

**EDUCATION FACT FINDING COMMISSION
STATE OF NORTH DAKOTA
630 REMINGTON AVENUE, BISMARCK, ND 58503**

August 2, 2007

Senator Tom Fischer, Chairman
Administrative Rules Committee
% Legislative Council
600 East Boulevard Avenue, Dept. 160
Bismarck, ND 58505-0360

Dear Senator Fischer,

I will attend the Administrative Rules Committee meeting on Thursday, September 13, 2007, to respond to your committee questions.

I'm enclosing copies of all of our operating rules, which have remained about the same for over a decade.

Cordially,

A handwritten signature in cursive script that reads "Kermit Lidstrom".

Kermit Lidstrom, Ed. D.
Chairman

NORTH DAKOTA EDUCATION FACT FINDING COMMISSION

**Education Fact Finding Commission
State of North Dakota**

IMPASSE HEARING GUIDE

PREPARING FOR A FACT FINDING HEARING:

1. Both parties must submit the specified pre-payment checks.
2. Both parties must prepare and distribute the required pre-hearing reports.
3. Each team (teachers and the board) should select a spokesperson.
4. Each spokesperson needs to prepare an opening statement.

REPRESENTATION AT THE HEARING: It is the constant and consistent rule of the Commission that we must have the President of the Board of Education and at least two additional board members as well as the President of the local Education Association and two teacher negotiators at the hearing in order to proceed.

NOTE: The Fact Finding hearing is an open public hearing and everyone is welcome to attend. Cameras, video equipment and taping are acceptable, providing that the use of cameras, video equipment, and taping equipment does not impede or interrupt the hearing process.

THE HEARING AGENDA:

1. Opening remarks and introductions by the Chairman of the Commission.
2. Opening statements by each party:
 - a. The spokesperson for the Education Association will present an opening statement reviewing the negotiations and the impasse issue(s).
 - b. The spokesperson for the Board of Education will present an opening statement reviewing the negotiations and the impasse issue(s).
3. Justification by each party:
 - a. The Education Association will be provided time to justify their position.
 - b. The Board of Education will be provided time to justify their position.
4. Members of the Fact Finding Commission will ask questions to provide focus on the concerns of both parties.
5. The chairman will provide an opportunity for individuals in the audience to comment.
6. Following the public comments the chairman will summarize the findings and stipulate a date when both parties can expect a report from the commission.

**EDUCATION FACT FINDING COMMISSION
STATE OF NORTH DAKOTA**

A Pre-Hearing Report to be submitted to the North Dakota Education Fact Finding Commission:

BY THE EDUCATION ASSOCIATION

Response Time for this Report

The commission requests that this report be prepared and submitted to each commission member as soon as possible. Your promptness in furnishing this report will allow us to set an early hearing date. We must have this report, in hand, before the scheduled hearing.

Required Materials in the Report

- Section 1. A list of the unresolved items which are "basic to the impasse".
- Section 2. A "position paper". This paper should explain and justify the Education Association's position concerning the unresolved items.
- Section 3. A chart of all proposals and counter-proposals made by each party.
- Section 4. Exhibits and statistical information comparing compensation and other benefits in area schools and/or schools of similar size, along with other data and information which you believe will be useful to the commission.
- Section 5. The minutes of the negotiation sessions.
- Section 6. A copy of the current operating contract between the Board and the Education Association, and a copy of the current salary schedule.

Binding and Packaging of the Report

- A. Please label each section and separate with a divider sheet.
- B. The report should be 3-hole punched or bound in a manner which allows the material to lay flat when the binding is opened.

Mailing and Distribution of the Report

- A. Mail a copy to each member of the North Dakota Education Fact Finding Commission.
- B. Provide a courtesy copy to the President of the local Board of Education.

**EDUCATION FACT FINDING COMMISSION
STATE OF NORTH DAKOTA**

A Pre-Hearing Report to be submitted to the North Dakota Education Fact Finding Commission:

BY THE SCHOOL BOARD

Response Time for this Report

The commission requests that this report be prepared and submitted to each commission member as soon as possible. Your promptness in furnishing this report will allow us to set an early hearing date. We must have this report, in hand, before the scheduled hearing.

Required Materials in the Report

- Section 1. A "position paper". This paper should explain and justify the Board's position concerning the unresolved items.
- Section 2. A copy of the current operating budget.
- Section 3. A chart of the teaching staff showing their total compensation. Please include cost of all fringe benefits.
- Section 4. A copy of the school district's last annual financial report to D.P.I..
- Section 5. A history of enrollment, by levels and grades, and a projection of future enrollments, along with other data and information which you believe will be useful to the commission.
- Section 6. The minutes of the negotiation sessions. (Not required if they are the same as the Education Association minutes.)

Binding and Packaging of the Report

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- B. The report should be 3-hole punched or bound in a manner which allows the material to lay flat when the binding is opened.

Mailing and Distribution of the Report

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- B. Provide a courtesy copy to the President of the local Education Association.

NORTH DAKOTA EDUCATION FACT FINDING COMMISSION

OUR CREDO

We believe that our primary responsibility is to the school boards, teachers and students in the school districts that request our service. The purpose, of the commission, is to provide boards and teachers with a pathway to impasse resolution that is; reasonable, rational, responsible and affordable.

At our hearings we will respect the dignity of every individual in attendance. We will endeavor to provide equal opportunity for all parties to justify their positions. We will encourage open dialogue and frank discussion and our hearings will be dignified and focused on fact.

Finally, we are deeply committed to fairness, ethical standards, and orderly process.

