

**Meeting Minutes:** Negotiations Committee – District Office Executive Conference Room**Date/Time:** November 14, 2022 – 12:00 pm**Location:** District Office**Start:** 12:02 p.m.**End:** 12:55 p.m.**Committee Members Present:** Seth Holden, Melissa Burkland, Greg Clark, Nikkie Gullickson, Jim Johnson**Committee Members Absent:** None**Board Members Present:** Robin Nelson**Administrative Staff Present:** Dr. Rupak Gandhi, Missy Eidsness, Dr. Robert Grosz, Tara Brandner, Lori Feist**Recorder:** Amy Patterson

Agenda Item	Discussion – Conclusion	Recommendations or actions
<b>Approval of November 2, 2022 Meeting Minutes</b>	The Committee reviewed the minutes of the November 2, 2022 meeting. A correction was made to the minutes; Jim Johnson was moved to the Committee Members Absent section. The minutes were then approved by consensus.	The minutes will be posted on the Board's section of the public website.
<b>Fargo Education Association Petition</b>	<p>The Fargo Education Association (FEA) submitted a petition for recognition of the representative body for contract negotiations at the November 8, 2022 Board meeting. Copies of the petition were provided to committee members. Tara Brandner noted that she spoke to legal counsel for ND United before the meeting to discuss legal issues with the Petition. She explained her two concerns with moving forward with the petition as currently written. The first concern is that per ND Century Code the petition needs to define the negotiating unit and the negotiating unit must be limited to a group of teachers or a group of administrators, it cannot include all licensed personnel from a district. Ms. Brandner shared that this can be rectified by the Board by limiting its approval to the teachers as defined by North Dakota Century Code Ch. 15.1-16.</p> <p>The second and bigger concern is the that the petition must be accompanied by evidence substantiating the assertion contained in it once submitted. The FEA is asserting that the association does represent the majority of 788 licensed personnel but does not provide any evidence to back their assertion, which does not meet the Century Code requirements. Ms. Brandner and the ND United legal counsel agree the statement alone is not sufficient evidence, and Ms. Brandner provided them until Wednesday, November 16 to decide how they want to rectify the issue. She advised the committee that the Board would need to deny the petition without the appropriate evidence. Ms. Brandner suggested the FEA withdraw the petition and resubmit a modified petition when they have the evidence, and it has been modified to meet Century Code. If the FEA were to withdraw the petition the deadlines for notice and approval would begin upon the filing of the new petition.</p> <p>Discussion occurred on the definition of evidence for the petition and the timelines associated with the submission of the petition.</p> <p>Administration will provide updates to the Board on the matter.</p>	

Agenda Item	Discussion – Conclusion	Recommendations or actions
	Discussion occurred on NDCC for executive sessions.	
<b>Executive Session</b>	Nikkie Gullickson moved that the Negotiations Committee enter executive session for the purpose of negotiations strategy as permitted under NDCC §44-04-19.1 and 15.1-16-22. Melissa Burkland seconded the motion. The motion passed (Yes: Melissa Burkland, Greg Clark, Nikkie Gullickson, Jim Johnson and Seth Holden). The executive session was held in the Executive Conference Room on the second floor of the District Office. Chair Seth Holden entered executive session at 12:33 p.m. Board members Melissa Burkland, Greg Clark, Nikkie Gullickson, Jim Johnson and Seth Holden were present in the room. Additionally, Board member Robin Nelson, Dr. Gandhi, Tara Brandner, Lori Feist, Missy Eidsness, Dr. Grosz and Amy Patterson, recorder, were present in the room. During the session, discussion was held on negotiations strategy for the upcoming contract negotiations with the Fargo Education Association. The executive session ended at 12:50 p.m. and open session resumed.	
<b>Next Meeting Date</b>	The committee will meet next on December 1 at 7:30 a.m. in the Executive Conference Room.	
Next Meeting: December 1, 2022 at 7:30 a.m.		