

Introduced by

1 A BILL for an Act to create and enact four new sections to chapter 15-40.1 of the North Dakota
2 Century Code, relating to the provision of educational services for suspended and expelled
3 students.

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

5 **SECTION 1.** A new section to chapter 15-40.1 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Suspended and expelled students - Education.** Each school district shall provide an
8 alternative school, class, or educational program for suspended and expelled students.

9 **SECTION 2.** A new section to chapter 15-40.1 of the North Dakota Century Code is
10 created and enacted as follows:

11 **Suspended and expelled students - Individualized learning plan.** Each suspended
12 and expelled student, except a student who has reached the age of sixteen and has voluntarily
13 terminated enrollment in the school district, must attend an alternative school, class, or
14 educational program during regular school hours. A school district shall prepare an
15 individualized learning plan for each suspended and expelled student required to attend an
16 alternative school, class, or educational program. The individualized learning plan must
17 prescribe the educational, job training, and counseling programs in which the student is
18 required to participate.

19 **SECTION 3.** A new section to chapter 15-40.1 of the North Dakota Century Code is
20 created and enacted as follows:

21 **Suspended and expelled students - Education - Rules.** The superintendent of public
22 instruction shall adopt rules regarding the provision of alternative schools, classes, and
23 educational programs for suspended and expelled students and the preparation of
24 individualized learning plans for suspended and expelled students.

1 **SECTION 4.** A new section to chapter 15-40.1 of the North Dakota Century Code is
2 created and enacted as follows:

3 **Suspended and expelled students - Per student payments.** School districts are
4 eligible to receive per student payments under chapter 15-40.1 for students participating full
5 time in alternative schools, classes, or educational programs under section 2 of this Act and
6 proportionately reduced student payments under chapter 15-40.1 for students participating on a
7 part-time basis.

NOTE: The requirement that school districts provide one of the listed alternatives does not preclude districts from cooperatively or jointly providing the alternatives. If, however, a suspended or an expelled student is required to attend "school" at a site other than the student's regular school, a question arises as to whether transportation is to be the responsibility of the school district or the student's parents.