

Introduced by

Senators Bowman, Andrist, Freborg

Representatives Drovdal, Nelson

1 A BILL for an Act to provide for the support of joint powers agreements among school districts;  
2 to provide an effective date; and to declare an emergency.

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

4 **SECTION 1. Definitions.**

- 5 1. "Cooperating joint powers agreement" means a joint powers agreement that  
6 provides education services.  
7 2. "Department" means the department of public instruction.  
8 3. "Joint powers agreement" means a joint powers agreement pursuant to chapter  
9 54-40.2 or 54-40.3.  
10 4. "Superintendent" means the superintendent of public instruction.

11 **SECTION 2. Cooperating joint powers agreements - Required elements. To**

12 qualify as a cooperating joint powers agreement, a joint powers agreement must:

- 13 1. Include school districts together representing not fewer than five thousand five  
14 hundred square miles or school districts together covering not fewer than four  
15 thousand square miles and representing not fewer than three thousand five  
16 hundred students;  
17 2. Provide a written policy of the joint powers agreement that any adjoining school  
18 district may join the joint powers agreement; and  
19 3. Exercise one of the following options:  
20 a. Commit to provide a current expenditure budget of the joint powers  
21 agreement equal to the following percentage of the combined expenditures of  
22 the constituent school districts for the last school year for which reports are  
23 filed with the department prior to the year in which the joint powers agreement  
24 was formed:

Fifty-eighth  
Legislative Assembly

- 1 First year: three percent;  
2 Second year: eight percent; and  
3 Fifth year: ten percent;  
4 and hold these funds on deposit in the bank account and custody of the joint  
5 powers agreement;
- 6 b. Commit to administer at least the following number of services on behalf of  
7 the member school districts:  
8 First school year following approval: three services;  
9 Third school year following approval: five services; and  
10 Fifth school year following approval; seven services;
- 11 (1) Federal title program management services;  
12 (2) Staff development services;  
13 (3) School improvement;  
14 (4) Federal ESEA program management services;  
15 (5) Special education;  
16 (6) Curriculum;  
17 (7) Vocational education;  
18 (8) Student instructional support services;  
19 (9) Media and technology education services;  
20 (10) Business management services;  
21 (11) Distance learning services;  
22 (12) School construction;  
23 (13) Student counseling services;  
24 (14) Food and nutrition services;  
25 (15) Facility health and safety standards;  
26 (16) School accreditation; and  
27 (17) Transportation services.
- 28 c. Commit to implement the following services to the member school districts:  
29 (1) A common school calendar;  
30 (2) A common class schedule;  
31 (3) A common intranet communication system;

- 1 (4) A common class registration process for grades seven through twelve;  
2 (5) A common curriculum for kindergarten through grade six;  
3 (6) A written five-year plan for integration of common services;  
4 (7) A written school facilities plan;  
5 (8) A written agreement for joint funding of dual credit and advanced  
6 placement course opportunities;  
7 (9) A common student data system; and  
8 (10) A shared school improvement and staff development process pursuant  
9 to the following schedule:

10 First school year following approval: three services;

11 Third school year following approval: six services; and

12 Fifth school year following approval: eight services.

13 **SECTION 3. Certification.** The chief administrative official of a joint powers  
14 agreement shall certify compliance with section 2 of this Act in an application for approval as a  
15 cooperating joint powers agreement to the superintendent.

16 **SECTION 4. Approval.** The superintendent shall approve joint powers agreements as  
17 cooperating joint powers agreements upon certification.

18 **SECTION 5. Support.** The superintendent shall pay each approved cooperating joint  
19 powers agreement the sum of one hundred thousand dollars in order of their approval to the  
20 extent of any designated legislative appropriation.

21 **SECTION 6. Report by the superintendent.** Before July 1, 2004, and each year  
22 thereafter, the superintendent shall present a report to an interim committee designated by the  
23 legislative council regarding the implementation of this Act.

24 **SECTION 7. Employees.** School districts under a cooperating joint powers agreement  
25 may employ persons to meet their goals.

26 **SECTION 8. EFFECTIVE DATE.** This Act becomes effective on July 1, 2003.

27 **SECTION 9. EMERGENCY.** This Act is declared to be an emergency measure.