

Unapproved School Board Meeting Minutes

Dickinson Public Schools
Annual Meeting

July 13, 2015; 5:00 p.m.
Board Room, Central Office

The Dickinson Public School Board held its annual meeting on July 13, 2015, at the Central Administration Office. Board members present were: Mrs. Sarah Ricks, Mrs. Kris Fehr, Mr. Jason Hanson, Mrs. Leslie Ross, and Mrs. Tanya Rude. Administrators present were: Superintendent Douglas Sullivan, Dr. Marcus Lewton, Mrs. Melanie Kathrein, Mr. Shawn Leiss, Mr. Guy Fridley, Mrs. Dorothy Martinson, and Mrs. Susan Cook. Others present were: Mr. Ron VanDoorne, Mr. Myron Knutson, Mr. Scott Wegner, Mrs. Stacy Kilwein, Mrs. Fern Pokorny, Attorney David Phillips, Attorney Brad McCamy, Mrs. Twila Petersen, and Mr. Andrew Haffner from the Dickinson Press.

Call to Order – Chair Kris Fehr called the meeting to order at 5:00 p.m. She introduced Mr. Andrew Haffner, a reporter with The Dickinson Press.

Election of Officers – Chair Fehr stated that she was up for re-election as a board member next year and was not sure if she would be running for election. She would like to give others the experience and have them take on the leadership position. Chair Fehr opened the floor for the election of office for the position of president of the school board. Mr. Hanson nominated Mrs. Sarah Ricks as president of the Dickinson Public School District. Mrs. Ross seconded the motion. There was a call for additional nominations. Mrs. Rude nominated Mrs. Kris Fehr as president of the Dickinson Public School District. Mrs. Fehr declined the nomination and thanked her for the vote of confidence. There were no further nominations. A roll call vote was taken: yeas-Hanson, Ross, Rude, Ricks, Fehr; nays-none. The motion carried unanimously.

Board President Ricks conducted the election of a new board vice-president. She opened the floor for nominations. Mrs. Ross nominated Mrs. Kris Fehr as vice-president of the Dickinson Public School District. Mr. Hanson seconded the motion. There was a call for additional nominations. There were no further nominations. A roll call vote was taken: yeas-Rude, Hanson, Ross, Fehr, Ricks. The motion carried unanimously.

Public Participation – There were no requests for public participation.

Additional Agenda Items/Removal of Items from the Consent Agenda – Superintendent Sullivan requested the board add to the agenda the purchase of the Baker Building. Mrs. Fehr moved to add the Baker Building Purchase to the agenda under Business Topics as item “v”. Mrs. Rude seconded the motion. There was no discussion on the motion. Assuming a roll vote the motion carried unanimously.

Consent Agenda - Mrs. Fehr moved to approve the revised agenda including the consent agenda consisting of the minutes from the June 8 regular board meeting, the bills for July 2015; the financial reports for July 2015; the pledged assets report for July 2015; the personnel reports; a tuition waiver request for six children of Kristi White; and the addition of the Baker Building Purchase to the agenda. There were no student/staff recognitions and no RACTC report. Mr. Hanson seconded the motion. Assuming a roll call vote the motion carried unanimously.

Superintendent’s Report – Superintendent Sullivan reported on the following topics.

- a. **Middle School Groundbreaking Ceremony** – Dr. Sullivan reported it is anticipated the dirt will be moved on the new middle school project the first part of August. There will be a Groundbreaking Ceremony on Tuesday, July 21 at 3:00 p.m.

Superintendent's Report (cont.)

- b. North Dakota School Board Association (NDSBA) Policy Services – Posted under Supporting Documents is a copy of the agreement. The cost for this service is \$1,750.

Business Topics

Sale of General Obligation Building Fund Bonds – There was a bid held today for the sale of the general obligation fund bonds. Available on the website under Supporting Documents is a draft bond resolution. The final version was made available at the meeting and distributed by Bond Attorney Scott Wegner. Mr. Wegner along with Mr. Knutson from Public Financial Management were present at the meeting and addressed the board. Mr. Knutson explained the results of the \$25 million bond sale which is part of the financing approved by the voters. He had requested a bond rating from Moody's Investor Services which provided DPS with a AAA rating. This is an excellent rating and is reflected with receiving a lower interest rate. There were four bids received with the best bid from Morton Stanley. Mrs. Ross moved to approve the Resolution Authorizing Issuance and Sale of \$25,000,000 General Obligation School Building Bonds, Series 2015. Mr. Hanson seconded the motion. A roll call vote was taken: yeas-Ross, Fehr, Rude, Hanson, Ricks; nays-none. The motion carried unanimously,

Partners in Parenting Update – Available on the website under Supporting Documents is an activity report prepared by Mrs. Kilwein. Mrs. Kilwein, Director for Partners in Parenting, addressed the board identifying some information not covered in the report. Mrs. Kilwein attributed the success of the program to partnerships within the schools and community. She noted there have been a high number of referrals from DPS employees and administrators. Community services such as United Way, Community Action and Head Start also assist in reaching out to parents. The support of the school board is important as it recognizes that parent involvement is significant to the West Dakota Parent and Family Resource Center. Mrs. Kilwein shared that much of what children learn is from their parents and therefore the services provided at the center are grounded on parental involvement emphasizing appropriate behavior. The parents have peer support with group discussions and role modeling. Mrs. Ross recognized the importance of the Partners in Parenting Program and the collaboration making the program possible. In response to a question from Mrs. Fehr, Mrs. Kilwein explained the Gearing Up For Kindergarten Program does not turn any families away, there is enough funding and support to provide full services. President Ricks and board members thanked Mrs. Kilwein for the update and information. This agenda item was informational only. No action was requested.

School Resource Officer Report – Officer Ron VanDoorne with the Dickinson Police Department addressed the board. Officer VanDoorne is the School Resource Officer for the school district. He noted the appreciation for the collaboration between the law enforcement community and the school district. In addition, the support from local agencies helps to build the bridge for successful partnerships. Officer VanDoorne addressed some challenges and accomplishments within the District. The narcotics arrests have decreased. Some students required to report for opportunity period or detention are not showing up and often times feel they are not required to attend. The Drug Abuse Resistance Education (D.A.R.E.) program was recently re-implemented into the school district. The program had its first graduating class of approximately 235 students. Officer VanDoorne encouraged the school district to continue supporting the D.A.R.E. program. Mrs. Ross inquired what had previously happened to the D.A.R.E. program. Officer VanDoorne responded that with the economic downturn it was eliminated and also finding time during classroom time is very difficult. He noted that Director of Instruction Melanie Kathrein was instrumental in the implementation. The

School Resource Officer Report (cont.)

program begins in the 7th grade hoping to influence those students to make the rights decisions at a younger age that will carry over as they get older. Board President Ricks thanked him for the services he provides and for the information shared. This agenda item was informational only. No action was requested.

Activities/Athletic/PAC Fundraising Update – Available on the website are summary reports for the activities and PAC fundraising projects. Mr. Guy Fridley, Activities Director, addressed the board and noted that the number of fundraising requests has been reduced. Mr. Fridley explained the process for requests for activity or athletic fundraisers. Board members were glad students are less involved in fundraisers. This agenda item was informational only. No action was requested.

ADM Report and Transportation Report – Available on the website under Supporting Documents are copies of the two reports. Superintendent Sullivan addressed the board and said the average daily membership increased by 198 students from 2014-2015. He additionally noted that from September 2014 to May 2015 there was a decline of 18 students. There is uncertainty regarding the fall enrollment. Dr. Sullivan explained the District's funding is generated from the previous year's enrollment. The transportation report indicates there have been 214,000 miles traveled last year; this includes rural, city, and special needs services. This agenda item was informational only. No action was requested.

Middle School Update – Superintendent Sullivan addressed the board and noted that work for the design of the interior and exterior continues to move forward. There have been several 2-3 day meetings with the DLR Group and Mortenson Construction. The target date for moving dirt is August 3. President Ricks inquired regarding naming the new middle school. Dr. Sullivan responded that he will be working with the District-wide PAC to try and collect proposed names and is hoping to present the board with some options by December. This agenda item was informational only. No action was requested.

Middle School Construction Funding – Superintendent Sullivan addressed the board and explained that a 1% sales tax was imposed by a vote of the people for the City of Dickinson. The revenue generated through this sales tax is designated for three specific purposes. One of the requirements is that 30% of the revenue shall be utilized to “enhances social and economic vitality of Dickinson and the Southwest area.” Discussions with city officials indicate it may be possible for the Dickinson Public Schools to acquire some revenue to assist in paying for construction of the new middle school. Specifically, the revenue would be utilized to help pay expenses for outdoor athletic facilities and the indoor second gymnasium. The estimated cost of these facilities is \$1,730,000. Traditionally, the school district has cooperated with the Park District and City of Dickinson in making these types of facilities available for community use. Two documents are posted under supporting documents regarding this topic. The administrative recommendation was to request \$1.5 million in sales tax dollars from the city to assist with construction of these facilities at the new middle school. Action was requested. Dr. Sullivan added this has happened in other cities in North Dakota where the sales tax monies were utilized to build a new recreational facility. Mrs. Rude inquired if this would increase the city taxes for purchases and Dr. Sullivan responded it would not increase the sales tax. Mrs. Fehr said that many years ago there was a discussion regarding a middle school facility where a tournament could be held in various activities. Mrs. Fehr moved to request \$1.5 million in sales tax dollars from the City of Dickinson to assist with construction expenses for the second gymnasium, the outdoor track and athletic facilities at the new middle school. Mr. Hanson seconded the motion. There was no

Middle School Construction Funding (cont.)

discussion on the motion. A roll call vote was taken: yeas-Rude, Hanson, Fehr, Ross, Ricks; nays-none. The motion carried unanimously.

Annual Financial Report – A copy of the annual financial report is posted under Supporting Documents on the school board web site. Superintendent Sullivan addressed the board and reviewed portions of the report. The report is a summary of 2014-2015 expenditures and revenue in DPI format. Dr. Sullivan noted the general fund deficit spend -\$393,721 and the general fund revenue budget exceeded by \$832,914. A little over \$10 million was added to the general fund interim. This is 37%, down from the 31% last year. The cost per pupil is \$9,304. In 2014 the cost per pupil was \$8,841. Action was requested. Mrs. Rude moved to approve the Annual Financial Report for the fiscal year beginning July 1, 2014, and ending June 30, 2015, as presented. Mrs. Ross seconded the motion. There was no discussion on the motion. A roll call vote was taken: yeas-Fehr, Hanson, Ross, Rude, Ricks; nays-none. The motion carried unanimously.

Meeting Day and Time –Mrs. Rude moved that the regular meeting of the Dickinson Public School District be set for the second Monday of each month beginning at 5:00 p.m., with the exception of the August 10 meeting to begin at 6:00 p.m. and the April meeting to be held on April 18 at 5:00 p.m. Mrs. Ross seconded the motion. Assuming a roll call vote the motion carried unanimously.

Board Workshops – Mrs. Ross suggested a workshop either before or after the October North Dakota School Boards Association conference. Dr. Sullivan reminded board members that they relayed to the community that they would review the high school facility once the middle school bond was passed. The board needs to provide its input regarding the DHS facility and the board needs to discuss the Hagen repurpose. These two topics could be discussed simultaneously. Mr. Gibbs from the DLR Group is willing to assist with guiding those conversations. Touring a facility should be separate from a workshop. There was additional discussion and Mrs. Fehr inquired when the public forums come into place. Mrs. Ross moved to schedule the board workshops after the board meetings on October 12 and November 9 with the assumption that the board was going to tour the DHS facility sometime in September. Mrs. Rude seconded the motion. Discussion: Mrs. Rude suggested scheduling the tour of DHS towards the end of September or early October. Assuming a roll call vote the motion carried unanimously.

School Board Authorized Representative – Mrs. Fehr moved that Superintendent Douglas W. Sullivan be named the authorized representative of the Dickinson Public School District that shall include and not be limited to the Department of Public Instruction and the legislature. Also, Superintendent Sullivan shall be the authorized representative for the District for all federal programs, including but not limited to: all school lunch programs, vocational programs, the Energy Infrastructure and Impact Office, Title I, E-rate and Job Service programs. Additionally, she moved that the Director of Instruction Melanie Kathrein be named the authorized representative for the District Title IIa program. Mr. Hanson seconded the motion. There was no discussion on the motion. Assuming a roll call vote the motion carried unanimously.

Special Education Authorized Representative – Mr. Hanson moved that Dorothy Martinson be named the authorized representative for the Dickinson Public School's VI-B and other special education grants. Mrs. Rude seconded the motion. There was no discussion on the motion. Assuming a roll vote the motion carried unanimously.

Authorized Representative for the 21st Century Community Learning Centers (CCLC) Program

– Mrs. Ross moved to appoint Hagen Assistant Principal Casaundra Francis as the authorized representative for the 21st Century Community Learning Center grant for the 2015-2016 school year. Mr. Hanson seconded the motion. There was no discussion on the motion. Assuming a roll call vote the motion carried unanimously.

Title I Look-Alike Program – Mrs. Rude moved to designate supplemental funds in the amount of \$90,731 be set aside by the school district for at-risk students at Jefferson Elementary and \$100,929 be set aside by the school district for at-risk students at Lincoln Elementary, for the 2015-2016 school year to provide supplemental services to support these student’s achievement toward meeting the state’s student academic achievement standards. Mrs. Ross seconded the motion. Discussion: Mrs. Fehr inquired where the amount was derived for the set aside. The amount is based upon salary and benefits of the person in the positions. Assuming a roll call vote the motion carried unanimously.

Designate Official Newspaper – Mr. Hanson moved to designate The Dickinson Press as the official newspaper of the Dickinson Public School District. Mrs. Fehr seconded the motion. There was no discussion on the motion. Assuming a roll call vote the motion carried unanimously.

Bank Depository Designation – Mr. Hanson moved that American Bank Center be designated as the official depository for the school district checking account and other investments and further move that Wells Fargo Bank, Bank of the West, Dacotah Bank, and Dakota Community Bank be designated as depositories for investments for the 2015-2016 fiscal year. Mrs. Rude seconded the motion. There was no discussion on the motion. Assuming a roll call vote the motion carried unanimously.

Committee Assignments – Mrs. Rude requested to be a representative on the Technology Committee. She currently is a representative on the Teacher Evaluation Instrument Committee and there are just a few meetings left with this committee. Most of her workshop attendance at national conferences has been focused on technology. Mrs. Rude moved to designate for 2015-2016 Mrs. Kris Fehr and Mr. Jason Hanson as primary board representatives for teacher negotiations with Mrs. Sarah Ricks designated as a secondary representative. Mrs. Rude also moved to designate Mrs. Kris Fehr and Mrs. Sarah Ricks as board representatives on the administrative negotiations with Mr. Jason Hanson designated as a secondary representative. Mrs. Rude further moved to designate Mrs. Sarah Ricks as the primary school board representative on the Roughrider Area Career and Technology Center and Mr. Jason Hanson as the secondary representative; and to designate Mr. Jason Hanson as the primary school board representative on the Stark County Job Authority and Mrs. Sarah Ricks as the secondary representative. Mrs. Fehr seconded the motion. Discussion: Mrs. Fehr expressed her appreciation to Mrs. Ricks for maintaining her service as board representative on the RACTC governing board during this time of transition at the RACTC. Assuming a roll call vote the motion carried unanimously.

Conflict of Interest – Copies of the school board member’s most recent Statement of Interest forms are posted under Supporting Documents. Mrs. Fehr stated she had no changes or updates to her statement of interest. Mr. Hanson moved to allow Mrs. Kris Fehr to participate and vote on the identified potential conflicts in accordance with NDCC 15.1-07-17. Mrs. Ross seconded the motion. A roll call vote was taken: yeas-Ross, Rude, Ricks, Hanson; nays-none. Mrs. Fehr abstained. The motion carried unanimously. Mr. Hanson stated he had no changes or updates to his statement of interest form. Mrs. Rude moved to allow Mr. Jason Hanson to participate and vote on the identified potential conflicts in accordance with NDCC 15.1-07-17. Mrs. Fehr seconded the motion. A roll call vote was taken: yeas-Fehr, Ross, Rude, Ricks; nays-none. Mr. Hanson abstained. The motion

Conflict of Interest (cont.)

carried unanimously. Mrs. Ross stated she had a change of address on her statement of interest form. Mr. Hanson moved to allow Mrs. Leslie Ross to participate and vote on the identified potential conflicts in accordance with NDCC 15.1-07-17. Mrs. Rude seconded the motion. A roll call vote was taken: yeas–Fehr, Rude, Hanson, Ricks; nays–none. Mrs. Ross abstained. The motion carried unanimously. Mrs. Rude stated the changes she had to Item B and Item D of her Statement of Interest form. Mrs. Fehr moved to allow Mrs. Tanya Rude to participate and vote on the identified potential conflicts in accordance with NDCC 15.1-07-17. Mrs. Ross seconded the motion. A roll call vote was taken: yeas–Hanson, Ross, Fehr, Ricks; nays–none. Mrs. Rude abstained. The motion carried unanimously. Mrs. Ricks stated she had a change to her phone number listed on the Statement of Interest form. Mrs. Rude moved to allow Mrs. Sarah Ricks to participate and vote on the identified potential conflicts in accordance with NDCC 15.1-07-17. Mr. Hanson seconded the motion. A roll call vote was taken: yeas-Ross, Hanson, Fehr, Rude; nays-none. President Ricks abstained. The motion carried unanimously.

Teacher Negotiations Update – Mrs. Fehr updated the board members regarding teacher negotiations. She considered the first meeting very amicable with the negotiating team. She received a phone call from one of the DEA negotiators last week and another negotiations meeting has been schedule for Thursday, July 16. Mrs. Fehr expressed her appreciation for those assisting with moving forward with the negotiating sessions. This agenda item was informational only. No action was requested.

School Board Policy Revision, FGDD-Student Publications, First Reading – NDSBA has recommended revisions to board policy FGDD-Student Publications based on the passing of HB 1471. Posted under supporting documents is a copy of the policy. Proposed revisions from the NDSBA are noted in red text and the proposed administrator revisions are noted in purple text. The administrative recommendation was to revise policy FGDD. Action was requested. Mrs. Fehr stated as a former journalist she had no concerns with the revised policy. Mrs. Fehr moved to complete the first reading of policy FGDD-Student Publications and Freedom of Expression, as presented. Mrs. Rude seconded the motion. There was no discussion on the motion. A roll call vote was taken: yeas-Ross, Rude, Hanson, Fehr, Ricks; nays-none. The motion carried unanimously.

School Board Policy Revision, Second Reading and Final Adoption–Policy AAC-Nondiscrimination and Anti-Harassment Policy is available on the website under Supporting Documents. Attorney Phillips has provided guidance to the board regarding the policy. Proposed revisions from the NDSBA are noted in red text; proposed revisions from the school board are noted in purple text; proposed revisions recommended by Attorney Phillips are noted in blue text. At the March 9 school board meeting, policy AAC was brought before the board for a second reading but was then tabled. Action was requested. Attorney Phillips addressed the board and reported the policy language and structure was reviewed. He said that the revisions recommended by his firm did not change the content of the policy. In addition to the recommended revisions by the board related to sexual orientation and marital status, he also addressed gender identification and transgender in the school setting. He explained some concerns that could happen and solutions. Attorney Phillips suggested an addition to page two under the description of sexual harassment. He suggested adding “sexual orientation” with the list of statuses that could be a form of harassment. Mrs. Fehr suggested tabling the second reading until the revision to page two has been made and then brought back to the board for action as a second reading. Mrs. Ross moved to table the second reading of revised policy AAC until the suggested changes have been made. Mrs. Fehr seconded the motion. There was no discussion on

School Board Policy Revision, Second Reading and Final Adoption (cont.)

the motion. A roll call vote was taken: yeas-Rude, Hanson, Ross, Fehr, Ricks; nays-none. The motion carried unanimously.

Baker Building Purchase – Dr. Sullivan addressed the board. He stated there have been discussions with the school board regarding the building owned by the city adjacent to the bus barn that is going up for sale. It was recently brought to his attention the city has identified when a sale is made to a governmental entity it does not have to put the property on the open market. Dr. Sullivan explained the Baker Building is beneficial to the School District. When the School District does grow again the additional facilities for its transportation fleet will be extremely advantageous. Mrs. Ross moved to approve the purchase of the Baker Building from the City of Dickinson for the amount of \$600,000. Mrs. Rude seconded the motion. Discussion: Mrs. Fehr asked about the time frame for acquiring the property. Dr. Sullivan responded the property may be acquired very soon and could be utilized as early as this fall. A roll call vote was taken on the motion: yeas-Rude, Hanson, Ross, Fehr, Ricks; nays-none. The motion carried unanimously.

Attorney Consultation - Dickinson Education Association v. Dickinson Public School District (Executive Session Anticipated)

– President Ricks noted the next item on the agenda was Attorney Consultation—Dickinson Education Association v. Dickinson Public School District. She stated this item may be discussed in an executive session. The legal authority for closing this portion of the meeting is North Dakota Century Code section(s) N.D.C.C. § 44-04-19.1 (2). The topic or purpose of the executive session was Attorney Consultation regarding Dickinson Education Association v. Dickinson Public School District. President Ricks reported a motion would be in order to discuss this topic in executive session, if this was the wishes of the board. As per North Dakota Century Code N.D.C.C. § 44-04-19.1 (2), Mrs. Fehr moved to close the meeting and go into executive session for the purpose of Attorney Consultation–Dickinson Education Association v. Dickinson Public School District. Mrs. Rude seconded the motion. There was no discussion on the motion. A roll call vote was taken: yeas-Ross, Rude, Hanson, Fehr, Ricks; nays-none. The motion carried unanimously. President Ricks reported the executive session would be recorded and all members of the governing body were reminded to limit their discussion during the executive session to the announced topic. Any collective decision, collective commitment, or other final action by the governing body would occur when the meeting reconvenes in an open meeting, unless required by law during the executive session. The prohibition on taking final action during the executive session does not apply to providing guidance or instructions from the attorney. President Ricks reflected board policy BCAD-Executive Session which allows certain individuals to be in attendance at the closed meeting. Those designated to be in attendance were Board President Ricks, Board Vice-president Fehr, Board Member Rude, Board Member Ross, Board Member Hanson, Attorney Phillips, Attorney McCamy, Superintendent Sullivan and Recording Secretary Petersen. President Ricks anticipated adjourning the executive session, and reconvening the open portion of the meeting, at approximately 7:10 p.m. At 6:43 p.m. Mrs. Rude exited the meeting. The executive session began at 6:43 p.m. and was attended by Board Member Ross, Board Member Rude, Board Member Hanson, Board Vice-president Fehr, Board President Ricks, Attorney Phillips, Attorney Brad McCamy, Superintendent Sullivan and Recorder Petersen. At 6:45 p.m. Mrs. Rude returned to the meeting.

The executive session was adjourned at 7:08 p.m. The public was invited to return to the meeting room and the meeting was back in open session. President Ricks noted the board members discussed the written order received from the judge.

Other – Mrs. Fehr thanked the attorneys for their research into board policy AAC. She additionally thanked the board for indulging her as board president for the past several years. Incoming Board President Ricks thanked the board members for their vote of confidence by electing her as the new president.

Adjournment At 7:11 p.m., Mr. Hanson moved to adjourn. Mrs. Ross seconded the motion. Assuming a roll call vote the motion carried unanimously. The meeting adjourned at 7:11 p.m.

Sarah Ricks, Board President

Twila Petersen, Secretary