

CHAPTER 15.1-33 MULTIDISTRICT SPECIAL EDUCATION

15.1-33-01. Multidistrict special education unit - Corporation. Each multidistrict special education unit is a body corporate and has all the powers and duties usual to corporations for public purposes or as conferred upon it by law.

15.1-33-02. Multidistrict special education units - School district participation. A school district may join a multidistrict special education unit or together with other school districts form a multidistrict special education unit for purposes of planning and delivering special education and related services. If a school district wishes to join a multidistrict special education unit from which it has been excluded, the school district may petition the superintendent of public instruction. A school district may appeal a decision of the superintendent under this section to the state board of public school education.

15.1-33-03. Multidistrict special education unit - Organizational plan - Contents. Each multidistrict special education unit shall maintain an organizational plan on file with the superintendent of public instruction. The organizational plan must include:

1. A list of the unit's board members.
2. A description of how each school district is represented on the board.
3. The method used to select officers.
4. The terms of office.
5. Scheduled meeting times.
6. Quorum requirements.
7. Any other items required through rule by the superintendent of public instruction.

15.1-33-04. Multidistrict special education unit - Board member appointments. The organizational plan of each multidistrict special education unit must provide for the manner in which board members are appointed.

15.1-33-05. Multidistrict special education unit - Board members - Compensation. The board of each multidistrict special education unit shall set a level of compensation for services payable to its members, provided that no member may receive more than one thousand dollars annually for this purpose. In addition to compensation for services, each member may be reimbursed for all necessary meals and lodging and travel expenses actually incurred while engaged in official business of the board, at the same rate as provided for state officers and employees. Any mileage claimed may not exceed the number of miles [kilometers] between the points traveled as measured by the most usual route.

15.1-33-06. Withdrawal from a multidistrict program. In order for a school district to withdraw from a multidistrict special education unit, the following must occur on or before March first before the school year for which the withdrawal is to be effective:

1. The board of the withdrawing school district shall approve the withdrawal.
2. The board of the withdrawing school district shall inform the board of the multidistrict special education unit that it has elected to withdraw from the unit.
3. The board of the withdrawing school district shall submit a plan to the superintendent of public instruction regarding the provision of services to students with disabilities.

15.1-33-07. Multidistrict special education unit - Board - Preparation of annual plan.

The board of a multidistrict special education unit shall prepare, on behalf of the participating school districts, an annual plan regarding the provision of special education and related services and shall submit the plan to the superintendent of public instruction for approval.

15.1-33-08. Multidistrict special education unit - Board - Powers. The board of a multidistrict special education unit may:

1. Receive state and federal funds and distribute them to each participating school district.
2. Employ personnel necessary to carry out administrative services, itinerant instruction, coordinative services, and related services.
3. Receive private and public funds and expend such funds for the compensation of personnel and for the payment of the board's expenses.
4. Contract with the board of any school district for the provision of special education and related services.

15.1-33-09. Multidistrict special education unit - Board - Coordination of student transportation. The board of a multidistrict special education unit shall plan and coordinate the transportation of each student receiving special education services within the unit.

15.1-33-10. Multidistrict special education board - Rights of employees. Any individual employed by the board of a multidistrict special education unit has the same statutory rights as those accorded to an individual employed by a school district for the same purpose.