

**FIRST ENGROSSMENT
with House Amendments**

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2257

Introduced by

Senators Naaden, Freborg

1 A BILL for an Act to create and enact a new section to chapter 15-40.1 of the North Dakota
2 Century Code, relating to the distribution of per student special education payments after
3 closure of a school district; and to declare an emergency.

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 **School district closure - Distribution of per student special education payments.**

8 1. If a school district ceases to exist, the superintendent of public instruction shall
9 calculate the amount of per student special education payments to which the
10 former school district would have been entitled under section 15-40.1-07.6 for the
11 provision of special education services during its final year of operation and shall
12 pay a percentage of the total amount to each North Dakota school district that
13 enrolls students who attended the former school district during the prior school
14 year. Each of the school districts eligible for a payment under this section is
15 entitled to receive that percentage of the total amount which is the same as the
16 percentage that the number of the district's students who attended the former
17 school district during the prior school year bears to the total number of students
18 who attended the former school district during the prior school year.

19 2. The superintendent of public instruction shall make payments under this section in
20 the manner and at the time provided for other state payments in section
21 15-40.1-05.

22 3. The total special education payments to which a school district that ceased to exist
23 between the completion of the 1996-97 school year and the commencement of the

1 1997-98 school year is entitled must be distributed as provided in subsection 1 on
2 or before June 30, 1999.

3 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.