

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1295

Introduced by

Representatives Hawken, Delmore, Haas, N. Johnson

Senators J. Lee, Wardner

1 A BILL for an Act to amend and reenact section 15.1-02-13 of the North Dakota Century Code,
2 relating to school district employee compensation reports.

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

4 **SECTION 1. AMENDMENT.** Section 15.1-02-13 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **15.1-02-13. School district employee compensation report.**

- 7 1. Before September eleventh of each year, ~~beginning in 2002~~, each school district
8 shall provide ~~the following information~~ to the superintendent of public instruction,
9 with respect to each teacher and class of teachers and with respect to each
10 administrator and class of administrators, the total amount paid or provided as:
- 11 a. ~~The total amount of base salary.~~
 - 12 b. ~~The total amount of compensation reportable as gross income under the~~
13 ~~Internal Revenue Code.~~
 - 14 e. ~~Any other compensation paid or provided to or on behalf of individuals~~
15 ~~employed as teachers and as administrators.~~
 - 16 d. ~~Health insurance benefits paid to or on behalf of individuals employed as~~
17 ~~teachers and as administrators.~~
 - 18 e. ~~Retirement contributions and assessments paid on behalf of individuals~~
19 ~~employed as teachers and as administrators, and including individual shares~~
20 ~~if paid by the district.~~
 - 21 f. ~~Any other benefits paid or provided to or on behalf of individuals employed as~~
22 ~~teachers and as administrators.~~
 - 23 a. Total number of contract days employed during fiscal year.
 - 24 b. Normal year contract base salary:

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- 1 (1) 401(a);
- 2 (2) 401(k);
- 3 (3) 403(b);
- 4 (4) 414(h); and
- 5 (5) 457.
- 6 c. Extended year contract base salary:
- 7 (1) 401(a);
- 8 (2) 401(k);
- 9 (3) 403(b);
- 10 (4) 414(h); and
- 11 (5) 457.
- 12 d. Extracurricular activities:
- 13 (1) Advisor;
- 14 (2) Athletics; and
- 15 (3) Music.
- 16 e. In-staff subbing and workload adjustment.
- 17 f. In-service:
- 18 (1) Workshops; and
- 19 (2) Conference, not expense reimbursement.
- 20 g. Signing and retention bonus.
- 21 h. Other bonus, grant, stipends, and consortium work.
- 22 i. Miscellaneous compensation:
- 23 (1) Chaperone; and
- 24 (2) After school programs.
- 25 j. Other category A salary, not listed above.
- 26 k. Perfect attendance and unused sick, personal, and vacation days.
- 27 l. In lieu pay:
- 28 (1) Housing allowance;
- 29 (2) Transportation expenses; and
- 30 (3) All other in lieu payments.
- 31 m. Contract buyout:

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- 1 (1) Reduction in force;
- 2 (2) Severance; and
- 3 (3) Early retirement pay.
- 4 n. Salary in lieu of previous employer-provided fringe benefits.
- 5 o. Training, technical, and professional development reimbursement.
- 6 p. Tuition reimbursement or loan forgiveness payment.
- 7 q. Referee, bus driver, and janitorial payments.
- 8 r. Other category B salary, not listed above.
- 9 s. Federal Insurance Contributions Act tax, social security, and medicare.
- 10 t. Insurance:
 - 11 (1) Unemployment;
 - 12 (2) Workers compensation;
 - 13 (3) Disability;
 - 14 (4) Life;
 - 15 (5) Health;
 - 16 (6) Vision;
 - 17 (7) Dental;
 - 18 (8) Cancer;
 - 19 (9) Long-term care; and
 - 20 (10) Other insurance not listed above.
- 21 u. Dues or membership fees paid by employer:
 - 22 (1) Direct payment; and
 - 23 (2) Reimbursement.
- 24 v. Teacher fund for retirement contribution paid by employer.
- 25 w. Other benefits not listed above.
- 26 2. The superintendent of public instruction shall:
 - 27 a. ~~Compile the information required by subsection 1 in a manner that allows for~~
 - 28 ~~accurate comparisons based on:~~
 - 29 (1) ~~Full time versus part time personnel;~~
 - 30 (2) ~~A normal schoolday versus an extended schoolday; and~~

- 1 (3) ~~A regular school calendar of approximately one hundred eighty days~~
2 ~~versus an extended school year.~~
- 3 b. ~~Forward~~ forward a copy of the compiled information to the governor and the
4 chairman of the legislative council.
- 5 3. The superintendent of public instruction may not expand the reporting
6 requirements provided in this section.
- 7 4. If any school district fails without good cause to provide the information required by
8 this section on or before September tenth and in the manner directed by the
9 superintendent of public instruction, the superintendent shall withhold all state aid
10 until the information is received.
- 11 4. 5. For purposes of this section:
- 12 a. "Administrator" ~~means~~ includes an individual who is employed by a school
13 district in an administrative position and ~~includes a~~ who is classified by the
14 superintendent of public instruction as:
- 15 (1) A class 67 school district superintendent, ~~an~~;
- 16 (2) A class 66 assistant or associate superintendent, ~~a~~;
- 17 (3) A class 53 principal, ~~an~~;
- 18 (4) A class 05 assistant principal, ~~a~~;
- 19 (5) A class 29 director, including a special education director, and a
20 vocational education director, ~~and any~~;
- 21 (6) A class 04 assistant director; and
- 22 (7) Any other individual whose position requires an administrator's
23 credential.
- 24 b. "Teacher" means an individual, other than an administrator, who is licensed to
25 teach by the education standards and practices board or approved to teach
26 by the education standards and practices board and who is employed by the
27 board of a school district in a position classified by the superintendent of
28 public instruction as ~~of July 1, 2001, as:~~
- 29 (1) A class 22 coordinator;
- 30 (2) A class 37 guidance counselor or school counselor;
- 31 (3) A class 38 guidance counselor designate;

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- 1 (4) A class 40 instructional programmer;
- 2 (5) A class 41 library media specialist;
- 3 (6) A class 56 pupil personnel service provider;
- 4 (7) A class 59 school psychologist;
- 5 (8) A class 62 speech-language pathologist;
- 6 (9) A class 68 supervisor;
- 7 (10) A class 70 teacher or special education teacher; or
- 8 (11) A class 72 tutor in training.