

**FIRST ENGROSSMENT
with House Amendments
ENGROSSED SENATE BILL NO. 2181**

Introduced by

Senators Rust, Luick, Marcellais

Representatives Kelsh, B. Koppelman, J. Nelson

1 A BILL for an Act to create and enact a new section to chapter 15.1-07 and section 15.1-07-20.1
2 of the North Dakota Century Code, relating to the retention of school district records and the
3 employment of a school district business manager; to amend and reenact section 15.1-07-14 of
4 the North Dakota Century Code, relating to school district business managers; and to repeal
5 sections 21-06-05 and 21-06-06 of the North Dakota Century Code, relating to the destruction
6 of school district documents.

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

8 **SECTION 1. AMENDMENT.** Section 15.1-07-14 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **15.1-07-14. Qualified elector.**

11 1. An individual who is a qualified elector of this state may:

12 a. Vote to elect board members for the school district in which the individual
13 resides;

14 b. Serve as a board member for the school district in which the individual resides;
15 and

16 c. Serve as a judge or clerk of election for the school district in which the individual
17 resides.

18 ~~d. Serve as the business manager of a school district.~~

19 2. For the purposes of elections held under this chapter, an individual residing on a
20 military installation is deemed to be a resident of a school district if the school district
21 admits students from the military installation pursuant to a contract and receives
22 impact aid pursuant to Public Law No. 81-874 [64 Stat. 1100; 20 U.S.C. 236 et seq.],
23 as amended.

1 **SECTION 2.** Section 15.1-07-20.1 of the North Dakota Century Code is created and
2 enacted as follows:

3 **School district business manager - Employment - Oversight - Reports to board.**

- 4 1. All decisions regarding the selection and employment of a school district business
5 manager and all decisions regarding the suspension and dismissal of a school district
6 business manager belong to the board of a school district, as set forth in section
7 15.1-09-33.
- 8 2. The board shall exercise administrative oversight with respect to the school district
9 business manager unless the board has established an alternate supervisory structure
10 that is clearly defined in the board's policy and is represented in the school district's
11 organizational chart, and through board action delegates to the superintendent
12 supervisory responsibility of the business manager's daily operations.
- 13 3. All financial reports, whether statutorily mandated or requested by the board, and
14 whether written or oral, must be personally presented to the board by the school
15 district business manager.

16 **SECTION 3.** A new section to chapter 15.1-07 of the North Dakota Century Code is created
17 and enacted as follows:

18 **School district records - Retention.**

- 19 1. A school district shall permanently retain the minutes of each school board meeting.
- 20 2. Unless otherwise provided by law, a school district shall retain payroll records and
21 records of revenues and expenditures for a period of five years.
- 22 3. A school district may consult with the state archivist before disposing of records in
23 order to determine whether the records may have any archival value.

24 **SECTION 4. REPEAL.** Sections 21-06-05 and 21-06-06 of the North Dakota Century Code
25 are repealed.