

HOUSE BILL NO. 1288

Introduced by

Representatives Nehring, Heilman, Hoverson, Morton, VanWinkle, Marschall, Kasper,
Hendrix

Senator Magrum

1 A BILL for an Act to create and enact a new section to chapter 15.1-01 of the North Dakota
2 Century Code, relating to review of public school compliance with state law.

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

4 **SECTION 1.** A new section to chapter 15.1-01 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Public schools - Compliance review - Determination by attorney general.**

7 1. An interested person may submit to the state board of public school education a
8 request for review to determine whether a school district is in compliance with an
9 education-related state statute.

10 2. A request for review must be submitted in the manner prescribed by the state board of
11 public school education. The state board of public school education shall develop a
12 form for an interested person to initiate the review process.

13 3. A school district shall provide to the public on the school district website the form
14 under subsection 2 and instructions to submit the request for review.

15 4. The attorney general shall:

16 a. Review the information submitted by the interested person, investigate as
17 necessary, and determine whether a school district is in compliance with an
18 education-related state statute; or

19 b. Dismiss a request for review if the request for review exceeds the purpose of this
20 section or fails to meet the requirements of the state board of public school
21 education.

- 1 5. If the attorney general finds the school district is failing to comply with an education-
- 2 related state statute, the attorney general shall advise the school district of the findings
- 3 and provide instructions on how to comply with the statute.
- 4 6. The attorney general's findings are prima facie evidence in an adjudicative proceeding
- 5 under chapter 28-32.
- 6 7. The state board of public school education, with the attorney general, may adopt rules
- 7 to implement this section.