

HOUSE BILL NO. 1316

Introduced by

Representatives Monson, Nathe

Senator Luick

1 A BILL for an Act to create and enact section 15.1-14-03.1 and a new section to chapter 15.1-15
2 of the North Dakota Century Code, relating to the evaluation and nonrenewal of principals and
3 school district superintendents; and to amend and reenact sections 15.1-14-03 and 15.1-14-12
4 of the North Dakota Century Code, relating to the evaluation and nonrenewal of school district
5 superintendents.

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

7 **SECTION 1. AMENDMENT.** Section 15.1-14-03 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **15.1-14-03. School district superintendent - Evaluation.**

- 10 1. a. ~~Before December~~On or before November fifteenth of each year, the board of a
11 school district shall conduct a ~~formative~~an evaluation of the superintendent's
12 performance.
- 13 ~~2.~~ b. ~~Before~~On or before March fifteenth of each year, the board shall conduct a
14 ~~formal~~second evaluation of the superintendent's performance.
- 15 c. The board shall ~~place a copy of the evaluation report in the superintendent's file~~
16 ~~and shall~~ provide a copy of ~~the~~each evaluation report required by this subsection
17 to the superintendent and shall place a copy of each report in the
18 superintendent's personnel file.
- 19 ~~3.2.~~ If the board finds the superintendent's performance to be unsatisfactory in any area,
20 the board shall detail its findings regarding the superintendent's performance in the
21 report and shall make recommendations.
- 22 ~~4.3.~~ Upon receiving ~~the~~an evaluation report, the superintendent may provide a written
23 response to the board. The board shall place the superintendent's written response in
24 the superintendent's personnel file.

1 ~~5.4.~~ The board shall meet with the superintendent to discuss the evaluation.

2 **SECTION 2.** Section 15.1-14-03.1 of the North Dakota Century Code is created and
3 enacted as follows:

4 **15.1-14-03.1. Individual functioning as a principal and a superintendent - Treatment.**

5 Notwithstanding the provisions of chapter 15.1-15, if an individual is employed by the board
6 of a school district to function as both a school principal and a school district superintendent,
7 that individual must be treated as a school district superintendent for all purposes related to the
8 individual's evaluation, discharge, and nonrenewal, as set forth in accordance with sections
9 15.1-14-03 through 15.1-14-12.

10 **SECTION 3. AMENDMENT.** Section 15.1-14-12 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 **15.1-14-12. School district superintendent - Employed for less than two years -**
13 **Notification of nonrenewal.**

14 1. If the board of a school district elects not to renew the contract of a superintendent
15 who has been employed by the board in that position for less than two years, the
16 board shall provide written notice of the nonrenewal to the superintendent before May
17 first. At the request of the superintendent, the board shall meet with the
18 superintendent, in executive session, to convey the reasons for the nonrenewal.

19 2. No claim for libel or slander may be brought regarding any communication made at an
20 executive session held in accordance with this section.

21 **SECTION 4.** A new section to chapter 15.1-15 of the North Dakota Century Code is created
22 and enacted as follows:

23 **Principal - Employed for less than two years - Notification of nonrenewal.**

24 1. If the board of a school district elects not to renew the contract of a principal, an
25 assistant superintendent, or an associate superintendent, who has been employed by
26 the board in that position for less than two years, the board shall provide written notice
27 of the nonrenewal to the individual before May first. At the request of the individual, the
28 board shall meet with the individual, in executive session, to convey the reasons for
29 the nonrenewal.

30 2. No claim for libel or slander may be brought regarding any communication made at an
31 executive session held in accordance with this section.