

Introduced by

Senators Dwyer, Larson

Representatives Karls, Satrom, Schauer

1 A BILL for an Act to provide an appropriation for a distance learning family reimbursement
2 program; to provide an expiration date; and to declare an emergency.

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

4 **SECTION 1. APPROPRIATION - DEPARTMENT OF PUBLIC INSTRUCTION - DISTANCE**
5 **LEARNING FAMILY REIMBURSEMENT PROGRAM.** There is appropriated out of any federal
6 funds made available to the state through the federal Consolidated Appropriations Act, 2021,
7 not otherwise appropriated, the sum of \$12,000,000, or so much of the sum as may be
8 necessary, to the department of public instruction for the purpose of establishing a program to
9 provide financial support to eligible families in the form of reimbursement of qualified
10 education-related expenses incurred by the family as a result of distance learning during the
11 SARS-CoV-2 pandemic, for the period beginning with the effective date of this Act, and ending
12 June 30, 2023.

13 1. For the purposes of this Act:

14 a. "Department" means the department of public instruction.

15 b. "Distance learning" means educational instruction delivered through a digital
16 format or other delivery methods, including interactive video, computer
17 instruction, and correspondence courses to a student not physically present on
18 school premises.

19 c. "Education-related expenses" means expenses for services or items a student
20 uses to participate in distance learning. The term includes child care services
21 used during distance learning.

22 d. "Family unit" means a parent or parents of one or more students and the student
23 or students, regardless of whether the parents and students reside in the same
24 household.

- 1 e. "Parent" means the biological mother or father or adoptive mother or father of a
2 student, or the legal guardian of a student.
- 3 f. "Program" means the distance learning family reimbursement program.
- 4 g. "Reimbursement" means a fixed monetary amount awarded to eligible families
5 under the program.
- 6 h. "Student" means an individual enrolled in kindergarten through grade twelve in a
7 public or nonpublic elementary or secondary school in this state.
- 8 2. The superintendent of public instruction shall administer the program and adopt rules
9 to administer the program, including rules establishing an application process and a
10 process for distribution of program reimbursements.
- 11 3. To be eligible to receive a reimbursement under the program, a parent must:
- 12 a. Be a parent of a student who participated or currently is participating in distance
13 learning during the 2020-21 school year as a result of the SARS-CoV-2
14 pandemic;
- 15 b. Have physical custody of a student who participated or is participating in distance
16 learning during the 2020-21 school year as a result of the SARS-CoV-2
17 pandemic;
- 18 c. For the 2020 taxable year:
- 19 (1) Have an individual adjusted gross income of less than fifty thousand dollars
20 if the applicant has sole physical custody of the student; or
- 21 (2) Have an adjusted gross income of less than sixty-eight thousand dollars
22 when combined with the adjusted gross income of the other parent of the
23 student, if the applicant resides with the other parent or shares physical
24 custody of the student with the other parent; and
- 25 d. Apply to the department for a reimbursement.
- 26 4. The superintendent of public instruction shall provide information to the public
27 regarding the program and shall allow parents to apply for a reimbursement through
28 the department's website.
- 29 5. Before a parent may receive any reimbursement under the program, the parent shall:
- 30 a. Verify the parent meets the eligibility requirements under subsection 3, in a
31 manner determined by the superintendent of public instruction; and

- 1 b. Submit receipts to the superintendent of public instruction for the
2 education-related expenses the parent has incurred on behalf of a student, in a
3 manner determined by the superintendent of public instruction.
- 4 6. If a parent satisfies the requirements of subsections 3 and 5, the superintendent of
5 public instruction shall distribute to the parent a reimbursement in an amount up to two
6 thousand five hundred dollars as follows:
- 7 a. Up to one thousand five hundred dollars for qualified education-related expenses
8 of the first student of the parent;
- 9 b. Up to five hundred dollars for qualified education-related expenses of the second
10 student of the parent; and
- 11 c. Up to five hundred dollars for qualified education-related expenses of the third
12 student of the parent.
- 13 7. The maximum reimbursement under subsection 6 for which a family unit may qualify is
14 two thousand five hundred dollars. The reimbursement to which a parent is otherwise
15 eligible under the program may be prorated and partially distributed to another parent
16 of the students if the parents share physical custody of the students, the parents do
17 not reside together, and each parent separately applies for reimbursement under the
18 program.
- 19 8. A reimbursement recipient shall retain copies of all education-related expense receipts
20 submitted to the superintendent of public instruction for reimbursement under the
21 program for a period of one year after the date the education-related expenses were
22 incurred.

23 **SECTION 2. EXPIRATION DATE.** This Act is effective through June 30, 2023, and after that
24 date is ineffective.

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