23.0919.01001

Sixty-eighth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2269

Introduced by

Senators Davison, Schaible, Sorvaag

Representatives Bosch, Heinert, Monson

A BILL for an Act to amend and reenact sections 15-19-00.1, 15-19-01, 15-19-02, 15-19-06, 15-19-08, and 15-20.1-03~~, and 15.1-02-04~~ of the North Dakota Century Code, relating to the administration of the center for distance education.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15-19-00.1 of the North Dakota Century Code is amended and reenacted as follows:

15-19-00.1. Definitions.

In this chapter, unless the context otherwise requires:

1. ~~"Administration" includes the leadership of the center for distance education.~~
~~2.~~ "Board" means the ~~state board for career and technical education~~board of public school education.
~~3.~~2. "Center" means the North Dakota center for distance education.
~~4.~~3. "Director~~Superintendent~~" means the director ~~and executive officer of the department of career and technical education~~~~superintendent of public instruction~~of the center for distance education.

SECTION 2. AMENDMENT. Section 15-19-01 of the North Dakota Century Code is amended and reenacted as follows:

15-19-01. North Dakota center for distance education courses - Establishment - Enrollment of students - Courses of instruction.

The state shall provide kindergarten through grade twelve courses, comprehensive educational support, and high school diplomas through the center for distance education under the following provisions:

1. A complete curriculum prescribed by state-mandated education accreditation entities which meets the requirements for digital education the superintendent of public instruction has determined to be appropriate.
2. A superintendent or an administrator of a school may deny the enrollment of a student in that district at the center for distance education except as provided in subsection 5.
3. The center for distance education may provide services to persons who are not North Dakota residents.
4. Center for distance education students shall pay fees as may be prescribed by the ~~state board for career and technical education~~superintendent of public instruction.
5. Students exempt from the compulsory school attendance laws pursuant to subdivision e of subsection 1 of section 15.1-20-02 may enroll in distance education courses offered through the center for distance education. These students may study their center for distance education lessons in their learning environment under the supervision of a parent.

SECTION 3. AMENDMENT. Section 15-19-02 of the North Dakota Century Code is amended and reenacted as follows:

15-19-02. Administration Center for distance education - Appointment and duties.

The program of and all activities related to the center for distance education are the responsibility of the director of the center for distance education and under the authority of the ~~state board for career and technical education~~superintendent~~. The director of the department of career and technical education~~superintendent ~~shall hire administration and staff for the center for distance education~~of public instruction and the board. The director is appointed by and reports to the superintendent of public instruction. The center must have a separate budget and a separate staff from the department of public instruction who must be classified under the state personnel merit system. The ~~administration of the center~~director shall carry out the responsibilities in operating the center for distance education in the manner approved by the ~~state~~ board ~~for career and technical education~~, under the supervision of the ~~director of the department of career and technical education~~superintendent of public instruction, and compliant with requirements established by the superintendent of public instruction and the education standards and practices board for public school administrators and teachers. ~~The state board~~

~~for career and technical education~~superintendent ~~shall administer the responsibilities of the board of a school district relating to the center for distance education.~~

SECTION 4. AMENDMENT. Section 15-19-06 of the North Dakota Century Code is amended and reenacted as follows:

15-19-06. Special funds - Deposit of collections - Transfers from general fund appropriations.

1. A special operating fund for the center for distance education must be maintained within the state treasury and all income and fees collected by the center for distance education from any source must be remitted monthly by the ~~director~~superintendent of public instruction to the state treasurer and credited to the special operating fund. All expenditures from the fund must be within the limits of legislative appropriations and must be made upon vouchers, signed and approved by the director. Upon approval of the vouchers by the office of the budget, warrant-checks must be prepared by the office of management and budget.
2. The ~~state board for career and technical education~~superintendent of public instruction may establish an endowment and scholarship fund to provide financial grants to students enrolled in courses offered through the center for distance education. The endowment and scholarship fund may consist only of those funds specifically appropriated by the legislative assembly and property received by the center for distance education as a gift, devise, or bequest. Any gift, devise, or bequest of property received by the center for distance education which is designated by the ~~state board for career and technical education~~superintendent of public instruction and donor for the endowment and scholarship fund must be deposited in the scholarship fund at the Bank of North Dakota. The center for distance education may draw on the endowment and scholarship fund for the award of endowments and scholarships within the limits and rules adopted by the ~~state board for career and technical education~~superintendent of public instruction.

SECTION 5. AMENDMENT. Section 15-19-08 of the North Dakota Century Code is amended and reenacted as follows:

15-19-08. Distance education support and services.

The amount of money appropriated by the legislative assembly for distance education support and services for a biennium, or so much thereof as may be necessary, must be expended first for work provided by distance education as determined by the center for distance education and approved by the ~~state board for career and technical education~~superintendent of public instruction.

SECTION 6. AMENDMENT. Section 15-20.1-03 of the North Dakota Century Code is amended and reenacted as follows:

15-20.1-03. Powers and duties of state board relating to career and technical education.

The state board shall have all authority necessary to cooperate with the United States department of education or other department or agency of the United States of America in the administration of acts of Congress relating to career and technical education, including the following powers and duties:

1. To administer any legislation enacted by the legislative assembly of this state pursuant to or in conformity with acts of Congress relating to career and technical education.
2. To administer the funds provided by the federal government and by this state for the promotion of career and technical education and to contract with:
   a. Any public or private institution or agency, board of trustees of any agricultural and training school, or school district of this state; or
   b. Any public or private institution or agency, or political subdivision, of another state.
3. To formulate plans for the promotion of career and technical education in such subjects as are an essential and integral part of the public school system of education in this state.
4. To provide for the preparation of teachers.
5. To fix the compensation of such officers and assistants as may be necessary to administer the federal acts and the provisions of this chapter relating to career and technical education and to pay the same and other necessary expenses of administration from any funds appropriated for such purpose.
6. To make studies and investigations relating to career and technical education.

7. To promote and aid in the establishment of schools, departments, or classes, and to cooperate with local communities in the maintenance of career and technical education schools, departments, or classes.
8. To prescribe the qualifications and provide for the certification of teachers, directors, and supervisors.
9. To cooperate with governing bodies of school districts and with organizations and communities in the maintenance of classes for the preparation of teachers, directors, and supervisors of career and technical education, to maintain classes for such purposes under its own direction and control, and to establish and control, by general regulations, the qualifications to be possessed by persons engaged in the training of career and technical education teachers.
10. To coordinate new and existing farm management programs offered by any state agency or entity.
11. To create and expand marketing clubs as adjuncts to new and existing farm management programs.
~~12. To administer and supervise the program and all activities of the center for distance education.~~

~~**SECTION 7. AMENDMENT.** Section 15.1-02-04 of the North Dakota Century Code is amended and reenacted as follows:~~

~~**15.1-02-04. Superintendent of public instruction - Duties. (Effective through June 30, 2023)**~~

~~The superintendent of public instruction:~~

~~1. Shall supervise the provision of elementary and secondary education to the students of this state.~~
~~2. Shall supervise the establishment and maintenance of schools and provide advice and counsel regarding the welfare of the schools.~~
~~3. Shall supervise the development of course content standards.~~
~~4. Shall supervise the assessment of students.~~
~~5. Shall serve as an ex officio member of the board of university and school lands.~~
~~6. Shall keep a complete record of all official acts and appeals.~~
~~7. As appropriate, shall determine the outcome of appeals regarding education matters.~~

~~8. Shall direct school district annexation, reorganization, and dissolution and employ and compensate personnel necessary to enable the state board of public school education to carry out its powers and duties regarding school district annexation, reorganization, and dissolution.~~

~~9. Shall facilitate a process to review and update annually the statewide prekindergarten through grade twelve education strategic vision. The process must include input and participation from a steering committee that includes representatives of all state-level entities receiving state education funding and education stakeholder groups. Each steering committee member entity receiving state education funds shall provide components of the entity's strategic plan which are aligned to the statewide strategic vision. The steering committee shall prepare a collaborative report of the strategic plans of each committee member entity receiving state education funds. The superintendent shall provide the collaborative report and any updates to the strategic vision to the legislative management during each interim and to a joint meeting of the education standing committees during each regular legislative session.~~

~~10. Shall administer a student loan forgiveness program for individuals teaching at grade levels, in content areas, and in geographical locations identified as having a teacher shortage or critical need.~~

~~11. Shall facilitate the development and implementation of a North Dakota learning continuum in collaboration with the department of career and technical education, upon the recommendation of the kindergarten through grade twelve education coordination council.~~

~~12. Shall collaborate with workforce development stakeholders and the kindergarten through grade twelve education coordination council to determine how best to integrate computer science and cybersecurity into elementary, middle, and high school curriculum under sections 15.1-21-01 and 15.1-21-02. Before September 1, 2022, the superintendent shall provide a report to the legislative management regarding the outcome of this collaboration.~~

~~13. Shall administer and supervise the program and all activities of the center for distance education.~~

~~**Superintendent of public instruction - Duties. (Effective after June 30, 2023)**~~

~~The superintendent of public instruction:~~

~~1. Shall supervise the provision of elementary and secondary education to the students of this state.~~

~~2. Shall supervise the establishment and maintenance of schools and provide advice and counsel regarding the welfare of the schools.~~

~~3. Shall supervise the development of course content standards.~~

~~4. Shall supervise the assessment of students.~~

~~5. Shall serve as an ex officio member of the board of university and school lands.~~

~~6. Shall keep a complete record of all official acts and appeals.~~

~~7. As appropriate, shall determine the outcome of appeals regarding education matters.~~

~~8. Shall direct school district annexation, reorganization, and dissolution and employ and compensate personnel necessary to enable the state board of public school education to carry out its powers and duties regarding school district annexation, reorganization, and dissolution.~~

~~9. Shall facilitate a process to review and update annually the statewide prekindergarten through grade twelve education strategic vision. The process must include input and participation from a steering committee that includes representatives of all state-level entities receiving state education funding and education stakeholder groups. Each steering committee member entity receiving state education funds shall provide components of the entity's strategic plan which are aligned to the statewide strategic vision. The steering committee shall prepare a collaborative report of the strategic plans of each committee member entity receiving state education funds. The superintendent shall provide the collaborative report and any updates to the strategic vision to the legislative management during each interim and to a joint meeting of the education standing committees during each regular legislative session.~~

~~10. Shall facilitate the development and implementation of a North Dakota learning continuum in collaboration with the department of career and technical education, upon the recommendation of the kindergarten through grade twelve education coordination council.~~

~~11. Shall administer and supervise the program and all activities of the center for distance education.~~