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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

1. For the purposes of this Act:
   a. "Department" means the department of public instruction.
   b. "Distance learning" means educational instruction delivered through a digital format or other delivery methods, including interactive video, computer instruction, and correspondence courses to a student not physically present on school premises.
   c. "Education-related expenses" means expenses for services or items a student uses to participate in distance learning. The term includes child care services used during distance learning.
   d. "Family unit" means a parent or parents of one or more students and the student or students, regardless of whether the parents and students reside in the same household.
e. "Parent" means the biological mother or father or adoptive mother or father of a student, or the legal guardian of a student.

f. "Program" means the distance learning family reimbursement program.

g. "Reimbursement" means a fixed monetary amount awarded to eligible families under the program.

h. "Student" means an individual enrolled in kindergarten through grade twelve in a public or nonpublic elementary or secondary school in this state.

2. The superintendent of public instruction shall administer the program and adopt rules to administer the program, including rules establishing an application process and a process for distribution of program reimbursements.

3. To be eligible to receive a reimbursement under the program, a parent must:

   a. Be a parent of a student who participated or currently is participating in distance learning during the 2020-21 school year as a result of the SARS-CoV-2 pandemic;

   b. Have physical custody of a student who participated or is participating in distance learning during the 2020-21 school year as a result of the SARS-CoV-2 pandemic;

   c. For the 2020 taxable year:

      (1) Have an individual adjusted gross income of less than fifty thousand dollars if the applicant has sole physical custody of the student; or

      (2) Have an adjusted gross income of less than sixty-eight thousand dollars when combined with the adjusted gross income of the other parent of the student, if the applicant resides with the other parent or shares physical custody of the student with the other parent; and

   d. Apply to the department for a reimbursement.

4. The superintendent of public instruction shall provide information to the public regarding the program and shall allow parents to apply for a reimbursement through the department's website.

5. Before a parent may receive any reimbursement under the program, the parent shall:

   a. Verify the parent meets the eligibility requirements under subsection 3, in a manner determined by the superintendent of public instruction; and
Sixty-seventh
Legislative Assembly

b. Submit receipts to the superintendent of public instruction for the education-related expenses the parent has incurred on behalf of a student, in a manner determined by the superintendent of public instruction.

6. If a parent satisfies the requirements of subsections 3 and 5, the superintendent of public instruction shall distribute to the parent a reimbursement in an amount up to two thousand five hundred dollars as follows:
   a. Up to one thousand five hundred dollars for qualified education-related expenses of the first student of the parent;
   b. Up to five hundred dollars for qualified education-related expenses of the second student of the parent; and
   c. Up to five hundred dollars for qualified education-related expenses of the third student of the parent.

7. The maximum reimbursement under subsection 6 for which a family unit may qualify is two thousand five hundred dollars. The reimbursement to which a parent is otherwise eligible under the program may be prorated and partially distributed to another parent of the students if the parents share physical custody of the students, the parents do not reside together, and each parent separately applies for reimbursement under the program.

8. A reimbursement recipient shall retain copies of all education-related expense receipts submitted to the superintendent of public instruction for reimbursement under the program for a period of one year after the date the education-related expenses were incurred.

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

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