



# bulletin



**NDSBA**  
NORTH DAKOTA SCHOOL  
BOARDS ASSOCIATION

JULY 2021

*Excellence in North Dakota public education through local school board governance* ■ VOL XLVI ISSUE 7

## CDC Releases Updated Guidance for COVID-19 Prevention

The Centers for Disease Control and Prevention (CDC) recently released *Guidance for COVID-19 Prevention in Kindergarten (K)-12 Schools*. The updated guidance focuses on helping administrators in K-12 schools, along with state and local health officials, safely support in-person learning as well as sports and other extracurricular activities. Because most North Dakota schools have been providing in-person learning over the last school year, NDSBA believes it is not likely districts will need to make significant changes due to the guidance.

The CDC indicates that vaccination is currently the leading public health prevention strategy to end the COVID-19 pandemic. However, as many children are not yet eligible for COVID-19 vaccination, the updated guidance emphasizes the prevention strategies most important for in-person learning, regardless of whether schools can implement all the prevention strategies.

The CDC continues to recommend that students, teachers, and staff who are not fully vaccinated wear masks indoors, consistent with its overall recommendations for fully vaccinated people. The CDC also continues to recommend physical distancing and suggests students, teachers, and staff should be closely monitored (with adequate testing through the school or community) for any outbreaks or increases in COVID-19 cases.

Recent changes to the CDC guidance include:

- Information on offering and promoting COVID-19 vaccination.

- Emphasis on the need for localities to monitor community transmission, vaccination coverage, screening tests, and occurrence of outbreaks to guide decisions on the level of layered prevention strategies.
- Emphasis on the COVID-19 prevention strategies most important for in-person learning for K-12 schools. This includes language on the importance of offering in-person learning, regardless of whether all of the prevention strategies can be implemented at the school. For example, because of the importance of in-person learning, schools where not everyone is fully vaccinated should implement physical distancing to the extent possible within their structures (in addition to masking and other prevention strategies) but should not exclude students from in-person learning to keep a minimum distance requirement.
- Updates to align with current overall mask guidance. In general, people do not need to wear masks when outdoors.
- New language on safety and health protections for workers in K-12 schools.

**To get kids back in-person safely, schools should monitor**



Community Transmission



Vaccination Coverage



Testing



Outbreaks

**to help prevent the spread of COVID-19**



[cdc.gov/coronavirus](https://cdc.gov/coronavirus)

CS23541A 07/06/2021

Key takeaways of the updated guidance and the full guidance can be found at [cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html](https://cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html). School board members should work with their administrators to determine what the guidance means for their district.

## Welcome!

NDSBA would like to welcome all newly-elected school board members who were seated this month. Your board service will be challenging but rewarding. NDSBA is here to serve you as you serve the community of your district, and we look forward to meeting you at the New Member Seminar in October.



# Legal Spotlight

## Public Schools and Institutional Child Abuse/ Neglect

by Amy De Kok, NDSBA Legal Counsel

This past session, the North Dakota

Legislature made some important changes to Chapter 50-25.1 of the North Dakota Century Code, which relates to child abuse and neglect. SB 2083 made significant changes to the procedures by which child abuse and neglect reports are handled, many of which are not relevant to public schools; however, one notable and relevant change was the inclusion of public schools in the provisions related to institutional child abuse and neglect.

To understand the impact of this change, a little background information is necessary. During the 2019 session, the North Dakota Legislature amended the definition of “person responsible for the child’s welfare” in section 50-25.1-02(1) to include an employee of a public school. Because of this change, a public school employee could be the subject of a report of child neglect due to conduct performed in the scope of their employment. After concerns were raised by education stakeholders, SB 2083 was introduced

during the 2021 session. In its final form, SB 2083 further amended the definition of “person responsible for the child’s welfare” to remove the reference to a public school employee. SB 2083 then amended the definition of “institutional child abuse or neglect” in section 50-25.1-02(17) to include a public or private school as an institution that may be subject to a report of child neglect or abuse.

So, what does this all mean? Essentially, the changes made by SB 2083 to the definitions in section 50-25.1-02 mean that a report of alleged child neglect that occurs within a public or private school cannot be maintained against an accused individual school employee, but rather can only be maintained against the public or private school at which the employee is employed. Reports of institutional child abuse or neglect are handled by the state child protection team, which makes a determination of whether child abuse or neglect is indicated. In such cases, the department must notify the superintendent of public instruction, the school district administrator, and the president of the school board if the subject of the report is a public or private school. If child abuse or neglect is indicated, the department may make recommendations to the public or private school as to what measures should be taken to address the situation. The department may also make reports to law enforcement if deemed appropriate.

In addition, SB 2083 amended other

sections in chapter 50-25.1 to add the following relevant provisions:

- When a report alleges institutional child abuse or neglect involving a private or public school, the public or private school may conduct an internal investigation into the alleged conduct concurrently with the child protection assessment conducted by the department of human services.
- If a public or private school conducts an investigation concurrently with the department, the department and the school must coordinate the planning and execution of the assessment and investigation efforts to avoid duplication of fact finding efforts and multiple interviews if practicable.
- A report alleging institutional child abuse or neglect against a public or private school must be made available to the public or private school that is the subject of the report, provided the identity of the persons reporting or supplying information is protected, except if the individuals reporting or supplying information are employees of the public or private school.
- All records and information gathered, obtained, created, or received by a school in connection with any report of institutional child abuse or neglect are confidential until a finding of institutional child abuse or neglect is indicated by the state child protection team.

Please feel free to contact NDSBA for further information regarding the potential impacts of the changes made by SB 2083.

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## NDSBMCP New Member Training to be Held in August

The Business Manager Certification Program new member training will be held in Bismarck at the Career Academy on Monday, August 16 and Tuesday, August 17. This training is for new students of the program; however, graduate students looking to retake the course(s) as a refresher may register at a discounted course rate. Courses to be taught include:

Business Manager Roles and Responsibilities, Federal Funding and Reporting Systems, Introduction to School Finance, Introduction to School Operations, and State Funding and Reporting Systems. Registration and class information can be found on the NDSBMCP website under the NEWS tab at [www.ndsbmcp.org](http://www.ndsbmcp.org). Contact NDSBA at 1-800-932-8791 if you have questions.

# Business Manager Certification Program Honors Graduates and Recertification Students

On Friday, June 18, twenty-six North Dakota business managers were honored at the ND Heritage Center for successfully completing the North Dakota School Business Manager Certification Program, while 40 additional students were recognized for recertifying in the program. Sixteen of the 26 business manager graduates received the mastery designation – the program’s highest distinction. Multiple school board members, superintendents, family members and friends were in attendance to help celebrate this professional accomplishment. Guest speakers included the Superintendent of Public Instruction Kirsten Baesler, NDSBA President Karl Lembke, and Jamestown School District Superintendent and NDSBMCP instructor Dr. Robert Lech.

The North Dakota School Business Manager Certification Program was created in 2013 and is administered by the North Dakota School Boards Association in partnership with the North Dakota Association of School Business Managers. The program provides state business managers with practical education and training to



*ND School Business Manager Certification Program students and NDSBA staff: from left to right, Paige Carlson, Northern Cass; Donna Van Beek, Strasburg; April Grandalen, Finley-Sharon; Alli Roller, Hope-Page; Barb Magnuson, South Prairie; Lenita Larson, Central Valley; Roxanne Phipps, Hatton Eielson; Mary Vandal, St. John; Lorie Werle, TGU; April Haring, Oakes; Rebecca Duben, NDSBA; Brant Hebert, McKenzie County; Heather Ebert, Hettinger; Kendra Dockter, Richland; Mitzi Beutler, Sheyenne Valley Special Education Unit; Theresa Brien-Knutson, Warwick; Michele Johnson, Fessenden-Bowdon; Julie Termine, Burke Central; Kendra Trupe; North Border; Amanda Bina, Midway; Dana Ekren, Kensal.*

help them successfully perform their duties and meet statutory and regulatory responsibilities. It is made up of 20 courses, offered both in-person and online, that cover foundational materials such as a business manager’s role and responsibilities, school finance and operations, how to conduct a school election or a public meeting, and how to properly procure items for the district. Students are required to

complete 61 credits to graduate within a five-year period. Most complete these requirements within two years. After graduation, students must complete 15 continuing education credits every three years to remain in the program. Courses are taught by superintendents, business managers, school district personnel, and state officials with expertise in specific areas.



## Convention Reminders

### NDSBA Seeking Committee Members

NDSBA is seeking board members to serve on various committees both prior and during our Annual Convention. These committees are an important part of setting the direction for NDSBA and ensuring we are able to serve our members accordingly. If you are interested in serving on a committee, please fill out the form at <https://forms.gle/PZhfMMDLQwYhJy7>. Board members will be appointed to the following committees in the coming months:

#### **Government Affairs Committee**

The Government Affairs Committee meets once in late August via conference call to discuss and approve any resolutions submitted to NDSBA. Approved resolutions are then submitted to the Delegate Assembly for final consideration.

#### **Nominating Committee**

Members of the Nominating Committee meet once via conference call prior to the October convention. The committee reviews all candidate applications for positions on the NDSBA Board of Directors and approves which candidates will be placed on the ballot for election at the October convention.

#### **Credentials Committee**

Credentials Committee members assist NDSBA staff in seating delegates at the Delegate Assembly during the October convention.

#### **Ballot Counting Committee**

Members of the Ballot Counting Committee tally votes and certify election results for board of director positions at the October convention. They are also available to tally ballot votes during the Delegate Assembly, if necessary.

If you are interested in serving as a

convention committee member, please complete the form by Monday, August 9. **NDSBA Resolutions Deadline**

Resolutions must be received in the NDSBA office **no later than 4:00 p.m. CT on Friday, August 20**. NDSBA’s current resolutions and the format used to submit proposed resolutions can be found in the NDSBA website [www.ndsba.org](http://www.ndsba.org) under LEGISLATIVE ADVOCACY – STANDING RESOLUTIONS. These resolutions shape NDSBA’s advocacy strategy.



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**ND Rural School Summit**  
October 27, 2021  
State Capitol, Bismarck

**2021 NDSBA Annual Convention**  
October 28-29, 2021  
Ramkota Hotel, Bismarck

**2022 Negotiations Seminar**  
February 3-4, 2022  
BSC National Energy Center of  
Excellence, Bismarck

**2022 NSBA Annual Conference &  
Exposition**  
April 2-4, 2022  
San Diego, CA

**Human Resource Collaborative  
Conference**

April 20-21, 2022  
Ramkota Hotel, Bismarck

**2022 NDSBA Annual Convention**

October 27-28, 2022  
Ramkota Hotel, Bismarck

**NOTICE: NDSBA  
Mailing Address  
Change**

NDSBA will no longer be using *PO  
Box 7128, Bismarck, ND 58507-7128.*

Please use the address **1224 West  
Owens Avenue, Bismarck, ND  
58501** for any mail sent to  
NDSBA. Thank you!



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