

Unapproved School Board Meeting Minutes

Dickinson Public Schools
Special Meeting

May 29, 2015; 12:00 p.m.
Central Office Board Room

The Dickinson Public School Board held a regular meeting on May 11, 2015, at the Central Administration Office. Board members present were: President Kris Fehr, Vice-president Jason Hanson, Mrs. Tanya Rude, Ms. Leslie Ross, and Mrs. Sarah Ricks. Administrators present: Mr. Ron Dockter and Mrs. Dorothy Martinson. Others present: Mr. David Phillips (via conference call), Mr. Scott Meschke, Mr. Lyle Smith, Mr. Keith Fernsler, Mrs. Twila Petersen and Ms. Abby Kessler from the Dickinson Press.

Call to Order - Board President Fehr called the meeting to order at 12:00 p.m.

Public Participation – There were no requests for public participation.

2015-2017 Administrative Negotiated Agreement – President Fehr noted that she and Mrs. Ricks were board representatives on the administrative negotiating team. Mrs. Ricks summarized some of the agreements made that are new on the administrative negotiated agreement. These included introducing the per administrator allotment which helps to close the salary gap between less experienced and veteran administrators. Also agreed was to create a task force to review the responsibility factor and salary schedule. President Fehr noted one or two board members may volunteer to represent the board on the task force. Available under Supporting Documents is a copy of the 2015-2017 administrative negotiated agreement. Mrs. Ricks moved to approve the two year administrative negotiated agreement that includes an index base for the 2015-2016 school year of \$55,701 with a per administrator allotment added to each administrator salary of \$2,532 and an index base for the 2016-2017 year of \$57,931 with a per administrator allotment added to each administrator salary of \$4,200 and to approve the changes in the negotiated agreement, as presented. Mrs. Rude seconded the motion. Discussion: Mrs. Rude shared her appreciation for a two year contract noting this makes it less stressful for all involved. Mrs. Fehr concurred and added that she and Administrative Lead Negotiator Guy Fridley had conversations outside of the negotiations meetings which helped to make sure they understood each other. Mr. Reep explained that the index base is not anyone's salary; rather, it is the figure upon which percent raises are based. He further explained that the salary schedule also includes a service cell, education cell, and responsibility cell. The emergency leave language that was added is in alignment with the teacher negotiated agreement. The change to the national conventions and workshops supports the school board's philosophy of the importance of professional development and the administrators' desire for additional flexibility. Board members thanked the administrators for the smooth and easy process. A roll call vote was taken on the motion: yeas-Rude, Ross, Hanson, Ricks, Fehr; nays-none. The motion carried unanimously.

Attorney Consultation - Dickinson Education Association v. Dickinson Public School District – President Fehr noted that the court case was heard last week Thursday. A summary of the court case is available under the Background Agenda posted on the website. Attorney for the School Board, Mr. David Phillips, was available via telephone conference. Mr. Phillips explained the process at last week's hearing. The hearing was to show cause why the District has not complied with the Alternative Writ of Mandamus. The Court ruled orally against the District. Mr. Phillips is waiting for a transcript which includes the judge's decision. Mr. Phillips noted some

Attorney Consultation - Dickinson Education Association v. Dickinson Public School District (cont.)

areas that the Court had not addressed. The Court addressed the petition and said it was in compliance with the North Dakota Century Code and the definition of a teacher is defined in statute. It is the ruling of the judge that a school district cannot have a policy that requires teachers to use a certain form when petitioning the board to approve a negotiating unit or representative organization. Attorney Phillips discussed a list of powers. He also explained the appeal process. At the request of President Fehr, Attorney Phillips explained the implications and options if the board would choose to move forward with teacher negotiations. Attorney Phillips discussed the option of accepting the petition on the basis of the court order and schedule negotiations immediately. This would not be proceeding with the appeal. Mrs. Rude inquired if the board could accept the petition so that it could move forward with negotiations but still find out if the District's policy is satisfactory. Attorney Phillips responded that if the board accepts the petition today the District could still seek an appeal. The motion would need to be clear about the intentions of the board. There has been discussions between the two attorneys which is preliminary until the judge's order is received. Consensus of the board members was to wait until the judge's order was received before making the decision to appeal to the Supreme Court. There was discussion regarding the Court's decision on the one-step process and the utilization of the two-step process. There also was discussion whether the lower Court's decision becomes law or if it needs to appeal to the Supreme Court. More information would be shared at the June school board meeting. President Fehr thanked Attorney Phillips for the preliminary information he shared with board members.

Petitions for Recognition (Dickinson Education Association) – Ms. Ross moved to approve the Dickinson Education Association as the Representative Organization for Teacher Negotiations with the understanding that the board reserves the right to address and/or appeal the authority to write and enforce board policies and requirements set forth under governance. Mr. Hanson seconded the motion. A roll call vote was taken: yeas-Hanson, Rude, Ricks, Ross, Fehr; nays-none. The motion carried unanimously. The board directed Mrs. Petersen to set up the first negotiations meeting. DEA President Lyle Smith was in the audience and President Fehr offered to meet with him to go over a few things prior to the first negotiations meeting, if he wishes to do so. Mr. Smith responded favorably to this request.

Adjournment – At 12:35 p.m., Mrs. Ricks moved to adjourn. Mrs. Rude seconded the motion. Assuming a roll call vote the motion carried unanimously. The meeting adjourned at 12:35 p.m.

Kris Fehr, Board President

Vince Reep, Business Manager

Twila Petersen, Secretary