

**SENATE BILL NO. 2181**

Introduced by

Senators Rust, Luick, Marcellais

Representatives Kelsh, B. Koppelman, J. Nelson

1 A BILL for an Act to create and enact a new section to chapter 15.1-07 and section 15.1-07-20.1  
2 of the North Dakota Century Code, relating to the retention of school ~~board minutes~~district  
3 records and the employment of a school district business manager; to amend and reenact  
4 ~~sections~~section 15.1-07-14 ~~and 15.1-07-21~~ of the North Dakota Century Code, relating to  
5 school district business managers; and to repeal sections 21-06-05 and 21-06-06 of the North  
6 Dakota Century Code, relating to the destruction of school district documents.

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

8 **SECTION 1. AMENDMENT.** Section 15.1-07-14 of the North Dakota Century Code is  
9 amended and reenacted as follows:

10 **15.1-07-14. Qualified elector.**

11 1. An individual who is a qualified elector of this state may:

12 a. Vote to elect board members for the school district in which the individual  
13 resides;

14 b. Serve as a board member for the school district in which the individual resides;  
15 and

16 c. Serve as a judge or clerk of election for the school district in which the individual  
17 resides.

18 ~~d. Serve as the business manager of a school district.~~

19 2. For the purposes of elections held under this chapter, an individual residing on a  
20 military installation is deemed to be a resident of a school district if the school district  
21 admits students from the military installation pursuant to a contract and receives  
22 impact aid pursuant to Public Law No. 81-874 [64 Stat. 1100; 20 U.S.C. 236 et seq.],  
23 as amended.

1       **SECTION 2.** Section 15.1-07-20.1 of the North Dakota Century Code is created and  
2 enacted as follows:

3       **School district business manager - Employment - Oversight - Reports to board.**

4       1. All decisions regarding the selection and employment of a school district business  
5 manager and all decisions regarding the suspension and dismissal of a school district  
6 business manager belong to the board of a school district, as set forth in section  
7 15.1-09-33.

8       2. The board shall exercise administrative oversight with respect to the school district  
9 business manager.

10      3. All financial reports, whether statutorily mandated or requested by the board, and  
11 whether written or oral, must be personally presented to the board by the school  
12 district business manager.

13 ~~— **SECTION 3. AMENDMENT.** Section 15.1-07-21 of the North Dakota Century Code is~~  
14 ~~amended and reenacted as follows:~~

15 ~~— **15.1-07-21. School district business manager – Duties.**~~

16 ~~— The business manager of a school district shall:~~

17 ~~— 1. Keep a true and accurate record of all school board proceedings.;~~

18 ~~— 2. Hold all books and records of the district and deliver them to the business manager's~~  
19 ~~successor in office.;~~

20 ~~— 3. Dispose of school district records in accordance with federal law, state law, and school~~  
21 ~~district record retention policies.;~~

22 ~~— 4. Prepare and submit an annual report to the board and to the county superintendent of~~  
23 ~~schools.;~~

24 ~~— 4.5. Authorize the preparation of all negotiable instruments as directed by the board.;~~

25 ~~— 5.6. Perform all duties required by law.;~~

26 ~~— 6.7. Perform duties required by the board.;~~

27 ~~— 7.8. Keep true and accurate district financial records.;~~

28 ~~— 8.9. Prepare and submit a school district financial report to the board quarterly or in the~~  
29 ~~case of a business manager for a district having only one-room or two-room schools,~~  
30 ~~to submit the report at the request of the board.;~~

31 ~~— 9.10. Produce all district financial records when directed to do so by the board.;~~

- 1 ~~10.11. Maintain custody of all district moneys coming into the business manager's hands.;~~  
2 ~~11.12. Pay out district moneys under the business manager's control as directed by the~~  
3 ~~board.;~~ and  
4 ~~12.13. Receive and maintain custody of all moneys to which the district or the board is~~  
5 ~~entitled.~~

6 **SECTION 3.** A new section to chapter 15.1-07 of the North Dakota Century Code is created  
7 and enacted as follows:

8 **School ~~board minutes~~district records - Retention.**

9 ~~Minutes of each school board meeting must be permanently retained by the school district.~~

- 10 1. A school district shall permanently retain the minutes of each school board meeting.  
11 2. Unless otherwise provided by law, a school district shall retain payroll records and  
12 records of revenues and expenditures for a period of five years.  
13 3. A school district may consult with the state archivist before disposing of records in  
14 order to determine whether the records may have any archival value.

15 **SECTION 4. REPEAL.** Sections 21-06-05 and 21-06-06 of the North Dakota Century Code  
16 are repealed.