

Sixty-eighth  
Legislative Assembly  
of North Dakota

**ENGROSSED SENATE BILL NO. 2269**

Introduced by

Senators Davison, Schaible, Sorvaag

Representatives Bosch, Heinert, Monson

1 A BILL for an Act to amend and reenact sections 15-19-00.1, 15-19-01, 15-19-02, 15-19-06,  
2 15-19-08, and 15-20.1-03 of the North Dakota Century Code, relating to the administration of  
3 the center for distance education.

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

5 **SECTION 1. AMENDMENT.** Section 15-19-00.1 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **15-19-00.1. Definitions.**

8 In this chapter, unless the context otherwise requires:

- 9 1. ~~"Administration" includes the leadership of the center for distance education.~~  
10 2. ~~"Board" means the state board for career and technical education~~board of public  
11 school education.  
12 ~~3.2.~~ "Center" means the North Dakota center for distance education.  
13 ~~4.3.~~ "Director" means the director ~~and executive officer of the department of career and~~  
14 ~~technical education~~of the center for distance education.

15 **SECTION 2. AMENDMENT.** Section 15-19-01 of the North Dakota Century Code is  
16 amended and reenacted as follows:

17 **15-19-01. North Dakota center for distance education courses - Establishment -**  
18 **Enrollment of students - Courses of instruction.**

19 The state shall provide kindergarten through grade twelve courses, comprehensive  
20 educational support, and high school diplomas through the center for distance education under  
21 the following provisions:

- 22 1. A complete curriculum prescribed by state-mandated education accreditation entities  
23 which meets the requirements for digital education the superintendent of public  
24 instruction has determined to be appropriate.

- 1        2.    A superintendent or an administrator of a school may deny the enrollment of a student
- 2            in that district at the center for distance education except as provided in subsection 5.
- 3        3.    The center for distance education may provide services to persons who are not North
- 4            Dakota residents.
- 5        4.    Center for distance education students shall pay fees as may be prescribed by the
- 6            ~~state board for career and technical education~~superintendent of public instruction.
- 7        5.    Students exempt from the compulsory school attendance laws pursuant to
- 8            subdivision e of subsection 1 of section 15.1-20-02 may enroll in distance education
- 9            courses offered through the center for distance education. These students may study
- 10          their center for distance education lessons in their learning environment under the
- 11          supervision of a parent.

12        **SECTION 3. AMENDMENT.** Section 15-19-02 of the North Dakota Century Code is  
13 amended and reenacted as follows:

14        **15-19-02. Administration Center for distance education - Appointment and duties.**

15        The program of and all activities related to the center for distance education are the  
16 responsibility of the director of the center for distance education and under the authority of the  
17 ~~state board for career and technical education~~superintendent. ~~The director of the department of~~  
18 ~~career and technical education shall hire administration and staff for the center for distance~~  
19 ~~education~~of public instruction and the board. The director is appointed by and reports to the  
20 superintendent of public instruction. The center must have a separate budget and a separate  
21 staff from the department of public instruction who must be classified under the state personnel  
22 merit system. The ~~administration of the center~~director shall carry out the responsibilities in  
23 operating the center for distance education in the manner approved by the ~~state board for~~  
24 ~~career and technical education~~, under the supervision of the ~~director of the department of~~  
25 ~~career and technical education~~superintendent of public instruction, and compliant with  
26 requirements established by the superintendent of public instruction and the education  
27 standards and practices board for public school administrators and teachers. ~~The state board~~  
28 ~~for career and technical education shall administer the responsibilities of the board of a school~~  
29 ~~district relating to the center for distance education.~~

30        **SECTION 4. AMENDMENT.** Section 15-19-06 of the North Dakota Century Code is  
31 amended and reenacted as follows:

1           **15-19-06. Special funds - Deposit of collections - Transfers from general fund**  
2 **appropriations.**

3           1. A special operating fund for the center for distance education must be maintained  
4           within the state treasury and all income and fees collected by the center for distance  
5           education from any source must be remitted monthly by the ~~directors~~superintendent of  
6           public instruction to the state treasurer and credited to the special operating fund. All  
7           expenditures from the fund must be within the limits of legislative appropriations and  
8           must be made upon vouchers, signed and approved by the director. Upon approval of  
9           the vouchers by the office of the budget, warrant-checks must be prepared by the  
10          office of management and budget.

11          2. The ~~state board for career and technical education~~superintendent of public instruction  
12          may establish an endowment and scholarship fund to provide financial grants to  
13          students enrolled in courses offered through the center for distance education. The  
14          endowment and scholarship fund may consist only of those funds specifically  
15          appropriated by the legislative assembly and property received by the center for  
16          distance education as a gift, devise, or bequest. Any gift, devise, or bequest of  
17          property received by the center for distance education which is designated by the ~~state~~  
18          ~~board for career and technical education~~superintendent of public instruction and donor  
19          for the endowment and scholarship fund must be deposited in the scholarship fund at  
20          the Bank of North Dakota. The center for distance education may draw on the  
21          endowment and scholarship fund for the award of endowments and scholarships  
22          within the limits and rules adopted by the ~~state board for career and technical~~  
23          ~~education~~superintendent of public instruction.

24          **SECTION 5. AMENDMENT.** Section 15-19-08 of the North Dakota Century Code is  
25          amended and reenacted as follows:

26          **15-19-08. Distance education support and services.**

27          The amount of money appropriated by the legislative assembly for distance education  
28          support and services for a biennium, or so much thereof as may be necessary, must be  
29          expended first for work provided by distance education as determined by the center for distance  
30          education and approved by the ~~state board for career and technical education~~superintendent of  
31          public instruction.

1       **SECTION 6. AMENDMENT.** Section 15-20.1-03 of the North Dakota Century Code is  
2 amended and reenacted as follows:

3       **15-20.1-03. Powers and duties of state board relating to career and technical**  
4 **education.**

5       The state board shall have all authority necessary to cooperate with the United States  
6 department of education or other department or agency of the United States of America in the  
7 administration of acts of Congress relating to career and technical education, including the  
8 following powers and duties:

- 9       1. To administer any legislation enacted by the legislative assembly of this state pursuant  
10       to or in conformity with acts of Congress relating to career and technical education.
- 11       2. To administer the funds provided by the federal government and by this state for the  
12       promotion of career and technical education and to contract with:
  - 13       a. Any public or private institution or agency, board of trustees of any agricultural  
14       and training school, or school district of this state; or
  - 15       b. Any public or private institution or agency, or political subdivision, of another  
16       state.
- 17       3. To formulate plans for the promotion of career and technical education in such  
18       subjects as are an essential and integral part of the public school system of education  
19       in this state.
- 20       4. To provide for the preparation of teachers.
- 21       5. To fix the compensation of such officers and assistants as may be necessary to  
22       administer the federal acts and the provisions of this chapter relating to career and  
23       technical education and to pay the same and other necessary expenses of  
24       administration from any funds appropriated for such purpose.
- 25       6. To make studies and investigations relating to career and technical education.
- 26       7. To promote and aid in the establishment of schools, departments, or classes, and to  
27       cooperate with local communities in the maintenance of career and technical  
28       education schools, departments, or classes.
- 29       8. To prescribe the qualifications and provide for the certification of teachers, directors,  
30       and supervisors.

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- 1           9. To cooperate with governing bodies of school districts and with organizations and  
2           communities in the maintenance of classes for the preparation of teachers, directors,  
3           and supervisors of career and technical education, to maintain classes for such  
4           purposes under its own direction and control, and to establish and control, by general  
5           regulations, the qualifications to be possessed by persons engaged in the training of  
6           career and technical education teachers.
- 7           10. To coordinate new and existing farm management programs offered by any state  
8           agency or entity.
- 9           11. To create and expand marketing clubs as adjuncts to new and existing farm  
10          management programs.
- 11          ~~12. To administer and supervise the program and all activities of the center for distance-~~  
12          ~~education.~~