

OE-7 ASSET PROTECTION  
SUMMARY OF COMPLIANCE STATUS  
OCTOBER 2023

**SUPERINTENDENT CERTIFICATION**

With respect to OE-7 *Asset Protection* 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/Recommendations section on the last page outlining new practice or protocol to be utilized for the next reporting timeframe. The Capacity Building/Recommendations 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 business and operations. Of these 16 indicators, all demonstrated compliance. Reporting dates for this report are July 1, 2022 – June 30, 2023.

Signed:  \_\_\_\_\_  
Superintendent

Date: 10/9/2023

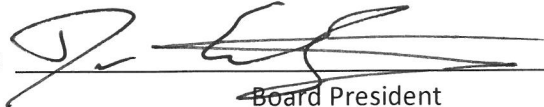
**SCHOOL BOARD ACTION**

With respect to OE-7 *Asset Protection*, the Board:

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

**Motion of the Board/Summary Statement**

Motion by Mr. Lee to accept the OE-5 *Asset Protection* Monitoring Report as In Compliance, seconded by Mr. Hager. Motion carried.

Signed:  \_\_\_\_\_  
Board President

Date: 10/9/2023

**Data Analysis**

The district assets are adequately covered; however, it is always a balance of risk vs. cost with insurance. Administration did analyze insurance coverage for limits/cost and recommended that we continue with our current insurance.

The district has systems in place to guard against misappropriation and misuse of property.

**OE-7 Asset Protection**

**The Superintendent shall assure that all district assets are adequately protected, properly maintained, appropriately used and not placed at undue risk.**

**The Superintendent Shall:**

<p><b>7.1</b> Maintain property and casualty insurance coverage on district property with limits equal to 100 percent of replacement value except where limited by the carrier.</p>	<p><b>In Compliance</b></p>
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**Superintendent Interpretation:** The Board has an expectation that property be insured to the fullest extent possible, so that replacement or repair of lost property does not compromise the district’s budget and ability to operate.

<p><b>Indicator 1:</b> Property and contents insurance is at 100% replacement value except where limited by the carrier.</p>	<p><b>In Compliance</b></p>
<p><b>Evidence:</b> BPS has property and contents insurance through North Dakota State Fire and Tornado (ND F&amp;T). The district has 100% replacement value on all items that are allowed by ND F&amp;T. BPS added blanket coverage for FY23.</p>	

<p><b>Indicator 2:</b> District vehicles are insured for comprehensive and collision coverage with claims paid at actual cash value or the cost of repairs, whichever is less.</p>	<p><b>In Compliance</b></p>
<p><b>Evidence:</b> BPS has property and contents insurance through North Dakota Insurance Reserve Fund (NDIRF).</p>	

**The Superintendent Shall:**

<p><b>7.2</b> Maintain both Errors and Omissions and Comprehensive General Liability insurance coverage protecting Board members, staff and the district itself in an amount that is reasonable for school districts of comparable size and character.</p>	<p><b>In Compliance</b></p>
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**Superintendent Interpretation:** The Board expects that liability exposed by mistakes or oversights by district employees are protected to a similar degree that is afforded by other similar school districts.

<p><b>Indicator 1:</b> The district will maintain general liability insurance coverage in force with limits that are appropriate for a school district of our size.</p>	<p><b>In Compliance</b></p>
<p><b>Evidence:</b> BPS has general liability coverage through NDIRF. The policy covers governance, personal, and property damage liability at \$10,000,000.</p>	

<p><b>Indicator 2:</b> The district will maintain worker’s compensation coverage for all employees as required by the State of North Dakota.</p>	<p><b>In Compliance</b></p>
<p><b>Evidence:</b> The district maintains its worker’s compensation coverage through ND Workforce Safety and Insurance. The net premium paid for 2022-23 was \$165,180.82, which reflected a safety discount for our safety programs (\$55,116.92) and also the 2023 Prepaid Dividend Calculation of (\$248,026.16).</p>	

**The Superintendent Shall:**

<p><b>7.3</b> Adequately protect the district against theft or misappropriation of funds by any personnel who have access to material amounts of district and school funds.</p>	<p><b>In Compliance</b></p>
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**Superintendent Interpretation:** By material amounts, the superintendent believes the Board intends that persons who control or have access to any amount of district or school cash should be bonded.

<p><b>Indicator 1:</b> The district will bond all employees who have access to material amounts of cash.</p>	<p><b>In Compliance</b></p>
<p><b>Evidence:</b> The district carries a \$2,000,000 bond through the ND Insurance Department, which is the maximum amount they will issue. All district employees that work with money are covered under this provision.</p>	

**The Superintendent Shall:**

<p><b>7.4</b> Protect intellectual property, information, files, records and fixed assets from loss or significant damage.</p>	<p><b>In Compliance</b></p>
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**Superintendent Interpretation:** The Board expects that financial and confidential personnel files will be maintained in a safe, secure manner; that digital files will be backed up and/or redundantly stored off site; that backup systems protect from loss of data. Digital files and information will be protected from hacking and electronic intrusion or damage. Archival records must be maintained for legally prescribed duration in a safe place, as well as historically important information or archives. Finally, the Board expects that physical assets are protected.

<p><b>Indicator 1:</b> The School District received no legal complaints that its employees have violated intellectual property rights.</p>	<p><b>In Compliance</b></p>
<p><b>Evidence:</b> The district has received no complaints that its employees have violated intellectual property rights.</p>	

<p><b>Indicator 2:</b> The School District protects digital records from damage, loss, or breach.</p>	<p><b>In Compliance</b></p>
<p><b>Evidence:</b> District data is on redundant systems and backed up instantaneously or nightly depending on the system. The district experienced no loss or damage of digital records or information contained within the district network or systems.</p>	

<p><b>Indicator 3:</b> The School District has a disaster and recovery plan that is implemented to protect critical data and systems.</p>	<p><b>In Compliance</b></p>
<p><b>Evidence:</b> The district has both live (redundant systems) back up and daily recovery if needed with mission critical systems. The system has generator/battery backup of redundant systems.</p>	

<p><b>Indicator 4:</b> The School District intellectual property ownership is maintained by the School District and no for profit use outside the district is authorized.</p>	<p><b>In Compliance</b></p>
<p><b>Evidence:</b> The district has a policy against this particular item. No intellectual property sales have been reported to the district.</p>	

<b>Indicator 5:</b> The School District will maintain an inventory of the physical assets of the school district to safeguard against theft or other losses.	<b>In Compliance</b>
<b>Evidence:</b> BPS has an inventory system that is maintained on an annual basis.	

**The Superintendent Shall Not:**

<b>7.5</b> Allow facilities and equipment to be subject to improper use or insufficient maintenance.	<b>In Compliance</b>
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**Superintendent Interpretation:** The Board expects that facilities and equipment will be maintained on a schedule that maximizes longevity, and that facilities and equipment will not be subjected to use or wear that is excessive or puts these assets at risk of failing before end of life is achieved.

<b>Indicator 1:</b> The School District shall utilize a building automation (lights, heat, cooling, etc.) system to only schedule buildings and equipment during occupied times.	<b>In Compliance</b>
<b>Evidence:</b> BPS currently utilizes Andover Continuum for building automation. Custodial staff is trained and schedule events through the building automation system for proper operation. Holidays and setbacks are also scheduled for each building.	

<b>Indicator 2:</b> The School District shall utilize a maintenance program that incorporates maintenance requests and preventive maintenance for equipment.	<b>In Compliance</b>
<b>Evidence:</b> BPS utilizes SchoolDude for its preventive and work order maintenance systems. In 2022-23 the district completed a total of 7,816 maintenance requests.	

**The Superintendent Shall Not:**

<b>7.6</b> Recklessly expose the district, the Board or staff to legal liability.	<b>In Compliance</b>
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**Superintendent Interpretation:** Recklessly means that the superintendent knowingly or purposefully participated in or allowed others with his/her knowledge to abide behaviors of conditions that place the district at risk of liability.

<b>Indicator 1:</b> Liability complaints are investigated promptly. Those that show reckless use of assets are reported to the Board president as soon as practicable.	<b>In Compliance</b>
<b>Evidence:</b> BPS has not had any complaints in regard to the section. The district has policies and procedures prohibiting reckless use of assets.	

**The Superintendent Shall Not:**

7.7 Invest funds in investments that are not secured or that are not authorized by law.	In Compliance
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**Superintendent Interpretation:** The superintendent will work with the business and operations manager for evaluating all investments. All investments will be secured and/or legal.

<b>Indicator 1:</b> The School District will not invest funds that not secured or authorized by law.	In Compliance
<b>Evidence:</b> BPS has the following investments currently: <ul style="list-style-type: none"> <li>• Held in CDs that are covered by FDIC.</li> <li>• Held in checking and/or money market funds covered by Sweep/Commercial Paper, FDIC or pledges.</li> </ul> Administration submits a Pledge of Assets report to the Board annually.	

**The Superintendent Shall Not:**

7.8 Purchase or sell real estate, including land and buildings.	In Compliance
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**Superintendent Interpretation:** Only the Board is authorized to purchase or sell real estate. The superintendent will prepare recommendations for sale or purchase of real property, but may not execute any such transactions without Board approval

<b>Indicator 1:</b> All purchases of real property will be vetted by administration and the school Board with input from committees were applicable. However, all purchases and sales of real property will require Board action at a public meeting.	In Compliance
<b>Evidence:</b> The school board approved the purchase of new central office property located at 128 Soo Line Drive.	

**The Superintendent Shall Not:**

7.9 Take any action that damages the district’s public image or credibility.	In Compliance
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**Superintendent Interpretation: Action** means a decision or behavior. This policy proscribes any decision or behaviors by the superintendent that would embarrass the district or reflect badly on the district. It does not mean that an event or action by an employee will never reflect badly upon or embarrass the district.

<b>Indicator 1:</b> The Board does not identify an action(s), event(s) or decision(s) for which the superintendent is responsible as damaging to the district's public image or credibility.	In Compliance
<b>Evidence:</b> Certainly, it is the superintendent’s intention and desire to never damage the district’s image or credibility. The nature of the position requires decisions or actions that may not please every stakeholder or constituent. This policy proscribes egregious errors in behavior or judgment, which have not occurred, in the opinion of the superintendent.	

### **Capacity Building/Recommendations**

#### **Capacity Building**

We continue to analyze and monitor items like data breach and other related coverage like cyber security.

#### **Recommendations**

No recommendations are suggested at this time.