

1 A BILL for an Act to provide for the establishment of regional service units for school districts.

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

3 **SECTION 1. Regional service units - Establishment.** The superintendent of public  
4 instruction shall establish no fewer than six nor more than eight regional service units in the  
5 state. Each regional service unit must contain at least one school district that had a 2002-03  
6 average daily membership of more than two thousand students.

7 **SECTION 2. Regional service units - Assignment of school districts - Appeal.** The  
8 superintendent of public instruction shall assign each school district in the state to one regional  
9 service unit, taking into account the student population of the school district, the geographic  
10 size of the school district, and the location of the school district. A school district may appeal  
11 the superintendent's decision regarding the regional service unit to which it is assigned to the  
12 state board of public school education. The decision of the state board is final.

13 **SECTION 3. Interim executive director - Appointment.** The governor shall appoint  
14 an interim executive director for each regional service unit created under section 1. Each  
15 individual appointed under this section shall serve only until the regional service unit's board of  
16 directors employs an executive director.

17 **SECTION 4. Interim executive director - Compensation.** The superintendent of  
18 public instruction shall compensate each interim executive director in the amount of  
19 \_\_\_\_\_ dollars per month for a maximum of twelve months. An interim executive director  
20 is entitled to receive reimbursement for expenses, as provided by law for state officers, for  
21 attending meetings or performing duties required by the position.

22 **SECTION 5. Interim executive director - Provision of office space and supplies.**  
23 The interim executive director shall contract with a school district in the regional service unit for  
24 the provision of office space, necessary supplies and equipment, and support staff. A school

1 district is entitled to receive reimbursement from the superintendent of public instruction for  
2 expenses incurred under this section. The reimbursement may not exceed \_\_\_\_\_  
3 dollars.

4 **SECTION 6. Regional service unit board - Establishment - Duties of board**

5 **selection committee.** Each regional service unit must be governed by a board of directors  
6 consisting of no fewer than five nor more than nine individuals each of whom resides within the  
7 boundaries of the regional service unit. The interim executive director shall notify the board of  
8 each school district assigned to the regional service unit that that district must appoint one  
9 individual to a board selection committee. The board selection committee shall meet at the call  
10 of the interim executive director and develop bylaws governing the size of the unit's board of  
11 directors, the manner in which board members will be appointed or elected, the length of terms  
12 of board members, qualifications of board members, duties of board members, and any other  
13 matters necessary to the operation of the unit. An individual who is employed by a school  
14 district assigned to the regional service unit is not eligible to serve as a board member. The  
15 board of directors shall begin their terms no later than July 1, 2004.

16 **SECTION 7. Board members - Compensation.** Each member of a board selection

17 committee and each member of the regional service unit's board of directors are entitled to  
18 receive compensation at the rate of eighty dollars per day and reimbursement for necessary  
19 expenses, as provided by law for state officers, for attending board meetings or performing  
20 duties directed by the board.

21 **SECTION 8. Board of directors - Duties.** The board of directors shall:

- 22 1. Hire an executive director to operate the regional service unit;
- 23 2. Provide for the compensation of the executive director and the unit staff;
- 24 3. Approve a budget;
- 25 4. Provide for the payment of expenses;
- 26 5. Determine which services will be available to member school districts;
- 27 6. Determine the manner in which services will be made available to member school  
28 districts; and
- 29 7. Meet at least quarterly to conduct the business of the regional service unit.

30 **SECTION 9. Executive director - Qualifications.** The individual hired as the

31 executive director shall:

- 1           1.    Hold a doctoral degree in education from an accredited institution of higher  
2                    education and have served for at least five years as the superintendent of a school  
3                    district; or
- 4           2.    Have served for at least ten years as the superintendent of a school district with  
5                    two thousand or more students.

6           **SECTION 10. Executive director - Compensation.** The board of a regional service  
7   unit shall provide the executive director compensation in an amount at least equal to the level of  
8   compensation provided to the superintendent of the school district within that regional service  
9   unit which had the greatest number of students in average daily membership during the  
10   preceding school year. In addition, the board shall provide family health insurance coverage  
11   and retirement benefits for the executive director.

12           **SECTION 11. Executive director - Term of contract.**

- 13           1.    The board of the regional service unit shall provide the executive director a  
14                    contract for a term of at least three years.
- 15           2.    Any future contract must be for a term of at least three years, unless a shorter term  
16                    is specifically requested by the executive director.
- 17           3.    A contract may be terminated early only if the executive director:
  - 18                    a.    Has been convicted of a felony;
  - 19                    b.    Has a physical or mental disability that makes the executive director unable to  
20                        perform the duties set forth in section 12; or
  - 21                    c.    Has engaged in gross negligence or willful or intentional misconduct with  
22                        respect to the duties set forth in section 12.

23           **SECTION 12. Executive director - Duties.** The executive director of the regional  
24   service unit shall:

- 25           1.    Supervise the general operation of the regional service unit.
- 26           2.    Supervise the provision of education to all students attending an elementary or  
27                    secondary school in the regional service unit.
- 28           3.    Coordinate the provision of services to school districts in the regional service unit.
- 29           4.    Visit the elementary and secondary schools located in the regional service unit.
- 30           5.    Supervise personnel employed by the regional service unit.
- 31           6.    Prepare and deliver reports requested by the board of the regional service unit.

- 1           7.    Perform any other duties requested by the board of the regional service unit.
- 2           8.    Perform any other duties requested by the superintendent of public instruction.

3           **SECTION 13. Regional service unit - Services - Fees.**

- 4           1.    a.    The regional service unit shall provide to each member district:
  - 5                   (1)   All special education services;
  - 6                   (2)   All vocational and technology education services; and
  - 7                   (3)   Technical assistance for school improvement.
- 8           b.    The regional service unit shall provide to each member district that is not a  
9           high school district:
  - 10                   (1)   All superintendent functions; and
  - 11                   (2)   All business manager functions.
- 12          2.    The regional service unit may provide the following to each member district:
  - 13                   a.    Curriculum development services;
  - 14                   b.    Distance learning services;
  - 15                   c.    Federal title program management services;
  - 16                   d.    Staff development services;
  - 17                   e.    Technology support services; and
  - 18                   f.    Any other services approved by the regional service unit's board of directors.
- 19          3.    The board of the regional service unit shall establish fees and charge those fees  
20           for the provision of services and functions to each member district. The fees must  
21           be approved by the superintendent of public instruction.

22           **SECTION 14. Regional service unit - Coordination of activities.** Beginning July 1,  
23   2004, any education program that is funded in whole or in part by either state funds or federal  
24   funds and which serves two or more school districts in this state must be coordinated through a  
25   regional service unit.

26           **SECTION 15. Regional service unit - Loss of positions.**

- 27          1.    a.    If the establishment of regional service units under this Act causes the  
28                   termination of any individual employed full time by a school district in this  
29                   state, the individual may apply to the executive director of the regional service  
30                   unit in which the school district that employed the individual is located for  
31                   reassignment under this section.

- 1           b. If the establishment of regional service units under this Act causes the  
2           termination of any individual employed full time by a special education unit in  
3           this state, the individual may apply to the executive director of the regional  
4           service unit in which the administrative office of the special education district  
5           that employed the individual was located for reassignment under this section.
- 6           c. If the establishment of regional service units under this Act causes the  
7           termination of any individual employed full time by an area vocational and  
8           technology center in this state, the individual may apply to the executive  
9           director of the regional service unit in which the administrative office of the  
10          center that employed the individual was located for reassignment under this  
11          section.
- 12          2. Within thirty days of receiving an application for reassignment under section 1, the  
13          executive director of the regional service unit shall employ the individual in a  
14          comparable position at or above the individual's last salary level.
- 15          3. The requirements of subsection 2 remain in effect until the individual employed is  
16          able to obtain full-time employment but may not exceed a period of twelve months  
17          from the date that the application for reassignment is received by the executive  
18          director.

19          **SECTION 16. Report by superintendent of public instruction.** Before July 1, 2004,  
20          the superintendent of public instruction shall present a report to an interim committee  
21          designated by the legislative council regarding the implementation of this Act.

**NOTE:** This bill draft contains blanks that must be completed prior to introduction.

This bill draft also requires the addition of sections to reconcile the provisions of this draft with current language in the North Dakota Century Code.