

**HOUSE BILL NO. 1013**

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of  
 2 public instruction, the state library, the school for the deaf, and North Dakota vision services -  
 3 school for the blind; to provide for a transfer to the general fund; to provide for the distribution of  
 4 funding for gifted and talented programs and other grants; to amend and reenact sections  
 5 15.1-02-02 and 15.1-18.1-02 of the North Dakota Century Code, relating to the salary of the  
 6 superintendent of public instruction and the national board certification program; to provide  
 7 exemptions; to provide legislative intent; to provide an effective date; and to declare an  
 8 emergency.

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

10 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
 11 as may be necessary, are appropriated out of any moneys in the general fund in the state  
 12 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
 13 other income, to the department of public instruction, the school for the deaf, North Dakota  
 14 vision services - school for the blind, and the state library for the purpose of defraying the  
 15 expenses of those agencies, for the biennium beginning July 1, 2013, and ending June 30,  
 16 2015, as follows:

17 Subdivision 1.

18 DEPARTMENT OF PUBLIC INSTRUCTION

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
21 <del>Salaries and wages</del>	<del>\$14,409,300</del>	<del>\$2,202,038</del>	<del>\$16,611,338</del>
22 <del>Operating expenses</del>	<del>29,099,187</del>	<del>1,050,615</del>	<del>30,149,802</del>
23 <u>Salaries and wages</u>	<u>\$14,409,300</u>	<u>\$1,193,105</u>	<u>\$15,602,405</u>
24 <u>Accrued leave payments</u>	<u>0</u>	<u>322,068</u>	<u>322,068</u>

Sixty-third  
Legislative Assembly

1	<u>Operating expenses</u>	<u>29,099,187</u>	<u>531,615</u>	<u>29,630,802</u>
2	<u>Funding pool for initiatives</u>	<u>0</u>	<u>2,500,000</u>	<u>2,500,000</u>
3	Grants - state school aid	918,459,478	(918,459,478)	0
4	<del>Integrated formula payments</del>	<del>0</del>	<del>1,787,400,000</del>	<del>1,787,400,000</del>
5	<u>Integrated formula payments</u>	<u>0</u>	<u>1,684,550,000</u>	<u>1,684,550,000</u>
6	Grants - special education contracts	16,000,000	500,000	16,500,000
7	<del>Grants - transportation</del>	<del>48,500,000</del>	<del>5,000,000</del>	<del>53,500,000</del>
8	<del>Grants - other grants</del>	<del>304,609,393</del>	<del>(31,199,238)</del>	<del>273,410,155</del>
9	<u>Grants - transportation</u>	<u>48,500,000</u>	<u>0</u>	<u>48,500,000</u>
10	<u>Grants - other grants</u>	<u>304,609,393</u>	<u>(33,969,238)</u>	<u>270,640,155</u>
11	Grants - mill levy reduction	341,790,000	(341,790,000)	0
12	<del>Rapid enrollment grants</del>	<del>5,000,000</del>	<del>12,000,000</del>	<del>17,000,000</del>
13	<u>Rapid enrollment grants</u>	<u>5,000,000</u>	<u>(5,000,000)</u>	<u>0</u>
14	Transportation efficiency	30,000	0	30,000
15	National board certification	<u>185,000</u>	<u>(65,000)</u>	<u>120,000</u>
16	<del>Total all funds</del>	<del>\$1,678,082,358</del>	<del>\$516,638,937</del>	<del>\$2,194,721,295</del>
17	<del>Less estimated income</del>	<del>434,485,707</del>	<del>716,925,726</del>	<del>1,151,411,433</del>
18	<del>Total general fund</del>	<del>\$1,243,596,651</del>	<del>(\$200,286,789)</del>	<del>\$1,043,309,862</del>
19	<u>Total all funds</u>	<u>\$1,678,082,358</u>	<u>\$390,313,072</u>	<u>\$2,068,395,430</u>
20	<u>Less estimated income</u>	<u>434,485,707</u>	<u>2,277,454</u>	<u>436,763,161</u>
21	<u>Total general fund</u>	<u>\$1,243,596,651</u>	<u>\$388,035,618</u>	<u>\$1,631,632,269</u>
22	Full-time equivalent positions	99.75	0.00	99.75
23	Subdivision 2.			
24		STATE LIBRARY		
25			Adjustments or	
26		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
27	<del>Salaries and wages</del>	<del>\$3,450,359</del>	<del>\$482,347</del>	<del>\$3,932,706</del>
28	<del>Operating expenses</del>	<del>1,695,726</del>	<del>200,000</del>	<del>1,895,726</del>
29	<del>Grants</del>	<del>2,252,500</del>	<del>541,500</del>	<del>2,794,000</del>
30	<del>Total all funds</del>	<del>\$7,398,585</del>	<del>\$1,223,847</del>	<del>\$8,622,432</del>
31	<del>Less estimated income</del>	<del>2,134,610</del>	<del>266,237</del>	<del>2,400,847</del>

Sixty-third  
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1	<del>Total general fund</del>	<del>\$5,263,975</del>	<del>\$957,610</del>	<del>\$6,221,585</del>
2	Salaries and wages	\$3,450,359	\$254,868	\$3,705,227
3	Accrued leave payments	0	75,354	75,354
4	Operating expenses	1,695,726	200,000	1,895,726
5	Grants	2,252,500	0	2,252,500
6	Total all funds	\$7,398,585	\$530,222	\$7,928,807
7	Less estimated income	2,134,610	253,549	2,388,159
8	Total general fund	\$5,263,975	\$276,673	\$5,540,648
9	Full-time equivalent positions	29.75	0.00	29.75

10 Subdivision 3.

11 SCHOOL FOR THE DEAF

12		Adjustments or		
13		Base Level	Enhancements	Appropriation
14	<del>Salaries and wages</del>	<del>\$5,932,638</del>	<del>\$1,112,205</del>	<del>\$7,044,843</del>
15	Operating expenses	1,633,911	274,883	1,908,794
16	Capital assets	41,700	1,152,321	1,194,021
17	Grants	200,000	0	200,000
18	Total all funds	\$7,808,249	\$2,539,409	\$10,347,658
19	Less estimated income	1,193,277	1,382,391	2,575,668
20	Total general fund	\$6,614,972	\$1,157,018	\$7,771,990
21	Salaries and wages	\$5,932,638	\$742,929	\$6,675,567
22	Accrued leave payments	0	134,846	134,846
23	Operating expenses	1,633,911	258,584	1,892,495
24	Capital assets	41,700	1,152,321	1,194,021
25	Grants	200,000	0	200,000
26	Total all funds	\$7,808,249	\$2,288,680	\$10,096,929
27	Less estimated income	1,193,277	1,373,306	2,566,583
28	Total general fund	\$6,614,972	\$915,374	\$7,530,346
29	Full-time equivalent positions	43.94	0.67	44.61

30 Subdivision 4.

31 NORTH DAKOTA VISION SERVICES - SCHOOL FOR THE BLIND

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
1				
2				
3	<del>Salaries and wages</del>	<del>\$3,815,825</del>	<del>\$636,190</del>	<del>\$4,452,015</del>
4	Salaries and wages	\$3,815,825	\$375,245	\$4,191,070
5	Accrued leave payments	0	87,463	87,463
6	Operating expenses	707,006	13,800	720,806
7	Capital assets	39,500	522,900	562,400
8	<del>Total all funds</del>	<del>\$4,562,331</del>	<del>\$1,172,890</del>	<del>\$5,735,221</del>
9	<del>Less estimated income</del>	<del>835,091</del>	<del>24,264</del>	<del>859,355</del>
10	<del>Total general fund</del>	<del>\$3,727,240</del>	<del>\$1,148,626</del>	<del>\$4,875,866</del>
11	Total all funds	\$4,562,331	\$999,408	\$5,561,739
12	Less estimated income	835,091	14,693	849,784
13	Total general fund	\$3,727,240	\$984,715	\$4,711,955
14	Full-time equivalent positions	29.50	0.00	29.50

Subdivision 5.

BILL TOTAL

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
17				
18				
19	<del>Grand total general fund</del>	<del>\$1,259,202,838</del>	<del>(\$197,023,535)</del>	<del>\$1,062,179,303</del>
20	<del>Grand total special funds</del>	<del>438,648,685</del>	<del>718,598,618</del>	<del>1,157,247,303</del>
21	<del>Grand total all funds</del>	<del>\$1,697,851,523</del>	<del>\$521,575,083</del>	<del>\$2,219,426,606</del>
22	Grand total general fund	\$1,259,202,838	\$390,212,380	\$1,649,415,218
23	Grand total special funds	438,648,685	4,799,955	443,448,640
24	Grand total all funds	\$1,697,851,523	\$395,012,335	\$2,092,863,858

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**

**SIXTY-FOURTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-second legislative assembly for the 2011-13 biennium and the 2013-15 one-time funding items included in the appropriation in section 1 of this Act:

	<u>One-Time Funding Description</u>	<u>2011-13</u>	<u>2013-15</u>
29			
30	Department of public instruction		

Sixty-third  
Legislative Assembly

1	IT application rewrite and maintenance	\$384,000	\$0
2	Education standards and practices board database	200,000	0
3	Education jobs fund	<u>21,517,716</u>	<u>0</u>
4	Total department of public instruction - all funds	\$22,101,716	\$0
5	Total department of public instruction - estimated income	<u>21,717,716</u>	<u>0</u>
6	Total department of public instruction - general fund	\$384,000	\$0
7	<del>State library</del>		
8	<del>Library repair and maintenance grants</del>	<del>\$0</del>	<del>\$275,000</del>
9	<del>Total state library - all funds</del>	<del>\$0</del>	<del>\$275,000</del>
10	<del>Total state library - estimated income</del>	<del>0</del>	<del>0</del>
11	<del>Total state library - general fund</del>	<del>\$0</del>	<del>\$275,000</del>
12	School for the deaf		
13	Extraordinary repairs	<u>\$998,530</u>	<u>\$1,002,259</u>
14	Total school for the deaf - all funds	\$998,530	\$1,002,259
15	Total school for the deaf - estimated income	<u>894,730</u>	<u>1,002,259</u>
16	Total school for the deaf - general fund	\$103,800	\$0
17	North Dakota vision services - school for the blind		
18	Equipment	\$25,500	\$20,200
19	Elevator installation	0	241,500
20	Window replacements	0	189,000
21	Extraordinary repairs	0	90,129
22	Facility master plan	20,000	0
23	Instructional equipment	<u>24,500</u>	<u>0</u>
24	Total school for the blind - all funds	\$70,000	\$540,829
25	Total school for the blind - estimated income	<u>0</u>	<u>110,329</u>
26	Total school for the blind - general fund	\$70,000	\$430,500
27	<del>Grand total - all funds</del>	<del>\$23,170,246</del>	<del>\$1,818,088</del>
28	<del>Grand total - estimated income</del>	<del>22,612,446</del>	<del>1,112,588</del>
29	<del>Grand total - general fund</del>	<del>\$557,800</del>	<del>\$705,500</del>
30	<u>Grand total - all funds</u>	<u>\$23,170,246</u>	<u>\$1,543,088</u>

1	<u>Grand total - estimated income</u>	<u>22,612,446</u>	<u>1,112,588</u>
2	<u>Grand total - general fund</u>	<u>\$557,800</u>	<u>\$430,500</u>

3 The 2013-15 one-time funding amounts are not a part of the entity's base budget for the  
4 2015-17 biennium. The department of public instruction, state library, school for the deaf, and  
5 North Dakota vision services - school for the blind shall report to the appropriations committees  
6 of the sixty-fourth legislative assembly on the use of this one-time funding for the biennium  
7 beginning July 1, 2013, and ending June 30, 2015.

8 **SECTION 3. APPROPRIATION.** There is appropriated from special funds derived from  
9 federal funds the sum of \$25,000,000, or so much of the sum as may be necessary, to the  
10 superintendent of public instruction for grants for the period beginning with the effective date of  
11 this Act and ending June 30, 2013.

12 **SECTION 4. APPROPRIATION - TUITION APPORTIONMENT.** The sum of \$140,326,000,  
13 included in the integrated formula payments line item in subdivision 1 of section 1 of this Act, is  
14 from the state tuition fund in the state treasury. Any additional amount in the state tuition fund  
15 that becomes available for distribution to public schools is appropriated to the department of  
16 public instruction for that purpose for the biennium beginning July 1, 2013, and ending June 30,  
17 2015.

18 **SECTION 5. TRANSFER - PROPERTY TAX RELIEF SUSTAINABILITY FUND TO THE**  
19 **GENERAL FUND.** The office of management and budget shall transfer the sum of  
20 \$341,790,000 from the property tax relief sustainability fund to the general fund, for the  
21 biennium beginning July 1, 2013, and ending June 30, 2015.

22 **SECTION 6. INFORMATION TECHNOLOGY FULL-TIME EQUIVALENT POSITION**  
23 **TRANSFER - BUDGET SECTION APPROVAL - LINE ITEM TRANSFER - EMERGENCY**  
24 **COMMISSION APPROVAL.** The superintendent of public instruction shall transfer six full-time  
25 equivalent information technology positions to the information technology department by  
26 September 30, 2014. If the superintendent of public instruction and the chief information officer  
27 of the information technology department choose not to transfer these positions by  
28 September 30, 2014, the superintendent of public instruction may request budget section  
29 approval for an extension of the transfer deadline. After the positions are transferred, the  
30 department of public instruction may seek emergency commission approval to transfer funding

1 from the salaries and wages line item to the operating expenses line item to pay for information  
2 technology services provided by the information technology department.

3 **SECTION 7. APPROPRIATION - INFORMATION TECHNOLOGY DEPARTMENT.** There is  
4 appropriated from special funds derived from other income, the sum of \$880,953, or so much of  
5 the sum as may be necessary, to the information technology department for the purpose of  
6 defraying the expenses of six full-time equivalent information technology positions transferred  
7 from the department of public instruction, for the biennium beginning July 1, 2013, and ending  
8 June 30, 2015. The information technology department is authorized six full-time equivalent  
9 positions.

10 ~~—SECTION 8. INTEGRATED FORMULA PAYMENTS – FUNDING FROM PROPERTY TAX~~  
11 ~~RELIEF FUND. The integrated formula payments line item contained in subdivision 1 of~~  
12 ~~section 1 of this Act include \$714,173,838 from the property tax relief sustainability fund which~~  
13 ~~is appropriated to the department of public instruction for the purpose of providing integrated~~  
14 ~~formula payments to school districts during the biennium beginning July 1, 2013, and ending~~  
15 ~~June 30, 2015.~~

16 **SECTION 8. INTEGRATED FORMULA PAYMENTS AND SPECIAL EDUCATION**  
17 **CONTRACTS EXPENDITURE AUTHORITY.** The superintendent of public instruction may  
18 expend funds included in the integrated formula payments and grants - special education  
19 contracts line items in subdivision 1 of section 1 of this Act in payment of grants for educational  
20 services that were due in the 2011-13 biennium but which were not filed, claimed, or properly  
21 supported by the education provider until after June 30, 2013.

22 **SECTION 9. GIFTED AND TALENTED PROGRAM - MEDICAID MATCHING FUNDING -**  
23 **DISTRIBUTION.**

- 24 1. The sum of \$800,000, included in the integrated formula payments line item in  
25 subdivision 1 of section 1 of this Act, must be distributed to reimburse school districts  
26 or special education units for gifted and talented programs upon the submission of an  
27 application that is approved in accordance with guidelines adopted by the  
28 superintendent of public instruction. The superintendent of public instruction shall  
29 encourage cooperative efforts for gifted and talented programs among school districts  
30 and special education units.

- 1           2. State school aid payments for special education must be reduced by the amount of  
2           matching funds required to be paid by school districts or special education units for  
3           students participating in the medicaid program. Special education funds equal to the  
4           amount of the matching funds required to be paid by the school district or special  
5           education unit must be paid by the superintendent of public instruction to the  
6           department of human services on behalf of the school district or unit.

7           **SECTION 10. REGIONAL EDUCATION ASSOCIATIONS - GRANTS.** During the 2013-15  
8           biennium, the superintendent of public instruction shall expend up to \$800,000 from the  
9           integrated formula payments line item in subdivision 1 of section 1 of this Act for the purpose of  
10          providing an annual grant to each eligible regional education association in order to assist each  
11          association with the cost of compensating a coordinator.

- 12          1. In order to receive a grant under this section, each regional education association  
13          must:  
14              a. Enter a contract with an individual to serve as a coordinator, on a full-time or a  
15              part-time basis, for a duration of at least twelve months; and  
16              b. Provide from other revenue sources at least thirty percent of the total  
17              compensation payable to the coordinator.  
18          2. The maximum grant payable to a regional education association under this section  
19          during each year of the biennium is the lesser of \$50,000 or seventy percent of the  
20          total compensation payable to the coordinator.

21          **SECTION 11. TRANSPORTATION GRANTS - DISTRIBUTION.**

- 22          1. During each year of the 2013-15 biennium, the superintendent of public instruction  
23          shall calculate the payment to which each school district is entitled based on the state  
24          transportation formula as it existed on June 30, 2001, except that the superintendent  
25          shall provide reimbursement at the rate of:  
26              a. One dollar and three cents per mile for schoolbuses having a capacity of ten or  
27              more passengers;  
28              b. Forty-six cents per mile for vehicles having a capacity of nine or fewer  
29              passengers;  
30              c. Forty-six cents per mile, provided:

- 1 (1) The student being transported is a student with a disability, as defined in  
2 chapter 15.1-32;
- 3 (2) The student's individualized education program plan requires that the  
4 student attend a public or a nonpublic school located outside the student's  
5 school district of residence;
- 6 (3) The student is transported by an adult member of the student's family;
- 7 (4) The student is transported in a vehicle furnished by the student's parents;
- 8 (5) The student's transportation is paid for by the student's parents; and
- 9 (6) The reimbursement does not exceed two round trips daily between the  
10 student's home and school;
- 11 d. Forty-six cents per mile, one way, provided:
  - 12 (1) The student being transported resides more than two miles from the public  
13 school that the student attends;
  - 14 (2) The student is transported by an adult member of the student's family;
  - 15 (3) The student is transported in a vehicle furnished by the student's parents;  
16 and
  - 17 (4) The student's transportation is paid for by the student's parents; and
- 18 e. Twenty-six cents per student for each one-way trip.
- 19 2. The superintendent of public instruction shall use the latest available student  
20 enrollment count in each school district in applying the provisions of subsection 1.
- 21 3. If any moneys provided for transportation payments in the grants - transportation line  
22 item in subdivision 1 of section 1 of this Act, remain after application of the formula  
23 provided for in this section, the superintendent of public instruction shall prorate the  
24 remaining amounts according to the percentage of the total transportation formula  
25 amount to which each school district is entitled.
- 26 4. This section does not authorize the reimbursement of any costs incurred in providing  
27 transportation for student attendance at extracurricular activities or events.

28 **SECTION 12. CONTINUING EDUCATION GRANTS - FUNDING - DISTRIBUTION.** The  
29 sum of \$150,000, or so much of the sum as may be necessary, included in the grants - other  
30 grants line item in subdivision 1 of section 1 of this Act is provided for continuing education  
31 grants, for the biennium beginning July 1, 2013, and ending June 30, 2015.

- 1           1. The superintendent of public instruction shall award grants in amounts up to \$1,200 to  
2           eligible recipients in chronological order, based on the date of an individual's  
3           application. An eligible recipient must:
- 4           a. (1) Be licensed to teach by the education standards and practices board;  
5                 (2) Have taught in this state during each of the last three school years; and  
6                 (3) Be enrolled at an institution of higher education in this state in either a  
7                     master of education program in educational leadership or a program leading  
8                     to a specialist diploma in educational leadership;
- 9           b. Be pursuing the requirements for a certificate in career development facilitation;  
10           or  
11           c. Be pursuing a school counselor credential.
- 12          2. If any of the amount appropriated for this purpose remains after the superintendent of  
13          public instruction has awarded grants to all eligible recipients, the superintendent shall  
14          distribute that amount as an additional per student payment on a prorated basis,  
15          according to the latest available average daily membership of each school district.

16          **SECTION 13. INDIRECT COST ALLOCATION.** Notwithstanding section 54-44.1-15, the  
17          department of public instruction may deposit indirect cost recoveries in its operating account.

18          **SECTION 14. EXEMPTION - FUNDING POOL FOR INITIATIVES - LINE ITEM**  
19          **TRANSFER.** Notwithstanding the provisions of section 54-16-04, the superintendent of public  
20          instruction shall transfer funding from the funding pool for initiatives line item in subdivision 1 of  
21          section 1 of this Act, to the extent necessary, to the appropriate line item for expending the  
22          funds for each initiative. The superintendent of public instruction shall report to the office of  
23          management and budget regarding all transfers from the funding pool for initiatives line item.

24          **SECTION 15. OTHER GRANTS - REPORTING.** The superintendent of public instruction  
25          shall develop a format for reporting on the cost per participant and the outcomes of other grants  
26          and report to the sixty-fourth legislative assembly regarding participation, cost, and outcomes of  
27          these grants.

28          **SECTION 16. DEPARTMENT OF PUBLIC INSTRUCTION STUDY - FEDERAL FUNDING.**  
29          The superintendent of public instruction shall study the costs and benefits of accepting federal  
30          funds and the consequences of declining federal funds and report its findings to the sixty-fourth  
31          legislative assembly.

1 | **SECTION 17. LEGISLATIVE INTENT - GEARING UP FOR KINDERGARTEN.** It is the  
2 | intent of the sixty-third legislative assembly that school districts may participate in the gearing  
3 | up for kindergarten program if approved by the school board of the local school district.

4 | **SECTION 18. STATE AID TO PUBLIC LIBRARIES.** The line item entitled grants in  
5 | subdivision 2 of section 1 of this Act includes ~~\$1,766,500~~\$1,500,000 for aid to public libraries, of  
6 | which no more than one-half is to be expended during the fiscal year ending June 30, 2014.

7 | ~~**SECTION 20. STATE LIBRARY -- LIBRARY RENOVATION AND REPAIR GRANTS --**~~

8 | ~~**EXEMPTION.** The grants line item contained in subdivision 2 of section 1 of this Act includes~~  
9 | ~~\$275,000 from the general fund for grants to public libraries for renovation and repair projects.~~  
10 | ~~Grant procedures and award criteria may be developed by the state library and may include~~  
11 | ~~matching requirements. Any portion of the \$275,000 not spent as of June 30, 2015, is exempt~~  
12 | ~~from the provisions of section 54-44.1-11 and may be continued for the purposes of this grant~~  
13 | ~~program.~~

14 | **SECTION 19. FEES DEPOSITED IN NORTH DAKOTA VISION SERVICES - SCHOOL**  
15 | **FOR THE BLIND OPERATING FUND.** Any moneys included in the estimated income line item  
16 | in subdivision 4 of section 1 of this Act, collected for subscription fees or braille fees, must be  
17 | deposited in the North Dakota vision services - school for the blind operating fund in the state  
18 | treasury and may be spent subject to appropriation by the legislative assembly.

19 | **SECTION 20. SCHOOL FOR THE DEAF - HIGHER EDUCATION INTERPRETER GRANT**  
20 | **PROGRAM.** The grants line item contained in subdivision 3 of section 1 of this Act is for the  
21 | purpose of providing grants to assist institutions under the control of the state board of higher  
22 | education with the cost of interpreters and real-time captioning for students who are deaf or  
23 | hard of hearing, for the biennium beginning July 1, 2013, and ending June 30, 2015. Moneys  
24 | appropriated for this program are not subject to section 54-44.1-11. Funds shall be distributed  
25 | pursuant to the provisions of this section:

- 26 | 1. The school for the deaf shall develop a formula to determine the grant amount for  
27 | which an institution is eligible. The formula must be based on a uniform hourly  
28 | reimbursement.
- 29 | 2. To obtain a grant under this section, an institution shall submit to the school for the  
30 | deaf, at the time and in the manner directed by the school, invoices showing the

1 amount expended for interpreters and real-time captioning for students who are deaf  
2 or hard of hearing.

3 3. The school for the deaf may not distribute more than fifty percent of the amount  
4 appropriated during the first year of the biennium.

5 4. If any grant moneys remain undistributed at the end of the biennium, the school for the  
6 deaf shall provide additional prorated grants to institutions that incurred, during the  
7 biennium, hourly expenses in excess of the formula reimbursement level.

8 5. At the request of an institution under the control of the state board of higher education,  
9 the school for the deaf shall consult with the institution and provide advice regarding  
10 the provision of services most appropriate to meet a student's needs.

11 **SECTION 21. AMENDMENT.** Section 15.1-02-02 of the North Dakota Century Code is  
12 amended and reenacted as follows:

13 **15.1-02-02. Salary.**

14 The annual salary of the superintendent of public instruction is one hundred ~~two~~ten  
15 thousand ~~eight~~one hundred ~~sixty-eight~~ninety-two~~thirty-three~~ dollars through June 30, ~~2012~~2014,  
16 and one hundred ~~five~~fourteen~~twelve~~ thousand ~~nine~~six~~four~~ hundred ~~fifty-four~~seven dollars  
17 thereafter.

18 **SECTION 22. AMENDMENT.** Section 15.1-18.1-02 of the North Dakota Century Code is  
19 amended and reenacted as follows:

20 **15.1-18.1-02. National board certification program - Recertification - Board duties.**

21 1. The board shall:

22 a. Inform teachers of the national board certification program and the scholarships  
23 and services the national board provides to teachers seeking certification.

24 b. Collect and review in the order received scholarship applications from individuals  
25 who are licensed to teach by the board or approved to teach by the board.

26 c. (1) Approve no more than seventeen applications per year under this  
27 subsection;

28 (2) During each year of the biennium, reserve three of the available  
29 scholarships under this subsection until October first for individuals teaching  
30 at low-performing schools. At that time, the three slots, if not filled, become  
31 available to all other applicants;

- 1                   (3) Require the recipient for a scholarship under this subsection to serve during  
2                   the school year as a full-time classroom teacher in a public or nonpublic  
3                   school in this state; and
- 4                   (4) If available, require the recipient for a scholarship under this subsection to  
5                   participate in mentoring programs developed and implemented in the  
6                   employing school or school district.
- 7                   d. Ensure that all scholarship recipients under this subsection receive adequate  
8                   information regarding the level of commitment required to acquire certification.
- 9                   2. The board shall collect and review in the order received scholarship applications for  
10                  national board recertification from individuals who are licensed to teach by the board  
11                  or approved to teach by the board and:
- 12                  a. Approve no more than three scholarship applications per year under this  
13                  subsection;
- 14                  b. Require each recipient for a scholarship under this subsection to serve during the  
15                  school year as a full-time classroom teacher in a public or nonpublic school in  
16                  this state; and
- 17                  c. If available, require each recipient for a scholarship under this subsection to  
18                  participate in mentoring programs developed and implemented in the employing  
19                  school or school district.
- 20                  3. If any individual who receives a scholarship under this section does not complete the  
21                  certification process within the time allotted by the board, the individual must  
22                  reimburse the state an amount equal to one-half of the amount awarded to the  
23                  individual as a scholarship.
- 24                  4. ~~The board shall pay to any individual who received national board certification before~~  
25                  ~~July 1, 2007, one thousand dollars for each year the individual has maintained and~~  
26                  ~~continues to maintain national board certification, provided the individual continues to~~  
27                  ~~be employed by a school district in this state. An individual may not receive more than~~  
28                  ~~four thousand dollars under this subsection.~~
- 29                  5. a. At the conclusion of each school year after an individual receives national board  
30                  certification, the board shall pay to an individual an additional one thousand  
31                  dollars for the life of the national board certificate if:

1           ~~(1)~~a. The individual was employed during the school year as a full-time classroom  
2           teacher by a school district in this state; and

3           ~~(2)~~b. The individual participated in any efforts of the employing school district to  
4           develop and implement teacher mentoring programs.

5           b. ~~The payment provided for in this subsection is available beginning with the~~  
6           ~~2007-08 school year.~~

7       ~~6-5.~~ A contract negotiated under chapter 15.1-16 may not preclude or limit the ability of a  
8           school district or any other entity, public or private, from providing any remuneration to  
9           a teacher who has obtained national board certification. Any remuneration received by  
10          a teacher as a consequence of having obtained national board certification is in  
11          addition to any other compensation otherwise payable as a result of any contract  
12          negotiated under chapter 15.1-16.

13       **SECTION 23. EFFECTIVE DATE.** Section ~~46~~22 of this Act becomes effective July 1, 2015.

14       **SECTION 24. EMERGENCY.** Section 3 of this Act is declared to be an emergency  
15       measure.