

SENATE BILL NO. 2144

Introduced by

Education Committee

(At the request of the Superintendent of Public Instruction)

1 A BILL for an Act to amend and reenact section 15-40.1-08 of the North Dakota Century Code,
2 relating to foundation aid payments for elementary summer school programs; and to provide an
3 appropriation.

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

5 **SECTION 1. AMENDMENT.** Section 15-40.1-08 of the 1997 Supplement to the North
6 Dakota Century Code is amended and reenacted as follows:

7 **15-40.1-08. Elementary per student payments - Amount.** Payments must be made
8 from state funds to each school district operating an elementary school and to each school
9 district contracting to educate elementary students in a federal school, employing teachers
10 holding valid certificates or permits in accordance with section 15-47-46 and chapter 15-36,
11 adjusted as provided in section 15-40.1-09, as follows:

12 1. For each one-room rural school, the amount of money resulting from multiplying
13 the factor 1.28 adjusted by sixty-five percent of the difference between 1.28 and
14 the factor representing the five-year average cost of education per student for this
15 category, as determined by the superintendent of public instruction, times the
16 number of students in that school in grades one through eight in average daily
17 membership, up to a maximum of sixteen students, times the educational support
18 per student provided in section 15-40.1-06. There must be paid .9 times each
19 additional student in its school in grades one through eight in average daily
20 membership times the educational support per student provided in section
21 15-40.1-06, except that no payment may be made for more than twenty students in
22 average daily membership. If the one-room rural school is located in a school
23 district with another elementary school, the weighting factor for the students in
24 grades one through six must be based on the average daily membership in the

- 1 district in grades one through six as provided in subsections 2 through 4. If the
2 one-room rural school is located in a school district with another school that has
3 students in grade seven or eight, the weighting factor for the students in grade
4 seven or eight must be the same as that provided for in subsection 5. Beginning
5 July 1, 1998, the factor is 1.28 adjusted by seventy-five percent of the difference
6 between 1.28 and the five-year average cost of education per student for this
7 category, as determined by the superintendent of public instruction.
- 8 2. For each elementary school in school districts having under one hundred students
9 in average daily membership in grades one through six, the amount of money
10 resulting from multiplying the factor 1.09 adjusted by sixty-five percent of the
11 difference between 1.09 and the factor representing the five-year average cost of
12 education per student for this category, as determined by the superintendent of
13 public instruction, times the number of students in that school in grades one
14 through six in average daily membership in each classroom or for each teacher,
15 times the educational support per student provided in section 15-40.1-06, except
16 that no payment may be made for more than twenty-five students in average daily
17 membership in each classroom or for each teacher. Beginning July 1, 1998, the
18 factor is 1.09 adjusted by seventy-five percent of the difference between 1.09 and
19 the five-year average cost of education per student for this category, as determined
20 by the superintendent of public instruction.
- 21 3. For each elementary school in school districts having one hundred or more
22 students in average daily membership in grades one through six, and provided the
23 districts in which such schools are located have an average daily membership of
24 less than one thousand elementary students in grades one through six, the amount
25 of money resulting from multiplying the factor .905 adjusted by sixty-five percent of
26 the difference between .905 and the factor representing the five-year average cost
27 of education per student for this category, as determined by the superintendent of
28 public instruction, times the number of students in that school in grades one
29 through six in average daily membership in each classroom or for each teacher
30 times the educational support per student provided in section 15-40.1-06, except
31 that no payment may be made for more than thirty students in average daily

1 membership in each classroom or for each teacher. Beginning July 1, 1998, the
2 factor is .905 adjusted by seventy-five percent of the difference between .905 and
3 the five-year average cost of education per student for this category, as determined
4 by the superintendent of public instruction.

5 4. For each elementary school in school districts having an average daily
6 membership of one thousand or more elementary students in grades one through
7 six, the amount of money resulting from multiplying the factor .95 adjusted by
8 sixty-five percent of the difference between .95 and the factor representing the
9 five-year average cost of education per student for this category, as determined by
10 the superintendent of public instruction, times the number of students in that school
11 in grades one through six in average daily membership in each classroom or for
12 each teacher times the educational support per student provided in section
13 15-40.1-06, except that no payment may be made for more than thirty students in
14 average daily membership in each classroom or for each teacher. Beginning
15 July 1, 1998, the factor is .95 adjusted by seventy-five percent of the difference
16 between .95 and the five-year average cost of education per student for this
17 category, as determined by the superintendent of public instruction.

18 5. For each of the above classes of elementary schools, except for one-room rural
19 schools that are not located in a district with another school having students in
20 grade seven or eight, there must be paid to each school the amount of money
21 resulting from multiplying the factor 1.01 adjusted by sixty-five percent of the
22 difference between 1.01 and the factor representing the five-year average cost of
23 education per student for this category, as determined by the superintendent of
24 public instruction, times the number of students in that school in grades seven and
25 eight in average daily membership in each classroom or for each teacher times the
26 educational support per student provided in section 15-40.1-06, except that no
27 payment may be made for more than thirty students in average daily membership
28 in each classroom or for each teacher. Beginning July 1, 1998, the factor is 1.01
29 adjusted by seventy-five percent of the difference between 1.01 and the five-year
30 average cost of education per student for this category, as determined by the
31 superintendent of public instruction.

1 6. For each elementary school having students under the compulsory age for school
2 attendance, but not less than three years of age, in a special education program
3 approved by the director of special education, the amount of money resulting from
4 multiplying the factor 1.01 adjusted by sixty-five percent of the difference between
5 1.01 and the factor representing the five-year average cost of education per
6 student for this category, as determined by the superintendent of public instruction,
7 times the number of special education students in that school under the
8 compulsory age for school attendance in average daily membership in each
9 classroom or for each teacher times the educational support per student provided
10 in section 15-40.1-06. Beginning July 1, 1998, the factor is 1.01 adjusted by
11 seventy-five percent of the difference between 1.01 and the five-year average cost
12 of education per student for this category, as determined by the superintendent of
13 public instruction.

14 7. For each elementary school providing a kindergarten that is established according
15 to provisions of section 15-45-01, the amount of money resulting from multiplying
16 the factor .50 adjusted by sixty-five percent of the difference between .50 and the
17 factor representing the five-year average cost of education per student for this
18 category, as determined by the superintendent of public instruction, times the
19 number of students in that school in average daily membership in each classroom
20 or for each teacher times the educational support per student, as provided under
21 section 15-40.1-06, except that no payment may be made for more than
22 twenty-five students in average daily membership in each classroom or for each
23 teacher. The full per student payment may be made only to those kindergarten
24 programs providing the equivalent of ninety full days of classroom instruction
25 during any twelve-month period. Programs providing shorter periods of instruction
26 during the same time period must receive a proportionately smaller per student
27 payment. Beginning July 1, 1998, the factor is .50 adjusted by seventy-five percent
28 of the difference between .50 and the five-year average cost of education per
29 student for this category, as determined by the superintendent of public instruction.

30 The superintendent of public instruction shall make proportionate payments to each
31 public school district educating students who are also enrolled in nonpublic schools.

1 Every school district must receive at least as much in total payments for elementary
2 students as it would have received if it had the highest number of students in the next lower
3 category.

4 The superintendent may adopt rules regarding eligibility for school districts to receive
5 proportionate payments for summer education programs. The proportionate payment made
6 under this section during the biennium for elementary summer school programs may not
7 exceed one-half of one percent of the total amount appropriated by the legislative assembly for
8 foundation aid and transportation aid during the biennium.