

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2066

Introduced by

Senators Flakoll, Freborg, Brown

Representatives Hawken, N. Johnson, L. Meier

1 A BILL for an Act to amend and reenact section 15.1-06-05 of the North Dakota Century Code,
2 relating to reconfiguration of instructional days by school districts; and to declare an
3 emergency.

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

5 **SECTION 1. AMENDMENT.** Section 15.1-06-05 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **15.1-06-05. Instructional days - Reconfiguration - Application.**

- 8 1. A school district may apply to the superintendent of public instruction for
9 permission to reconfigure the number of instructional days required by section
10 15.1-06-04.
- 11 2. The superintendent of public instruction may approve an application under
12 subsection 1 only if the reconfiguration of the required number of instructional
13 days:
- 14 a. ~~(1)~~ Makes available to each of the school district's elementary students at
15 least nine hundred fifty-one and one-half hours of instructional time and
16 makes available to each of the district's high school students at least
17 one thousand thirty-eight hours of instructional time; and
- 18 ~~(2) Does not reduce the hours of instructional time below the level made~~
19 ~~available to elementary students and high school students,~~
20 ~~respectively, by the school district during the last school year~~
21 ~~completed prior to the date of the application; and~~
- 22 b. (1) Encourages innovation;
23 (2) Provides improved educational opportunities or enhanced academic
24 opportunities for the students;

- 1 (3) Provides for greater flexibility in the use of a school by current students;
- 2 (4) Provides for greater flexibility in the use of a school by individuals or
- 3 groups other than current students; or
- 4 (5) Results in significant cost-savings to the district.
- 5 3. A reconfiguration of instructional days approved by the superintendent of public
- 6 instruction under this section is valid for one school year. A school district may
- 7 apply to the superintendent for permission to extend the reconfiguration of
- 8 ~~instructional days for one additional year.~~ If granted, the first extension after the
- 9 initial year is valid for one school year. All extensions thereafter are valid for five
- 10 school years.
- 11 4. If the superintendent of public instruction approves a district's application for
- 12 reconfiguration of instructional time under this section, the district is eligible to
- 13 receive the per student payments provided under chapter 15.1-27.
- 14 5. The superintendent of public instruction shall adopt rules governing the submission
- 15 and evaluation of applications and the monitoring of any school or school district
- 16 that receives a waiver under this section.
- 17 6. A reconfiguration of instructional days approved by the superintendent of public
- 18 instruction under this section satisfies the requirements for school operation and
- 19 instructional time required by law.
- 20 7. A reconfiguration of instructional days approved by the superintendent of public
- 21 instruction under this section does not affect the accrual of teachers' benefits
- 22 provided by law.

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