

## **ARTICLE 67-01 GENERAL ADMINISTRATION**

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### **CHAPTER 67-01-01 ORGANIZATION OF DEPARTMENT**

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#### **67-01-01-01. Organization of the department of public instruction.**

Repealed effective December 1, 2003.

#### **67-01-01-01.1. Organization of the department of public instruction.**

1. **History.** From 1864 to statehood, North Dakota was served by a territorial school board and a superintendent. In 1889, the constitution of North Dakota provided for a state superintendent of public instruction. William Mitchell was the first state superintendent. The 1890 legislative assembly enacted a provision that the superintendent of public instruction must hold a teacher's certificate of highest grade issued in the state. Statutes were also enacted at that time to provide that the state superintendent of public instruction shall have general supervision of the common and secondary schools of the state and shall be an ex officio member of the board of university and school lands. Effective January of 1991, authority for the supervision of the state schools for the deaf and blind and the state library was transferred to the office of the superintendent.
2. **Superintendent.** The superintendent is an elected, constitutional officer who supervises the kindergarten through grade twelve education system in North Dakota. The superintendent must be a qualified elector of the state who is at least twenty-five years old. The superintendent is charged with responsibility for the general supervision of elementary and secondary schools and to assure that North Dakota public and nonpublic elementary, middle-junior high, and high schools comply with statutory minimum requirements. The superintendent administers the state accreditation and education improvement processes; manages the issuance of credentials to administrators, driver education instructors, counselors, library media personnel, and title I and special education personnel; administers summer school programs at both the elementary and high school levels; administers the statewide standardized achievement testing program; adopts and administers rules relevant to the accreditation process; and administers the school food programs and the federally funded technology grant program and is responsible for the administration and implementation of the federal Elementary and Secondary Education Act. In 1989 the legislative assembly provided that the office of the superintendent of public instruction was to be known as the department of public instruction.
3. **Administrative units.**
  - a. **Fiscal management.** This unit is responsible for maintaining the department's budget, accounting, preparation of financial statements and reports, maintaining grants and contracts, processing of payments and revenue, and payroll operations. This unit also interprets and implements state and federal program statutes, state and federal

regulations, and policy directives. This unit is also responsible for activities in the area of school district finance. This unit supervises the distribution of state aid and assists with the implementation of the uniform accounting system. The unit provides technical assistance to schools and school districts regarding annexation, reorganization, and dissolution procedures; provides support and technical assistance for open enrollment; approves school construction; and manages school construction loan programs.

- b. Human resources management and office services. This unit performs personnel services for the department, including recruitment, salary administration, performance management, training, and policy development.
- c. Child nutrition and food distribution. This unit administers United States department of agriculture's child nutrition programs, nutrition education and training programs, and commodity assistance for schools, institutions, and low-income individuals.
- d. Management information systems. This unit is responsible for collecting data from all North Dakota schools for state and federal reporting. This unit also is responsible for oversight of the external and internal websites. In addition, this unit provides technical assistance and support for department staff and its partners.
- e. School approval and opportunity. This unit assists kindergarten through grade twelve schools in providing quality education, administers the accreditation program, and reviews public and nonpublic schools for statutory compliance. The unit also administers the issuance of credentials for administrators, counselors, and library media personnel. This unit administers the twenty-first century community learning centers grant, a competitive grant that provides opportunities for student academic enrichment in an afterschool or out of school time setting. This unit also is responsible for administrative rules development and updates. In addition, this unit processes and approves student applications for the North Dakota academic and career and technical education scholarship program.
- f. Education equity and support. This unit provides financial and technical assistance to state and local educational agencies to meet the needs of all children. This office oversees title I, homeless education program, neglected and delinquent education program, and title IV. The purpose of title I is to provide instructional services and activities to meet the needs of disadvantaged children identified as failing, or most at risk of failing, the state's content standards. The purpose of title IV is to provide student support and academic enrichment, with the goal of creating safe, healthy, and well-rounded children. Multitiered systems of support, foster care programs, safe and healthy portfolios, etc. are coordinated through this office. This office also is responsible for the overall administration of school improvement grants to the lowest performing schools in the state, those identified as targeted support improvement, and comprehensive school improvement.
- g. Special education. This unit prescribes state and federal rules and regulations for special education and assists school districts and special education units in the development and administration of special education programs for the IDEA B 611 and 619 programs.
- h. Academic support. This unit encompasses multiple facets of the division of student support and innovation providing students, and the schools that serve those students, with student-centered resources as well as professional learning and development opportunities for educators. This unit closely collaborates with other units throughout the division and department, and several education and social service agencies across North Dakota. Key initiatives the unit supports span across early childhood education programs through grade twelve and include projects supporting the transition to higher education and career. These projects include leveraging the senior year; advanced coursework

opportunities, including advanced placement, dual credit, and early entry; college-ready English and math developmental coursework; multiple professional learning and development opportunities; early childhood education programs through grade twelve standards development and implementation support; North Dakota comprehensive literacy program; dyslexia pilot; music education grants; leadership scholarships and opportunities; civics education supports; and the federal title II program.

- i. **Assessment.** This unit provides professional services and guidelines to administer the North Dakota state assessment, North Dakota alternate assessment, ACCESS for English language learners, and the ACT aspire in accordance with state and federal law. This unit also coordinates the national assessment of education progress in accordance with federal laws through the United States department of education. In providing the mentioned assessments, the office also plays a role in school accountability and measuring student learning. The adult education program, including GED testing program, provides funding and technical assistance to regional adult learning centers and monitors progress of each funded location and is also a part of this unit.
- j. **Indian and multicultural education.** This unit administers the title III and migrant summer program funding and assists school districts in the development and administration of English language learner, migrant, and Indian education programs.
- k. **Outreach and engagement.** This unit disseminates information about the department's initiatives and operations to families, students, educators, and other education stakeholders, as well as to legislators, policymakers, and the news media using a number of methods, including traditional and social media channels.

#### **4. Divisions.**

- a. **North Dakota state library.** The state library was established as the public library commission in 1907 and occupied a single room in the state capitol. In 1909, the library's name was changed to the state library commission. The commission consisted of three members - the superintendent of public instruction, the president of the North Dakota library association, and a member appointed by the governor. In 1927 the library was removed from the board of regents; it came under the auspices of the director of institutions until administrative authority was transferred to the superintendent of public instruction in 1989, effective January 1, 1991. The state library commission occupied the liberty memorial building on the capitol grounds from 1936-70 and later moved to the Randal building north of Bismarck. The agency's name was changed to the North Dakota state library in 1979 and in 1982 the state library returned to the liberty memorial building, its present location.

Today the superintendent appoints the state librarian. The state library specializes in state-of-the-art information services to state agencies and the general public and assumes a leadership role in promoting the development of library service for all North Dakota residents. Major goals of the state library are to provide library services to state government officials and employees, provide library services to patrons without direct local library services and to persons who are blind and physically disabled, and to provide libraries with consulting services in areas of collection, development, and evaluation. The state library coordinates the sharing of resources, provides continuing educational opportunities for librarians and public trustees, and maintains the state document depository program.

- b. **North Dakota vision services - school for the blind.** The school for the blind was created by the constitution in 1889, established by the legislative assembly in 1895, and opened in Bathgate, North Dakota, in 1908. In 1952, a constitutional amendment authorized selection of another location. An initiated measure adopted in 1958 provided funds for a

new school located near the university of North Dakota in Grand Forks. The new facilities, administered by the director of institutions, opened in September of 1961. Authority for the supervision of the school was transferred to the department of public instruction in 1989, effective January 1, 1991. The 2001 legislative assembly changed its name to North Dakota vision services - school for the blind and it now functions as a statewide, comprehensive resource center and works cooperatively with related agencies in providing a full range of services to all persons who are blind or visually impaired, including those with multidisabilities. The superintendent of public instruction appoints the school superintendent. Land grant income and legislative appropriation support the school.

- c. North Dakota school for the deaf. The school for the deaf, created by the constitution in 1889 and established by the first legislative assembly in 1890, opened in 1890 and was located in Devils Lake, North Dakota. The school for the deaf was administered by the director of institutions until January 1, 1991, when supervision was transferred to the department of public instruction. The school provides a free educational program for deaf children between the ages of birth and twenty-one. In addition to the school's traditional role as an educational institution, North Dakota school for the deaf also has become a resource center on deafness, serving the needs of hearing-impaired citizens statewide. The school is supported by land grant income and legislative appropriation.

**History:** Amended effective January 1, 1982; September 1, 1983; November 1, 1985; January 1, 1986; May 1, 1988; September 1, 1988; December 1, 2003; April 1, 2021; October 1, 2021.

**General Authority:** NDCC 15.1-37, 28-32-02(2)

**Law Implemented:** NDCC 15.1-37, 28-32-02(2)

#### **67-01-01-02. Inquiries and contact information.**

The public may obtain information or make submissions or requests by contacting the department of public instruction.

1. General inquiries regarding the department of public instruction may be addressed to the superintendent of public instruction at:

North Dakota Department of Public Instruction  
600 East Boulevard Avenue, Dept. 201  
Floors 9, 10, and 11  
Bismarck, ND 58505-0440

Telephone inquiries:

Local: (701) 328-2260  
Fax: (701) 328-4770

Inquiries regarding the functions of a specific division may be addressed to the director of that division.

2. Mailing address for the North Dakota Vision Services - School for the Blind:

North Dakota Vision Services - School for the Blind  
500 Stanford Road  
Grand Forks, ND 58203-2799

Telephone inquiries:

Local: (701) 795-2700  
Toll free: (800) 421-1181

Fax: (701) 795-2727

3. Mailing address for the North Dakota School for the Deaf:

North Dakota School for the Deaf  
1401 College Drive North  
Devils Lake, ND 58301

Telephone inquiries:

Local: (701) 665-4400  
Fax: (701) 665-4409

4. Mailing address for the North Dakota State Library:

North Dakota State Library  
604 East Boulevard Avenue, Dept. 250  
Bismarck, ND 58505-0800

Telephone inquiries:

Local: (701) 328-4622  
Fax: (701) 328-2040  
In state toll free: (800) 472-2104

5. The Department of Public Instruction's web page address is <http://www.dpi.state.nd.us/>.

**History:** Effective December 1, 2003; amended effective April 1, 2021.

**General Authority:** NDCC 28-32-02.1

**Law Implemented:** NDCC 28-32-02.1