

Introduced by

Representatives Rich S. Becker, Delmore, Guggisberg, M. Johnson, Longmuir, McWilliams  
Senators Campbell, Krebsbach, Kreun, J. Lee

1 A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota  
2 Century Code, relating to exempting information regarding individuals applying for certain  
3 positions under the authority of the state board of higher education.

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

5 **SECTION 1.** A new section to chapter 44-04 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Certain higher education employment applications - Confidential records.**

8 1. As used in this section, unless context otherwise requires:

9 a. "Hiring authority" means the individual or group of individuals with the authority to  
10 hire or screen applicants or candidates for the position of commissioner of higher  
11 education or president of an institution under the control of the state board of  
12 higher education.

13 b. "Finalist" means an applicant or candidate for the position of commissioner of  
14 higher education or president of an institution under the control of the state board  
15 of higher education who is selected to be interviewed and agrees to be  
16 interviewed by the hiring authority prior to the selection of the commissioner or  
17 president.

18 2. A record that would identify an individual applying for or under consideration for  
19 employment or appointment as the commissioner of higher education or president of  
20 an institution under the control of the state board of higher education is a confidential  
21 record until the individual becomes a finalist. The hiring authority shall disclose the  
22 number of applicants or candidates for a position covered by this section.

- 1        3.    A hiring authority that is a public entity may enter an executive session under section
- 2            44-04-19.2 to consider or discuss the application or candidacy of an applicant or
- 3            candidate whose records are confidential under this section.