

HOUSE BILL NO. 1228

Introduced by

Representatives Hoverson, Becker, Bellew, Johnston, Kasper, Magrum, M. Nelson, Paulson,
D. Ruby, Strinden

Senator O. Larsen

1 A BILL for an Act to create and enact a new section to chapter 15.1-09 of the North Dakota
2 Century Code, relating to local control of education.

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

4 **SECTION 1.** A new section to chapter 15.1-09 of the North Dakota Century Code is created
5 and enacted as follows:

6 **School board - Education local control - Exemption.**

7 1. Notwithstanding any other provision of law and subject to subsection 2, a school
8 district may exercise sole control over:

9 a. The supervision, development, and instruction of kindergarten through grade
10 twelve students including course content standards, required instruction,
11 instructional time, assessments, attendance, and graduation requirements for
12 students residing in the district, and the school district is not subject to sections
13 15.1-02-04, 15.1-21-01, 15.1-21-02, 15.1-21-02.1, 15.1-21-02.2, 15.1-21-03,
14 15.1-21-08, 15.1-21-17, and 15.1-21-18, or chapters 15.1-20 and 15.1-22;

15 b. The negotiating, employment, termination, licensing, and credentialing of
16 teachers and ancillary staff, and the school district is not subject to chapters
17 15.1-13, 15.1-18, and 15.1-18.1; and

18 c. The establishment and adoption of student discipline and safety policies, and the
19 school district is not subject to chapter 15.1-19.

20 2. This section applies if:

21 a. By a majority vote of a quorum of the board, the board of the school district
22 determines local control of education is in the best interest of the students
23 residing in the district; or

- 1 b. (1) A petition for local control is signed by at least thirty-three percent of the
2 qualified electors who reside in the district and voted at the most recent
3 school district election; and
- 4 (2) The qualified electors of the school district voting at a special election
5 determine, by majority vote, local control of education is in the best interest
6 of the students residing in the district.