

**FIRST ENGROSSMENT
with House Amendments
ENGROSSED SENATE BILL NO. 2254**

Introduced by

Senators Kreun, Beard, Weber

Representatives O'Brien, Richter, Schreiber-Beck

1 A BILL for an Act to create and enact a new section to chapter 15.1-02 of the North Dakota
2 Century Code, relating to intervention by the superintendent of public instruction for a
3 chronically low-performing school or school district; to provide a report; and to declare an
4 emergency.

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

6 **SECTION 1.** A new section to chapter 15.1-02 of the North Dakota Century Code is created
7 and enacted as follows:

8 **Intervention for chronically low-performing schools - Report.**

9 1. As used in this section, unless context otherwise requires:

10 a. "Chronically low-performing district" means a school district for which auditing
11 and monitoring has revealed a consistent mishandling of processes, reporting, or
12 funds resulting in inadequate educational services for the school district's
13 students and has had chronically low-performing schools within the school
14 district.

15 b. "Chronically low-performing school" means a school identified by the state for
16 comprehensive support and improvement in accordance with the Every Student
17 Succeeds Act [Pub. L. 114-95; 114 Stat. 1177; 20 U.S.C. 28 et seq.] for more
18 than one cycle.

19 c. "Inadequate educational services" include a lack of annual progress in academic
20 achievement, student engagement, resource allocation, teacher effectiveness,
21 chronic absenteeism, and persistent subgroup opportunity gaps.

22 2. The superintendent of public instruction shall intervene directly when a public school is
23 a chronically low-performing school and when a school district is a chronically
24 low-performing school district. The superintendent of public instruction shall conduct

- 1 an assessment and a review of past interventions of a chronically low-performing
2 school or school district to identify areas of insufficient performance and develop an
3 improvement plan. An improvement plan under this section may include a directive
4 from the superintendent of public instruction requiring:
- 5 a. Funds to be held in escrow for the school or school district or spent as
6 designated by the superintendent of public instruction.
 - 7 b. Changes to curriculum, training, instruction, assessment, or the school calendar
8 in the school or school district.
 - 9 c. Reassignment or hiring of school or school district staff to fill roles associated
10 with school or school district needs.
- 11 3. A memorandum of understanding must be entered between the department of public
12 instruction and a chronically low-performing school or school district.
- 13 4. A chronically low-performing school or school district shall complete a school board
14 leadership program as required by the department of public instruction.
- 15 5. The superintendent of public instruction shall report annually to the state board of
16 public school education, the education standing committees of the legislative
17 assembly during a legislative session, and an interim committee of the legislative
18 management when the legislative assembly is not in a legislative session regarding
19 the implementation of this section.

20 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.