Gibbs, Lyle Smith, Sandra Hood, Jamie Prellwitz, Merrill Fahlstrom, Amy Jo Hughes, Mary Ann Reisenauer, Madelyn Ohene-Ntow, Brandie Sherman, Tammy Meschke, Donna Abrahamson, Amber Berg, Barb Binstock, Clarence Hauck, Scott Schmidt, Jim Steckler, Naomi Thorson, Judith E. Dalton, Linda Greenwood, Jane Cornell, James Fahy, Crystal Hoerner, Julie Maes, Tracy Sipma, Dawn Sipma, Trina Kudrna, Kelly Jahn, Kandace J. King, Mandy Lubken, Scott Miller, Gerald Holinka, Les Dykema, Kristi Meidinger, Shary Smith, Yvette Schubert, Brian Woehl, Brenda Loney, Susan Moberg, Leslie Wilkie, Alisha Webster, Leann Mehrer, Diana Stroud, Jim Goetz, Damian Sobolik, Carolyn Burns, Jackie Glaser, Barb Boniceli, JoAnn Coates, Twila Petersen, and Nadya Faulx from the Dickinson Press.

**Call to Order** - Board President Fehr called the meeting to order at 4:00 p.m.

**Public Participation** – Mr. Lyle Smith requested permission to provide public participation regarding agenda item III–Petition for Recognition (DEA). Board President Fehr invited Mr. Smith, president of the DEA, to address the Board. Mr. Smith requested the names of Bethany Krieg and Gail Dockter be struck from the signatures of individuals that signed the Petition for Recognition. The names were missed on the proofreading. Mr. Smith reflected school board policy DLA-Recognition of Negotiating Units adopted by the School Board on December 8, 2014. Mr. Smith felt the policy was created after the DEA had mistakenly submitted names that should not have been on the Petition for Recognition. The DEA had then been more conscientious and reviewed the names and resubmitted the Petition of Recognition in October 2014, which the Board accepted. Mr. Smith stated the law is clear who the DEA can represent. Mr. Smith recommended the Board rescind the Board policy. He recognized the correspondence he received in December was after the policy had been adopted and said he thinks this was adopted at the recommendation of the North Dakota School Boards Association. He felt this is an instance when there is influences that are east of Gladstone dictating to the school district. Mr. Smith suggested the Board consider a collaborative bargaining format for the upcoming negotiations. Mr. Smith asked the Board to consider the Petition for Recognition and approve it. President Fehr thanked Mr. Smith.

**Petition for Recognition (Dickinson Education Association)** – On February 4, 2015, the Dickinson Education Association submitted a Petition for Recognition of an Appropriate Negotiating Unit and also a Petition for Recognition of a Representative Organization which is posted under Supporting Documents. Also posted are the following documents: Dickinson School Board Resolution Recognizing the Dickinson Education Association as the Representative Organization for Teacher Negotiations dated October 7, 2014; Board policy DLA-Recognition of Negotiating Units; Exhibit DLAE2-Board’s Recognition Petition Form (Teacher); and Century Code 15.1-16-11. Representative organization–Selection. Board President noted the Board’s receipt of the Petition for Recognition dated February 4, 2015. Board Member Rude asked for clarification regarding providing the DEA with the Board policy and Century Code. Superintendent Sullivan responded that in mid-December 2014 the School Board policy was provided to the DEA president and also to the Administrative bargaining group with the intent to avoid any misunderstanding, however the Century Code reference was not distributed with the policy. Mrs. Rude inquired if the signatures on the petition, minus the

**Petition for Recognition (cont.)**

two social workers, represent the classroom teachers as required by Century Code. Mr. Reep responded, to the best of his knowledge, the signatures do represent the Century Code requirements. Ms. Ross inquired if the petition meets the requirements of Board policy DLA. Superintendent Sullivan responded the petition received is not on the form that is provided for in the school board policy nor is the notice of intent as per the Board's definition. Board policy DLA states that the teacher and administrator negotiating unit must use the board's recognition forms. "Failure by a negotiating unit to comply with the above requirements will result in the board rejecting the negotiating unit's recognition petition(s)." President Fehr clarified for the DEA that part of policy DLA was not meant to target any one particular group; previously there had been board members who had asked how it came forward, the policy clarifies for anyone what is recognized as the negotiating unit's recognition petition. Superintendent Sullivan requested a five minute recess to gather information regarding the emails shared between the superintendent and DEA president. Board President Fehr motioned to recess. At approximately 4:15 p.m. the Board members recessed. At approximately 4:20 Board President Fehr called the meeting back to order. President Fehr asked Dr. Sullivan to respond regarding the exchange of emails. Dr. Sullivan read an email reply to Mr. Smith from December 15. In the email Dr. Sullivan explained the North Dakota Century Code must be followed. Board policy DLA provides a uniform process for the respective groups and avoids frustration as experienced the past school year. He also asked Mr. Smith in the email to identify where personnel to be employed is referenced in the Century Code. A reply has not been received.

Board President Fehr noted the school board received on September 16, 2014, a Petition for Recognition which was adopted by the School Board on October 8, 2014. She added that Century Code 15.1-16-12(6) states: "Once a representative organization has been selected, its authority to represent the negotiating unit continues for at least one year from the date of the selection." The board's actions are clear: that the petition was approved and is within the timeframe specified in the Century Code so another petition was not necessary. Ms. Ross responded that since the petition still stands she moved to reject the 'Petition for Recognition' received from the Dickinson Education Association dated February 4, 2015, for the reason that it does not comply with school board policy DLA-Recognition of Negotiation Units. Mrs. Rude seconded the motion. A roll call vote was taken: yeas-Ricks, Rude, Ross, Fehr; nays-none; absent-Hanson. The motion carried unanimously. Mrs. Rude moved that, pursuant to the Dickinson School Board Resolution Recognizing the Dickinson Education Association as the Representative Organization for Teacher Negotiations, adopted by the Dickinson School Board on October 8, 2014, and North Dakota Century Code 15.1-16-11 (6), the Dickinson School Board requests to negotiate with the Dickinson Education Association over the terms of the Professional Negotiated Agreement. Mrs. Ricks seconded the motion. Discussion: President Fehr addressed DEA President Smith and asked if this was clear. Mr. Smith responded affirmative. President Fehr added the Board wishes to negotiate. She directed the Superintendent and Mrs. Petersen to use Meeting Wizard to set up a date for negotiations making sure to carbon copy Mr. Smith also. President Fehr asked for further discussion on the motion. There was no further discussion. A roll call vote was taken: yeas-Rude, Ricks, Ross, Fehr; nays-none; absent-Hanson. The motion carried unanimously.

President Fehr noted this was a special school board meeting and therefore no other topics would be discussed.

**Adjournment** – At 4:27 p.m. Ms. Ross moved to adjourn. Mrs. Ricks seconded the motion. Assuming a roll call vote the motion carried unanimously. The meeting adjourned at 4:27 p.m.

---

Kris Fehr, Board President

---

Vince Reep, Business Manager

---

Twila Petersen, Secretary