

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1361

Introduced by

Representatives Haas, Hawken, R. Kelsch

Senators Cook, Flakoll, Urlacher

1 A BILL for an Act to amend and reenact section 15.1-31-02 of the North Dakota Century Code,
2 relating to grounds for the denial of open enrollment applications; and to declare an emergency.

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

4 **SECTION 1. AMENDMENT.** Section 15.1-31-02 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **15.1-31-02. Open enrollment - Grounds for denial - Exception.**

7 1. Except as provided in section 15.1-31-04, the board of a student's school district of
8 residence may deny an application under section 15.1-31-01 only if the application
9 will result in a reduction of the number of students enrolled in the district by more
10 than twenty percent of the average daily membership the previous school year.

11 ~~However, if denying an~~

12 2. Notwithstanding the provisions of subsection 1, the board of a school district may
13 not deny an application for open enrollment if:

14 a. Denying the application would result in the enrollment of children from the
15 same nuclear family in different school districts;~~the school board of the~~
16 ~~district of residence may not deny the application; or~~

17 b. The application for open enrollment is filed on behalf of a student whose
18 district of residence took part in an election to approve a reorganization plan
19 and if the reorganization plan was rejected under section 15.1-12-11.

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