

April 27, 2009

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1400

That the Senate recede from its amendments as printed on pages 1194-1219 of the House Journal and pages 1059-1084 of the Senate Journal and that Engrossed House Bill No. 1400 be amended as follows:

Page 7, line 2, replace "o" with "n"

Page 16, replace lines 18 through 30 with:

**"SECTION 21. AMENDMENT.** Section 15.1-27-03.1 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-27-03.1. Weighted average daily membership - Determination.**

1. For each school district, the superintendent of public instruction shall multiply by:
  - a. 1.00 the number of full-time equivalent students enrolled in a migrant summer program;
  - b. 1.00 the number of full-time equivalent students enrolled in an extended educational program in accordance with section 15.1-32-17;
  - c. 0.60 the number of full-time equivalent students enrolled in a summer education program;
  - d. 0.50 the number of full-time equivalent students enrolled in a home-based education program and monitored by the school district under chapter 15.1-23;
  - e. 0.30 the number of full-time equivalent students who on a test of English language proficiency approved by the superintendent of public instruction are determined to be least proficient and are enrolled in a program of instruction for English language learners;
  - ~~f.~~ 0.25 the number of full-time equivalent students enrolled in an alternative high school;
  - ~~f.~~ g. 0.25 the number of full-time equivalent students enrolled in an isolated elementary school;
  - ~~g.~~ h. 0.25 the number of full-time equivalent students enrolled in an isolated high school;
  - ~~h.~~ i. 0.20 the number of full-time equivalent students attending school in a bordering state in accordance with section 15.1-29-01;
  - ~~i.~~ j. 0.20 the number of full-time equivalent students who on a test of English language proficiency approved by the superintendent of public instruction are determined to be not proficient and are enrolled in a program of instruction for English language learners;

- k. 0.17 the number of full-time equivalent students enrolled in an early childhood special education program;
  - ~~j. 0.14 the number of full-time equivalent students enrolled in a new immigrant English language learner program;~~
  - ~~k. l. 0.067 0.07 the number of students enrolled in average daily membership, in order to support the provision of special education services; and~~
  - ~~l. 0.02 the number of full-time equivalent students, other than those provided for in subdivision j, who are enrolled in an English language learner program~~
  - m. 0.07 the number of full-time equivalent students who on a test of English language proficiency approved by the superintendent of public instruction are determined to be somewhat proficient and are enrolled in a program of instruction for English language learners;
  - n. 0.004 the number of students enrolled in average daily membership in a school district that is a participating member of a regional education association meeting the requirements of chapter 15.1-09.1; and
  - o. 0.002 the number of students enrolled in average daily membership, in order to support technology.
2. The superintendent of public instruction shall determine each school district's weighted average daily membership by adding the products derived under subsection 1 to the district's average daily membership.

**SECTION 22. AMENDMENT.** Section 15.1-27-03.1 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-27-03.1. Weighted average daily membership - Determination.**

- 1. For each school district, the superintendent of public instruction shall multiply by:
  - a. 1.00 the number of full-time equivalent students enrolled in a migrant summer program;
  - b. 1.00 the number of full-time equivalent students enrolled in an extended educational program in accordance with section 15.1-32-17;
  - c. 0.60 the number of full-time equivalent students enrolled in a summer education program;
  - d. 0.50 the number of full-time equivalent students enrolled in a home-based education program and monitored by the school district under chapter 15.1-23;
  - e. 0.30 the number of full-time equivalent students who on a test of English language proficiency approved by the superintendent of public instruction are determined to be least proficient and are enrolled in a program of instruction for English language learners;
  - f. 0.25 the number of full-time equivalent students enrolled in an alternative high school;

- f. ~~g.~~ 0.25 the number of full-time equivalent students enrolled in an isolated elementary school;
  - ~~g.~~ h. 0.25 the number of full-time equivalent students enrolled in an isolated high school;
  - ~~h.~~ i. 0.20 the number of full-time equivalent students attending school in a bordering state in accordance with section 15.1-29-01;
  - ~~i.~~ j. 0.20 the number of full-time equivalent students who on a test of English language proficiency approved by the superintendent of public instruction are determined to be not proficient and are enrolled in a program of instruction for English language learners;
  - ~~j.~~ k. 0.17 the number of full-time equivalent students enrolled in an early childhood special education program;
  - ~~k.~~ j. ~~0.14 the number of full-time equivalent students enrolled in a new immigrant English language learner program;~~
  - ~~k.~~ l. ~~0.067~~ 0.07 the number of students enrolled in average daily membership, in order to support the provision of special education services; ~~and~~
  - ~~l.~~ m. 0.07 the number of full-time equivalent students who on a test of English language proficiency approved by the superintendent of public instruction are determined to be somewhat proficient and are enrolled in a program of instruction for English language learners;
  - ~~m.~~ n. ~~0.02~~ 0.025 the number of ~~full-time equivalent students, other than those provided for in subdivision j, who are enrolled in an English language learner program~~ students representing that percentage of the total number of students in average daily membership which is equivalent to the three-year average percentage of students in grades three through eight who are eligible for free or reduced lunches under the Richard B. Russell National School Lunch Act [42 U.S.C. 1751 et seq.];
  - ~~n.~~ o. 0.004 the number of students enrolled in average daily membership in a school district that is a participating member of a regional education association meeting the requirements of chapter 15.1-09.1; and
  - ~~o.~~ p. 0.002 the number of students enrolled in average daily membership, in order to support technology.
2. The superintendent of public instruction shall determine each school district's weighted average daily membership by adding the products derived under subsection 1 to the district's average daily membership."

Page 17, remove lines 1 through 30

Page 18, remove lines 1 through 8

Page 40, line 10, after the period insert "Section 22 of this Act becomes effective July 1, 2011."

Page 40, line 11, replace "50" with "51"

Renumber accordingly