

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO. 2341

Introduced by

Senators Krebsbach, Seymour

Representatives R. Kelsch, Klein

1 A BILL for an Act to create and enact a new section to chapter 15.1-07 of the North Dakota
2 Century Code, relating to the provision of educational services by school districts; and to amend
3 and reenact section 15.1-12-26 of the North Dakota Century Code, relating to the dissolution of
4 school districts.

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

6 **SECTION 1.** A new section to chapter 15.1-07 of the North Dakota Century Code is
7 created and enacted as follows:

8 **School district - Provision of educational services - Required dissolution.** Before
9 July 1, 2013, each school district in this state shall offer educational services to students from
10 kindergarten through grade twelve. If a school district fails to meet the requirements of this
11 section, the superintendent of public instruction shall direct a county committee to initiate
12 proceedings for the dissolution of the district and the attachment of property to other operating
13 high school districts.

14 **SECTION 2. AMENDMENT.** Section 15.1-12-26 of the North Dakota Century Code is
15 amended and reenacted as follows:

16 **15.1-12-26. Dissolution of school district - Grounds.**

- 17 1. A county committee shall initiate proceedings to dissolve a school district and
18 attach the property to other operating high school districts when it is notified in
19 writing by the county superintendent of schools whose jurisdiction includes the
20 administrative headquarters of the district that:
- 21 a. The district is financially unable to effectively and efficiently educate its
22 students;
- 23 b. The district has not operated a school as required by section 15.1-12-24; or

- 1 c. A school board has determined that dissolution is in the best interest of its
2 students.
- 3 2. A county committee shall initiate proceedings to dissolve a school district and
4 attach the property to other operating high school districts when the committee is
5 notified in writing by the superintendent of public instruction that the district does
6 not provide educational services to students from kindergarten through grade
7 twelve as required by section 1 of this Act.
- 8 3. Except as provided in subsection 3, a county committee shall initiate proceedings
9 under section 15.1-12-27 to attach real property to an operating high school district
10 when it is notified in writing by the county superintendent that:
- 11 a. Real property has been severed from its school district by the expansion of a
12 city and the severed portion is not contiguous with its district; or
- 13 b. There exists real property that does not belong to a school district.
- 14 ~~3.~~ 4. If a school district reorganization plan which does not include all real property in a
15 district is approved by the electors, the county committee shall, within forty-five
16 days after the election, hold a hearing under section 15.1-12-27 to attach the
17 remaining property to one or more operating high school districts.
- 18 ~~4.~~ 5. Receipt of notice by a county committee under this section:
- 19 a. Renders an annexation petition involving any real property in the district void,
20 unless the annexation has already been approved by the state board; and
- 21 b. Prohibits the acceptance of a new annexation petition involving any real
22 property in the district until all dissolution proceedings have been completed.
- 23 ~~5.~~ 6. One or more annexation petitions may not be used to annex all of the real property
24 in a school district to surrounding school districts.