

SENATE BILL NO. 2153

Introduced by

Senators Schaible, Heckaman, Rust

Representatives B. Koppelman, Rohr

1 A BILL for an Act to amend and reenact section 15.1-07-25 of the North Dakota Century Code,
2 relating to an open records exemption for school district records.

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

4 **SECTION 1. AMENDMENT.** Section 15.1-07-25 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **15.1-07-25. School district records - Open - ~~Exception~~Exceptions.**

7 1. Except as otherwise provided by law, all records and documents of a school district
8 are open to examination by any person. These records and documents, or copies
9 certified by the business manager, are prima facie evidence of the facts set forth in the
10 records and documents.

11 2. If a complaint is filed concerning a school district employee and an administrative
12 investigation is conducted, any record or document generated as part of the
13 administrative investigation is confidential and not subject to the requirements of this
14 section or section 44-04-18, until the investigation is completed. The investigation and
15 any determination of disciplinary action may not exceed sixty days from the date the
16 complaint is filed.

17 3. If a criminal complaint is filed in district court concerning a school district employee,
18 any record or document in the possession of the school district which pertains to the
19 subject of the criminal complaint is confidential and not subject to the requirements of
20 this section or section 44-04-18 until the criminal complaint is resolved in district court.