

PROPOSED AMENDMENTS TO SENATE BILL NO. 2030

Page 1, line 2, replace "educational associations governed by joint powers agreements" with "area service providers"

Page 1, line 3, remove "and" and after "15.1-09-33" insert ", 15.1-32-08, and 15.1-33-02"

Page 1, line 13, replace "educational associations" with "area service providers"

Page 1, line 15, replace "educational associations" with "area service providers"

Page 4, line 7, replace "educational association" with "area service provider"

Page 4, line 11, replace "**Educational association**" with "**Area service provider**"

Page 4, line 13, replace "educational association" with "area service provider"

Page 5, line 1, replace "educational associations" with "area service providers"

Page 5, line 2, replace "educational associations" with "area service providers"

Page 5, line 9, replace "educational association" with "area service provider"

Page 5, line 12, replace "educational association" with "area service provider"

Page 5, line 15, replace "educational association" with "area service provider"

Page 6, line 19, replace "educational association" with "area service provider"

Page 6, line 21, replace "association's" with "provider's"

Page 7, line 9, replace "educational association" with "area service provider"

Page 7, line 11, replace "educational association" with "area service provider"

Page 7, line 12, replace "educational association" with "area service provider"

Page 7, line 13, replace "educational association" with "area service provider"

Page 7, line 15, replace "educational association" with "area service provider"

Page 7, after line 15, insert:

**"15.1-09.1-03. Area service providers - Provision of special education and related services - Annual plan. An area service provider may prepare an annual plan regarding the provision of special education and related services on behalf of its members and submit the plan to the superintendent of public instruction for approval.**

**15.1-09.1-04. Area service providers - Provision of special education and related services - Powers.** An area service provider that provides special education and related services may:

1. Receive and expend state and federal moneys for the provision of special education and related services to the students of its member districts;
2. Employ personnel necessary to carry out administrative services, itinerant instruction, coordinative services, and related services; and
3. Receive and expend private and public moneys.

**15.1-09.1-05. Area service providers - Provision of special education and related services - Student transportation - Coordination.** An area service provider shall plan and coordinate the transportation of students who are enrolled in its member districts and to whom it provides special education and related services."

Page 7, line 16, replace "**15.1-09.1-03**" with "**15.1-09.1-06**"

Page 7, line 17, replace "educational association" with "area service provider"

Page 7, line 18, replace "association's" with "provider's"

Page 7, line 19, replace "association's" with "provider's"

Page 7, line 20, replace "**15.1-09.1-04. Educational association**" with "**15.1-09.1-07. Area service provider**"

Page 7, line 21, replace "educational association" with "area service provider"

Page 7, line 23, replace "educational" with "provider"

Page 7, line 24, remove "association"

Page 7, line 26, replace "association" with "area service provider"

Page 7, line 27, replace "educational association's" with "provider's"

Page 7, line 28, replace "**15.1-09.1-05**" with "**15.1-09.1-08**"

Page 7, line 29, replace "educational association" with "area service provider"

Page 8, after line 2, insert:

**15.1-09.1-09. State aid - Payable to area service provider - Obligation of district.**

1. The superintendent of public instruction shall forward the portion of a school district's state aid that is payable by the superintendent as a result of the district's participation in an area service provider directly to the area service provider of which the district is a member. The superintendent shall forward the amount payable under this subsection at the same time and in the same manner as provided for other state aid payments under section 15.1-27-01.
2. If the superintendent of public instruction determines that a school district failed to meet any contractual or statutory obligation imposed upon it as a result of the district's participation in an area service provider, the

superintendent shall subtract the amount for which the district was not eligible from any future distribution of state aid to the district under section 15.1-27-01.

**SECTION 5. AMENDMENT.** Section 15.1-32-08 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-32-08. School districts - Provision of special education.** Each school district shall provide special education, ~~singly or jointly with other districts, and related services as a single district, as a member of a multidistrict special education unit in accordance with this chapter 15.1-33, or as a member of an area service provider approved by the superintendent of public instruction under chapter 15.1-09.1.~~ Each school district and entity providing special education shall cooperate with the director of special education and with the institutions of this state in the provision of special education.

**SECTION 6. AMENDMENT.** Section 15.1-33-02 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-33-02. Multidistrict special education units - School district participation.** A school district may join a multidistrict special education unit or together with other school districts form a multidistrict special education unit for purposes of planning and delivering special education and related services. ~~Each school district shall participate in a multidistrict special education unit or have on file with the superintendent of public instruction a plan for providing special education and related services as a single district.~~ If a school district wishes to join a multidistrict special education unit from which it has been excluded, the school district may petition the superintendent of public instruction. A school district may appeal a decision of the superintendent under this section to the state board of public school education."

Page 8, line 3, replace "**EDUCATIONAL**" with "**AREA SERVICE PROVIDERS**"

Page 8, line 4, remove "**ASSOCIATIONS**"

Page 8, line 6, replace "educational association" with "area service provider"

Page 8, line 8, replace "educational association" with "area service provider"

Page 8, line 9, replace "educational associations" with "area service providers"

Renumber accordingly