

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.