Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015

HOUSE BILL NO. 1316
(Representatives Monson, Nathe)
(Senator Luick)

AN ACT to create and enact section 15.1-14-03.1 and a new section to chapter 15.1-15 of the North Dakota Century Code, relating to the evaluation and nonrenewal of principals and school district superintendents; and to amend and reenact sections 15.1-14-03 and 15.1-14-12 of the North Dakota Century Code, relating to the evaluation and nonrenewal of school district superintendents.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

1. a. ~~Before December~~On or before November fifteenth of each year, the board of a school district shall conduct ~~a formative~~an evaluation of the superintendent's performance.

~~2.~~ b. ~~Before~~On or before March fifteenth of each year, the board shall conduct a ~~formal~~second evaluation of the superintendent's performance.

c. The board shall ~~place a copy of the evaluation report in the superintendent's file and shall~~ provide a copy of ~~the~~each evaluation report required by this subsection to the superintendent and shall place a copy of each report in the superintendent's personnel file.

~~3.~~2. If the board finds the superintendent's performance to be unsatisfactory in any area, the board shall detail its findings regarding the superintendent's performance in the report and shall make recommendations.

~~4.~~3. Upon receiving ~~the~~an evaluation report, the superintendent may provide a written response to the board. The board shall place the superintendent's written response in the superintendent's personnel file.

~~5.~~4. The board shall meet with the superintendent to discuss the evaluation.

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

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

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

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

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

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

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

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

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

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

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

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1316.

House Vote:	Yeas 59	Nays 31	Absent 4
Senate Vote:	Yeas 44	Nays 1	Absent 2

Chief Clerk of the House

Received by the Governor at 9:13 A.M. on March 24, 2015.

Approved at 2:38 P.M. on March 25, 2015.

Governor

Filed in this office this 25th day of March, 2015,

at 3:45 o'clock P M.

Secretary of State