

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1258

Introduced by

Representatives N. Johnson, Froseth, Hawken

1 A BILL for an Act to amend and reenact sections 15.1-12-14 and 15.1-12-15 of the North
2 Dakota Century Code, relating to teachers' contracts in newly reorganized districts; and to
3 declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 15.1-12-14 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **15.1-12-14. School district reorganization - School boards - Assumption of**
8 **duties.**

- 9 1. Upon approval of a reorganization plan by the electors, in accordance with section
10 15.1-12-11, a school board for the reorganized district must be elected at the next
11 regular school district election or at a special election called by the county
12 superintendent of schools for that purpose. The first school board election in a
13 newly reorganized district is governed by chapter 15.1-09.
- 14 2. Members of newly formed school boards representing reorganized districts may
15 not enter upon the duties of office until the time specified in section 15.1-12-18,
16 except as provided in sections 15.1-12-15 and 15.1-12-16. Before the completion
17 of a reorganization, the board of an existing district may not contract or obligate the
18 district, except with the approval of the county committee or unless authorized by
19 law.

20 **SECTION 2. AMENDMENT.** Section 15.1-12-15 of the North Dakota Century Code is
21 amended and reenacted as follows:

22 **15.1-12-15. School district reorganization - School board - Duties.**

- 1 1. The board of a reorganized school district established under this chapter shall
- 2 negotiate with the district's teachers and may contract with the teachers'
- 3 representative organization prior to the effective date of the reorganization.
- 4 2. Upon the completion of negotiations and the signing of a negotiated agreement
- 5 under subsection 1, the board may offer contracts of employment to individual
- 6 teachers and establish a time certain by which the individual teachers must accept
- 7 or reject the offers.
- 8 3. If by five p.m. on July first of the year the reorganized district begins operations, a
- 9 negotiated agreement has not been entered between the board and the teachers
- 10 pursuant to statute, no teacher employed by the board may receive less in salary
- 11 and benefits than that teacher received for the preceding school year. For
- 12 purposes of this section, "salary and benefits" means salary, insurance benefits,
- 13 teachers' fund for retirement contributions, personal leave, sick leave, accumulated
- 14 sick leave, extracurricular salary, reduction-in-force policy, grievance procedures,
- 15 and recall procedures.
- 16 ~~2.~~ 4. On or before February first of the year in which the reorganization becomes
- 17 effective, the board of the reorganized school district shall hold a public hearing to
- 18 present the curriculum, course offerings, and staff positions to be available during
- 19 the coming school year. The board shall publish notice of the hearing in the official
- 20 newspaper of each county having land in the reorganized district, at least fourteen
- 21 days before the date of the hearing.
- 22 ~~3.~~ 5. By five p.m. on April fifteenth of the year in which the reorganization becomes
- 23 effective, the board of the reorganized school district shall notify in writing each
- 24 teacher employed by the districts being reorganized, whether or not the teacher
- 25 will be offered a contract of employment with the reorganized district.

26 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.