

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1384

Introduced by

Representatives L. Thoreson, Haas, Nottestad

Senator Flakoll

1 A BILL for an Act to create and enact two new sections to chapter 15.1-12 of the North Dakota
2 Century Code, relating to approval criteria for school district reorganizations; and to amend and
3 reenact subsection 2 of section 15.1-12-10 of the North Dakota Century Code, relating to
4 school district reorganization plan requirements.

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

6 **SECTION 1.** A new section to chapter 15.1-12 of the North Dakota Century Code is
7 created and enacted as follows:

8 **Approval for reorganization - Criteria.**

- 9 1. Neither a county committee nor the state board may consider or approve a
10 reorganization under this chapter unless the reorganization includes at least one
11 high school district that has an enrollment of at least two hundred twenty-five
12 students.
- 13 2. Neither a county committee nor the state board may consider or approve a
14 reorganization under this chapter unless the reorganized district would:
- 15 a. Have a student enrollment that is in excess of six hundred;
16 b. Have a student enrollment that is in excess of five hundred twenty and cover
17 a geographical area that is in excess of six hundred square miles [155398.8
18 hectares];
- 19 c. Have a student enrollment that is in excess of four hundred fifty and cover a
20 geographical area that is in excess of eight hundred square miles [207198.4
21 hectares]; or
- 22 d. Cover a geographical area that is in excess of one thousand square miles
23 [258998 hectares].

1 **SECTION 2.** A new section to chapter 15.1-12 of the North Dakota Century Code is
2 created and enacted as follows:

3 **Isolation - Waiver of reorganization criteria.**

4 1. If the boards of two or more school districts vote to pursue a reorganization, but fail
5 because of isolation to meet the criteria of section 1 of this Act, the boards may
6 jointly petition the superintendent of public instruction for a waiver of those
7 requirements. The superintendent may waive the requirements only if:

8 a. The proposed reorganized district will offer within its boundaries all grade
9 levels from one through twelve;

10 b. The geographic location of the proposed reorganized district negates other
11 practical reorganization alternatives;

12 c. The proposed reorganized district covers a geographical area of at least six
13 hundred square miles [155398.8 hectares];

14 d. The proposed reorganized district will offer students academic opportunities
15 and other educational opportunities not otherwise available; and

16 e. The proposed reorganized district appears able to sustain a viable financial
17 base into the foreseeable future.

18 2. Any board aggrieved by a decision of the superintendent of public instruction under
19 this section may appeal the decision to the state board of public school education.

20 A decision by the state board is final.

21 **SECTION 3. AMENDMENT.** Subsection 2 of section 15.1-12-10 of the 1999
22 Supplement to the North Dakota Century Code is amended and reenacted as follows:

23 2. Upon receiving a reorganization plan that meets the requirements of section 1, the
24 county superintendent shall schedule and give notice of a public hearing regarding
25 the plan.