

Sixty-sixth  
Legislative Assembly  
of North Dakota

ENGROSSED SENATE BILL NO. 2013

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of  
 2 public instruction, the state library, the school for the deaf, and the North Dakota vision  
 3 services - school for the blind; to amend and reenact sections ~~15-10-38~~, 15.1-02-02,  
 4 ~~15.1-37-05, 15.1-37-06, and 15.1-37-08~~ 15.1-18-10, and 15.1-21-02.6 of the North Dakota  
 5 Century Code, relating to ~~a student loan forgiveness program for teachers~~, the salary of the  
 6 superintendent of public instruction, ~~early childhood education providers, the distribution of early~~  
 7 ~~childhood education provider grants, and early childhood education provider data~~  
 8 ~~collection~~ teaching licenses, and the North Dakota scholarship; to provide for a report to the  
 9 legislative assembly; to provide for a legislative management study; to provide exemptions; and  
 10 to declare an emergency.

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

12 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
 13 as may be necessary, are appropriated out of any moneys in the general fund in the state  
 14 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
 15 other income, to the department of public instruction, the state library, the school for the deaf,  
 16 and North Dakota vision services - school for the blind for the purpose of defraying the  
 17 expenses of those agencies, for the biennium beginning July 1, 2019, and ending June 30,  
 18 2021, as follows:

19 Subdivision 1.

20 DEPARTMENT OF PUBLIC INSTRUCTION

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
21			
22			
23	<del>\$17,439,176</del>	<del>\$502,280</del>	<del>\$17,941,456</del>
24	<del>30,165,005</del>	<del>2,004,942</del>	<del>32,169,947</del>

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1	<del>Integrated formula payments</del>	<del>1,750,204,163</del>	<del>356,441,891</del>	<del>2,106,646,054</del>
2	<del>Grants - special education</del>	<del>19,300,000</del>	<del>5,700,000</del>	<del>25,000,000</del>
3	<del>Grants - transportation</del>	<del>55,400,000</del>	<del>500,000</del>	<del>55,900,000</del>
4	<del>Grants - other grants</del>	<del>254,062,705</del>	<del>33,000,000</del>	<del>287,062,705</del>
5	<del>Grants - program grants</del>	<del>6,210,000</del>	<del>3,406,711</del>	<del>9,616,711</del>
6	<del>Grants - passthrough grants</del>	<del>2,898,000</del>	<del>(48,660)</del>	<del>2,849,340</del>
7	<del>PowerSchool</del>	<del>5,500,000</del>	<del>0</del>	<del>5,500,000</del>
8	<del>Transportation efficiency</del>	<del>30,000</del>	<del>(30,000)</del>	<del>0</del>
9	<del>National board certification</del>	<del>120,000</del>	<del>(12,000)</del>	<del>108,000</del>
10	<del>Total all funds</del>	<del>\$2,141,329,049</del>	<del>\$401,465,164</del>	<del>\$2,542,794,213</del>
11	<del>Less estimated income</del>	<del>705,727,065</del>	<del>108,815,319</del>	<del>814,542,384</del>
12	<del>Total general fund</del>	<del>\$1,435,601,984</del>	<del>\$292,649,845</del>	<del>\$1,728,251,829</del>
13	<del>Full-time equivalent positions</del>	<del>91.75</del>	<del>(3.00)</del>	<del>88.75</del>
14	Salaries and wages	\$17,439,176	\$587,859	\$18,027,035
15	Operating expenses	30,165,005	3,805,942	33,970,947
16	Integrated formula payments	1,750,204,163	347,998,266	2,098,202,429
17	Grants - special education	19,300,000	4,700,000	24,000,000
18	Grants - transportation	55,400,000	1,100,000	56,500,000
19	Grants - other grants	254,062,705	33,000,000	287,062,705
20	Grants - program grants	6,210,000	1,470,000	7,680,000
21	Grants - passthrough grants	2,898,000	(34,236)	2,863,764
22	PowerSchool	5,500,000	0	5,500,000
23	Transportation efficiency	30,000	(30,000)	0
24	National board certification	120,000	(12,000)	108,000
25	State automated reporting system	0	1,200,000	1,200,000
26	rewrite			
27	Total all funds	\$2,141,329,049	\$393,785,831	\$2,535,114,880
28	Less estimated income	705,727,065	108,026,678	813,753,743
29	Total general fund	\$1,435,601,984	\$285,759,153	\$1,721,361,137
30	Full-time equivalent positions	91.75	(2.50)	89.25
31	Subdivision 2.			

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STATE LIBRARY

Adjustments or

	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
<del>Salaries and wages</del>	<del>\$4,152,758</del>	<del>\$115,434</del>	<del>\$4,268,192</del>
<del>Operating expenses</del>	<del>1,604,075</del>	<del>17,842</del>	<del>1,621,917</del>
<del>Grants</del>	<del>2,109,028</del>	<del>124,500</del>	<del>2,233,528</del>
<del>Total all funds</del>	<del>\$7,865,861</del>	<del>\$257,776</del>	<del>\$8,123,637</del>
<del>Less estimated income</del>	<del>2,247,560</del>	<del>119,886</del>	<del>2,367,446</del>
<del>Total general fund</del>	<del>\$5,618,301</del>	<del>\$137,890</del>	<del>\$5,756,191</del>
Salaries and wages	\$4,152,758	\$147,577	\$4,300,335
Operating expenses	1,604,075	17,842	1,621,917
Grants	2,109,028	124,500	2,233,528
Total all funds	\$7,865,861	\$289,919	\$8,155,780
Less estimated income	2,247,560	126,801	2,374,361
Total general fund	\$5,618,301	\$163,118	\$5,781,419
Full-time equivalent positions	28.75	(1.00)	27.75

Subdivision 3.

SCHOOL FOR THE DEAF

Adjustments or

	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
<del>Salaries and wages</del>	<del>\$7,588,749</del>	<del>\$432,098</del>	<del>\$8,020,847</del>
<del>Operating expenses</del>	<del>2,026,543</del>	<del>(320,957)</del>	<del>1,705,586</del>
<del>Capital assets</del>	<del>158,678</del>	<del>270,000</del>	<del>428,678</del>
<del>Grants</del>	<del>180,000</del>	<del>(140,000)</del>	<del>40,000</del>
<del>Total all funds</del>	<del>\$9,953,970</del>	<del>\$241,141</del>	<del>\$10,195,111</del>
<del>Less estimated income</del>	<del>2,465,444</del>	<del>231,752</del>	<del>2,697,196</del>
<del>Total general fund</del>	<del>\$7,488,526</del>	<del>\$9,389</del>	<del>\$7,497,915</del>
Salaries and wages	\$7,588,749	\$466,195	\$8,054,944
Operating expenses	2,026,543	(320,957)	1,705,586
Capital assets	158,678	270,000	428,678
Grants	180,000	(140,000)	40,000

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1	Total all funds	\$9,953,970	\$275,238	\$10,229,208
2	Less estimated income	2,465,444	234,914	2,700,358
3	Total general fund	\$7,488,526	\$40,324	\$7,528,850
4	Full-time equivalent positions	45.61	(1.00)	44.61
5	Subdivision 4.			
6	NORTH DAKOTA VISION SERVICES - SCHOOL FOR THE BLIND			
7			Adjustments or	
8		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
9	Salaries and wages	\$4,660,995	\$253,761	\$4,914,756
10	Operating expenses	773,206	42,615	815,821
11	Capital assets	39,192	260,500	299,692
12	Total all funds	\$5,473,393	\$556,876	\$6,030,269
13	Less estimated income	1,079,247	251,746	1,330,993
14	Total general fund	\$4,394,146	\$305,130	\$4,699,276
15	Salaries and wages	\$4,660,995	\$274,296	\$4,935,291
16	Operating expenses	773,206	42,615	815,821
17	Capital assets	39,192	260,500	299,692
18	Total all funds	\$5,473,393	\$577,411	\$6,050,804
19	Less estimated income	1,079,247	253,568	1,332,815
20	Total general fund	\$4,394,146	\$323,843	\$4,717,989
21	Full-time equivalent positions	28.50	(0.60)	27.90
22	Subdivision 5.			
23	BILL TOTAL			
24			Adjustments or	
25		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
26	Grand total general fund	\$1,453,102,957	\$293,102,254	\$1,746,205,211
27	Grand total special funds	711,519,316	109,418,703	820,938,019
28	Grand total all funds	\$2,164,622,273	\$402,520,957	\$2,567,143,230
29	Grand total general fund	\$1,453,102,957	\$286,286,438	\$1,739,389,395
30	Grand total special funds	711,519,316	108,641,961	820,161,277
31	Grand total all funds	\$2,164,622,273	\$394,928,399	\$2,559,550,672

1       **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**

2       **SIXTY-SEVENTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time  
3 funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium and the  
4 2019-21 one-time funding items included in the appropriation in section 1 of this Act:

5	<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
6	Department of public instruction		
7	Regional education association merger grants	\$100,000	\$0
8	North Dakota governor's school science, technology,	220,000	0
9	engineering, and mathematics programs		
10	English language learner grants	500,000	0
11	Rapid enrollment grants	6,000,000	0
12	Integrated formula payments	185,000,000	0
13	State automated reporting system rewrite	0	1,200,000
14	State school aid formula rewrite	0	200,000
15	<del>Total department of public instruction</del>	<del>\$191,820,000</del>	<del>\$200,000</del>
16	<del>all funds</del>		
17	<del>Total department of public instruction</del>	<del>191,820,000</del>	<del>0</del>
18	<del>estimated income</del>		
19	<del>Total department of public instruction</del>	<del>\$0</del>	<del>\$200,000</del>
20	Total department of public instruction -	\$191,820,000	\$1,400,000
21	all funds		
22	Total department of public instruction -	191,820,000	1,200,000
23	estimated income		
24	Total department of public instruction -	\$0	\$200,000
25	general fund		
26	School for the deaf		
27	Extraordinary repairs	\$675,000	\$250,000
28	Equipment	28,000	20,000
29	Video equipment and software	30,000	0
30	Total school for the deaf - estimated income	\$733,000	\$270,000
31	North Dakota vision services - school for the blind		

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1	Special assessments payoff	\$10,000	\$0
2	Heating and cooling upgrade	35,500	0
3	Replace water line	60,000	0
4	Carpet and reception upgrade	30,000	0
5	West wing roof repair	0	39,000
6	Other repairs	0	18,500
7	Daily living skills area remodel	0	25,000
8	South wing restroom remodel	0	120,000
9	Garage door replacement	0	16,000
10	Gymnasium floor replacement	0	42,000
11	Adaptive technology equipment	0	<u>20,000</u>
12	Total school for the blind - estimated income	\$135,500	\$280,500
13	<del>Grand total - all funds</del>	<del>\$192,688,500</del>	<del>\$750,500</del>
14	<del>Grand total - estimated income</del>	<del>192,688,500</del>	<del>550,500</del>
15	<del>Grand total - general fund</del>	<del>\$0</del>	<del>\$200,000</del>
16	<u>Grand total - all funds</u>	<u>\$192,688,500</u>	<u>\$1,950,500</u>
17	<u>Grand total - estimated income</u>	<u>192,688,500</u>	<u>1,750,500</u>
18	<u>Grand total - general fund</u>	<u>\$0</u>	<u>\$200,000</u>

19 The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget  
 20 for the 2021-23 biennium. The department of public instruction, school for the deaf, and North  
 21 Dakota vision services - school for the blind shall report to the appropriations committees of the  
 22 sixty-seventh legislative assembly on the use of this one-time funding for the biennium  
 23 beginning July 1, 2019, and ending June 30, 2021.

24 **SECTION 3. APPROPRIATION - ESTIMATED INCOME - TUITION APPORTIONMENT.**

25 The sum of ~~\$379,764,000~~\$377,764,000, included in the integrated formula payments line item  
 26 in subdivision 1 of section 1 of this Act, is from the state tuition fund in the state treasury. Any  
 27 additional amount in the state tuition fund that becomes available for distribution to public  
 28 schools is appropriated to the department of public instruction for that purpose for the biennium  
 29 beginning July 1, 2019, and ending June 30, 2021.

30 **SECTION 4. ESTIMATED INCOME - FOUNDATION AID STABILIZATION FUND.** The

31 estimated income line item in subdivision 1 of section 1 of this Act includes

1 ~~\$110,000,000~~\$111,200,000 from the foundation aid stabilization fund in the state treasury, of  
2 which \$110,000,000 is for integrated formula payments and \$1,200,000 is for a rewrite of the  
3 state automated reporting system. for the biennium beginning July 1, 2019, and ending  
4 June 30, 2021.

5 **SECTION 5. EXEMPTION - FUNDING TRANSFER - AUTHORIZATION.** Notwithstanding  
6 section 54-16-04, the superintendent of public instruction may transfer up to \$4,000,000 from  
7 the integrated formula payments line item to the grants - special education line item, for the  
8 biennium beginning July 1, 2017, and ending June 30, 2019, for the purposes of providing  
9 special education grants. The superintendent of public instruction shall notify the office of  
10 management and budget of any transfer made pursuant to this section.

11 **SECTION 6. EXEMPTION - ADVANCED PLACEMENT PROGRAMS.** Up to \$600,000 of  
12 the unexpended amount remaining from the appropriation for integrated formula payments, as  
13 authorized in subdivision 1 of section 1 of chapter 12 of the 2017 Session Laws, is not subject  
14 to the provisions of section 54-44.1-11 at the end of the 2017-19 biennium, and may be  
15 continued into the 2019-21 biennium for the purpose of providing advanced placement  
16 examinations, advanced placement teacher training, and the college ready English and  
17 mathematics programs.

18 **SECTION 7. INTEGRATED FORMULA PAYMENTS AND SPECIAL EDUCATION**  
19 **CONTRACTS EXPENDITURE AUTHORITY.** The superintendent of public instruction may  
20 expend funds included in the integrated formula payments and grants - special education  
21 contracts line items in subdivision 1 of section 1 of this Act for paying grants for educational  
22 services that were due in the 2017-19 biennium but which were not filed, claimed, or properly  
23 supported by the education provider until after June 30, 2019. To be reimbursed under this  
24 section, claims must be properly supported and filed with the superintendent of public  
25 instruction by June 30, 2020.

26 **SECTION 8. GRANTS - SPECIAL EDUCATION DEFICIENCY AUTHORIZATION.** If funds  
27 provided to the superintendent of public instruction in subdivision 1 of section 1 of this Act for  
28 grants - special education, for the biennium beginning July 1, 2019, and ending June 30, 2021,  
29 are not sufficient to meet special education contract obligations, the superintendent of public  
30 instruction shall request supplemental funding from the sixty-seventh legislative assembly.

1       **SECTION 9. GIFTED AND TALENTED PROGRAM - MEDICAID MATCHING FUNDING -**  
2 **DISTRIBUTION.**

- 3       1. The sum of \$800,000, included in the integrated formula payments line item in  
4       subdivision 1 of section 1 of this Act, must be distributed to reimburse school districts  
5       or special education units for gifted and talented programs upon the submission of an  
6       application that is approved in accordance with guidelines adopted by the  
7       superintendent of public instruction. The superintendent of public instruction shall  
8       encourage cooperative efforts for gifted and talented programs among school districts  
9       and special education units.
- 10      2. State school aid payments for special education must be reduced by the amount of  
11      matching funds required to be paid by school districts or special education units for  
12      students participating in the Medicaid program. Special education funds equal to the  
13      amount of the matching funds required to be paid by the school district or special  
14      education unit must be paid by the superintendent of public instruction to the  
15      department of human services on behalf of the school district or unit.

16      **SECTION 10. TRANSPORTATION GRANTS - DISTRIBUTION.**

- 17      1. During each year of the 2019-21 biennium, the superintendent of public instruction  
18      shall calculate the payment to which each school district is entitled based on the state  
19      transportation formula as it existed on June 30, 2001, except that the superintendent  
20      shall provide reimbursement at the rate of:
- 21      a. One dollar and ~~nine~~eleven cents per mile for school buses having a capacity of  
22      ten or more passengers;
- 23      b. ~~Fifty-one~~Fifty-two cents per mile for vehicles having a capacity of nine or fewer  
24      passengers;
- 25      c. Fifty cents per mile, provided;
- 26          (1) The student being transported is a student with a disability, as defined in  
27          chapter 15.1-32;
- 28          (2) The student's individualized education program plan requires that the  
29          student attend a public or a nonpublic school located outside the student's  
30          school district of residence;
- 31          (3) The student is transported by an adult member of the student's family;



- 1 (4) The student is transported in a vehicle furnished by the student's parents;
- 2 (5) The student's transportation is paid for by the student's parents; and
- 3 (6) The reimbursement does not exceed two round trips daily between the
- 4 student's home and school.

5 d. Fifty cents per mile, one way, provided:

- 6 (1) The student being transported resides more than two miles from the public
- 7 school that the student attends;
- 8 (2) The student is transported by an adult member of the student's family;
- 9 (3) The student is transported in a vehicle furnished by the student's parents;
- 10 and
- 11 (4) The student's transportation is paid for by the student's parents.

12 e. ~~Twenty-nine~~ Thirty cents per student for each one-way trip.

- 13 2. The superintendent of public instruction shall use the latest available student
- 14 enrollment count in each school district in applying the provisions of subsection 1.
- 15 3. This section does not authorize the reimbursement of any costs incurred in providing
- 16 transportation for student attendance at extracurricular activities or events.

17 **SECTION 11. PROGRAM GRANT POOL - CONTINUING EDUCATION GRANTS -**

18 **FUNDING - DISTRIBUTION.** The grants - program grants line item in subdivision 1 of section 1  
19 of this Act includes ~~\$2,436,714~~ \$1,500,000 for a program grant pool. The superintendent of  
20 public instruction shall use the funding provided for various grant programs, including up to  
21 \$125,000, or so much of the sum as may be necessary, for continuing education grants, for the  
22 biennium beginning July 1, 2019, and ending June 30, 2021.

- 23 1. The superintendent of public instruction shall award grants in amounts up to \$1,200 to
- 24 eligible recipients in chronological order, based on the date of an individual's
- 25 application. An eligible recipient must:
  - 26 a. (1) Be licensed to teach by the education standards and practices board;
  - 27 (2) Have taught in this state during each of the last three school years; and
  - 28 (3) Be enrolled at an institution of higher education in this state in either a
  - 29 master of education program in educational leadership or a program leading
  - 30 to a specialist diploma in educational leadership;

- 1           b. Be pursuing the requirements for a certificate in career development facilitation;  
2           or  
3           c. Be pursuing a school counselor credential.
- 4           2. If any of the amount appropriated for this purpose remains after the superintendent of  
5           public instruction has awarded grants to all eligible recipients, the superintendent shall  
6           distribute that amount as an additional per student payment on a prorated basis,  
7           according to the latest available average daily membership of each school district.

8           **SECTION 12. PASSTHROUGH GRANTS - APPLICATION - DISTRIBUTION -**

9           **REPORTING.** The grants - passthrough grants line item in subdivision 1 of section 1 of this Act  
10 includes ~~\$2,215,764~~\$2,863,764 for passthrough grants ~~for writing projects, an entrepreneur-~~  
11 ~~program, governor's school, and a mentoring program.~~ The superintendent of public instruction  
12 shall determine the manner in which each passthrough grant is distributed but no more than  
13 one-half of the funding may be provided each year of the biennium. ~~Grantees~~Annually grantees,  
14 as a condition of receiving the grant, must establish performance measures to be reviewed by  
15 the superintendent of public instruction. Grantees shall report annually to the superintendent of  
16 public instruction regarding performance based on the measures ~~before October 1, 2020.~~ The  
17 superintendent may not distribute the grant payment for the second year of the biennium until  
18 the grantee submits the annual report for the first year of the biennium. The superintendent of  
19 public instruction shall report to the appropriations committees of the sixty-seventh legislative  
20 assembly regarding funds granted, performance measures established for each grantee, and  
21 whether grantees met performance expectations.

22           **SECTION 13. REGIONAL EDUCATION ASSOCIATIONS - GRANTS- DISTRIBUTION.**

23           The integrated formula payments line item in subdivision 1 of section 1 of this Act includes  
24 \$500,000 from the general fund for the purpose of providing annual grants to regional education  
25 associations for the biennium beginning July 1, 2019, and ending June 30, 2021. An annual  
26 grant of ~~\$31,250~~\$35,714 is provided to each regional education association that exists as of  
27 July 1, 2019. Regional education associations that merge during the 2019-21 biennium are  
28 entitled to the annual grants that would have been paid to each of the member associations.

29           **SECTION 14. EXEMPTION - INDIRECT COST ALLOCATION.** Notwithstanding section  
30 54-44.1-15, the department of public instruction may deposit indirect cost recoveries in its  
31 operating account.

1       **SECTION 15. STATE AID TO PUBLIC LIBRARIES.** The grants line item in subdivision 2 of  
2 section 1 of this Act includes \$1,737,528 for aid to public libraries, of which no more than one-  
3 half may be expended during the fiscal year ending June 30, 2020.

4       **SECTION 16. EXEMPTION - SCHOOL FOR THE DEAF - HIGHER EDUCATION**

5 **INTERPRETER GRANT PROGRAM DISTRIBUTION.** The grants line item in subdivision 3 of  
6 section 1 of this Act is for the purpose of providing grants to assist institutions under the control  
7 of the state board of higher education with the cost of interpreters and real-time captioning for  
8 students who are deaf or hard of hearing, for the biennium beginning July 1, 2019, and ending  
9 June 30, 2021. Moneys appropriated for this program are not subject to section 54-44.1-11.

10 Funds must be distributed pursuant to the provisions of this section:

- 11       1. The school for the deaf shall develop a formula to determine the grant amount for  
12       which an institution is eligible. The formula must be based on an uniform hourly  
13       reimbursement.
- 14       2. To obtain a grant under this section, an institution shall submit to the school for the  
15       deaf, at the time and in the manner directed by the school, invoices showing the  
16       amount expended for interpreters and real-time captioning for students who are deaf  
17       or hard of hearing.
- 18       3. The school for the deaf may not distribute more than fifty percent of the amount  
19       appropriated during the first year of the biennium.
- 20       4. If any grant moneys remain undistributed at the end of the biennium, the school for the  
21       deaf shall provide additional prorated grants to institutions that incurred, during the  
22       biennium, hourly expenses in excess of the formula reimbursement level.
- 23       5. At the request of an institution under the control of the state board of higher education,  
24       the school for the deaf shall consult with the institution and provide advice regarding  
25       the provision of services most appropriate to meet a student's needs.

26 ~~— **SECTION 16. AMENDMENT.** Section 15-10-38 of the North Dakota Century Code is~~  
27 ~~amended and reenacted as follows:~~

28 ~~— **15-10-38. Loans -- Teacher shortages -- Loan forgiveness.**~~

29 ~~— 1. The state board of higher education superintendent of public instruction shall~~  
30 ~~administer a student loan forgiveness program for individuals teaching at grade levels,~~  
31 ~~in content areas, and in geographical locations identified as having a teacher shortage~~

1           or critical need. The ~~boardsuperintendent of public instruction~~ may approve loan-  
2           forgiveness for no more than two teachers per year in a school district. The  
3           ~~boardsuperintendent of public instruction~~ shall adopt rules to implement the program.

4     ~~2.~~ The superintendent of public instruction annually shall identify grade levels, content  
5           areas, and geographical locations in which a teacher shortage or critical need exists.

6     ~~3.~~ To be eligible for loan forgiveness under this section, an individual:

7     ~~a.~~ Must have graduated from an accredited teacher preparation program and  
8           signed a contract to teach at a grade level or in a content area and in a  
9           geographical location identified by the superintendent of public instruction as  
10          having an existing teacher shortage or critical need; and

11    ~~b.~~ Must have an existing student loan.

12    ~~4.~~ For purposes of this section, the definitions of rural school district and remote town-  
13          school district have the same meaning as the definitions under the national center for  
14          education statistics locale codes.

15    ~~5.~~ If an individual is receiving loan forgiveness under any other provision, the individual  
16          may not receive loan forgiveness under this section during the same application year.

17    ~~6.~~ An eligible individual may receive loan forgiveness under the program as follows:

18    ~~a.~~ If the individual accepts one of up to five positions of critical need in a nonrural  
19          school district or nonremote town school district, the individual may receive up to  
20          three thousand dollars per year for a maximum of four years.

21    ~~b.~~ If the individual accepts a position in a rural school district or remote town school  
22          district with an enrollment of fewer than one thousand students, the individual  
23          may receive up to four thousand five hundred dollars per year for a maximum of  
24          four years.

25    ~~c.~~ If the individual accepts one of up to five positions of critical need in a rural  
26          school district or remote town school district with an enrollment of fewer than one  
27          thousand students, the individual may receive up to six thousand five hundred  
28          dollars per year for a maximum of four years.

29    ~~7.~~ The superintendent of public instruction shall consider all applications under this  
30          section based on the number of unfilled school vacancies, prioritized by critical need  
31          and geographic location.

~~8. Upon notification the individual has completed a full year of teaching in a school district, state-supported school, or nonpublic school in this state at a grade level or in a content area and in a geographical location identified by the superintendent of public instruction as one in which a teacher shortage or critical need exists, the boardsuperintendent of public instruction shall distribute funds directly to the lending institution of the individual to repay outstanding loan principal balances on behalf of eligible applicants. The boardsuperintendent of public instruction shall terminate loan forgiveness payments to eligible individuals when the loan principal balance of the eligible individual is paid in full.~~

**SECTION 17. AMENDMENT.** Section 15.1-02-02 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-02-02. Salary.**

The annual salary of the superintendent of public instruction is ~~one hundred sixteen thousand nine hundred three dollars through June 30, 2016, and one hundred twenty thousand four hundred ten dollars thereafter~~one hundred twenty-two thousand eight hundred ~~eighteen~~ dollars through June 30, 2020, and ~~one hundred twenty-six thousand five hundred three dollars thereafter~~one hundred twenty-five thousand eight hundred eighty dollars thereafter.

**SECTION 18. AMENDMENT.** Section 15.1-18-10 of the North Dakota Century Code as amended in section 5 of Senate Bill No. 2265, as approved by the sixty-sixth legislative assembly, is amended and reenacted as follows:

**15.1-18-10. Specialty areas - Teacher qualification.**

Notwithstanding the requirements of this chapter:

1. An individual may teach art, business education, computer education, a foreign language, music, physical education, special education, and technology education at any grade level from kindergarten through grade eight, provided the individual:
  - a. Is licensed to teach by the education standards and practices board;
  - b. Is approved to teach in that area by the education standards and practices board;
  - and
  - c. Meets all requirements set forth in rule by the superintendent of public instruction.
2. An individual may teach Native American languages provided the individual is an eminence-credentialed teacher.

1       3. An individual may teach in the areas of trade, industry, technical occupations, or health  
2       occupations, provided the individual has been issued a license to teach in such areas  
3       by the education standards and practices board.

4       4. An individual may teach in any subject, except elementary education, special  
5       education, mathematics, science, language arts, and social studies, if the individual:

6       a. Has a permit issued by the board and has a high school diploma; and

7       b. (1) Possesses at least four thousand hours over five years of relevant work  
8       experience in the subject area to be taught; or

9       (2) Possesses a certificate, permit, or degree in the subject area to be taught; ~~or~~

10       ~~or~~

11       ~~(3) Achieves a passing score on the Praxis content test.~~

12       **SECTION 19. AMENDMENT.** Section 15.1-21-02.6 of the North Dakota Century Code is  
13       amended and reenacted as follows:

14       **15.1-21-02.6. North Dakota scholarship - Amount - Applicability.**

15       1. a. The state board of higher education shall provide to any student certified as  
16       being eligible by the superintendent of public instruction either a North Dakota  
17       academic scholarship or a North Dakota career and technical education  
18       scholarship in the amount of seven hundred fifty dollars for each semester during  
19       which the student is enrolled full time at an accredited institution of higher  
20       education in this state, maintains a cumulative grade point average of 2.75, and  
21       maintains progress toward degree completion.

22       b. The state board of higher education shall provide to any student certified as  
23       being eligible by the superintendent of public instruction either a North Dakota  
24       academic scholarship or a North Dakota career and technical education  
25       scholarship in the amount of five hundred dollars for each quarter during which  
26       the student is enrolled full time at an accredited institution of higher education in  
27       this state, maintains a cumulative grade point average of 2.75, and maintains  
28       progress toward degree completion.

29       2. The state board shall monitor each scholarship recipient to ensure that the student  
30       meets the academic and other requirements of this section. Upon determining that a

- 1 recipient student has failed to meet the requirements of this section, the board shall  
2 provide notification to the student within ten days.
- 3 3. A student is not entitled to receive more than six thousand dollars under this section.
- 4 4. The state board of higher education shall forward the scholarship directly to the  
5 institution in which the student is enrolled.
- 6 5. a. (1) This section does not require a student to be enrolled in consecutive  
7 semesters.  
8 (2) This section does not require a student to be enrolled in consecutive  
9 quarters.
- 10 b. A scholarship under this section is valid only for six academic years after the  
11 student's graduation from high school and may be applied to a graduate program.
- 12 6. A scholarship under this section is available to any eligible resident student who fulfills  
13 the requirements of section 15.1-21-02.4 or 15.1-21-02.5 and who:
- 14 a. Graduates from a high school in this state;  
15 b. Graduates from a high school in a bordering state under chapter 15.1-29;  
16 c. Graduates from a nonpublic high school in a bordering state while residing with a  
17 custodial parent in this state; or  
18 d. Completes a program of home education supervised in accordance with chapter  
19 15.1-23.
- 20 7. a. For purposes of North Dakota scholarship eligibility under this section, "full-time"  
21 has the same meaning as the term is defined by the institution the student is  
22 attending.
- 23 b. A student who is enrolled less than full-time may retain scholarship eligibility if the  
24 student is in the final semester or quarter before graduation. The waiver of the  
25 full-time enrollment status requirement for scholarship eligibility may not apply to  
26 a student more than once.
- 27 c. For the purpose of North Dakota scholarship eligibility under this section,  
28 "progress toward degree completion" means earning the following minimum  
29 number of credits after each semester or quarter term disbursement to qualify for  
30 the subsequent disbursement:  
31 (1) Twenty-four credits after disbursement two;

- 1 (2) Thirty-nine credits after disbursement three;
- 2 (3) Fifty-four credits after disbursement four;
- 3 (4) Sixty-nine credits after disbursement five;
- 4 (5) Eighty-four credits after disbursement six; and
- 5 (6) Ninety-nine credits after disbursement seven.

6 ~~SECTION 18. AMENDMENT. Section 15.1-37-05 of the North Dakota Century Code is~~  
7 ~~amended and reenacted as follows:~~

8 ~~15.1-37-05. Early childhood education providers – Coalition – Eligibility.~~

- 9 ~~1. The superintendent of a school district shall invite all public and private providers of~~  
10 ~~early childhood education services within the district to meet, in order to:~~
  - 11 ~~a. Initiate the identification of all available options for cost-effectively maximizing the~~  
12 ~~provision of early childhood education services within the district;~~
  - 13 ~~b. Address the coordinated utilization of facilities, personnel, and transportation, for~~  
14 ~~the provision of early childhood education services within the district; and~~
  - 15 ~~c. (1) Form a coalition of early childhood education service providers; and~~  
16 ~~(2) Provide for the selection of a coalition governing board.~~
- 17 ~~2. The board of the school district in which the coalition of service providers is located~~  
18 ~~shall provide advice and guidance to the coalition in all matters pertaining to this~~  
19 ~~section through section 15.1-37-08.~~
- 20 ~~3. Any early childhood service provider who agrees to participate in the coalition or on its~~  
21 ~~governing board may submit an application to the department of~~  
22 ~~commercesuperintendent of public instruction for a grant under this section, provided~~  
23 ~~the governing board certifies to the departmentsuperintendent that the provider:~~
  - 24 ~~a. Is a participating member in the coalition or on the governing board.~~
  - 25 ~~b. Operates an early childhood education program that:~~
    - 26 ~~(1) Is approved in accordance with section 15.1-37-01; and~~
    - 27 ~~(2) Incorporates within its curriculum at least ten hours of research-based~~  
28 ~~parental involvement.~~
  - 29 ~~c. Has documented the provider's willingness to admit children of all learning~~  
30 ~~abilities into the early childhood education program.~~



1 ~~SECTION 19. AMENDMENT.~~ Section 15.1-37-06 of the North Dakota Century Code is  
2 amended and reenacted as follows:

3 ~~15.1-37-06. Receipt and distribution of grants – Notification.~~

4 ~~1. a.~~ The department of commerce~~superintendent of public instruction~~ shall receive  
5 applications for and distribute grants under this section to eligible members,  
6 including governing board members, of a consortium formed in accordance with  
7 section 15.1-37-05, in the amount of two thousand dollars for each child enrolled  
8 in a program of early childhood education, if the child is eligible for free lunches  
9 under the Richard B. Russell National School Lunch Act [42 U.S.C. 1751, et  
10 seq.], and one thousand dollars for each child enrolled in a program of early  
11 childhood education, if the child is eligible for reduced lunches under the Richard  
12 B. Russell National School Lunch Act [42 U.S.C. 1751, et seq.], provided:

13 ~~(1) The child is a resident of this state;~~

14 ~~(2) The child has reached four years of age before August first in the year of~~  
15 ~~enrollment; and~~

16 ~~(3) The program has a duration of at least four hundred hours over a period of~~  
17 ~~at least thirty-two consecutive weeks.~~

18 ~~b.~~ A child enrolled in a federally funded head start program may not be counted for  
19 the purpose of determining grant eligibility under this section.

20 ~~2. a.~~ Once each calendar quarter, at the time and in the manner required by the  
21 department of commerce~~superintendent of public instruction~~, any provider  
22 receiving a grant under this section shall forward to the parent of each child  
23 receiving services a notice indicating the total amount of the grant that was  
24 awarded to the provider for the quarter, the pro-rata amount attributable to the  
25 parent's child, and the source of the grant. The department of  
26 commerce~~superintendent of public instruction~~ shall standardize the notification  
27 required by this subdivision.

28 ~~b.~~ If a provider fails to meet the notification requirements of this subsection, the  
29 department of commerce~~superintendent of public instruction~~ shall reduce the  
30 amount of the provider's next grant payment by fifty percent. If a provider fails to  
31 meet the notification requirements of this section a second time, the department

1                    ~~of commerce superintendent of public instruction shall determine that the provider-~~  
2                    ~~is ineligible to participate in the grant program for a period of one year.~~

3     ~~— **SECTION 20. AMENDMENT.** Section 15.1-37-08 of the North Dakota Century Code is-~~  
4     ~~amended and reenacted as follows:~~

5     ~~— **15.1-37-08. Data collection -- Requirements.**~~

6     ~~— The superintendent of public instruction, with the advice and consent of the department of~~  
7     ~~commerce, shall implement a uniform system for the accounting, budgeting, and reporting of~~  
8     ~~data by any early childhood education provider to whom or to which grants are distributed in~~  
9     ~~accordance with section 15.1-37-06. Grants may be withheld or forfeited, in whole or in part, if~~  
10    ~~information required in accordance with this section is not submitted at the time or in the~~  
11    ~~manner requested by the superintendent.~~

12            **SECTION 20. LEGISLATIVE MANAGEMENT STUDY - TRANSPORTATION.** During the  
13    2019-20 interim, the legislative management shall consider studying school transportation,  
14    including district routes, expenditures, reimbursement, and possible efficiencies. The legislative  
15    management shall report its findings and recommendations, together with any legislation  
16    necessary to implement the recommendations, to the sixty-seventh legislative assembly.

17            **SECTION 21. LEGISLATIVE MANAGEMENT STUDY - DUAL-CREDIT - ADVANCED**  
18    **PLACEMENT - DISTANCE EDUCATION COURSES.** During the 2019-20 interim, the  
19    legislative management shall consider studying dual-credit, advanced placement, and distance  
20    education courses. The study must include a review of early enrollment placement testing and  
21    the qualifications for dual-credit and advanced placement courses. The study also must include  
22    a review of the costs and amounts of funding necessary to provide all students access to  
23    dual-credit, advanced placement, and distance education courses, as well as the types of  
24    courses available and the delivery methods necessary to provide all students with access. The  
25    legislative management shall report its findings and recommendations, together with any  
26    legislation required to implement the recommendations, to the sixty-seventh legislative  
27    assembly.

28            **SECTION 22. EMERGENCY.** Section 5 of this Act is declared to be an emergency  
29    measure.