

February 15, 2011

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1029

Page 1, line 1, after "enact" insert "a new section to chapter 15.1-06 and"

Page 1, line 1, replace the second "and" with a comma

Page 1, line 1, after "15.1-06-06.2" insert ", and 15.1-06-06.3"

Page 1, line 2, after "approval" insert "and safety requirements"

Page 1, line 16, overstrike "**and nonpublic**"

Page 1, line 21, after "each" insert "public"

Page 2, line 18, remove "or 15.1-06-10"

Page 2, line 26, remove "or requested on behalf of the employing nonpublic school"

Page 3, line 1, replace lines 1 through 6 with:

"a. Be signed by the school principal and the superintendent of the school district;

b. Be formally approved by the board of the school district; and"

Page 3, line 7, replace "b." with "c."

Page 3, line 8, replace "Fifteenth" with "First"

Page 3, line 8, replace "September" with "October"

Page 3, line 9, replace "Date" with "The date"

Page 3, line 9, replace "5" with "6"

Page 3, line 10, replace "fourteenth" with "twenty-fifth"

Page 3, line 11, remove "individual required to sign a"

Page 3, line 12, replace "compliance report under subsection 2" with "school principal, school district superintendent, and school board member"

Page 3, line 13, replace "fifteenth" with "first"

Page 3, line 13, replace "September" with "October"

Page 3, line 17, after "unapproved" insert "public"

Page 3, line 18, replace "a. In the case of" with:

"5. If"

Page 3, line 18, after "school" insert "does not meet the approval requirements of this section"

Page 3, line 19, replace "(1)" with:

"a."

Page 3, line 21, replace "(2)" with"

"b."

Page 3, remove lines 25 through 28

Page 3, line 29, replace "5." with "6."

Page 3, line 31, replace "September fifteenth" with "October first"

Page 4, line 2, remove "September"

Page 4, line 3, replace "fifteenth" with "October first"

Page 4, line 3, remove "September"

Page 4, line 4, replace "thirtieth" with "October fifteenth"

Page 4, line 5, replace "6." with "7."

Page 4, line 9, replace "7." with "8."

Page 4, after line 13, insert:

"**SECTION 3.** Section 15.1-06-06.1 of the North Dakota Century Code is created and enacted as follows:

15.1-06-06.1. Approval of nonpublic schools.

1. To be certified as an approved school by the superintendent of public instruction, the administrator of each nonpublic school shall submit to the superintendent of public instruction a compliance report verifying that:
 - a. Each classroom teacher is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board;
 - b. Each classroom teacher is teaching only in those course areas or fields for which the teacher is licensed or for which the teacher has received an exception under section 15.1-09-57;
 - c. The school meets all curricular requirements set forth in chapter 15.1-21;
 - d. The school has been inspected by the state fire marshal or the state fire marshal's designee in accordance with section 15.1-06-10 and:
 - (1) Has no unremedied deficiency; or
 - (2) Has deficiencies that have been addressed in a plan of correction which was submitted to and approved by the state fire marshal or the state fire marshal's designee; and
 - e. All individuals hired after July 31, 2011, and having unsupervised contact with students at the school, have:
 - (1) Undergone a criminal history background check requested on behalf of the employing school; or

- (2) Undergone a criminal history background check in order to be licensed by the education standards and practices board or by any other state licensing board.
2. The compliance report required by subsection 1 must:
- a. Be signed by the school administrator;
 - b. Be formally approved by the governing board of the school; and
 - c. Be filed with the superintendent of public instruction before five p.m. on:
 - (1) The first day of October; or
 - (2) The date of the extension provided under subsection 5.
3. On the tenth day of September and on the twenty-fifth day of September, the superintendent of public instruction shall provide to each school administrator and member of the governing board, electronic notification that the compliance report is due on the first day of October.
4. If a nonpublic school's compliance report is not submitted at the time and in the manner required by subsection 2, the superintendent of public instruction shall designate the school as unapproved. The superintendent of public instruction shall post a current list of all approved and unapproved nonpublic schools on the department's website.
5. If a nonpublic school does not meet the approval requirements of this section, the superintendent of public instruction shall notify the parents of students enrolled in the school, either directly or through the local media outlets, that the school is unapproved and that the parents may be in violation of the state's compulsory attendance provisions.
6. If because of unforeseen or other extenuating circumstances a nonpublic school is unable to file its compliance report with the superintendent of public instruction before five p.m. on October first, the school administrator may request one extension from the superintendent of public instruction. The superintendent of public instruction shall grant the extension provided the request was received before five p.m. on October first. An extension under this section terminates at five p.m. on October fifteenth.
7. Upon receipt of a nonpublic school's compliance report, as required by this section, the superintendent of public instruction shall certify the school as being approved. A certification of approval under this subsection expires at the conclusion of the regular school calendar.
8. If after being certified as approved a nonpublic school experiences circumstances or events that would render the information contained in its compliance report inaccurate, the administrator of the nonpublic school shall notify the superintendent of public instruction and work with the superintendent of public instruction to address the circumstances or events at the earliest possible time."

Page 4, line 14, replace "15.1-06-06.1" with "15.1-06-06.2"

Page 4, line 16, replace "**15.1-06-06.1.**" with "**15.1-06-06.2.**"

Page 4, line 18, remove "subsection 4 of"

Page 4, line 18, after "15.1-06-06" insert "in the case of a public school and may delay imposing the sanctions set forth in section 15.1-06-06.1 in the case of a nonpublic school"

Page 4, line 30, remove "in"

Page 4, line 31, replace "accordance with" with "of"

Page 4, line 31, after "15.1-06-06" insert "in the case of a public school and compliance with the approval requirements of section 15.1-06-06.1 in the case of a nonpublic school"

Page 5, line 1, replace "15.1-06-06.2" with "15.1-06-06.3"

Page 5, line 3, replace "15.1-06-06.2." with "15.1-06-06.3."

Page 5, line 9, after "2." insert "a."

Page 5, line 9, after "records" insert "of any public school"

Page 5, after line 11, insert:

"b. The superintendent of public instruction may examine the records of any nonpublic school upon request."

SECTION 6. A new section to chapter 15.1-06 of the North Dakota Century Code is created and enacted as follows:

Automated external defibrillators - Requirements.

1. The superintendent of public instruction shall provide electronic notification, at least twice each year, to each school district superintendent and to the administrator of each nonpublic school indicating that, in accordance with section 32-03.1-02.3, any person who acquires an automated external defibrillator shall:
 - a. Require every individual expected to use the automated external defibrillator to receive American heart association or American red cross training in cardiopulmonary resuscitation and automated external defibrillator use or receive an equivalent nationally recognized course in cardiopulmonary resuscitation and automated external defibrillator use;
 - b. Maintain and test the automated external defibrillator according to the manufacturer's operational guidelines;
 - c. Establish an automated external defibrillator use protocol that requires any person who provides emergency care or treatment to an individual in cardiac arrest by using the automated external defibrillator to contact an appropriate health care provider or emergency medical services provider as soon as possible; and
 - d. Consider the recommendations of a physician in establishing the training, notification, and maintenance requirements of section 32-03.1-02.3.

2. Each school district superintendent and administrator of each nonpublic school shall maintain records verifying that the requirements of section 32-03.1-02.3 have been met."

Page 5, line 15, remove "public"

Renumber accordingly