

OE-8 COMMUNICATING WITH THE BOARD
SUMMARY OF COMPLIANCE STATUS
DECEMBER 2022


SUPERINTENDENT CERTIFICATION

With respect to OE-8 *Communicating with the Board* taken as a whole, the superintendent certifies that the proceeding information is accurate and complete, and the district is:

- In Compliance
 In Compliance, with Exception (as noted in the evidence)
 Not in Compliance

Summary Statement by Administration

Monitoring of operational expectations policies is part of the ongoing process of district performance evaluation and superintendent evaluation. This report includes a Data Analysis on page 2 presenting an administrative summary of the data and a Capacity Building section on the last page outlining new practice or protocol to be utilized for the next reporting timeframe. The Capacity Building section also documents suggested changes to Operational Expectations or Results policies and/or indicators and interpretations. This report addresses 16 indicators of the superintendent's responsibility regarding general operations. Of the 16 indicators, all demonstrated compliance. Reporting dates for this report are July 1, 2020 – June 30, 2021.

Signed:  Date: 12/13/2021
Superintendent

SCHOOL BOARD ACTION

With respect to OE-8 *Communicating with the Board*, the Board:

- Accepts the report as fully compliant
 Accepts the report as compliant with noted exceptions
 Finds the district to be noncompliant

Summary Statement/Motion of the Board

Motion by Mr. Sagsveen to accept the OE-8 *Communicating with the Board* Monitoring Report as In Compliance, seconded by Ms. Preskey. Motion carried.

Signed:  Date: 12/13/2021
Board President

Data Analysis by Administration

This section provides readers a summary of the data they are about to review.

Given the 16 indicators of compliance and all demonstrated compliance during a pandemic and unprecedented year, OE-8 *Communicating with the Board* is in great standing. Specifically, monitoring reports were delivered in a timely manner and discussion took place during Board meetings to rewrite and modify for the following year based on Board recommendations and final approval. These modifications started in early October of 2021. In addition, communications between the Board and Superintendent are frequent in a variety of modalities.

Media formatting has all been reviewed and revised to ensure formatting, visual appeal, and content is presented in a modern format. Finally, the ESSER Funds received by the district have been well managed and we have communicated consistently regarding its intended purpose of Learning Loss and Long-Term Tax Avoidance.

Qualitative data in the form of Board requests for Focus on Success and presentations related to BPS success include programs that have been newly implemented that are yielding positive results for our students and this community. This includes additions of the Connect Ed or Pathway Program and expansion of our CTE offerings, as well as the entirety of the Interconnected System Framework which includes our Behavior Systems and Social Emotional Learning that has been expanded over the past few years.

OE-8 Communicating with the Board

The Superintendent shall assure that the Board is fully and adequately informed about matters relating to Board work and significant district concern.

Superintendent Interpretation: Communication is recognized as key to the School Board/superintendent success as a team. It is the superintendent's responsibility for ensuring the board has information needed for the board to do its work. "Matters relating to the board's work" means those issues such as strategic level work and/or operational issues which require board action that fall into the board's area of responsibility for decision making. "Fully and adequately" means each board member receives enough information in a timely fashion to fulfill her or his responsibilities. While it is neither possible nor practical for the board to know everything about every matter and decision in the operation of the district, items of "significant district concern," refers to the board's expectation to be informed regarding operational level issues that represent significant change or are likely to prompt questions of board members from parents, staff, students, and other stakeholders. The superintendent is expected to judge in advance which of the myriad operational issues might come to the board's attention yet because such hypothesis is fraught with uncertainty, the board's expectations should center on the reasonable rather than the perfect, and the board holds joint responsibility for inquiring as needed.

The Superintendent Shall:

<p>8.1 Submit required monitoring data (see policy B/SR-5 Superintendent Accountability) in a thorough, accurate, and understandable fashion, according to the Board’s annual work plan schedule, and including both Superintendent interpretations and relevant data to substantiate compliance or reasonable progress.</p>	<p>In Compliance</p>
---	-----------------------------

Superintendent Interpretation:

- **Monitoring data** shall mean evidence provided by the superintendent and her or his staff to support indicators of compliance and reasonable progress.
- **Annual work plan** is the board’s calendar of reports.
- **Substantiate compliance or reasonable progress** shall mean the determination of whether the superintendent/district has accomplished the measurable goals outlined in the OE and Results indicators.

<p>Indicator 1: All regular monitoring reports for Results and Operational Expectations shall be submitted to the Board annually as per the Board’s work plan and within the reasonable interpretation, indicators, benchmarks, and target data agreed upon and in a format useful to the Board. These reports, in total, provide a significant portion of the superintendent’s formative and summative evaluations.</p>	<p>In Compliance</p>
<p>Evidence: All regular monitoring reports for Results and Operational Expectations were submitted to the Board for their review.</p>	

The Superintendent Shall:

<p>8.2 Provide for the Board, in a timely manner, information about trends, facts, and other information relevant to the Board’s work.</p>	<p>In Compliance</p>
---	-----------------------------

Superintendent Interpretation:

- **Timely manner** refers to the urgency of the unique situation.
- **Relevant to the Board’s work** is in reference to the CG policies and information necessary for the board to fulfill its responsibilities.

<p>Indicator 1: The superintendent uses weekly updates to provide information about issues that have crossed the superintendent’s desk, if these issues might be ones on which Board members will be expected to have information.</p>	<p>In Compliance</p>
<p>Evidence: A weekly update (totaling 52) has been provided to board members.</p>	

<p>Indicator 2: Board members are included in district wide communication about significant matters that are sent via the district’s notification system.</p>	<p>In Compliance</p>
<p>Evidence: Board members are on the “all district” notification list and are notified via the district notification system for events such as school closings.</p>	

<p>Indicator 3: Board meetings and workshops give board members an opportunity to study in greater detail issues of importance to the district.</p>	<p>In Compliance</p>
<p>Evidence: From July 1, 2020 through June 30, 2021, 21 regular meetings, 8 special meetings, and 2 workshops have been held with the board.</p>	

<p>Indicator 4: During the superintendent’s report, the superintendent may present a more detailed update or report on an item on the action or consent agenda, but important information for the Board and/or public to know. Such items may include changes or potential changes demographics, educational practices, legislative mandates, state or federal expectations, legal concerns, budget concerns, student safety, accreditation status and facility issues.</p>	<p>In Compliance</p>
<p>Evidence: Background information and attachments are included with board action items and the consent agenda to give information to the board/public. More in-depth information is reported during the superintendent’s report if required.</p>	

<p>Indicator 5: The superintendent is expected to use judgment in determining when to communicate details regarding day-to-day operational issues that may also become controversial or important for Board members to be knowledgeable about.</p>	<p>In Compliance</p>
<p>Evidence: The superintendent has received no concerns from board members regarding indicator 5. The superintendent communicates with the board members (often times through the board president) on a regular basis via email, text, and phone calls.</p>	

The Superintendent Shall:

<p>8.3 Inform the Board of significant transfers of money within funds or other changes substantially affecting the district’s financial condition.</p>	<p>In Compliance</p>
--	-----------------------------

Superintendent Interpretation: The annual budget will include information on the necessity of transferring from one fund to another. The Board will be notified of any transfers within funds that are significant or any information regarding any change in the district’s financial condition along with a legal basis, and a defensible rationale for any transfers or changes in financial condition. Reports may be made through the annual audit, the monthly financial report, or a memo as needed.

- **Significant transfers of money** shall mean movement of \$50,000 or more from one account (line item) to another.
- **Substantially affecting the district’s financial condition** shall mean running contrary to indicators and interpretations of OE-6 and OE-7.

<p>Indicator 1: Indicators of compliance shall be monitored by the business manager’s running record of updates to the Board.</p>	<p>In Compliance</p>
<p>Evidence: The district made no significant transfers of money between accounts other than when funds are moved between the unallocated grant/reserve and the appropriate account (line item).</p>	

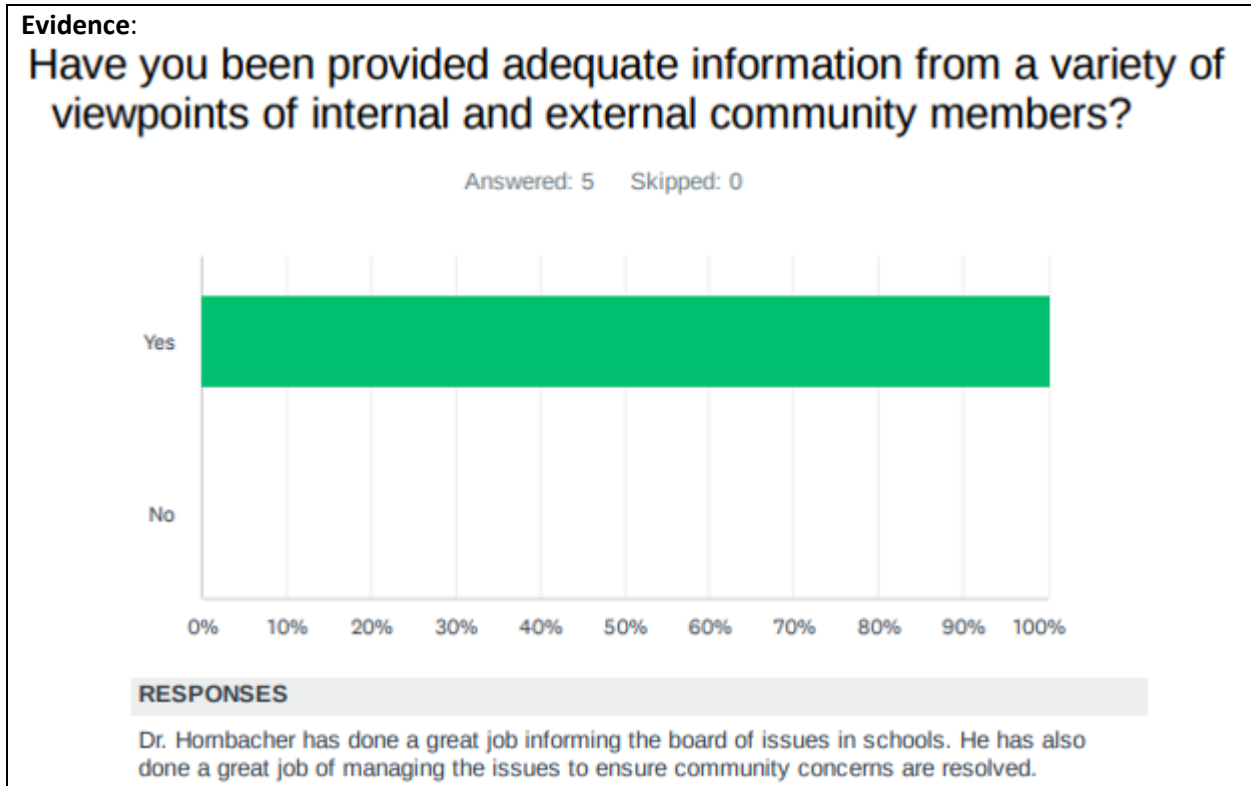
The Superintendent Shall:

<p>8.4 Assure that the Board has adequate information from a variety of internal and external viewpoints to assure informed Board decisions.</p>	<p>In Compliance</p>
---	-----------------------------

Superintendent Interpretation: The Board represents the entire school district and thus, the Board needs information from a variety of sources.

- **Adequate information** shall mean sufficient data, information, etc. needed by Board members to fulfill their CG duties.
- **Variety of viewpoints** shall mean perspectives of the internal and external publics as gathered from community task forces, AdvancED surveys, as per OE-9.

<p>Indicator 1: Aggregate data from a bi-annual poll (December and June) of board members will indicate board members answer “yes” to the question, “Have you been provided adequate information from a variety of viewpoints of internal and external community members?”</p>	<p>In Compliance</p>
---	-----------------------------



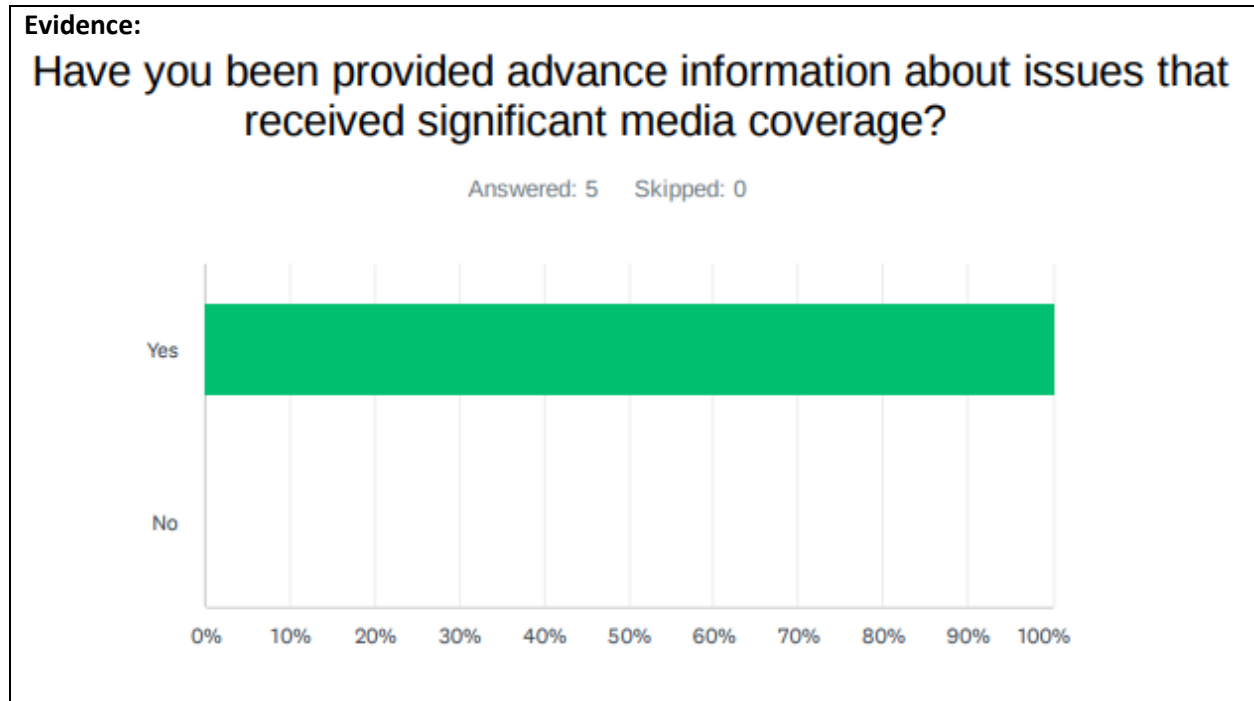
The Superintendent Shall:

<p>8.5 Inform the Board of anticipated significant media coverage.</p>	<p>In Compliance</p>
---	-----------------------------

Superintendent Interpretation: The Board should be the most informed laypersons in the community regarding the school district. The Superintendent works to alert the Board as soon as practicable about all important happenings in the district. While some happenings result in media coverage; others do not. However, when an event or issue appears likely to make the news, the superintendent will strive to err on the side of informing the board in the majority of cases where the board could say in hindsight that they needed more information.

- **Anticipated** shall mean reasonably predicted or probable.
- **Significant media coverage** shall mean mainstream media reports, stories, or commentary that may appear in the Bismarck Tribune or major local television or radio news shows.

<p>Indicator 1: Aggregate data from a bi-annual poll (December and June) of board members will indicate board members answer “yes” to the question, “Have you been provided advance information about issues that received significant media coverage?”</p>	<p>In Compliance</p>
--	-----------------------------



The Superintendent Shall:

<p>8.6 Inform the Board, the Board President, or individual members if, in the Superintendent’s opinion, the Board or individual members have encroached into areas of responsibility assigned to the Superintendent or if the Board or its members are non-compliant with any Governance Culture or Board/Superintendent Relations policies.</p>	<p>In Compliance</p>
--	-----------------------------

Superintendent Interpretation: The superintendent is tasked with and responsible for assisting the Board in the monitoring of GC and B/SR policies, and will provide input when he/she perceives significant non-compliance issues. The superintendent’s strategy when such issues occur will be to consult with the Board president and/or suggest policy revisions. In the event that the concern centers with the president, the superintendent will consult with the vice president. The role of the president/vice president should be to address the issue with the Board or individual Board member(s).

- **Encroached into** shall mean taking action, making requests of staff, or otherwise getting involved in the work of the superintendent/district as described by the CG policies or NDCC.
- **Non-compliant** shall mean behavior or action that is contrary to the Board’s CG policies.

<p>Indicator 1: Indicators of compliance shall be determined by the board’s review of an acceptance of the superintendent’s running record of concerns or violations</p>	<p>In Compliance</p>
<p>Evidence: No significant noncompliance issues have been recognized by the superintendent or reported to the board so far this school year.</p>	

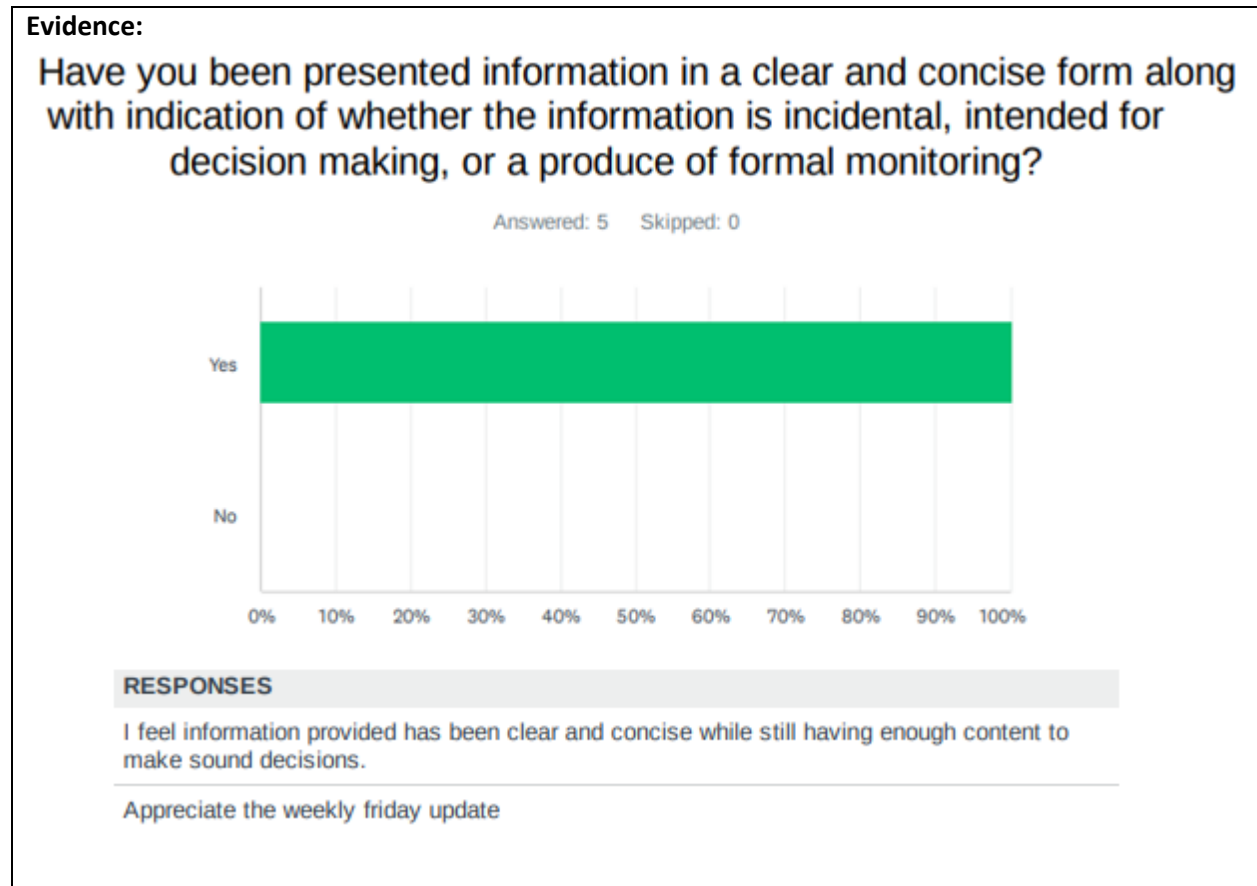
The Superintendent Shall:

<p>8.7 Present information in simple and concise form, indicating clearly whether the information is incidental, intended for decision preparation, or for formal monitoring.</p>	<p>In Compliance</p>
--	-----------------------------

Superintendent Interpretation: Board members appreciate information in a format that simplifies, rather than complicates their decision making.

- **Incidental** information is meant to merely keep Board members in the loop or knowledgeable about the district.
- **Intended for decision preparation** means information needed to inform a decision on an action item in either the consent or board action agenda.
- Information for **formal monitoring** means the data or narrative in support of a decision regarding compliance with policies being monitored.

<p>Indicator 1: Aggregate data from a bi-annual poll (December and June) of board members will indicate board members answer “yes” to the question, “Have you been presented information in a clear and concise form along with indication of whether the information is incidental, intended for decision making, or a product of formal monitoring?”</p>	<p>In Compliance</p>
---	-----------------------------



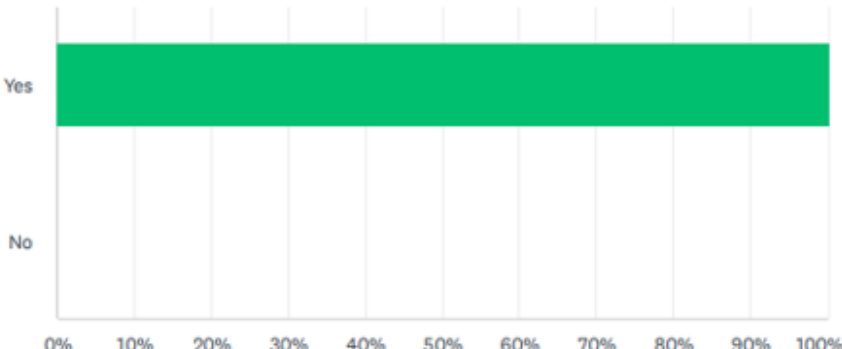
The Superintendent Shall:

<p>8.8 Treat all members impartially and assure that all members have equal access to information.</p>	<p>In Compliance</p>
---	-----------------------------

Superintendent Interpretation: All Board members need equal advantage relative to communication and information from the superintendent. The superintendent should view the Board as a body, and communicate with the entire body. However, this does not exclude incidental interactions with individual Board members, responses to questions, or sharing of requested information. If the

superintendent judges that the question is one that other Board members might benefit from, he or she passes this information on by carbon copying all Board members, or by referencing the question and providing the information in a weekly update.

- **Treat all members equally** shall mean to communicate with every Board member in a professional and respectful manner necessary for each Board member to fulfill his or her CG responsibilities and Board-assigned duties.
- **Equal access to information** shall mean that every Board member receive the same verbal and written communications regarding issues that are of a Board concern and upon which the Board makes decisions. The superintendent may communicate with the Board chair on preliminary work until the full Board receives the same information at a Board meeting or workshop.

<p>Indicator 1: Aggregate data from a bi-annual poll (December and June) of board members will indicate board members answer “yes” to the question, “Do you feel you have been treated equally in regard to access of information compared with the rest of your fellow Board members?”</p>	<p>In Compliance</p>
<p>Evidence:</p> <p style="text-align: center;">Do you feel you have been treated equally in regard to access of information compared with the rest of your fellow board members?</p> <p style="text-align: center;">Answered: 5 Skipped: 0</p>  <p style="text-align: center;">RESPONSES</p> <p style="text-align: center;">Through coherent governance model it's my opinion a majority of communication goes from Supt to President of Board, and then communicated to rest of the board.</p>	

The Superintendent Shall:

<p>8.9 Inform the Board in a timely manner of any actual or anticipated noncompliance with any Board Operational Expectations policy or any anticipated failure to achieve reasonable progress toward any Results policy.</p>	<p>In Compliance</p>
--	-----------------------------

Superintendent Interpretation: Board members need to be informed in advance of any likely non-compliance with any OE and / or lack of reasonable progress on any Results policy.

- **In a timely manner** shall mean at the next scheduled work session or meeting after the superintendent has determined that the district is likely to be non-compliant on any OE policy or has not made reasonable progress on any Results policy.

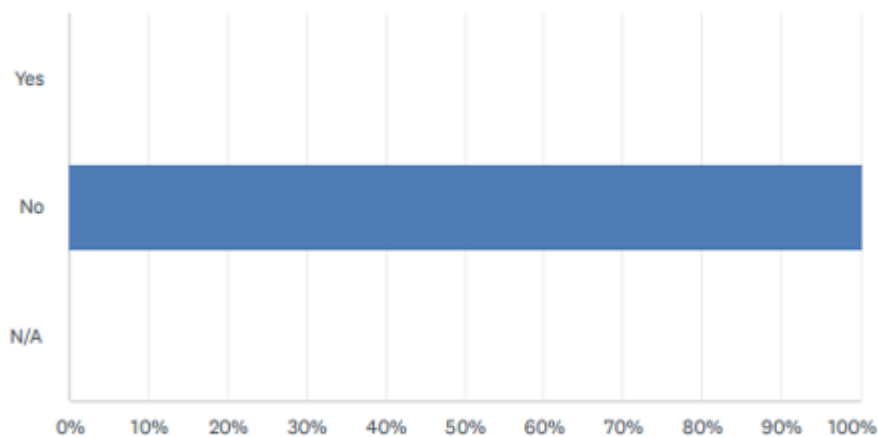
- **Actual** versus **anticipated** non-compliance: actual means the Board’s determination of failure to meet pre-identified indicators of compliance in OEs after the monitoring report whereas anticipated non-compliance means the superintendent’s determination from the data that compliance is unlikely as demanded by the OEs.

<p>Indicator 1: Annual review of aggregate rolling data from a survey of board members following each monitoring report will indicate board members answer “no” to the question, “Were you surprised upon reviewing the monitoring report to discover non-compliance or lack of progress.”</p>	<p>In Compliance</p>
---	-----------------------------

Evidence: The district has had no monitoring reports with a noncompliance or lack of progress status as of this report.

Were you surprised upon reviewing the monitoring report to discover non-compliance or lack of progress?

Answered: 5 Skipped: 0



RESPONSES

Indicators have been in compliance or with exception and a reason given, including what the district is doing to progress or improve.

The Superintendent Shall:

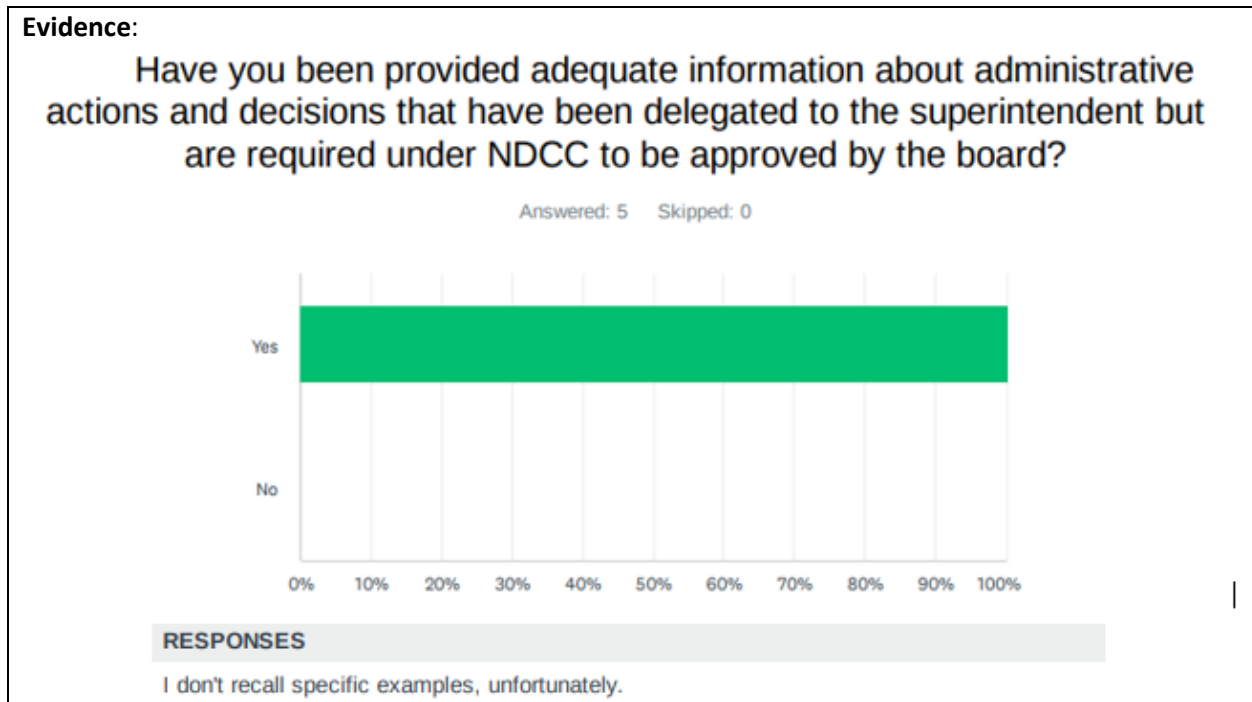
<p>8.10 Provide for the Board adequate information about all administrative actions and decisions that are delegated to the Superintendent, but required by law to be approved by the Board.</p>	<p>In Compliance</p>
---	-----------------------------

Superintendent Interpretation: The board expects that the superintendent will monitor and advise the board regarding any policy changes or additions dictated by law. As legislation is passed that requires board approval of an administrative policy, the superintendent will bring the policy to the board for approval, after which it will be the responsibility of the administration to implement and monitor the policy.

- **Adequate** shall mean sufficient communication/information that allows the Board to fulfill its responsibilities under CG and NDCC.

- **Administrative actions and decisions** shall mean the superintendent’s management of day-to-day-operations of the district and meeting of responsibilities as outlined in the OE policies.
- **Delegated to the superintendent** shall mean specifically as assigned by the Board to the superintendent through CG polices, B/SRs, or administrative policy.

<p>Indicator 1: Aggregate data from a bi-annual poll (December and June) of board members will indicate board members answer “yes” to the question, “Have you been provided adequate information about administrative actions and decisions that have been delegated to the superintendent but are required under NDCC to be approved by the board?”</p>	<p>In Compliance</p>
---	-----------------------------



The Superintendent Shall:

<p>8.11 Inform the Board in a timely manner of the administrative disposition of complaints referred to the Superintendent by the Board.</p>	<p>In Compliance</p>
---	-----------------------------

Superintendent Interpretation: The superintendent responds to each complaint directed his or her way in writing by the board with an explanation of how the complaint resolved through an update to the board.

<p>Indicator 1: The superintendent shall maintain and share a running record of formal complaints, administrative disposition, and Board satisfaction of timeliness to be reviewed annually in June.</p>	<p>In Compliance</p>
<p>Evidence: The Superintendent has not received any written complaints from official Board action.</p>	

The Superintendent Shall:

<p>8.12 Inform the Board in advance of any deletions of, additions to, or significant modifications of any instructional programs.</p>	<p>In Compliance</p>
---	-----------------------------

Superintendent Interpretation: The instructional program is an element of the district’s day-to-day operation and typically not in the Board’s purview, yet the overall scope and depth of the instructional program may relate directly to the Results policies. Thus, the Board has an expectation that significant changes in the instructional program will be shared with the Board in advance of implementation. Examples of “significant” change include a change in the base materials, a change in the standards, or the elimination of a program. In addition the Board approves new courses at the secondary level. Furthermore, as a part of the regular monitoring of the Desired Results Policies, Board members receive a thorough picture of the instructional program, including curricular materials and instructional strategies used.

- **Deletions, additions, significant modifications** shall mean changes that require considerable professional development or resources to implement.
- **Instructional programs** shall mean the teaching practices

<p>Indicator 1: Indicators of compliance are the Board agendas that show Board response (approval or denial) of new courses and Board feedback in June regarding their sense of notification of changes in the instructional program.</p>	<p>In Compliance</p>
<p>Evidence: The Board received several presentations and approved the Innovation Pathway Waiver requested by the Career Academy and the School Restart Plan, which included distance learning, hybrid learning, and face-to-face learning instructional models.</p>	

Capacity Building/Recommendations

This section provides new inputs by administration placed into practice or protocol since this data was collected.

Recommendations

8.9

The Superintendent shall:

8.9 Inform the Board ~~in a timely manner~~ of any actual or anticipated noncompliance with any Board Operational Expectations policy or any anticipated failure to achieve reasonable progress toward any Results policy prior to the presentation of the monitoring report.

Superintendent Interpretation: Board members need to be informed in advance of any likely non-compliance with any ~~OE~~ Operational Expectation policy and / or lack of reasonable progress on any Results policy.

- ~~In a timely manner~~ shall mean at the next scheduled work session or meeting after the superintendent has determined that the district is likely to be non-compliant on any OE policy or has not made reasonable progress on any Results policy. Prior to the presentation of the monitoring report shall mean no later than the date the agenda is relayed to the board.
- **Actual versus anticipated** non-compliance or failure to achieve reasonable progress: ~~actual~~ means the Board's determination of failure to meet pre-identified indicators of compliance in ~~OEs~~ Operational Expectations policies or reasonable progress in Results policies after the monitoring report presentation ~~whereas anticipated non-compliance means the superintendent's determination from the data that compliance is unlikely as demanded by the OEs.~~
- ~~Actual versus a~~ **Anticipated** non-compliance or failure to achieve reasonable progress: ~~actual~~ means the Board's determination of failure to meet pre-identified indicators of compliance in ~~OEs~~ after the monitoring report ~~whereas anticipated non-compliance~~ means the superintendent's determination from the data that compliance or reasonable progress is unlikely as demanded by the ~~OEs~~ Operational Expectations or Results policies.

Indicator 1: Annual review of aggregate rolling data from a survey of board members ~~following each monitoring report~~ will indicate board members answer "no yes" to the question, "~~Were you surprised upon reviewing the monitoring report to discover non-compliance or lack of progress~~ Were you notified of the monitoring report status prior to the presentation?"