

Sixty-sixth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2013

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of
2 public instruction, the state library, the school for the deaf, and the North Dakota vision
3 services - school for the blind; ~~and~~ to amend and reenact sections 15-10-38, 15.1-02-02,
4 15.1-37-05, 15.1-37-06, and 15.1-37-08 of the North Dakota Century Code, relating to a student
5 loan forgiveness program for teachers, the salary of the superintendent of public instruction,
6 early childhood education providers, the distribution of early childhood education provider
7 grants, and early childhood education provider data collection; to provide for a report to the
8 legislative assembly; to provide exemptions; and to declare an emergency.

9 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

10 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
11 as may be necessary, are appropriated out of any moneys in the general fund in the state
12 treasury, not otherwise appropriated, and from special funds derived from federal funds and
13 other income, to the department of public instruction, the state library, the school for the deaf,
14 and North Dakota vision services - school for the blind for the purpose of defraying the
15 expenses of those agencies, for the biennium beginning July 1, 2019, and ending June 30,
16 2021, as follows:

17 Subdivision 1.

18 DEPARTMENT OF PUBLIC INSTRUCTION

19	<u>Governor's</u>			
20		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
21	Salaries and wages	\$17,439,176	\$18,213,061	\$17,439,176
22	Operating expenses	30,165,005	35,444,947	30,165,005
23	Integrated formula payments	1,750,204,163	2,050,702,323	1,750,204,163
24	Grants - special education	19,300,000	25,000,000	19,300,000

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1	Grants - transportation	55,400,000	55,400,000	55,400,000
2	Grants - other grants	254,062,705	287,062,705	254,062,705
3	Grants - program grants	6,210,000	10,489,711	6,210,000
4	Grants - passthrough grants	2,898,000	2,538,129	2,898,000
5	PowerSchool	5,500,000	0	5,500,000
6	Transportation efficiency	30,000	27,000	30,000
7	National board certification	120,000	108,000	120,000
8	Total all funds	\$2,141,329,049	\$2,484,985,876	\$2,141,329,049
9	Less estimated income	705,727,065	937,489,392	705,727,065
10	Total general fund	\$1,435,601,984	\$1,547,496,484	\$1,435,601,984
11	Full-time equivalent positions	91.75	88.75	91.75
12	<u>Adjustments or</u>			
13		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
14	Salaries and wages	\$17,439,176	\$502,280	\$17,941,456
15	Operating expenses	30,165,005	2,004,942	32,169,947
16	Integrated formula payments	1,750,204,163	356,441,891	2,106,646,054
17	Grants - special education	19,300,000	5,700,000	25,000,000
18	Grants - transportation	55,400,000	500,000	55,900,000
19	Grants - other grants	254,062,705	33,000,000	287,062,705
20	Grants - program grants	6,210,000	3,406,711	9,616,711
21	Grants - passthrough grants	2,898,000	(48,660)	2,849,340
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	Total all funds	\$2,141,329,049	\$401,465,164	\$2,542,794,213
26	Less estimated income	705,727,065	108,815,319	814,542,384
27	Total general fund	\$1,435,601,984	\$292,649,845	\$1,728,251,829
28	Full-time equivalent positions	91.75	(3.00)	88.75

Subdivision 2.

STATE LIBRARY

1	Governor's			
2		Base Level	Recommendation	Appropriation
3	Salaries and wages	\$4,152,758	\$4,323,750	\$4,152,758
4	Operating expenses	1,604,075	1,621,917	1,604,075
5	Grants	<u>2,109,028</u>	<u>2,233,528</u>	<u>2,109,028</u>
6	Total all funds	\$7,865,861	\$8,179,195	\$7,865,861
7	Less estimated income	<u>2,247,560</u>	<u>2,371,469</u>	<u>2,247,560</u>
8	Total general fund	\$5,618,301	\$5,807,726	\$5,618,301
9	Full-time equivalent positions	28.75	27.75	28.75

10	Adjustments or			
11	Base Level	Enhancements	Appropriation	
12	Salaries and wages	\$4,152,758	\$115,434	\$4,268,192
13	Operating expenses	1,604,075	17,842	1,621,917
14	Grants	2,109,028	124,500	2,233,528
15	Total all funds	\$7,865,861	\$257,776	\$8,123,637
16	Less estimated income	2,247,560	119,886	2,367,446
17	Total general fund	\$5,618,301	\$137,890	\$5,756,191
18	Full-time equivalent positions	28.75	(1.00)	27.75

Subdivision 3.

SCHOOL FOR THE DEAF

21	Governor's			
22		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
23	Salaries and wages	\$7,588,749	\$7,893,802	\$7,588,749
24	Operating expenses	2,026,543	1,705,586	2,026,543
25	Capital assets	158,678	428,678	158,678
26	Grants	<u>180,000</u>	<u>40,000</u>	<u>180,000</u>
27	Total all funds	\$9,953,970	\$10,068,066	\$9,953,970
28	Less estimated income	<u>2,465,444</u>	<u>2,700,808</u>	<u>2,465,444</u>
29	Total general fund	\$7,488,526	\$7,367,258	\$7,488,526
30	Full-time equivalent positions	45.61	43.61	45.61

31 Adjustments or

	Base Level	Enhancements	Appropriation
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
Full-time equivalent positions	45.61	(1.00)	44.61

Subdivision 4.

NORTH DAKOTA VISION SERVICES - SCHOOL FOR THE BLIND

Governor's			
	Base Level	Recommendation	Appropriation
Salaries and wages	\$4,660,995	\$4,960,970	\$4,660,995
Operating expenses	773,206	815,821	773,206
Capital assets	39,192	299,692	39,192
Total all funds	\$5,473,393	\$6,076,483	\$5,473,393
Less estimated income	1,079,247	1,331,624	1,079,247
Total general fund	\$4,394,146	\$4,744,859	\$4,394,146
Full-time equivalent positions	28.50	27.90	28.50

Adjustments or			
	Base Level	Enhancements	Appropriation
Salaries and wages	\$4,660,995	\$253,761	\$4,914,756
Operating expenses	773,206	42,615	815,821
Capital assets	39,192	260,500	299,692
Total all funds	\$5,473,393	\$556,876	\$6,030,269
Less estimated income	1,079,247	251,746	1,330,993
Total general fund	\$4,394,146	\$305,130	\$4,699,276
Full-time equivalent positions	28.50	(0.60)	27.90

Subdivision 5.

BILL TOTAL

	Governor's		
	Base Level	Recommendation	Appropriation
Grand total general fund	\$1,453,102,957	\$1,565,416,327	\$1,453,102,957
Grand total special funds	711,519,316	943,893,293	711,519,316
Grand total all funds	\$2,164,622,273	\$2,509,309,620	\$2,164,622,273

	Adjustments or		
	Base Level	Enhancements	Appropriation
Grand total general fund	\$1,453,102,957	\$293,102,254	\$1,746,205,211
Grand total special funds	711,519,316	109,418,703	820,938,019
Grand total all funds	\$2,164,622,273	\$402,520,957	\$2,567,143,230

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO

SIXTY-SEVENTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium and the 2019-21 one-time funding items included in the appropriation in section 1 of this Act:

	One-Time Funding Description	2017-19	2019-21
	Department of public instruction		
	Regional education association merger grants	\$100,000	\$0
	North Dakota governor's school science, technology, engineering, and mathematics programs	220,000	0
	English language learner grants	500,000	0
	Rapid enrollment grants	6,000,000	0
	Integrated formula payments	185,000,000	0
	Total department of public instruction - estimated income	\$191,820,000	\$0
	School for the deaf		
	Extraordinary repairs	\$675,000	\$0
	Equipment	28,000	0
	Video equipment and software	30,000	0
	Total school for the deaf - estimated income	\$733,000	\$0
	North Dakota vision services - school for the blind		
	Special assessments payoff	\$10,000	\$0

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1	Heating and cooling upgrade	35,500	0
2	Replace water line	60,000	0
3	Carpet and reception upgrade	30,000	0
4	Total school for the blind - estimated income	\$135,500	\$0
5	Grand total - all funds	\$192,688,500	\$0
6	Grand total - estimated income	192,688,500	0
7	Grand total - general fund	\$0	\$0
8	<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
9	<u>Department of public instruction</u>		
10	<u>Regional education association merger grants</u>	<u>\$100,000</u>	<u>\$0</u>
11	<u>North Dakota governor's school science, technology,</u>	<u>220,000</u>	<u>0</u>
12	<u>engineering, and mathematics programs</u>		
13	<u>English language learner grants</u>	<u>500,000</u>	<u>0</u>
14	<u>Rapid enrollment grants</u>	<u>6,000,000</u>	<u>0</u>
15	<u>Integrated formula payments</u>	<u>185,000,000</u>	<u>0</u>
16	<u>State school aid formula rewrite</u>	<u>0</u>	<u>200,000</u>
17	<u>Total department of public instruction -</u>	<u>\$191,820,000</u>	<u>\$200,000</u>
18	<u>all funds</u>		
19	<u>Total department of public instruction -</u>	<u>191,820,000</u>	<u>0</u>
20	<u>estimated income</u>		
21	<u>Total department of public instruction -</u>	<u>\$0</u>	<u>\$200,000</u>
22	<u>general fund</u>		
23	<u>School for the deaf</u>		
24	<u>Extraordinary repairs</u>	<u>\$675,000</u>	<u>\$250,000</u>
25	<u>Equipment</u>	<u>28,000</u>	<u>20,000</u>
26	<u>Video equipment and software</u>	<u>30,000</u>	<u>0</u>
27	<u>Total school for the deaf - estimated income</u>	<u>\$733,000</u>	<u>\$270,000</u>
28	<u>North Dakota vision services - school for the blind</u>		
29	<u>Special assessments payoff</u>	<u>\$10,000</u>	<u>\$0</u>
30	<u>Heating and cooling upgrade</u>	<u>35,500</u>	<u>0</u>
31	<u>Replace water line</u>	<u>60,000</u>	<u>0</u>

1	<u>Carpet and reception upgrade</u>	<u>30,000</u>	<u>0</u>
2	<u>West wing roof repair</u>	<u>0</u>	<u>39,000</u>
3	<u>Other repairs</u>	<u>0</u>	<u>18,500</u>
4	<u>Daily living skills area remodel</u>	<u>0</u>	<u>25,000</u>
5	<u>South wing restroom remodel</u>	<u>0</u>	<u>120,000</u>
6	<u>Garage door replacement</u>	<u>0</u>	<u>16,000</u>
7	<u>Gymnasium floor replacement</u>	<u>0</u>	<u>42,000</u>
8	<u>Adaptive technology equipment</u>	<u>0</u>	<u>20,000</u>
9	<u>Total school for the blind - estimated income</u>	<u>\$135,500</u>	<u>\$280,500</u>
10	<u>Grand total - all funds</u>	<u>\$192,688,500</u>	<u>\$750,500</u>
11	<u>Grand total - estimated income</u>	<u>192,688,500</u>	<u>550,500</u>
12	<u>Grand total - general fund</u>	<u>\$0</u>	<u>\$200,000</u>

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

18 **SECTION 3. APPROPRIATION - ESTIMATED INCOME - TUITION APPORTIONMENT.**

19 The sum of ~~\$305,546,905~~\$379,764,000, included in the integrated formula payments line item
20 in subdivision 1 of section 1 of this Act, is from the state tuition fund in the state treasury. Any
21 additional amount in the state tuition fund that becomes available for distribution to public
22 schools is appropriated to the department of public instruction for that purpose for the biennium
23 beginning July 1, 2019, and ending June 30, 2021.

24 **SECTION 4. ~~APPROPRIATION~~ESTIMATED INCOME - FOUNDATION AID**

25 **STABILIZATION FUND.** The estimated income line item in subdivision 1 of section 1 of this Act
26 includes \$110,000,000 from the foundation aid stabilization fund in the state treasury for
27 integrated formula payments for the biennium beginning July 1, 2019, and ending June 30,
28 2021.

29 **SECTION 5. EXEMPTION - FUNDING TRANSFER - AUTHORIZATION.** Notwithstanding
30 section 54-16-04, the superintendent of public instruction may transfer up to \$4,000,000 from
31 the integrated formula payments line item to the grants - special education line item, for the

1 biennium beginning July 1, 2017, and ending June 30, 2019, for the purposes of providing
2 special education grants. The superintendent of public instruction shall notify the office of
3 management and budget of any transfer made pursuant to this section.

4 **SECTION 6. INTEGRATED FORMULA PAYMENTS AND SPECIAL EDUCATION**

5 **CONTRACTS EXPENDITURE AUTHORITY.** The superintendent of public instruction may
6 expend funds included in the integrated formula payments and grants - special education
7 contracts line items in subdivision 1 of section 1 of this Act for paying grants for educational
8 services that were due in the 2017-19 biennium but which were not filed, claimed, or properly
9 supported by the education provider until after June 30, 2019. To be reimbursed under this
10 section, claims must be properly supported and filed with the superintendent of public
11 instruction by June 30, 2020.

12 **SECTION 7. GRANTS - SPECIAL EDUCATION DEFICIENCY AUTHORIZATION.** If funds
13 provided to the superintendent of public instruction in subdivision 1 of section 1 of this Act for
14 grants - special education, for the biennium beginning July 1, 2019, and ending June 30, 2021,
15 are not sufficient to meet special education contract obligations, the superintendent of public
16 instruction shall request supplemental funding from the sixty-seventh legislative assembly.

17 **SECTION 8. GIFTED AND TALENTED PROGRAM - MEDICAID MATCHING FUNDING -**
18 **DISTRIBUTION.**

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

1 **SECTION 9. TRANSPORTATION GRANTS - DISTRIBUTION.**

2 1. During each year of the 2019-21 biennium, the superintendent of public instruction
3 shall calculate the payment to which each school district is entitled based on the state
4 transportation formula as it existed on June 30, 2001, except that the superintendent
5 shall provide reimbursement at the rate of:

6 a. One dollar and ~~eleven~~nine cents per mile for school buses having a capacity of
7 ten or more passengers;

8 b. ~~Fifty-two~~Fifty-one cents per mile for vehicles having a capacity of nine or fewer
9 passengers;

10 c. Fifty cents per mile, provided;

11 (1) The student being transported is a student with a disability, as defined in
12 chapter 15.1-32;

13 (2) The student's individualized education program plan requires that the
14 student attend a public or a nonpublic school located outside the student's
15 school district of residence;

16 (3) The student is transported by an adult member of the student's family;

17 (4) The student is transported in a vehicle furnished by the student's parents;

18 (5) The student's transportation is paid for by the student's parents; and

19 (6) The reimbursement does not exceed two round trips daily between the
20 student's home and school.

21 d. Fifty cents per mile, one way, provided:

22 (1) The student being transported resides more than two miles from the public
23 school that the student attends;

24 (2) The student is transported by an adult member of the student's family;

25 (3) The student is transported in a vehicle furnished by the student's parents;
26 and

27 (4) The student's transportation is paid for by the student's parents.

28 e. ~~Thirty~~Twenty-nine cents per student for each one-way trip.

29 2. The superintendent of public instruction shall use the latest available student
30 enrollment count in each school district in applying the provisions of subsection 1.

3. This section does not authorize the reimbursement of any costs incurred in providing transportation for student attendance at extracurricular activities or events.

SECTION 10. PROGRAM GRANT POOL - CONTINUING EDUCATION GRANTS -

FUNDING - DISTRIBUTION. The grants - program grants line item in subdivision 1 of section 1 of this Act includes ~~\$1,530,000~~\$2,136,711 for a program grant pool. The superintendent of public instruction shall use the funding provided for various grant programs, including up to ~~\$75,000~~\$125,000, or so much of the sum as may be necessary, for continuing education grants, for the biennium beginning July 1, 2019, and ending June 30, 2021.

1. The superintendent of public instruction shall award grants in amounts up to \$1,200 to eligible recipients in chronological order, based on the date of an individual's application. An eligible recipient must:

- a. (1) Be licensed to teach by the education standards and practices board;
- (2) Have taught in this state during each of the last three school years; and
- (3) Be enrolled at an institution of higher education in this state in either a master of education program in educational leadership or a program leading to a specialist diploma in educational leadership;
- b. Be pursuing the requirements for a certificate in career development facilitation; or
- c. Be pursuing a school counselor credential.

2. If any of the amount appropriated for this purpose remains after the superintendent of public instruction has awarded grants to all eligible recipients, the superintendent shall distribute that amount as an additional per student payment on a prorated basis, according to the latest available average daily membership of each school district.

SECTION 11. PASSTHROUGH GRANTS - APPLICATION - DISTRIBUTION -

REPORTING. The grants - passthrough grants line item in subdivision 1 of section 1 of this Act includes ~~\$2,100,000~~\$2,215,764 for passthrough grants for writing projects, an entrepreneur program, governor's school, and a mentoring program. The superintendent of public instruction shall determine the manner in which each passthrough grant is distributed. Grantees, as a condition of receiving the grant, must establish performance measures to be reviewed by the superintendent of public instruction. Grantees shall report to the superintendent of public instruction regarding performance based on the measures before October 1, 2020. The

1 superintendent of public instruction shall report to the appropriations committees of the sixty-
2 seventh legislative assembly regarding funds granted, performance measures established for
3 each grantee, and whether grantees met performance expectations.

4 **SECTION 12. REGIONAL EDUCATION ASSOCIATIONS - GRANTS- DISTRIBUTION.**

5 The integrated formula payments line item in subdivision 1 of section 1 of this Act includes
6 \$500,000 from the general fund for the purpose of providing annual grants to regional education
7 associations for the biennium beginning July 1, 2019, and ending June 30, 2021. An annual
8 grant of \$31,250 is provided to each regional education association that exists as of July 1,
9 2019. Regional education associations that merge during the 2019-21 biennium are entitled to
10 the annual grants that would have been paid to each of the member associations.

11 **SECTION 13. EXEMPTION - INDIRECT COST ALLOCATION.** Notwithstanding section
12 54-44.1-15, the department of public instruction may deposit indirect cost recoveries in its
13 operating account.

14 **SECTION 14. STATE AID TO PUBLIC LIBRARIES.** The grants line item in subdivision 2 of
15 section 1 of this Act includes \$1,737,528 for aid to public libraries, of which no more than one-
16 half may be expended during the fiscal year ending June 30, 2020.

17 **SECTION 15. EXEMPTION - SCHOOL FOR THE DEAF - HIGHER EDUCATION**
18 **INTERPRETER GRANT PROGRAM DISTRIBUTION.** The grants line item in subdivision 3 of
19 section 1 of this Act is for the purpose of providing grants to assist institutions under the control
20 of the state board of higher education with the cost of interpreters and real-time captioning for
21 students who are deaf or hard of hearing, for the biennium beginning July 1, 2019, and ending
22 June 30, 2021. Moneys appropriated for this program are not subject to section 54-44.1-11.
23 Funds must be distributed pursuant to the provisions of this section:

- 24 1. The school for the deaf shall develop a formula to determine the grant amount for
25 which an institution is eligible. The formula must be based on an uniform hourly
26 reimbursement.
- 27 2. To obtain a grant under this section, an institution shall submit to the school for the
28 deaf, at the time and in the manner directed by the school, invoices showing the
29 amount expended for interpreters and real-time captioning for students who are deaf
30 or hard of hearing.

3. The school for the deaf may not distribute more than fifty percent of the amount appropriated during the first year of the biennium.

4. If any grant moneys remain undistributed at the end of the biennium, the school for the deaf shall provide additional prorated grants to institutions that incurred, during the biennium, hourly expenses in excess of the formula reimbursement level.

5. At the request of an institution under the control of the state board of higher education, the school for the deaf shall consult with the institution and provide advice regarding the provision of services most appropriate to meet a student's needs.

~~**SECTION 13. FEES DEPOSITED IN NORTH DAKOTA VISION SERVICES—SCHOOL FOR THE BLIND OPERATING FUND.** Any moneys included in the estimated income line item in subdivision 4 of section 1 of this Act, collected for subscription fees or braille fees, must be deposited in the North Dakota vision services—school for the blind operating fund in the state treasury and may be spent subject to appropriation by the legislative assembly.~~

SECTION 16. AMENDMENT. Section 15-10-38 of the North Dakota Century Code is amended and reenacted as follows:

15-10-38. Loans - Teacher shortages - Loan forgiveness.

1. The ~~state board of higher education~~superintendent of public instruction shall administer a student loan forgiveness program for individuals teaching at grade levels, in content areas, and in geographical locations identified as having a teacher shortage or critical need. The ~~board~~superintendent of public instruction may approve loan forgiveness for no more than two teachers per year in a school district. The ~~board~~superintendent of public instruction shall adopt rules to implement the program.
2. The superintendent of public instruction annually shall identify grade levels, content areas, and geographical locations in which a teacher shortage or critical need exists.
3. To be eligible for loan forgiveness under this section, an individual:
 - a. Must have graduated from an accredited teacher preparation program and signed a contract to teach at a grade level or in a content area and in a geographical location identified by the superintendent of public instruction as having an existing teacher shortage or critical need; and
 - b. Must have an existing student loan.

- 1 4. For purposes of this section, the definitions of rural school district and remote town
2 school district have the same meaning as the definitions under the national center for
3 education statistics locale codes.
- 4 5. If an individual is receiving loan forgiveness under any other provision, the individual
5 may not receive loan forgiveness under this section during the same application year.
- 6 6. An eligible individual may receive loan forgiveness under the program as follows:
 - 7 a. If the individual accepts one of up to five positions of critical need in a nonrural
8 school district or nonremote town school district, the individual may receive up to
9 three thousand dollars per year for a maximum of four years.
 - 10 b. If the individual accepts a position in a rural school district or remote town school
11 district with an enrollment of fewer than one thousand students, the individual
12 may receive up to four thousand five hundred dollars per year for a maximum of
13 four years.
 - 14 c. If the individual accepts one of up to five positions of critical need in a rural
15 school district or remote town school district with an enrollment of fewer than one
16 thousand students, the individual may receive up to six thousand five hundred
17 dollars per year for a maximum of four years.
- 18 7. The superintendent of public instruction shall consider all applications under this
19 section based on the number of unfilled school vacancies, prioritized by critical need
20 and geographic location.
- 21 8. Upon notification the individual has completed a full year of teaching in a school
22 district, state-supported school, or nonpublic school in this state at a grade level or in a
23 content area and in a geographical location identified by the superintendent of public
24 instruction as one in which a teacher shortage or critical need exists, the
25 ~~board~~superintendent of public instruction shall distribute funds directly to the lending
26 institution of the individual to repay outstanding loan principal balances on behalf of
27 eligible applicants. The ~~board~~superintendent of public instruction shall terminate loan
28 forgiveness payments to eligible individuals when the loan principal balance of the
29 eligible individual is paid in full.

30 **SECTION 17. AMENDMENT.** Section 15.1-02-02 of the North Dakota Century Code is
31 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.

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.

SECTION 19. AMENDMENT. Section 15.1-37-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-37-06. Receipt and distribution of grants - Notification.

1. a. The ~~department of commerce~~superintendent of public instruction shall receive applications for and distribute grants under this section to eligible members, including governing board members, of a consortium formed in accordance with section 15.1-37-05, in the amount of two thousand dollars for each child enrolled in a program of early childhood education, if the child is eligible for free lunches under the Richard B. Russell National School Lunch Act [42 U.S.C. 1751, et seq.], and one thousand dollars for each child enrolled in a program of early childhood education, if the child is eligible for reduced lunches under the Richard B. Russell National School Lunch Act [42 U.S.C. 1751, et seq.], provided:
 - (1) The child is a resident of this state;
 - (2) The child has reached four years of age before August first in the year of enrollment; and
 - (3) The program has a duration of at least four hundred hours over a period of at least thirty-two consecutive weeks.
- b. A child enrolled in a federally funded head start program may not be counted for the purpose of determining grant eligibility under this section.
2. a. Once each calendar quarter, at the time and in the manner required by the ~~department of commerce~~superintendent of public instruction, any provider receiving a grant under this section shall forward to the parent of each child receiving services a notice indicating the total amount of the grant that was awarded to the provider for the quarter, the pro rata amount attributable to the parent's child, and the source of the grant. The ~~department of commerce~~superintendent of public instruction shall standardize the notification required by this subdivision.
- b. If a provider fails to meet the notification requirements of this subsection, the ~~department of commerce~~superintendent of public instruction shall reduce the amount of the provider's next grant payment by fifty percent. If a provider fails to 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 21. EMERGENCY.** Section 5 of this Act is declared to be an emergency
13 measure.