

**SENATE BILL NO. 2226**

Introduced by

Senators Epegard, Freborg

Representative Delmore

1 A BILL for an Act to amend and reenact section 15.1-09-33 of the North Dakota Century Code,  
2 relating to the power of school boards to lease property and dismiss certain personnel.

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

4 **SECTION 1. AMENDMENT.** Section 15.1-09-33 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **15.1-09-33. School board - Powers.** The board of a school district may:

- 7 1. Establish a system of free public schools for all children of legal school age  
8 residing within the district.
- 9 2. Organize, establish, operate, and maintain elementary, middle, and high schools.
- 10 3. Have custody and control of all school district property and, in the case of the  
11 board of education of the city of Fargo, to have custody and control of all public  
12 school property in the city and to manage and control all school matters.
- 13 4. Acquire real property and construct school buildings and other facilities.
- 14 5. Relocate or discontinue schools and liquidate the assets of the district as required  
15 by law; provided no site may be acquired or building constructed, or no school may  
16 be organized, established, operated, maintained, discontinued, or changed in  
17 location without the approval of the state board of public school education if outside  
18 the boundary of the district.
- 19 6. Purchase, sell, exchange, and improve real property.
- 20 7. Lease real property for a maximum of one year except in the case of a career and  
21 technical education facility constructed in whole or in part with financing acquired  
22 under chapter 40-57, which may be leased for up to twenty years.
- 23 8. Exercise the power of eminent domain to acquire real property for school  
24 purposes.

Fifty-ninth  
Legislative Assembly

- 1           9.   Purchase, sell, exchange, ~~and if appropriate,~~ improve ~~school,~~ and lease for up to  
2                   one year, equipment, furniture, supplies, and textbooks.
- 3           10.   Recruit or contract with others to recruit homes and facilities which provide  
4                   boarding care for special education students.
- 5           11.   Provide dormitories for the boarding care of special education students.
- 6           12.   Insure school district property.
- 7           13.   Independently or jointly with other school districts, purchase telecommunications  
8                   equipment or lease a telecommunications system or network.
- 9           14.   Provide for the education of students by another school district.
- 10          15.   Contract with federal officials for the education of students in a federal school.
- 11          16.   Prescribe courses of study in addition to those prescribed by the superintendent of  
12                 public instruction or by law.
- 13          17.   Adopt rules regarding the instruction of students, including their admission,  
14                 transfer, organization, grading, and government.
- 15          18.   Join the North Dakota high school activities association and pay membership fees.
- 16          19.   Adopt alternative curricula for high school seniors who require fewer than four  
17                 academic units.
- 18          20.   Contract with, employ, and compensate school district personnel.
- 19          21.   Contract with and provide reimbursement for the provision of teaching services by  
20                 an individual certified as an instructor in the areas of North Dakota American Indian  
21                 languages and culture by the education standards and practices board.
- 22          22.   Suspend school district personnel.
- 23          23.   Dismiss school district personnel ~~for cause.~~
- 24          24.   Participate in group insurance plans and pay all or part of the insurance premiums.
- 25          25.   Contract for the services of a district superintendent, provided that the contract,  
26                 which may be renewed, does not exceed a period of three years.
- 27          26.   Contract for the services of a principal.
- 28          27.   Employ a school district business manager.
- 29          28.   Suspend or dismiss a school district business manager for cause without prior  
30                 notice.

Fifty-ninth  
Legislative Assembly

- 1           29.   Suspend or dismiss a school district business manager without cause with thirty
- 2                    days' written notice.
- 3           30.   Defray the necessary and contingent expenses of the board.
- 4           31.   Levy a tax upon property in the district for school purposes.
- 5           32.   Amend and certify budgets and tax levies, as provided in title 57.
- 6           33.   Pay membership dues to county and state associations.
- 7           34.   Designate, at its annual meeting, a newspaper of general circulation as the official
- 8                    newspaper of the district.