

Sixty-sixth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2013

Introduced by

Appropriations Committee

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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

Subdivision 1.

DEPARTMENT OF PUBLIC INSTRUCTION

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$17,439,176	\$502,280	\$17,941,456
Operating expenses	30,165,005	2,004,942	32,169,947

Sixty-sixth
Legislative Assembly

1	Integrated formula payments	1,750,204,163	356,441,891	2,106,646,054
2	Grants - special education	19,300,000	5,700,000	25,000,000
3	Grants - transportation	55,400,000	500,000	55,900,000
4	Grants - other grants	254,062,705	33,000,000	287,062,705
5	Grants - program grants	6,210,000	3,406,711	9,616,711
6	Grants - passthrough grants	2,898,000	(48,660)	2,849,340
7	PowerSchool	5,500,000	0	5,500,000
8	Transportation efficiency	30,000	(30,000)	0
9	National board certification	120,000	(12,000)	108,000
10	Total all funds	\$2,141,329,049	\$401,465,164	\$2,542,794,213
11	Less estimated income	705,727,065	108,815,319	814,542,384
12	Total general fund	\$1,435,601,984	\$292,649,845	\$1,728,251,829
13	Full-time equivalent positions	91.75	(3.00)	88.75
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.

STATE LIBRARY

Adjustments or

	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$4,152,758	\$115,434	\$4,268,192
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	\$257,776	\$8,123,637
Less estimated income	2,247,560	119,886	2,367,446
Total general fund	\$5,618,301	\$137,890	\$5,756,191
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>
Salaries and wages	\$7,588,749	\$432,098	\$8,020,847
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
Total all funds	\$9,953,970	\$241,141	\$10,195,111
Less estimated income	2,465,444	231,752	2,697,196
Total general fund	\$7,488,526	\$9,389	\$7,497,915
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

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	<u>State automated reporting system rewrite</u>	<u>0</u>	<u>1,200,000</u>
14	State school aid formula rewrite	<u>0</u>	<u>200,000</u>
15	Total department of public instruction -	\$191,820,000	\$200,000
16	all funds		
17	Total department of public instruction -	191,820,000	0
18	estimated income		
19	Total department of public instruction -	\$0	\$200,000
20	<u>Total department of public instruction -</u>	<u>\$191,820,000</u>	<u>\$1,400,000</u>
21	<u>all funds</u>		
22	<u>Total department of public instruction -</u>	<u>191,820,000</u>	<u>1,200,000</u>
23	<u>estimated income</u>		
24	<u>Total department of public instruction -</u>	<u>\$0</u>	<u>\$200,000</u>
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	<u>30,000</u>	<u>0</u>
30	Total school for the deaf - estimated income	\$733,000	\$270,000
31	North Dakota vision services - school for the blind		

Sixty-sixth
Legislative Assembly

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	Grand total - all funds	\$192,688,500	\$750,500
14	Grand total - estimated income	192,688,500	550,500
15	Grand total - general fund	\$0	\$200,000
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>

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

SECTION 3. APPROPRIATION - ESTIMATED INCOME - TUITION APPORTIONMENT.

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

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

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.

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

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

SECTION 10. TRANSPORTATION GRANTS - DISTRIBUTION.

1. During each year of the 2019-21 biennium, the superintendent of public instruction shall calculate the payment to which each school district is entitled based on the state transportation formula as it existed on June 30, 2001, except that the superintendent shall provide reimbursement at the rate of:
 - a. One dollar and ~~nine~~eleven cents per mile for school buses having a capacity of ten or more passengers;
 - b. ~~Fifty-one~~Fifty-two cents per mile for vehicles having a capacity of nine or fewer passengers;
 - c. Fifty cents per mile, provided;
 - (1) The student being transported is a student with a disability, as defined in chapter 15.1-32;
 - (2) The student's individualized education program plan requires that the student attend a public or a nonpublic school located outside the student's school district of residence;
 - (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 ~~\$2,136,711~~\$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

recipient student has failed to meet the requirements of this section, the board shall provide notification to the student within ten days.

3. A student is not entitled to receive more than six thousand dollars under this section.

4. The state board of higher education shall forward the scholarship directly to the institution in which the student is enrolled.

5. a. (1) This section does not require a student to be enrolled in consecutive semesters.

(2) This section does not require a student to be enrolled in consecutive quarters.

b. A scholarship under this section is valid only for six academic years after the student's graduation from high school and may be applied to a graduate program.

6. A scholarship under this section is available to any eligible resident student who fulfills the requirements of section 15.1-21-02.4 or 15.1-21-02.5 and who:

a. Graduates from a high school in this state;

b. Graduates from a high school in a bordering state under chapter 15.1-29;

c. Graduates from a nonpublic high school in a bordering state while residing with a custodial parent in this state; or

d. Completes a program of home education supervised in accordance with chapter 15.1-23.

7. a. For purposes of North Dakota scholarship eligibility under this section, "full-time" has the same meaning as the term is defined by the institution the student is attending.

b. A student who is enrolled less than full-time may retain scholarship eligibility if the student is in the final semester or quarter before graduation. The waiver of the full-time enrollment status requirement for scholarship eligibility may not apply to a student more than once.

c. For the purpose of North Dakota scholarship eligibility under this section, "progress toward degree completion" means earning the following minimum number of credits after each semester or quarter term disbursement to qualify for the subsequent disbursement:

(1) Twenty-four credits after disbursement two;

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

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

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

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