

SB2104

Vice-Chair Lemm and members of the committee. My name is Todd Beard. I am the Senator from District 23 serving the Williston and Trenton area.

The purpose of this bill is to provide guidance and accountability for public schools to follow North Dakota statute and rules designated through the legislative process. Any citizen of North Dakota must follow statute requirements with the potential for penalty should they choose not to follow state laws. All government entities should be required to also follow statutes with the risk of penalty including public schools should they choose not to follow state laws.

Section 1 of the bill defines the duties of the Superintendent of public instruction and includes new requirements under subsection 11 and 12. Subsection 11 requires the Superintendent of public instruction to provide guidance to school districts to promote compliance with statutes, rules and federal law. The Superintendent shall also publish the guidance on the Department of Public Instruction website. Subsection 12 requires the Superintendent of Public Instruction to review a school district to verify compliance with state law and issue guidance or withhold funding under subsection one of Section 2 of this bill.

Section 2 of the bill lays out the procedure for complaints which would initiate an investigation by the Superintendent of public instruction as to statute or rules potentially being violated. Subsection 1 requires the Superintendent to review the school district for compliance should there be a complaint filed with the

department, or a majority of the school board requests a review or if a Superintendent of the school district or county requests a review. Subsection 2 requires the Superintendent of public instruction to notify the school district of review, investigate the matter and no sooner than 10 days and no later than 90 days respond with guidance due to an infraction or close the matter.

Subsection 3 requires that if the Superintendent of public instruction issues guidance more than once the Superintendent shall deduct 2% of the total state payments the school district is entitled to for that school year.

Subsection 4 allows the school district to respond to the notice of the proposed review within 10 days.

Subsection 5 requires the Superintendent of public instruction to provide a form for a citizen to file a complaint of a school district's possible infraction.

Section 3 of the bill requires the Superintendent of the public school to create and enforce rules applicable to personnel to ensure the school district is in compliance with guidance provided by the Superintendent of public instruction.

Thank you for your consideration and ask for a DO PASS recommendation on SB2104. I stand for any questions.