1953

A Study of the Effect of the North Dakota Reorganization Plan on the Fullerton School District Dickey County

Lynn Gulmon
The University of Montana

Follow this and additional works at: http://scholarworks.umt.edu/etd

Recommended Citation

This Thesis is brought to you for free and open access by the Graduate School at ScholarWorks at University of Montana. It has been accepted for inclusion in Theses, Dissertations, Professional Papers by an authorized administrator of ScholarWorks at University of Montana. For more information, please contact scholarworks@mail.lib.umt.edu.
A STUDY OF THE EFFECT OF THE NORTH DAKOTA REORGANIZATION
PLAN ON THE FULLERTON SCHOOL DISTRICT,
DICKEY COUNTY

by

LYNN GULMON
B. A., Valley City State Teachers College
Valley City, North Dakota, 1941

Presented in partial fulfillment
of the requirements for the degree of
Master of Education

MONTANA STATE UNIVERSITY
1953

Approved by:

Floyd Marchus
Chairman of the Board of Examiners

J. D. Castle
Dean of the Graduate School

Aug 14, 1953
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>CHAPTER</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. THE PROBLEM AND ITS SETTING</td>
<td>1</td>
</tr>
<tr>
<td>The Problem</td>
<td>1</td>
</tr>
<tr>
<td>Statement of the problem</td>
<td>1</td>
</tr>
<tr>
<td>The delimitation of the field of study</td>
<td>2</td>
</tr>
<tr>
<td>Definitions of terms used</td>
<td>3</td>
</tr>
<tr>
<td>Importance of the study</td>
<td>3</td>
</tr>
<tr>
<td>Setting of the Problem</td>
<td>4</td>
</tr>
<tr>
<td>Conditions in the Fullerton School District</td>
<td>4</td>
</tr>
<tr>
<td>II. REVIEW OF RELATED LITERATURE</td>
<td>5</td>
</tr>
<tr>
<td>Literature on School District Reorganization</td>
<td></td>
</tr>
<tr>
<td>in General</td>
<td>5</td>
</tr>
<tr>
<td>Review of Literature on School District</td>
<td></td>
</tr>
<tr>
<td>Reorganization in Other States</td>
<td>9</td>
</tr>
<tr>
<td>Literature on School District Reorganization</td>
<td></td>
</tr>
<tr>
<td>in North Dakota</td>
<td>10</td>
</tr>
<tr>
<td>III. PRESENTATION OF DATA</td>
<td>13</td>
</tr>
<tr>
<td>Presentation of the Survey Data</td>
<td>13</td>
</tr>
<tr>
<td>School population</td>
<td>14</td>
</tr>
<tr>
<td>Expenditures</td>
<td>14</td>
</tr>
<tr>
<td>Assessed valuation</td>
<td>14</td>
</tr>
<tr>
<td>Mill levy</td>
<td>14</td>
</tr>
<tr>
<td>Curriculum</td>
<td>14</td>
</tr>
<tr>
<td>School plant</td>
<td>16</td>
</tr>
<tr>
<td>CHAPTER</td>
<td>PAGE</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Cost per pupil</td>
<td>17</td>
</tr>
<tr>
<td>Size of the school district</td>
<td>17</td>
</tr>
<tr>
<td>Number of townships</td>
<td>17</td>
</tr>
<tr>
<td>IV. SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS</td>
<td>18</td>
</tr>
<tr>
<td>Summary</td>
<td>18</td>
</tr>
<tr>
<td>Brief review of this study</td>
<td>18</td>
</tr>
<tr>
<td>Limitation of this study</td>
<td>19</td>
</tr>
<tr>
<td>A summary of the data in the survey</td>
<td>19</td>
</tr>
<tr>
<td>Conclusion</td>
<td>20</td>
</tr>
<tr>
<td>Recommendations</td>
<td>21</td>
</tr>
<tr>
<td>BIBLIOGRAPHY</td>
<td>22</td>
</tr>
<tr>
<td>APPENDIXES</td>
<td>25</td>
</tr>
<tr>
<td>Appendix A.</td>
<td>26</td>
</tr>
<tr>
<td>Appendix B.</td>
<td>28</td>
</tr>
</tbody>
</table>
CHAPTER I

THE PROBLEM AND ITS SETTING

North Dakota is one of the 27 states of the nation that is reorganizing local school administrative units.¹ This is a result of legislation enacted by the 1947 Legislature creating county survey committees.² These committees were assigned the task of making surveys of their counties and presenting their recommendations to the people of the county. Dickey County Reorganization Committee has completed its survey, and has submitted its recommendations to the people. Two districts in Dickey County - Fullerton and Monango - have a larger administrative area as a result of approved reorganization plans.

I. THE PROBLEM

Statement of the problem. The purpose of this study is to determine the effect of reorganization of the Fullerton


²North Dakota Reorganization Bill, House Bill No. 43, S. L. 1947, Section 6, See Appendix A.
District with the possibility of applying the results to LaMoure County reorganization. The study will compare present and past conditions of the school in the following areas:

1. Curriculum
2. School plant
3. Cost per pupil
4. Tax levy

The first and second are important because of their relationship to the school program. The third and fourth are studied because of the relation of the school program to the financing.

The delimitation of the field of study. This study is restricted to a comparison of the educational, financial, and physical plant aspects of the one school district of Fullerton before and after reorganization. This area was originally one township, and has been expanded by reorganization to include all or parts of five townships.

This study is not concerned with the proposed reorganization of other districts in Dickey County, nor is it concerned with the plans that may have been necessary to put the Fullerton reorganization into effect.
Definition of terms used. To avoid misinterpretation, the following definitions of terms are presented as they are defined in the North Dakota Reorganization Bill:

1. "Reorganization of school districts" shall mean and include the formation of new school districts, the alteration of the boundaries of established school districts, and the dissolution or disorganization of established school districts, through or by means of:

   A. The uniting of two or more established districts.

   B. The subdivision of one or more districts.

   C. The transfer to an established district of a part of the territory of one or more districts; or the attachment thereto of all or any part of the territory of one or more districts subject to disorganization for any of the reasons now specified by law; or the transfer therefrom of any part of the territory of said established districts; and

   D. Any combination of the methods aforementioned.

2. "County Superintendent" and "State Superintendent" shall mean, respectively, the county superintendent of schools and the state superintendent of public instruction; and

3. "County Committee" and "State Committee" shall mean, respectively, the county committee for the reorganization of school districts, and the state committee for the reorganization of school districts.3

Importance of the study. Educators and lay people have been challenged with the fact that a majority of the young people of LaMoure County have not been receiving the type of education that best meets their needs and interests. The limited services offered in all schools in the county

---

3North Dakota Reorganization Bill, op. cit., Section 2.
place these children at a serious disadvantage. With a number of facts to present to the LaMoure County Reorganization Committee, perhaps a more favorable aspect could be given to the people of the various districts as to why reorganization could be beneficial to all concerned.

II. SETTING OF THE PROBLEM

Conditions in the Fullerton School District. Prior to the reorganization of the school district; Fullerton, also known as Maple Township, consisted of one township (36 square miles). The school plant was too old and too small. The high school pupils from surrounding townships were attending Fullerton school which added to the crowded conditions and overburdened the taxpayers of Maple Township. Because of a lack of finances, the curriculum was limited and inadequate. No courses were offered except those in preparation for college. In this rural section, where less than 20 per cent of the high school graduates attend college, the educational system did not meet the needs of the pupils.

The County Superintendent of Schools has little or no time for direct supervision of schools in the county. The office does offer some supervision of one room rural schools. After the closing of one room rural schools and moving the children to city schools, these children have the benefit of supervision of both the principal and superintendent of that particular system.
CHAPTER II

REVIEW OF RELATED LITERATURE

An attempt is made in this chapter to present a review of the history of school district reorganization along with a discussion of the trends and some of the solutions that have been given in periodicals and books by accepted authorities on the subject.

Why do people reorganize their school districts? School district reorganization is imperative for the simple reason that a large majority of the school districts now operating in this country cannot give people the kind of educational program they need to deal with the complex problems of present day life or adequately prepare youth to cope with the problems of the future.¹

The common school district, which served well the pioneer American neighborhood, is now obsolete. It lacks the financial resources, the equipment, and the personnel necessary to provide a satisfactory educational program.

¹Howard A. Dawson, et. al., Your School District, (Department of Rural Education of the National Education Association, Washington 6, D. C., 1948).

-5-
Time and again it has been unable to offer needed programs and to meet opportunities for service. Because of these inadequacies, children have become discouraged and have dropped out of school long before their formal educational experiences should have terminated. Despite efforts to enforce compulsory attendance laws in most school districts, only slightly more than 81.6 per cent of all children in the United States, 5 to 17 years of age were enrolled in school during the year 1949-50.

The limited services offered in most small rural districts place the children of these districts at a serious disadvantage. Some studies have shown that few of these districts have provided the services of a school nurse or thorough physical examinations by a competent physician. Many times the children do not have a nourishing noon meal. Without a doubt, the lack of proper health and medical services in the school contributed greatly to the proportionally high per cent of rural youth who were rejected by selective service during World War II.

In most rural schools, there is little opportunity for the children to develop their capacities in art, music, and drama. The teachers who can be attracted by the meager social and educational facilities and the inadequate salaries that these districts afford are frequently poorly prepared

\[5\text{ibid.}, \text{p. 16.}\]
to teach these subjects. In almost every case they do not have the advantage of supervisory assistance.

Most of the common school districts are trying earnestly and conscientiously to provide good educational opportunities for their children. They tax themselves heavily for teachers and equipment, but much effort is wasted because of the inadequacy of the small district. High cost per pupil is inevitable if more than the barest minimum of education is offered. In addition the quality of the instructional program is poor. Over one-half of the common school districts maintain only a one-teacher school. In many, poorly paid and unqualified teachers attempt to teach pupils in eight different grades. This involves teaching twenty to thirty classes per day. Supervisory assistance is vitally needed, and is usually lacking. Under these conditions, the educational experiences of the children are likely to be seriously limited, and to be poorly adapted to their individual needs.

In many instances, youths are being deprived of their right to educational opportunities because the small districts are unable to maintain high schools or provide transportation to high schools in other districts. In some instances, districts operate high schools that offer only a restricted educational program. Young people with the ability and ambition become discouraged with these meager educational
opportunities, and drop out of school as soon as the compulsory attendance law is removed. In a great many schools, half or more than half of the students who enroll in the ninth grade drop out before graduation.

The lack of high school opportunities is a matter that confronts not only rural school communities. About one-half of the young people of rural areas migrate to urban centers to make their homes and seek employment in business firms and industry. Few, if any, have had the educational opportunity or preparation for the occupations they enter.

The high schools of the small rural areas cannot provide either the teachers or the equipment for effective vocational training programs in such subjects as business education, machine shop, auto mechanics, and wood working. Many of the schools do not have adequate courses in vocational agriculture and home economics even though they are in a strictly agricultural area where less than 20 per cent of high school graduates attend college.6

At the present time when all youth have an opportunity to attend high school, they present a wide range of abilities, cultural backgrounds, and educational needs. These new and varied interests and needs call for revised curriculums, new courses, new shops, new laboratories, new equipment and additional specially trained teachers. In a number of small

6Jessie Schmoker, County Superintendent of Schools, LaMoure County, North Dakota.
districts having few high school teachers, the attempts to meet these new additional needs have been weak, and educational programs continue to be narrow, traditional and academic.

The inadequacies of thousands of small districts are most clearly shown in their inability to attract and keep well qualified teachers. While it is true that some of the best teachers are in the small rural school districts, it is difficult for such districts to keep them. Once their abilities are recognized, larger systems offer higher salaries, tenure, and more favorable living and working conditions. The smaller schools serve as a proving ground for good teachers.

Recent literature points to the desirability of forming new administrative units over natural sociological communities. Presumably the administrative unit should have a primary population center or hub around which may be found minor centers or villages. However, the total area becomes unified in its effort to promote the total educational program and to serve as the source of financial income.

Responses from 27 states stressing reorganization showed that 20 of the 27 states have the majority of their new administrative units being formed over such natural sociological community areas. Three of the remaining seven

---

states are organizing with the town or township as the basic local administrative unit. Perhaps this would tend to bear out the contention of some that districts coterminous with counties or townships often do not represent natural community areas.

McIntyre expresses the need for reorganization:

We need schools that are capable of providing the experiences that will equip learners with the skills, habits, and attitudes that are necessary for successful living in a constantly changing world. We can no longer be satisfied with a curriculum that has no clear purposes for the child other than "covering" pages, accumulating credits, and graduating. We need a curriculum that will provide a thorough background in the 3 R's, but we also want experiences for all children that will contribute to their ability to maintain satisfying and uplifting social and domestic relationships. We need a curriculum that will supply the type of producers and consumers who will be able to contribute effectively to individual and group well-being. We need a curriculum that will provide American citizens who have a genuine concern for the general welfare and who will work co-operatively to improve local, state, national and world communities.

Schools in many areas are not, and never can be, better schools until the foundations of organization and financial support are rebuilt. When there are too few students there are too few teachers to provide the curricular and co-curricular programs that constitute an adequate education for modern times.

A school without a well-organized guidance program in 1952 is as out-of-date as a farmer with a walking plow.8

North Dakota is one of the 27 states that recognizes these needs for better educational facilities for its youth.

8Kenneth E. McIntyre, Ph. D., "The Kind of Schools We Need," Phi Delta Kappan, Volume 32, 1950-51, March, 1951, pp. 299-300.
Following the lead established by such states as New York, Illinois, Arkansas, Kansas, Iowa, Indiana, Washington, and West Virginia; North Dakota passed a permissive Reorganization Law in 1947. Under this law, common school districts may unite into a special school district by a majority vote of the people in each district involved. If one district involved votes against reorganization, the entire project is void and a new election must be held. 9

Since the passage of the Reorganization Bill in 1947, seventeen districts are now operating under this plan in North Dakota. The plan of this paper is to determine the effect of reorganization in one of these districts according to the following criteria and on a "before and after" basis:

1. Enrollment
2. Expenditures
3. Number of square miles
4. Assessed valuation
5. Mill levy
6. Curriculum
7. School plant
8. Cost per pupil

The study has been limited to the one newly reorganized district because it closely parallels Roscoe School District, LaMoure County, North Dakota, and its proposed reorganization

9 1951 Amendment to North Dakota Reorganization Bill, House Bill No. 43, S. L., 1947.
plan which, in all probability, will soon go before the people of the various districts involved for its approval or rejection. Some of the facts presented may influence the voting.
CHAPTER III

PRESENTATION OF DATA

In attempting to present a comprehensive picture of the educational set-up of the Fullerton Special School District before and after reorganization, a survey of the districts was made to obtain data on:

1. School population
2. Expenditures
3. Assessed valuation
4. Mill levy
5. Curriculum
6. School plant
7. Cost per pupil
8. Number of townships (number of sections or square miles)

The survey was made in these eight fields because these fields are considered most vital to the success of any school district.

PRESENTATION OF THE SURVEY DATA

In securing information on the above mentioned topics, the records in the offices of the Dickey County Superintendent
of Schools, the Fullerton Special School District Superintendent of Schools, and the Dickey County Auditor were used as the sources of information on all topics.

**School population in 1950-51 and 1952-53.** Information received from the records in the Dickey County Superintendent of Schools' office shows that this area had a school age census of 118 before reorganization, and a school age census of 160 following reorganization. (Total enrollment in the Fullerton Special School District is 160 students.)

**Expenditures.** The total expenditures for the year 1951-52 were $45,710.76; for the year previous, before reorganization, the expenditures were $35,361.37.

**Assessed valuation.** The assessed valuation of the district before reorganization was $307,232; after reorganization the assessed valuation was $772,611.

**Mill levy.** Both before and after reorganization the school mill levy of Maple Township was 36 mills. Porter Township had a levy of 9.25 mills; Wright Township, 19.87 mills; Kentner Township, 20 mills; Yorktown Township, 8.21 mills. After reorganization the parts or all of the township which came into Fullerton Special School District was assessed 36 mills.

**Curriculum.** The curriculum of the Fullerton High School before reorganization consisted of the subjects which were required by the State Department of Public Instruction.
They are as follows:

1. U.S. History
2. World History
3. Algebra or General Mathematics
4. English (3 1/2 units)
5. Biology
6. General Science
7. Orientation and Citizenship
8. Problems of American Democracy

and a few selected electives that could be taught by the same teachers that taught the academic subjects above.

There were generally as follows:

1. General Business Training
2. Geography—Physical and Economic
3. Psychology—Commercial Law
4. Physical Education
5. Agriculture

No music, art, home economics, agriculture (vocational), shop, or band courses were offered in the school.

After reorganization such academic courses as chemistry, physics, geometry, trigonometry, speech, debate, and advanced algebra were added to aid students planning to enter such fields as engineering and nurses training. Courses added in the non-academic field included two years of vocational agriculture, two years of home economics, two shop courses in
lathe and wood working, typing, band and vocal music. The school has plans for the future to increase both home economics and vocational agriculture to three year courses. Two high school teachers and one grade school teacher were added to the staff.

School plant. Before reorganization of the district the building used for the school plant was a plant erected in 1886 with a total of 6 rooms; four rooms for the elementary school and two rooms for the high school. No gymnasium was available for physical education. The school rented a hall downtown for its basketball games. This hall was very small having no facilities for showers or dressing rooms. It has been impossible to teach hygiene and sanitation under such conditions. The value placed on the school plant in 1951 was $8300.

With the advent of reorganization in the district, Fullerton erected a school plant consisting of five grade rooms with library facilities in each room and seven high school rooms; which included a shop and vocational agriculture room, a home economics room, a band and music room, and four classrooms for academic subjects. The superintendent's and principal's room were combined. In addition, a regulation size gymnasium-auditorium combination was constructed with adequate toilet and shower facilities as well as dressing or locker rooms. With this addition, Fullerton has added six-man football, baseball, and track to their extra-curricular program.
Cost per pupil. The cost per pupil in Maple Township before reorganization for 112 pupils was $301.93. After reorganization with 160 pupils, the cost per pupil was $310.11; of this, $25 went to retire bonded indebtedness for the new school plant. The cost per pupil for current operations was actually $285.

Reorganization brought in 48 students and the total expenditures enlarged by approximately $12,000. The cost per pupil for these 48 students was $250 per year. This charge included transportation. The country schools operating previously could not possibly educate these children at this figure.

Size of the school district. The school district originally consisted of one township of 36 square miles with an assessed valuation of $307,232. After the vote on reorganization, the area was increased to 100 1/4 square miles. This new district included all of Porter and Maple Townships, eight sections in Wright Township, seven and one-fourth sections in Kentner Township. This was an increase of sixty-four and one-fourth sections or square miles. The original township included the village of Fullerton with a population of 790.
CHAPTER IV

SUMMARY, CONCLUSION, AND RECOMMENDATIONS

SUMMARY

Brief review of this study. The Dickey County Committee on reorganization of school districts has proposed a plan which has been voted on by the people to enlarge the Fullerton School District.

The plan for the Fullerton Special School District was approved by vote on May 2, 1951, with a summary of voting as follows:

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural</td>
<td>112</td>
<td>7</td>
</tr>
<tr>
<td>Village</td>
<td>74</td>
<td>0</td>
</tr>
</tbody>
</table>

The plan also called for transportation of all rural children who were included in the territory to be annexed to the Fullerton School District. The territory was increased from 36 square miles to 100 1/4 square miles.

This study has been limited to this one reorganized district in Dickey County for the following reasons:

1. A number of people have expressed a desire to know more about the effect of reorganization on a district with problems similar to Roscoe Township.
2. The possibility of applying such a plan to LaMoure County reorganization which would greatly benefit Roscoe Township.

A review of related literature was made and this review indicated that other states in the nation and other sections of North Dakota are solving their rural and small town educational problems by a reorganization of their present administrative units.

A survey of the Fullerton School District was made, and the condition of the area in regard to school population, expenditures, assessed valuation, mill levy, curriculum, school plant, cost per pupil, and size of the district before and after reorganization was made. These topics were then analyzed to show how they affected the Fullerton School District.

Limitation of this study. This study was limited to a comparison of the educational and financial aspects of this one reorganized district because the situation closely parallels the one that now exists in Roscoe Township, LaMoure County. It is expected that this study will, in some measure, aid in the reorganization plan for LaMoure County.

A summary of the data in the survey. A brief summary of the survey data shows that, as a result of reorganization, Fullerton has a new physical plant complete with gymnasium,
an enriched curriculum, a larger area, double the amount
of taxable evaluation, a larger school population, and
more money raised by equalizing the taxation.

No appreciable lessening of taxes in the school
district has resulted, but the tax load is being spread out
to include the parents of children being educated in the
Fullerton school. After the cost of the school plant has
been paid, there is reason to believe that the mill levy
over the entire district will be lower.

CONCLUSION

The following conclusions are offered on the basis
of the data presented in this study:

1. The educational opportunities of the children in
the Fullerton School District have been greatly increased
as a result of reorganization.

2. Some of the inequalities in school tax burdens
have been reduced or eliminated entirely.

3. A seemingly adequate plant has been erected.

4. Despite the new building and the enriched
curriculum, the cost per pupil has not risen markedly.

5. There has been a definite increase in the enroll-
ment of the school.
RECOMMENDATIONS

As a result of the analysis of the data presented, the following recommendations may be warranted:

1. That this study may well apply to the Roscoe Township plan for reorganization.

2. That the LaMoure County Reorganization Committee consider a similar plan which may aid in a more satisfactory reorganization of the entire county.
BIBLIOGRAPHY
BIBLIOGRAPHY

Books


Periodicals


McIntyre, Kenneth E., Ph. D., "The Kind of Schools We Need," *Phi Delta Kappan*, 32:299-300, March 1951.


State Laws

Amendment to North Dakota Reorganization Bill, House Bill No. 43, S. L. 1947, Bismarck, North Dakota.

Unpublished Material

Dickey County Committee on District Reorganization "Proposed Plan for Reorganization in Dickey County," Unpublished plan submitted to the state committee, Bismarck, North Dakota, May, 1951.

Healy, Mary A., Secretary of Reorganization Committee, "Reorganization Activities in Dickey County," Unpublished letter, County Superintendent of Schools, Dickey County, North Dakota, 1950.
APPENDIXES
An Act relating to schools; defining terms; providing for state committee and county committees for the reorganization of school districts; providing for school boards in reorganized school districts; prescribing duties of state and county officers providing for appeals; making an appropriation; and providing for a savings clause.

Section 1. TITLE AND PURPOSE. This act shall be known and may be cited as an “Act to provide for the reorganization of school districts.” It shall have for its purpose the formation of new school districts and the alteration of the boundaries of established school districts in order to provide a more nearly equalized educational opportunity for pupils of the common schools, a higher degree of uniformity of school tax rate among districts, and wiser use of public funds expended for the support of common school system.

Section 2. DEFINITIONS. In this Act unless the context or subject matter otherwise clearly requires:

1. “Reorganization of school districts” shall mean and include the formation of new school districts, the alteration of the boundaries of established school districts, and the dissolution or disorganization of established school districts, through or by means of:
   a. The uniting of two or more established districts.
   b. The subdivision of one or more districts.
   c. The transfer to an established district of a part of the territory of one or more districts; or the attachment therto of all or any part of the territory of one or more districts subject to disorganization for any of the reasons now specified by law; or the transfer therefrom of any part of the territory of said established districts; and
   d. Any combination of the methods aforementioned.

2. “County committee” and “state committee” shall mean, respectively, the county committee for the reorganization of school districts and the state committee for the reorganization of school districts hereinafter provided for by this Act; and

3. “County superintendent” shall mean the county superintendent of schools.

Section 3. BOARD TO APPOINT STATE COMMITTEE. MEMBERS OF; MEETINGS; COMPENSATION; AND TERMINATION OF. The governor, attorney general and the commissioner of agriculture and labor shall constitute the members of a board to select the state committee provided for in this Act. Within sixty days after this Act becomes effective such board shall meet and select the members of the state committee. The governor shall be the chairman and the commissioner of agriculture and labor shall constitute the members of such board. Minutes of meetings shall be kept by the secretary and such board shall hold meetings only upon the call of the governor, or upon the call of the other two members of the board. Such members shall serve without compensation. Such board shall terminate six years after the effective date of this Act unless extended as hereinafter provided.

Section 4. STATE COMMITTEE; MEMBERS; VACANCIES; DURATION AND COMPENSATION. The state committee shall be composed of seven members, one of whom shall be the superintendent of public instruction. At least one member of the state committee shall be appointed from among the residents of each judicial district of the state. At least four members of such committee shall be persons not engaged in the profession of education. The members of the state committee shall be appointed without regard to political affiliation. Vacancies in the membership of the committee shall be filled by action of the board provided for in Section 3 of this Act. The life of the state committee shall terminate six years after the effective date of this Act unless extended as hereinafter provided. All members of the committee, except the superintendent of public instruction, shall be compensated for the time spent in attendance at sessions of the committee at the rate of ten dollars per day and all members, including the superintendent of public instruction, shall be paid their actual expenses incurred in attending such meetings and in the performance of their official duties.

Section 5. ORGANIZATION OF STATE COMMITTEE. Within sixty days after its appointment, the state committee shall organize by electing from its membership, a chairman, vice chairman and a secretary.

Section 6. COUNTY COMMITTEES; CREATION; COMPOSITION. Within six months after the effective date of this Act there shall be created in each county in the state a committee which shall be known as the county committee. Prior to the time specified in this section, the county superintendent shall be required to give a ten day written notice to each school board in each county requiring the members of such board to select from among its members or electors one person who shall represent such school board in electing the county committee as provided in this section. Such notice shall also specify the time and place of the meeting to select such county committee. Each school board in the county, upon receipt of such notice, shall be required to meet and select such person. At the county meeting the school district representatives from each commissioner’s district shall divide into groups by commissioner’s districts and shall select the member of the county committee from that commissioner’s district as specified in this section. If any school district consists of territory within two or more commissioner’s districts, the representative of the school district shall vote in the commissioner’s district in which the greater part of his school district lies. The member selected by such school board shall each have one vote at the election to elect the members of the county committee. The size of the county committee shall be dependent upon and shall have the same number of members as there are county commissioner districts in the county. No person who is engaged in the teaching profession as an instructor, supervisor, or administrator shall be eligible to serve on any county committee. At least one member of such county committee shall be elected from among the residents of each commissioner district of the county.

Section 7. VACANCIES; DURATION AND COMPENSATION OF COUNTY COMMITTEE. No member of a county committee shall continue to serve thereon if he ceases to be a resident of the commissioner district from which he was elected. Vacancies in the membership of a county committee shall be filled by such committee and any person elected to fill such vacancy shall be selected from the county commissioner district in which such vacancy occurs. In case of a tie vote existing upon filling a vacancy, the county superintendent shall cast the deciding vote. The life of each county committee shall terminate six years after the effective date of this Act unless extended as
hereinafter provided, or unless such committee seeks and secures from the state committee a discharge at an earlier date on a showing of having fully performed the duties imposed upon it by this Act. All members of the county committee shall each receive as full compensation for their services the sum of six dollars per day but in no event shall any member of the committee receive more than three hundred dollars in any one year and in addition to such compensation each member shall receive his actual and necessary expenses incurred by him in attending said meetings and in the performance of his official duties.

Section 8. ORGANIZATION; MEETINGS; QUORUM AND ADDITIONAL SALARY OF COUNTY SUPERINTENDENT.) Within ten days after the county committee has been elected as provided in Section 6, the county committee shall organize by selecting from its membership a chairperson, and a vice chairperson. The county superintendent shall be the secretary of the committee. Meetings of the committee shall be held upon call of the chairperson or a majority of the members thereof. A majority of the members of the committee shall constitute a quorum. The county superintendent shall receive monthly in full for services rendered under this Act a sum of money equal to ten per cent of his monthly salary as county superintendent; said salary to commence upon the organization of the county committee as soon as the reorganization of said county is completed. He shall also be allowed and paid his actual and necessary expenses incurred while in the performance of his duties under the provisions of this Act. Such additional salary and expenses shall be chargeable and payable as an expense of the county.

Section 9. STATE COMMITTEE TO CALL MEETINGS OF COUNTY COMMITTEE; PURPOSE.) Within thirty days after all county committees have been organized as provided in Section 8, the state committee shall call as many meetings of different county committees as in its discretion may be necessary. Such meetings shall be held at such central and centrally located points throughout the state as such state committee may designate. Such county committees as are requested to be in attendance at any such meeting shall be given at least a ten day prior notice of such meeting by the state committee. Such meetings shall be held to counsel and advise the county committees on:

1. The provisions of this Act;
2. The topography of the state and its road and highway system;
3. The general economic conditions of the state including population trends and developments; and
4. All factors which may affect the determination of proper district boundaries of the school system of the state in keeping with a wise educational and economic school district program.

All members of a county committee upon receipt of such notice shall attend such meeting, if possible, but the chairman and secretary of the county committee shall be required to attend.

Section 10. COUNTY COMMITTEES TO CONDUCT HEARING AND MEETINGS TO EXPLAIN PROVISIONS OF ACT; NOTICE REQUIRED.) Prior to preparing or formulating a plan for the reorganization of school districts as hereinafter provided, each county committee shall conduct such public hearing and hold such public meetings at such specified places throughout the county as it may be deemed necessary to explain and acquaint the people in the various communities with the provisions of this Act. Notice of any such hearing shall be given by publishing a notice in the official county newspaper at least ten days prior to the date set for such hearing. Such notice shall specify the time, place, and purpose of such meetings.

Section 11. COMPREHENSIVE STUDY OF COUNTY MADE BY COMMITTEE; CONSIDERATIONS.) Within nine months after its organization the county committee shall make a comprehensive study of the county school system in order to consider and determine:

1. The taxable assessed valuation of existing districts and the differences in such valuation under possible reorganization plans;
2. The size, geographical features, and boundaries of the districts.
3. The number of pupils attending school and the population of the districts;
4. The location and condition of school building and their accessibility to the pupils;
5. The location and condition of roads, highway, and natural barriers within the districts;
6. The school centers where children residing in the districts attend high school;
7. Conditions affecting the welfare of the teachers and pupils;
8. The boundaries of other governmental units and the location of private organizations; and
9. Any factors concerning adequate school facilities for the pupils.

Such committee shall also give due consideration in the preparation of a plan for the reorganization of school districts to the educational needs of local communities; to economies in transportation and in administration costs; to the future use of existing satisfactory school buildings; sites and playfields; to a reduction in disparities in per pupil valuation among school districts; to the equalization of the educational opportunity of pupils, and to any other matters which in its judgment are of importance.

Section 12. DETERMINATION AND ADJUSTMENT OF PROPERTY, ASSETS, DEBTS AND LIABILITIES AMONG DISTRICTS.) The county committee shall determine the value and amount of all school property and bonded and other indebtedness of any school district affected in reorganization plan and consider the amount of all outstanding indebtedness and shall make an equitable adjustment of all property, assets, debts and liabilities among the districts involved after the hearing provided for in Section 13.

Section 13. PUBLIC HEARING ON PROPOSALS FOR REORGANIZATION; HEARING TESTIMONY FOR ADJUSTING.) The county committee shall hold a public hearing on the advisability of any proposal by such committee for the reorganization of school districts which involves the formation of a new district or the transfer from one established district to another of any territory in which children of school age reside. Notice of such hearings as are held under the provisions of this section shall be given by publishing a notice in the official county newspaper at least ten days prior to the date of such hearing. Such committee shall also hear at such time as may be fixed by the testimony offered by any person or school district interested in any proposal of the county committee to form a new district or to transfer territory from one school district to another or to attach to an established district or districts or any part of another district or to discontinue any district in any part of the reasons now specified by law, said testimony to be heard for the purpose of finding and determining the value and amount of all school property of whatever nature involved in the proposed action, the nature and amount and value of all indebtedness and other indebtedness of each school district affected by the proposed action, including all legal uncompleted obligations then existing and in so doing to consider the amount of such outstanding indebtedness incurred for current expenses, the amount incurred for permanent improvements and the location of such improvements and to make an equitable adjustment of all property, debts and liabilities among the districts involved; and to keep a record of all hearings on the reorganization of school districts and of all findings and terms of adjustment of property, debts and liabilities among the districts involved, and to submit the same to the state committee at the time of submitting a plan for the reorganization of school districts as provided in Section 14 of this Act. Any such committee of county, or three members of the county committee of each county concerned in case territory in two or more counties is involved, may hold any hearing that the county committee is required to hold.

Section 14. REORGANIZATION PLAN PREPARED AND SUBMITTED TO STATE COMMITTEE. Within one and one half years after the organization the county committee shall have prepared and submitted to the state committee a comprehensive plan for the reorganization of school districts within the county. Such plan shall be accompanied by:

1. A map showing the boundaries of established school districts and the boundaries proposed under any plan for the
reorganization of school districts, prepared and submitted in compliance with the provisions of this Act;

2. A description of the proposed boundaries aforementioned;

3. Recommendations respecting the location of schools, the utilization of existing buildings; the construction of new buildings, including dormitories, and the transportation requirements under the proposed plan for the reorganization of school districts;

4. A summary of the reasons for such proposed reorganization of school district;

5. Recommendations specifying whether such reorganized districts shall be common or special school districts which classification shall be based upon and subject to the laws existing in regard thereto; and

6. Such other reports, records and materials as the state committee may require.

If any difficulties are encountered by a county committee in formulating such comprehensive plan for the reorganization of school districts involving two or more counties, the county committee shall provide such information to the state committee within the time specified in this section, such county committee may make an application to the state committee for an extension of time in which to submit such comprehensive plan to the state committee, in its discretion and if the facts and circumstances warrant, such extension as it may see fit; provided, however, that in no case shall such extension be for a longer period than six months.

Section 15. PLAN INVOLVING TERRITORY IN MORE THAN ONE COUNTY.) A plan for the reorganization of school districts involving territory lying in two or more counties shall be prepared by joint action of a special committee composed of not less than three members of the county committee of each county involved, which plan, for purposes of submission to the state committee shall be incorporated into the comprehensive plan of the county which has the largest number of pupils residing in the proposed joint district.

Section 16. COMPLETED PLANS FOR DISTRICT OR DISTRICTS MAY BE SUBMITTED PRIOR TO COMPREHENSIVE COUNTY PLAN.) The county committee from time to time, may submit to the state committee a plan for the reorganization of one or more school districts within the county or one or more joint districts comprising territory within the county without awaiting the completion of a comprehensive plan; provided, however, that such plan fit into and become an integral part of such comprehensive plan as the county committee shall require.

Section 17. STATE COMMITTEE, POWERS AND DUTIES.) The state committee shall:

1. Appoint and employ a director and other personnel.

2. Disbursement of funds.

Govern the disbursement of such funds as are provided by law for carrying out the provisions of this Act with authority to designate one or more of its members to examine and pass upon all claims against such funds for submission to the state auditing board and to require good and sufficient bond of such member or members so appointed for the faithful performance of the duties of such member or members in examining, passing upon, and approving such claims. All such disbursements shall be by the procedure in the manner provided by law for the disbursement of funds of the state;

3. Aid county committees.

Aid county committees in carrying out the powers and duties vested in and imposed upon them by this Act by furnishing such committees with the assistance of the employed staff of the state committee, with such necessary clerical assistance, and with such plans of procedure, standards, data, forms, and other materials and services as may be necessary.

4. Receive, examine, approve or disapprove reorganization plans.

Receive, file and examine the plans for the reorganization of school districts and the reports of findings and terms of adjustment of property, debts and liabilities among the districts involved, and determine the duties imposed upon said county committees, and to approve such plans and terms of adjustment when they are found by the state committee to provide for a satisfactory school district system for the counties and the state and for the equitable adjustment of property, debts and liabilities. Whenever a plan submitted by a county committee is found by the state committee to be unsatisfactory, or whenever the terms of adjustment so submitted are found not to be fair and equitable, the state committee shall so notify the county committee and upon receipt of such notification the county committee in the revision of such plan or terms of adjustment which revision shall be completed by the county committee and resubmitted within ninety days after such notification;

5. Appoint county committee.

Appoint a county committee, in case no county committee is elected, as required in Section 6 of this Act, or in case a committee so elected shall fail or refuse to submit plans, reports and other data as provided for in this Act;

6. Transmit approved plans to county superintendent.

Transmit to the county superintendent of each county a copy of the plan for the reorganization of school districts of a county approved by the state committee; a copy of approved terms of adjustment of property, debts and liabilities; a statement of the findings and conclusions of the state committee respecting such approved plans and terms of adjustment; and copies of maps, reports, records and all other pertinent material submitted to the state committee by the county committee of his county and

7. Present recommendations for extension of life of committees.

Present to the legislative assembly a recommendation in writing that the life of county committees and of the state committee be extended beyond six years, if in judgment of the state committee such extension is necessary to the complete and satisfactory performance of the duties imposed upon said committees by this Act.

Section 18. APPROVED PLAN RECEIVED BY COUNTY SUPERINTENDENT, DUTY OF SUPERINTENDENT TO CALL SPECIAL ELECTION; DEFINITION OF VOTING UNITS; FAVORABLE RESULTS.) Upon receipt from the state committee of an approved plan for the reorganization of school districts, and approved terms of adjustment of property, debts and liabilities among the districts involved, the county superintendent shall call a special election of the voters residing within the territory of each new district, such election to be held at the place or places therein which have been determined by the county superintendent to be convenient to the voters holder such elections, any territory within the proposed new district consisting of one or more incorporated villages or cities shall vote as a unit, and all rural territory within such proposed new district shall vote as a unit. For the purpose of this section all incorporated areas in the proposed new districts, regardless of their number and size, shall be considered as one incorporated area, and all rural areas in the proposed new district, regardless of size, shall be required as one rural area. Notice of such election, stating the time and place of holding the election, shall be published by the county superintendent in the official county newspaper once each week for two consecutive weeks at least thirty days next preceding such election, and by posting not less than fourteen days before the election one such notice on each school house door of each school district containing a school building and included in the proposed change. The election notices shall clearly state that the election has been called for the purpose of affording the voters an opportunity to approve or reject the proposal for a reorganization of school districts and shall also contain a description of the boundaries of the proposed new district and a statement, if there be any, of the terms of adjustment of property, debts and liabilities applicable there to. The county superintendent shall appoint judges and clerks of the elections and the polls shall open and close at the same time as is specified for elections in special school districts. The result of the elections shall be certified and delivered to the county superintendent within three days after the closing of the polls. If a majority of all votes cast by the electors residing
within the rural area of a proposed new district and a majority of all votes cast by the voters within the incorporated area of the proposed new district are both in favor of the formation of the district, the county superintendent shall make the proposal and adjustment of the property, assets, debts, and liabilities as provided in such approved plan and shall organize and establish such district and in so doing shall perform all other necessary duties that are required by law to be performed by the county superintendent in connection with the organization and establishment of new school districts of any kind or type.

Section 19. TRANSPORTATION REQUIRED.) Whenever any reorganization plan provides for the transportation of students from one part of such new district to a central point, and such plan is approved by the voters of such new district, then it shall be within the power of the board of county superintendents to provide adequate and practical transportation.

Section 20. PROPOSAL REJECTED, REVISION MADE; NEW ELECTION HELD.) If a proposal for the formation of a new school district is rejected by the voters at the election provided for in the preceding section, the county committee may make such revision as it deems advisable in the boundaries proposed for such new districts in the terms of adjustments of the property, debts and liabilities thereof, as the case may be, and submit the same to the county committee for approval. If the boundaries of the proposed new district or the terms of adjustment thereof are approved by the county committee, notice thereof shall be transmitted to the county superintendent, as provided for in Section 17, Subsection 6 of this Act. Upon receipt of such notice the county superintendent shall call, in the manner and for the purpose specified in Section 15, Subsection 6, an election of the voters residing within the revised boundaries of the proposed new district. If a majority of all votes cast by electors so residing within both urban and rural units in favor of the formation of the new district, the county superintendent shall proceed to establish such district and to perform the necessary duties related thereto in the same manner and to the same effect as is provided in Section 18 of this Act.

Section 21. CLASSIFICATION AND TYPES OF SCHOOL DISTRICTS.) The identity and classification as to type of school districts reorganized under the provisions of this Act shall be subject to the provisions of Subsection 5 of Section 14 of this Act; provided, however, that any school district existing prior to the effective date of this Act and not having had its boundaries changed under the provisions of this Act, and all independent school districts and school districts organized under a special law shall keep and retain their present identity.

Section 22. SCHOOL BOARDS IN REORGANIZED AND ORIGINAL DISTRICTS.) After the establishment of any new school districts, the school board for such new school district shall be elected at the regular school district election and the first election to elect a school board in a newly reorganized district constituting a common school district the provisions of Sections 15-2407, 15-2408, and 15-2409, of the North Dakota Revised Code of 1943 shall govern; and in a district constituting a special school district the election shall be governed by the provisions of Sections 15-2801 and 15-2802, of the North Dakota Revised Code of 1943. Members of school boards elected in the newly reorganized districts shall not enter upon the duties of such office until the time specified in Section 22 of this Act. School boards in original school districts included within a reorganized district shall continue and remain in existence until the time specified in Section 22 of this Act at which time the new school districts for the reorganized district established in this section shall become the governing body of such school districts; provided, however, that prior to the completion of the reorganization of any school district under the provisions of this Act, the county superintendent and the board of any school district shall not contract or pledge the credit of any school district under any obligation, except upon the recommendation of the county committee. Subsequent annual elections in such school district shall be governed by the laws pertaining thereto.

Section 23. EFFECTIVE DATE OF APPROVED REORGANIZATION PLANS.) Any reorganization plan voted upon and approved shall become a law and effective on the first day of July succeeding final approval of the same.

Section 24. VOLUNTARY PROPOSALS FOR ORGANIZATION OR ALTERATION OF SCHOOL DISTRICTS.) After the effective date of this Act, proposals for the organization of a new school district, for the consolidation of two or more districts, and for the alteration of the boundaries of established school districts, through or by any of the means provided for in the preceding sections of this Act, and all independent school districts, and the board of county commissioners, or the county superintendent, as the case may be, to the county committee and to the state committee for approval before any hearings on petitions are held by the board of county commissioners or the county superintendent, or for the establishment of new school districts of any kind or type.

Section 25. COUNTY AND STATE OFFICERS TO OPERATE WITH COMMITTEES.) The county and state officers shall make available to the county committee and the state committee such information from public records in their possession as is essential to such committees in the performance of their duties.

Section 26. REORGANIZED BOUNDARIES OF SCHOOL DISTRICTS NOT TO BE ALTERED WITHIN FIVE YEARS; EXCEPTION.) The boundaries of a school district established through and by means of the reorganization of school districts provided for in this Act shall not be altered within five years, except as may be found necessary in the judgment of the state superintendent and approval by the county committee and the state committee during the life of said committees.

Section 27. DUTIES IMPOSED UPON COUNTY SUPERINTENDENT AND OFFICERS WHERE REORGANIZED DISTRICTS CONSTITUTE JOINT DISTRICTS.) The duties imposed upon and required to be performed by the county superintendent under the provisions of this Act or under other provisions of law are in like manner imposed upon any other county officers or by any school district officers in connection with the operation of joint school districts established under the provisions of existing law shall likewise be performed by such officers in connection with the operation of such joint districts as reorganized and established pursuant to the provisions of this Act.

Section 28. APPEAL FROM DECISION OF COUNTY COMMITTEE IN MAKING ADJUSTMENTS OF PROPERTY, DEBTS AND LIABILITIES.) An appeal may be taken to the district court on any question of adjustment of property, debts and liabilities among the districts involved in which the power of the board of county superintendents or adjustments has been extended by this Act. Any person feeling aggrieved by the decision of the county committee after the hearing provided for in Section 15 may appeal from such decision. Such appeal shall be taken within thirty days after the decision of the committee on the adjustment of the property, debts and liabilities, by serving a written notice of appeal upon a member of the county committee. If such court finds the terms of the adjustment in question not to be equitable or in conformity with any provisions of the Constitution of North Dakota, such court shall make an adjustment that is equitable and in conformity with every provision of the state Constitution of which such adjustment shall be deemed to be a necessary part of the operation of the court with respect to the adjustment of property, debts and liabilities among the districts or areas involved shall not otherwise affect the validity of the reorganization or creation of any district under the provisions of this Act.

Section 29. APPROPRIATION.) There is hereby appropriated out of any moneys in the state treasury in the State Constitution and proper appropriation for the sum of sixty thousand dollars or so much thereof as may be necessary for the purpose of carrying out the provisions of this Act.

Section 30. SAVINGS CLAUSE.) If any section, subsection, sentence, or clause of this Act is for any reason held by the court to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act.