

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2267

Introduced by

Senators Wanzek, Freborg, G. Nelson

Representatives Belter, Haas, Nelson

- 1 A BILL for an Act to create and enact a new section to chapter 15-47 of the North Dakota
2 Century Code or in the alternative to create and enact a new section to chapter 15.1-18 of the
3 North Dakota Century Code, relating to teacher unavailability.

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

5 **SECTION 1.** If House Bill No. 1045 does not become effective, a new section to
6 chapter 15-41 of the North Dakota Century Code is created and enacted as follows:

7 **Teacher unavailability - Assistance by qualified individuals.**

- 8 1. Notwithstanding the provisions of any other law, if a school district is unable to
9 employ as a high school teacher an individual who meets the requirements of
10 section 15-41-25, the school district may contract with an individual for the
11 provision of teaching services in a particular course area or field if the individual
12 holds a graduate degree in the course area or field to be taught and has at least
13 ten years' work experience in the course area or field to be taught.
- 14 2. A contract entered under this section may not exceed one full school year.
- 15 3. An individual employed under this section has the same legal authority and status
16 as a licensed teacher employed by the district.
- 17 4. Upon completing a contract entered under this section, the individual may not
18 enter a similar contract with the district for a period of three years. This subsection
19 does not apply if the individual becomes licensed to teach by the education
20 standards and practices board or approved to teach by the education standards
21 and practices board.
- 22 5. The employment of an individual under this section does not affect the
23 accreditation or approval status of the school in which the individual teaches.

6. For purposes of this section, the board of a school district is deemed to have been unable to employ a qualified teacher if:
 - a. The board put forth a good-faith effort to recruit and retain a qualified licensed teacher for the position before the beginning of the most recent school year; and
 - b. The board was unable to find a qualified licensed teacher willing to accept the position.

SECTION 2. A new section to chapter 15.1-18 of the North Dakota Century Code is created and enacted as follows:

Teacher unavailability - Assistance by qualified individuals.

1. Notwithstanding the provisions of any other law, if a school district is unable to employ as a high school teacher an individual who meets the requirements of section 15.1-18-03, the school district may contract with an individual for the provision of teaching services in a particular course area or field if the individual holds a graduate degree in the course area or field to be taught and has at least ten years' work experience in the course area or field to be taught.
2. A contract entered under this section may not exceed one full school year.
3. An individual employed under this section has the same legal authority and status as a licensed teacher employed by the district.
4. Upon completing a contract entered under this section, the individual may not enter a similar contract with the district for a period of three years. This subsection does not apply if the individual becomes licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board.
5. The employment of an individual under this section does not affect the accreditation or approval status of the school in which the individual teaches.
6. For purposes of this section, the board of a school district is deemed to have been unable to employ a qualified teacher if:
 - a. The board put forth a good-faith effort to recruit and retain a qualified licensed teacher for the position before the beginning of the most recent school year; and

- 1 b. The board was unable to find a qualified licensed teacher willing to accept the
2 position.