

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1348
(Representatives Richter, D. Johnson, Jonas, Schreiber-Beck)

AN ACT to amend and reenact sections 15-20.2-01, 15-20.2-04, 15-20.2-05, 15-20.2-06, and 15-20.2-07 of the North Dakota Century Code, relating to career and technology center boards.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15-20.2-01 of the North Dakota Century Code is amended and reenacted as follows:

15-20.2-01. Area centers - Definition of terms.

In this chapter, unless the context otherwise requires:

1. "Area career and technology center" means a program of career and technical education conducted at one or more attendance centers by three or more participating public school districts.
2. "Center board" means the governing board of an area career and technology center.
3. "Participating district" means a public school district whose students are attending an area career and technology center.
4. "School board" means a participating public school district board.
5. "State board" means the state board for career and technical education.
6. "Virtual area career and technology center" means a career and technical education program approved by the department of career and technical education which is used by three or more school districts and which utilizes online or interactive television technology as the primary course content delivery method.

SECTION 2. AMENDMENT. Section 15-20.2-04 of the North Dakota Century Code is amended and reenacted as follows:

15-20.2-04. Center boards - Appointment of members - Terms - Compensation - Vacancies.

1. An area career and technology center must be operated by a center board of not less than five members nor more than a total of one member for each participating district; provided, however, that each participating school district with three hundred or more high school students must be allowed one member for each three hundred high school students or fraction thereof with a limitation of not more than three members from any one school district. Center board members must be members of the school boards. If a school district has one center board member, that member must be a school board member. If a school district has more than one center board member, one member must be a school board member and any other center board member may be a designee. The terms of office of the members of center boards must be for at least one year and terminate upon the expiration of their terms on their respective school boards. Members are eligible for reappointment to center boards. Center board members shall receive the same compensation and expenses for attending center board meetings or for otherwise engaging in official business for the center as provided in section 15.1-09-06 for members of school boards. Compensation and expenses of center board members must be paid out of center funds.

2. Vacancies on a center board must be filled by the school board whose representation was lost when the vacancy occurred.

SECTION 3. AMENDMENT. Section 15-20.2-05 of the North Dakota Century Code is amended and reenacted as follows:

15-20.2-05. Special board plan for small center or large centers.

1. If four or fewer school districts comprise an area career and technology center and if enrollment within ~~such~~the school district is insufficient to provide five members in accordance with section 15-20.2-04, the boards of ~~such~~the school district shall agree upon the number and manner of selection of members of the center board and shall submit their plan of selection for approval by the state board pursuant to section 15-20.2-02.
2. If a center board is comprised of twenty or more members, the boards of those school districts may create a representative board with equitable representation from the school districts and shall submit the representative board for approval by the state board under section 15-20.2-02. A majority of the representative board must be school board members.

SECTION 4. AMENDMENT. Section 15-20.2-06 of the North Dakota Century Code is amended and reenacted as follows:

15-20.2-06. Meetings of center boards - Election of officers - Quorum.

The initial organizational meeting of a center board must be called and conducted by the chairman of the state board, and thereafter a center board shall meet monthly. Virtual area career and technology center boards shall meet at least quarterly. At the next meeting following the annual meeting of the school boards, the officers of a center board for the current school year must be selected. The officers of a center board must be a chairman and a vice chairman, who may not be from the same school district. The chairman shall preside at all meetings of a center board and in the chairman's absence the vice chairman shall preside. Each center board member is entitled to one vote. A majority of the members of a center board constitutes a quorum. Any motion or resolution may be adopted only by a majority vote of the members of the center board.

SECTION 5. AMENDMENT. Section 15-20.2-07 of the North Dakota Century Code is amended and reenacted as follows:

15-20.2-07. Powers and duties of center boards.

The powers and duties of a center board are as follows:

1. To supervise, manage, and control an area career and technology center established by the cooperating school districts pursuant to this chapter.
2. To provide career and technical education programs approved by the state board.
3. To contract with, employ, ~~and~~or pay personnel to administer the affairs and to teach in the area career and technology center, and to remove for cause any personnel when the interests of the area career and technology center may require it; provided, that personnel employed by a center board shall have the same statutory rights as provided by law for personnel employed by public school districts.
4. To lease, acquire, or purchase career and technical education equipment for an area career and technology center.
5. To lease, acquire, purchase, or sell career and technical education facilities, including real property, for an area career and technology center; provided, that any purchase or sale of real property must first be approved by two-thirds of the school boards of the participating school districts.

6. To receive and administer any private, local, state, or federal funds provided for the operation and maintenance of an area career and technology center.
7. To enter into contracts consistent with the other powers and duties provided for by this chapter.
8. To accept real or personal property available for distribution by the United States or any of its departments or agencies and also to accept federal grants that may be made available in the field of career and technical education.

Dennis S. Johnson
Speaker of the House

Tammy Lillie
President of the Senate

Bull T. Reich
Chief Clerk of the House

Brandi Meyer
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1348.

House Vote: Yeas 93 Nays 0 Absent 1

Senate Vote: Yeas 46 Nays 1 Absent 0

Bull T. Reich
Chief Clerk of the House

Received by the Governor at 10:08 AM. on March 21, 2023.

Approved at 11:23 AM. on March 22, 2023.

Doug Burgum
Governor

Filed in this office this 23rd day of March, 2023,

at 11:23 o'clock A. M.

Michael Howe
Secretary of State