

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2162

In lieu of the amendments adopted by the House as printed on pages 959 and 960 of the House Journal, Reengrossed Senate Bill No. 2162 is amended as follows:

Page 1, line 2, after "enact" insert "a new section to chapter 15-29 of the North Dakota Century Code, or in the alternative to create and enact a new section to chapter 15.1-09 of the North Dakota Century Code, and to create and enact"

Page 1, line 3, remove "contingent per student payments and" and after "programs" insert "and nonoperating school districts"

Page 1, line 6, after the second semicolon insert "to provide for a legislative council study;"

Page 1, after line 8, insert:

**"SECTION 1.** If House Bill No. 1034 does not become effective, a new section to chapter 15-29 of the North Dakota Century Code is created and enacted as follows:

**School district superintendent - Joint employment - Accreditation.** The superintendent of public instruction may not impose through the accreditation process any penalties or sanctions on a school district for employing a superintendent jointly with one or more other districts. The superintendent may not require, through the accreditation process, that an employee of a school district having fewer than one hundred students in high school spend more than thirty-three percent of the employee's time performing the duties of a school principal."

Page 1, line 18, after the second underscored comma insert "transportation aid,"

Page 1, overstrike line 24

Page 2, line 3, replace "thirty-nine" with "thirty-four"

Page 2, line 5, replace "ten" with "forty"

Page 2, line 8, remove "The superintendent of public instruction shall monitor student enrollments. If"

Page 2, remove lines 9 through 14

Page 2, line 15, remove "c."

Page 2, line 20, remove the overstrike over "e." and remove "d."

Page 3, line 5, remove the overstrike over "d." and remove "e."

Page 11, remove lines 29 and 30

Page 12, remove lines 1 through 5

Page 12, after line 27, insert:

"**SECTION 7.** A new section to chapter 15-40.1 of the North Dakota Century Code is created and enacted as follows:

**Nonoperating school districts - Education of students - State payments.**

1. Notwithstanding the provisions of any other law, a school district operating on the effective date of this Act may become a nonoperating district, provided:
  - a. The board of the district terminates the operation of all public schools in the district;
  - b. The board provides for the education in other school districts of all kindergarten, elementary, and secondary school students residing in the district; and
  - c. The board pays to other school districts educating its students the full per student cost of education in the receiving district.
2. The board of a nonoperating school district shall continue to employ, on a full-time or a part-time basis, one person qualified to manage the finances of the district.
3. The board of a nonoperating school district is governed by all laws applicable to the board of an operating school district.
4. A nonoperating district under this section is entitled to receive all per student payments, supplemental payments, tuition apportionment payments, transportation aid payments, special education payments, vocational education payments, and any other state payments to school districts, for each resident student, in the same manner that the payments would be made had the district remained operational.
5. Total state payments made annually to a nonoperating district under this section may not be less than the total state payments received by the district during its final year of operation.
6. A school district may be nonoperational for no more than five school years.

**SECTION 8.** A new section to chapter 15.1-09 of the North Dakota Century Code is created and enacted as follows:

**School district superintendent - Joint employment - Accreditation.** The superintendent of public instruction may not impose through the accreditation process any penalties or sanctions on a school district for employing a superintendent jointly with one or more other districts. The superintendent may not require, through the accreditation process, that an employee of a school district having fewer than one hundred students in high school spend more than thirty-three percent of the employee's time performing the duties of a school principal."

Page 15, line 20, replace "the effective date of" with "July 1, 1999,"

Page 15, line 21, remove "sections 1 through 8 of this Act"

Page 15, line 23, after "reorganization" insert "and that for subsequent years the district receives amounts determined pursuant to section 15-40.1-07.3"

Page 15, replace lines 24 through 31 with:

**"SECTION 12. LEGISLATIVE COUNCIL STUDY OF EDUCATIONAL EQUITY AND FUTURE EDUCATIONAL DELIVERY.** The legislative council shall study the provision of education to public school students in this state and shall examine the manner in which education to public school students will be delivered in the ensuing five, ten, and twenty years. Within this study, the council shall address demographic changes as they affect equity of educational opportunities with respect to courses, facilities, and extracurricular activities; equity with respect to teacher availability and qualifications; equity with respect to the organization and administration of school districts; and taxpayer equity in both rural and urban school districts. The legislative council shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the fifty-seventh legislative assembly."

Page 16, remove lines 1 through 4

Page 16, line 6, replace "\$3,000,000 with "\$1,500,000"

Page 16, line 14, replace "Section 9" with "Sections 6 and 11" and replace "is" with "are"

Renumber accordingly