

February 4, 2019

PROPOSED AMENDMENTS TO SENATE BILL NO. 2265

Page 1, line 1, replace "section" with "sections 15.1-27-03.1 and"

Page 1, line 2, after "of" insert "weighted average daily membership and"

Page 1, line 3, remove "and"

Page 1, line 3, after "appropriation" insert "; and to provide an effective date"

Page 1, after line 4, insert:

**"SECTION 1. AMENDMENT.** Section 15.1-27-03.1 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-27-03.1. Weighted average daily membership - Determination.**

1. For each school district, the superintendent of public instruction shall multiply by:
  - a. 1.00 the number of full-time equivalent students enrolled in an extended educational program in accordance with section 15.1-32-17;
  - b. 0.60 the number of full-time equivalent students enrolled in a summer education program, including a migrant summer education program;
  - c. 0.40 the number of full-time equivalent students who:
    - (1) On a test of English language proficiency approved by the superintendent of public instruction are determined to be least proficient and placed in the first of six categories of proficiency; and
    - (2) Are enrolled in a program of instruction for English language learners;
  - d. 0.28 the number of full-time equivalent students who:
    - (1) On a test of English language proficiency approved by the superintendent of public instruction are determined to be more proficient than students placed in the first of six categories of proficiency and therefore placed in the second of six categories of proficiency; and
    - (2) Are enrolled in a program of instruction for English language learners;
  - e. 0.25 the number of full-time equivalent students under the age of twenty-one enrolled in grades nine through twelve in an alternative high school;
  - f. 0.20 the number of full-time equivalent students enrolled in a home-based education program and monitored by the school district under chapter 15.1-23;

- g. 0.17 the number of full-time equivalent students enrolled in an early childhood special education program;
- h. 0.15 the number of full-time equivalent students in grades six through eight enrolled in an alternative education program for at least an average of fifteen hours per week;
- i. 0.10 the number of students enrolled in average daily membership, if the district has fewer than one hundred students enrolled in average daily membership and the district consists of an area greater than two hundred seventy-five square miles [19424.9 hectares], provided that any school district consisting of an area greater than six hundred square miles [155399 hectares] and enrolling fewer than fifty students in average daily membership must be deemed to have an enrollment equal to fifty students in average daily membership;
- j. 0.082 the number of students enrolled in average daily membership, in order to support the provision of special education services;
- k. 0.07 the number of full-time equivalent students who:
  - (1) On a test of English language proficiency approved by the superintendent of public instruction are determined to be more proficient than students placed in the second of six categories of proficiency and therefore placed in the third of six categories of proficiency;
  - (2) Are enrolled in a program of instruction for English language learners; and
  - (3) Have not been in the third of six categories of proficiency for more than three years;
- l. 0.025 the number of students representing that percentage of the total number of students in average daily membership which is equivalent to the three-year average percentage of students in grades three through eight who are eligible for free or reduced lunches under the Richard B. Russell National School Lunch Act [42 U.S.C. 1751 et seq.]; and
- m. 0.002 the number of students enrolled in average daily membership in a school district that is a participating member of a regional education association meeting the requirements of chapter 15.1-09.1;
- n. 1.00 the number of students by which the district's September tenth enrollment report exceeds the number of students in the prior year's average daily membership; and
- o. For districts paid based on September tenth enrollment in the prior year, 1.00 the number of students determined by deducting the number of students in the prior year's September tenth enrollment from the prior year's average daily membership. If the prior year's September tenth enrollment exceeds the prior year's average daily membership, then a deduction of 1.00 the number of excess students.

2. The superintendent of public instruction shall determine each school district's weighted average daily membership by adding the products derived under subsection 1 to the district's average daily membership."

Page 3, line 9, overstrike (1)

Page 3, line 11, overstrike (a) and insert immediately thereafter (1)

Page 3, line 14, overstrike (b) and insert immediately thereafter (2)

Page 3, overstrike line 16

Page 3, line 17, overstrike "not exceed one hundred"

Page 3, line 17, remove "forty-five"

Page 3, line 17, overstrike "percent of the district's baseline"

Page 3, overstrike lines 18 and 19

Page 3, line 21, overstrike "multiply the" and insert immediately thereafter "calculate state aid as the greater of:

(1) The

Page 3, line 21, after "units" insert "multiplied"

Page 3, line 22, overstrike the period

Page 3, overstrike line 23

Page 3, overstrike line 24 and insert immediately thereafter "; or

(2) The amount in paragraph 1 plus the greater of:

Page 3, line 27, remove "greater of the"

Page 3, line 28, remove "or the current school year, with the product of this"

Page 3, line 29, replace "calculation" with "less the amount in paragraph 1, with the difference"

Page 4, line 2, after "1" insert "less the amount in paragraph 1"

Page 4, line 2, after the underscored comma insert "with the difference"

Page 4, line 3, after "thereafter" insert ".

c. The superintendent also shall adjust state aid determined in this subsection:

(1) In 2019-20, to ensure the amount does not exceed one hundred forty-five percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units from the previous school year"

Page 4, line 4, overstrike "The superintendent also shall adjust the product" and insert immediately thereafter "In 2020-21,"

Page 4, line 4, overstrike "product" and insert immediately thereafter "amount"

Page 4, line 7, remove "greater of the"

Page 4, line 8, remove "or the current school year"

Page 4, line 15, overstrike "revenues" and insert immediately thereafter "revenue types"

Page 4, line 16, overstrike "subdivision f of subsection 1 and one hundred"

Page 4, line 17, overstrike "percent of all revenues listed in"

Page 4, line 17, overstrike "subdivision"

Page 4, line 17, after "f" insert "subdivisions f and"

Page 4, line 24, remove "The superintendent of public instruction shall recalculate the actual"

Page 4, remove lines 25 through 28

Page 5, after line 24, insert:

**"SECTION 4. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$200,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of providing funding to an organization providing research-based literacy intervention services to students below grade four who score below proficient in reading as matching funds for AmeriCorps funding, for the biennium beginning July 1, 2019, and ending June 30, 2021. The department may spend the appropriated funds only as authorized in this section."

Page 5, after line 31, insert:

**"SECTION 6. EFFECTIVE DATE.** Section 1 of this Act is effective July 1, 2020."

Re-number accordingly