

**FIRST ENGROSSMENT
with Conference Committee Amendments**

ENGROSSED HOUSE BILL NO. 1231

Introduced by

Representatives D. Johnson, Maragos, Nicholas

Senator Traynor

1 A BILL for an Act to create and enact a new section to chapter 25-07 of the North Dakota
2 Century Code, relating to the provision of services to individuals who are deaf or
3 hearing-impaired; and to amend and reenact sections 25-07-01, 25-07-04, 25-07-05, 25-07-06,
4 25-07-08, and 25-07-11 of the North Dakota Century Code, relating to the school for the deaf.

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

6 **SECTION 1. AMENDMENT.** Section 25-07-01 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **25-07-01. School for the deaf - Maintained - Location - Purpose.** There must be
9 maintained at Devils Lake, in Ramsey County, ~~an institution for the education of the deaf which~~
10 ~~must be known as the~~ a school for the deaf, which may provide education and training and
11 serve as a resource and referral center for individuals who are deaf or hearing-impaired.

12 **SECTION 2. AMENDMENT.** Section 25-07-04 of the North Dakota Century Code is
13 amended and reenacted as follows:

14 **25-07-04. Qualifications for admission to school for the deaf - Residents of state**
15 **entitled to free education.** ~~Each applicant~~

16 1. A child who is a resident of this state and who, because of deafness or a hearing
17 impairment, is unable to receive an education in the public schools, is entitled to
18 ~~receive an education in~~ attend the school for the deaf at the expense of the state.
19 ~~The North Dakota school for the deaf serves deaf or hearing-impaired children~~
20 ~~from birth through age~~ A child is entitled to attend the school at any age up to
21 twenty-one.

22 2. ~~The North Dakota~~ school for the deaf shall ~~furnish~~ provide application ~~blanks~~
23 forms upon request ~~and no child will~~. A child may not be admitted to the school

1 until the child's application is completed and approved. ~~Students enrolled must be~~
2 furnished

3 3. The school for the deaf shall provide transportation by the school for the deaf as
4 indicated in the student's to any child who has been admitted, in accordance with
5 the child's individual education plan.

6 ~~All deaf or hearing-impaired children who are residents of the state are~~

7 4. Any child who is a resident of this state and who is deaf or hearing-impaired is
8 entitled to receive special education and related services ~~based on a completed in~~
9 accordance with the child's individual education program, which considers the
10 Each individual education program must address the child's academic,
11 recreational, and leisure needs, as well as the acquisition of independent living
12 skills; and career and technical education, recreational, and leisure needs of each
13 child opportunities.

14 **SECTION 3. AMENDMENT.** Section 25-07-05 of the North Dakota Century Code is
15 amended and reenacted as follows:

16 **25-07-05. Admission of nonresidents.** ~~Deaf children of suitable age who are not~~
17 ~~residents of this state may enroll in~~ A child who is deaf or hearing-impaired but who is not a
18 resident of this state may be admitted to the school for the deaf upon payment in advance of
19 ~~the,~~ provided the annual cost of the child's education, as determined by the superintendent of
20 public instruction. Nonresident children, however, may not be received to the exclusion of
21 ~~children who are residents of this state,~~ is paid on behalf of the child in advance of the child's
22 admission and on a yearly basis thereafter. The school may not admit a child who is not a
23 resident of this state to the exclusion of a child who is a resident of this state.

24 **SECTION 4. AMENDMENT.** Section 25-07-06 of the North Dakota Century Code is
25 amended and reenacted as follows:

26 **25-07-06. Instruction at school for the deaf.** The superintendent of the school for the
27 deaf shall provide special education and related services designed to meet the unique needs of
28 each child who is deaf or hearing-impaired students according to, in accordance with the child's
29 individual education programs as required by federal and state laws and regulations program.

30 **SECTION 5. AMENDMENT.** Section 25-07-08 of the North Dakota Century Code is
31 amended and reenacted as follows:

1 **25-07-08. Clothing may be furnished when necessary - Accounts for clothing.**

2 The ~~superintendent of the school for the deaf shall furnish suitable clothing to a pupil provide~~
3 ~~clothing to a child who is enrolled in the school who otherwise is not provided with the same.~~
4 ~~An account, certified as correct by the superintendent, must be made for clothing furnished to~~
5 ~~any pupil:~~

- 6 1. ~~Against the parent or guardian of such pupil if the pupil is a minor; or~~
7 2. ~~Against the pupil if the pupil has no parent or guardian or has attained~~ if the child
8 does not have suitable clothing. If the child is a minor, the school shall charge the
9 child's parent or legal guardian for any clothing provided to the child under this
10 section and shall charge the individual for any clothing provided to the individual
11 under this section if the individual has reached the age of majority. An account
12 ~~certified as correct by~~ If the superintendent must be certifies any charges under
13 this section as being correct, the charges are presumed correct in all courts.

14 **SECTION 6. AMENDMENT.** Section 25-07-11 of the North Dakota Century Code is
15 amended and reenacted as follows:

16 **25-07-11. Home intervention program.** The school for the deaf may provide a home
17 intervention program for children who are under the age of five and who are deaf or
18 hearing-impaired preschoolers, under the age of five, which must consist of supplying. The
19 program must include information, counseling services, auditory training, and basic language
20 development ~~programs~~ instruction for the parents of such children. This home intervention
21 program ~~will~~ must be carried out by college or university trained teachers of the deaf, speech
22 pathologists, or audiologists.

23 **SECTION 7.** A new section to chapter 25-07 of the North Dakota Century Code is
24 created and enacted as follows:

25 **Provision of services - Collaboration - Competition.** The school for the deaf may
26 collaborate with public and private entities for the provision of services to individuals who are
27 deaf or hearing-impaired. The school for the deaf may not compete with any public or private
28 entity offering the same services within a region.