

Sixty-fourth  
Legislative Assembly  
of North Dakota

ENGROSSED SENATE BILL NO. 2092

Introduced by

Education Committee

(At the request of the Superintendent of Public Instruction)

1 A BILL ~~for an Act to amend and reenact section 15.1-12-14 of the North Dakota Century Code,~~  
2 ~~relating to school board authority following approval of a reorganization plan.~~for an Act to  
3 amend and reenact subsection 1 of section 15.1-12-10 and section 15.1-12-14 of the North  
4 Dakota Century Code, relating to the content of a school district reorganization plan and school  
5 board authority following approval of a reorganization plan.

6 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

7 ~~SECTION 1. AMENDMENT. Section 15.1-12-14 of the North Dakota Century Code is~~  
8 ~~amended and reenacted as follows:~~

9 ~~15.1-12-14. School district reorganization - School boards - Assumption of duties -~~  
10 ~~Approval of expenditures - Contracts.~~

11 ~~1. Upon approval of a reorganization plan by the electors, in accordance with section~~  
12 ~~15.1-12-11, a school board for the reorganized district must be elected at the next~~  
13 ~~regular school district election or at a special election called by the county~~  
14 ~~superintendent of schools for that purpose. The first school board election in a newly~~  
15 ~~reorganized district is governed by chapter 15.1-09.~~

16 ~~2. Members of newly formed school boards representing reorganized districts may not~~  
17 ~~enter upon the duties of office until the time specified in section 15.1-12-18, except as~~  
18 ~~provided in sections 15.1-12-15 and 15.1-12-16. Before the completion of a~~  
19 ~~reorganization, the board of an existing district may not contract or obligate the district,~~  
20 ~~except with the approval of the county committee or unless authorized by law.~~

21 ~~3. Unless otherwise directed by law or by the reorganization plan, between the date on~~  
22 ~~which the reorganization is approved and the date on which the reorganization~~  
23 ~~becomes effective, the board of a school district participating in the reorganization~~

1 ~~must obtain written consent from the board of every other school district participating~~  
2 ~~in the reorganization before it:~~

3 ~~a. Enters into any new contract, whether oral or written, which financially obligates~~  
4 ~~the district;~~

5 ~~b. Renews any existing contract, whether oral or written, which financially obligates~~  
6 ~~the district; or~~

7 ~~c. Purchases any goods or services, whether in a single or in multiple~~  
8 ~~transactions, if the total value of the goods or services exceeds three thousand~~  
9 ~~dollars.~~

10 **SECTION 1. AMENDMENT.** Subsection 1 of section 15.1-12-10 of the North Dakota  
11 Century Code is amended and reenacted as follows:

- 12 1. The reorganization plan required by section 15.1-12-09 must:
  - 13 a. Include a map showing the boundaries of each participating district and of the  
14 proposed new district;
  - 15 b. Include the number of students enrolled in each participating district during the  
16 current school year and during the ten preceding school years;
  - 17 c. Include projected student enrollments for the ensuing ten years;
  - 18 d. Include the location and condition of all school buildings and facilities in each  
19 participating district and intended uses for the buildings and facilities;
  - 20 e. Address planned construction, modification, or improvement of school buildings  
21 and facilities located within the boundaries of the new district;
  - 22 f. Address planned course offerings by the new district;
  - 23 g. Include the planned administrative structure of the new district and the number of  
24 full-time equivalent personnel to be employed by the new district;
  - 25 h. Include the planned number of members who will constitute the board of the new  
26 district and the manner in which the members are to be elected;
  - 27 i. Address plans regarding student transportation;
  - 28 j. Identify other governmental entities, including multidistrict special education units  
29 and area career and technology centers, which may provide services to the new  
30 district;

1 k. Include the taxable valuation and per student valuation of each participating  
2 district and the taxable valuation and per student valuation of the new district;

3 l. Include the amount of all bonded and other indebtedness incurred by each  
4 participating district;

5 m. Include the current budget for each participating school district together with:

6 (1) The district's estimated ending fund balance; and

7 (2) A list of the district's anticipated expenditures for goods and services,

8 whether in a single transaction or in multiple transactions, if the total value

9 of the goods or services exceeds three thousand dollars, provided the

10 requirements of this paragraph do not extend to salaries, benefits, or other

11 compensation paid or payable to school district personnel;

12 n. Address the planned disposition of all property, assets, debts, and liabilities of  
13 each participating district, taking into consideration section 15.1-12-18;

14 ~~n-o.~~ Include a proposed budget for the new district and a proposed general fund levy  
15 and any other levies, provided that tax levies submitted to and approved by the  
16 state board as part of a reorganization plan are not subject to mill levy limitations  
17 otherwise provided by law;

18 ~~o-p.~~ Include the official name of the new district, which must include the phrase  
19 "school district" or "public school district" and which may include no more than  
20 two additional words;

21 ~~p-q.~~ Include the number of the new district, as assigned by the superintendent of  
22 public instruction; and

23 ~~q-r.~~ Include any other information that the participating school districts wish to have  
24 considered by the county committee or the state board.

25 **SECTION 2. AMENDMENT.** Section 15.1-12-14 of the North Dakota Century Code is  
26 amended and reenacted as follows:

27 **15.1-12-14. School district reorganization - School boards - Assumption of duties -**  
28 **Approval of expenditures - Contracts.**

29 1. Upon approval of a reorganization plan by the electors, in accordance with section  
30 15.1-12-11, a school board for the reorganized district must be elected at the next  
31 regular school district election or at a special election called by the county

1 superintendent of schools for that purpose. The first school board election in a newly  
2 reorganized district is governed by chapter 15.1-09.

- 3 2. Members of newly formed school boards representing reorganized districts may not  
4 enter upon the duties of office until the time specified in section 15.1-12-18, except as  
5 provided in sections 15.1-12-15 and 15.1-12-16. ~~Before the completion of a~~  
6 ~~reorganization, the board of an existing district may not contract or obligate the district,~~  
7 ~~except with the approval of the county committee or unless authorized by law.~~

- 8 3. Unless otherwise directed by law or by the reorganization plan, between the date on  
9 which the reorganization is approved and the date on which the reorganization  
10 becomes effective, the board of a school district participating in the reorganization  
11 must obtain written consent from the board of every other school district participating  
12 in the reorganization before it:

- 13 a. Enters into any new contract, whether oral or written, which financially obligates  
14 the district;  
15 b. Renews any existing contract, whether oral or written, which financially obligates  
16 the district; or  
17 c. Purchases any goods or services, whether in a single or in multiple transaction, if  
18 the total value of the goods or services exceeds three thousand dollars, provided  
19 the requirements of this subdivision do not extend to salaries, benefits, or other  
20 compensation paid or payable to school district personnel.