

Fifty-seventh  
Legislative Assembly  
of North Dakota

## REENGROSSED HOUSE BILL NO. 1344

Introduced by

Representatives R. Kelsch, Brusegaard, Monson

Senators Krebsbach, Wardner

1 A BILL for an Act to create and enact three new sections to chapter 15-40.1 of the North  
2 Dakota Century Code or in the alternative to create and enact three new sections to  
3 chapter 15.1-27 of the North Dakota Century Code, relating to the reimbursement of school  
4 districts for increases in teacher compensation; and to amend and reenact subdivision a of  
5 subsection 2 of section 15-40.1-06 of the North Dakota Century Code or in the alternative to  
6 amend and reenact section 15.1-27-04 of the North Dakota Century Code, relating to per  
7 student payments.

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

9 **SECTION 1. AMENDMENT.** If House Bill No. 1045 does not become effective,  
10 subdivision a of subsection 2 of section 15-40.1-06 of the 1999 Supplement to the North  
11 Dakota Century Code is amended and reenacted as follows:

12 2. a. The educational support per student ~~during for~~ the first year of the ~~1999-2001~~  
13 ~~2001-03~~ biennium ~~must be~~ is two thousand ~~one~~ two hundred ~~forty-five~~  
14 fifty-five dollars ~~and~~. The educational support per student for the second year  
15 of the ~~1999-2001~~ 2001-03 biennium ~~the educational support per student must~~  
16 ~~be~~ is two thousand two hundred ~~thirty~~ seventy-eight dollars ~~and~~. The  
17 educational support per student is the basis for calculating grants-in-aid on a  
18 per student basis as provided in sections 15-40.1-07 and 15-40.1-08.

19 **SECTION 2.** If House Bill No. 1045 does not become effective, a new section to  
20 chapter 15-40.1 of the North Dakota Century Code is created and enacted as follows:

21 **Definitions.** For purposes of this Act:

22 1. "Compensation" includes all salaries, benefits, commissions, memberships, the  
23 provision of housing, the provision of vehicles, and any other payments, in lieu of

1           payments, or services, reportable as gross income under the Internal Revenue  
2           Code.

- 3           2. "Teacher" means any individual who is licensed to teach by the education  
4           standards and practices board or approved to teach by the education standards  
5           and practices board. The term does not include administrators, assistant or  
6           associate administrators, principals, assistant or associate principals, special  
7           education directors, vocational education directors, directors of multidistrict special  
8           education units, directors of area vocational and technology centers, athletic or  
9           activity directors, and substitute teachers.

10          **SECTION 3.** If House Bill No. 1045 does not become effective, a new section to  
11 chapter 15-40.1 of the North Dakota Century Code is created and enacted as follows:

12          **Compensation of teachers - Claim for reimbursement.**

- 13          1. On or before October first of each year or within thirty days after the conclusion of  
14          the negotiation process provided for in chapter 15-38.1, the board of a school  
15          district may file a claim with the superintendent of public instruction for the  
16          reimbursement of moneys to be expended by the district during the school year to  
17          increase the compensation of teachers employed by the district.
- 18          2. The claim must include:
- 19              a. The number of full-time equivalent teachers employed by the district as of  
20              September fifteenth;
- 21              b. The number of full-time equivalent teachers who will receive an increase in  
22              compensation over the amount paid during the previous school year; and
- 23              c. The total amount of the increase in compensation.
- 24          3. For the 2001-02 school year, the reimbursement provided for in this section may  
25          not exceed one thousand seven hundred fifty dollars multiplied by the number of  
26          full-time equivalent teachers employed by the district as of September 15, 2001.  
27          For the 2002-03 school year, the reimbursement provided for in this section may  
28          not exceed three thousand five hundred dollars multiplied by the number of  
29          full-time equivalent teachers employed by the district as of September 15, 2002.
- 30          4. For purposes of this section, the claim of a district may include proportionate  
31          expenditures made by the district to compensate individuals employed as teachers

by the special education unit or the area vocational and technology center to which the district belongs.

**SECTION 4.** If House Bill No. 1045 does not become effective, a new section to chapter 15-40.1 of the North Dakota Century Code is created and enacted as follows:

**Compensation of teachers - Distribution of reimbursement.** The superintendent of public instruction shall distribute approximately one-sixth of the total amount to which each school district is entitled under this Act on or before the first day of each November, December, January, February, March, and May.

**SECTION 5. AMENDMENT.** Section 15.1-27-04 of the North Dakota Century Code as created by House Bill No. 1045, as approved by the fifty-seventh legislative assembly, is amended and reenacted as follows:

**15.1-27-04. Per student payment.** The per student payment to which each school district is entitled for the first year of the biennium is two thousand ~~one~~ two hundred ~~forty-five~~ fifty-five dollars. The per student payment to which each school district is entitled for the second year of the biennium is two thousand two hundred ~~thirty~~ seventy-eight dollars. The per student amount is the basis for calculating state payments to school districts, as provided in sections 15.1-27-06 and 15.1-27-07.

**SECTION 6.** A new section to chapter 15.1-27 of the North Dakota Century Code is created and enacted as follows:

**Definitions.** For purposes of this Act:

1. "Compensation" includes all salaries, benefits, commissions, memberships, the provision of housing, the provision of vehicles, and any other payments, in lieu of payments, or services, reportable as gross income under the Internal Revenue Code.
2. "Teacher" means any individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board. The term does not include administrators, assistant or associate administrators, principals, assistant or associate principals, special education directors, vocational education directors, directors of multidistrict special education units, directors of area vocational and technology centers, athletic or activity directors, and substitute teachers.

1           **SECTION 7.** A new section to chapter 15.1-27 of the North Dakota Century Code is  
2 created and enacted as follows:

3           **Compensation of teachers - Claim for reimbursement.**

4           1. On or before October first of each year or within thirty days after the conclusion of  
5 the negotiation process provided for in chapter 15.1-16, the board of a school  
6 district may file a claim with the superintendent of public instruction for the  
7 reimbursement of moneys to be expended by the district during the school year to  
8 increase the compensation of teachers employed by the district.

9           2. The claim must include:

10           a. The number of full-time equivalent teachers employed by the district as of  
11 September fifteenth;

12           b. The number of full-time equivalent teachers who will receive an increase in  
13 compensation over the amount paid during the previous school year; and

14           c. The total amount of the increase in compensation.

15           3. For the 2001-02 school year, the reimbursement provided for in this section may  
16 not exceed one thousand seven hundred fifty dollars multiplied by the number of  
17 full-time equivalent teachers employed by the district as of September 15, 2001.

18           For the 2002-03 school year, the reimbursement provided for in this section may  
19 not exceed three thousand five hundred dollars multiplied by the number of  
20 full-time equivalent teachers employed by the district as of September 15, 2002.

21           4. For purposes of this section, the claim of a district may include proportionate  
22 expenditures made by the district to compensate individuals employed as teachers  
23 by the special education unit or the area vocational and technology center to which  
24 the district belongs.

25           **SECTION 8.** A new section to chapter 15.1-27 of the North Dakota Century Code is  
26 created and enacted as follows:

27           **Compensation of teachers - Distribution of reimbursements.** The superintendent  
28 of public instruction shall distribute approximately one-sixth of the total amount to which each  
29 school district is entitled under this Act on or before the first day of each November, December,  
30 January, February, March, and May.