

Sixty-third
Legislative Assembly
of North Dakota

ENGROSSED 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 Salaries and wages	\$14,409,300	\$1,193,105	\$15,602,405
22 Accrued leave payments	0	322,068	322,068
23 Operating expenses	29,099,187	531,615	29,630,802
24 Funding pool for initiatives	0	2,500,000	2,500,000

Sixty-third
Legislative Assembly

1	Grants - state school aid	918,459,478	(918,459,478)	0
2	Integrated formula payments	0	1,684,550,000	1,684,550,000
3	Grants - special education contracts	16,000,000	500,000	16,500,000
4	Grants - transportation	48,500,000	0	48,500,000
5	Grants - other grants	304,609,393	(33,969,238)	270,640,155
6	Salaries and wages	\$14,409,300	\$2,211,536	\$16,620,836
7	Accrued leave payments	0	0	0
8	Operating expenses	29,099,187	631,615	29,730,802
9	Funding pool for initiatives	0	2,750,000	2,750,000
10	Grants - state school aid	918,459,478	(918,459,478)	0
11	Integrated formula payments	0	1,809,800,000	1,809,800,000
12	Grants - special education contracts	16,000,000	500,000	16,500,000
13	Grants - transportation	48,500,000	5,000,000	53,500,000
14	Grants - other grants	304,609,393	(31,903,132)	272,706,261
15	Grants - mill levy reduction	341,790,000	(341,790,000)	0
16	Rapid enrollment grants	5,000,000	(5,000,000)	0
17	Transportation efficiency	30,000	0	30,000
18	National board certification	185,000	(65,000)	120,000
19	Total all funds	\$1,678,082,358	\$390,313,072	\$2,068,395,430
20	Less estimated income	434,485,707	2,277,454	436,763,161
21	Total general fund	\$1,243,596,651	\$388,035,618	\$1,631,632,269
22	Total all funds	\$1,678,082,358	\$523,675,541	\$2,201,757,899
23	Less estimated income	434,485,707	2,758,442	437,244,149
24	Total general fund	\$1,243,596,651	\$520,917,099	\$1,764,513,750
25	Full-time equivalent positions	99.75	0.00	99.75
26	Subdivision 2.			
27	STATE LIBRARY			
28			Adjustments or	
29		Base Level	Enhancements	Appropriation
30	Salaries and wages	\$3,450,359	\$254,868	\$3,705,227
31	Accrued leave payments	0	75,354	75,354

Sixty-third
Legislative Assembly

1	Operating expenses	1,695,726	200,000	1,895,726
2	Grants	2,252,500	0	2,252,500
3	Total all funds	\$7,398,585	\$530,222	\$7,928,807
4	Less estimated income	2,134,610	253,549	2,388,159
5	Total general fund	\$5,263,975	\$276,673	\$5,540,648
6	Salaries and wages	\$3,450,359	\$482,347	\$3,932,706
7	Accrued leave payments	0	0	0
8	Operating expenses	1,695,726	200,000	1,895,726
9	Grants	2,252,500	266,500	2,519,000
10	Total all funds	\$7,398,585	\$948,847	\$8,347,432
11	Less estimated income	2,134,610	266,237	2,400,847
12	Total general fund	\$5,263,975	\$682,610	\$5,946,585
13	Full-time equivalent positions	29.75	0.00	29.75

Subdivision 3.

SCHOOL FOR THE DEAF

	Base Level	Adjustments or Enhancements	Appropriation	
18	Salaries and wages	\$5,932,638	\$742,929	\$6,675,567
19	Accrued leave payments	0	134,846	134,846
20	Operating expenses	1,633,911	258,584	1,892,495
21	Salaries and wages	\$5,932,638	\$1,254,447	\$7,187,085
22	Accrued leave payments	0	0	0
23	Operating expenses	1,633,911	274,883	1,908,794
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	Total all funds	\$7,808,249	\$2,681,651	\$10,489,900
30	Less estimated income	1,193,277	1,382,391	2,575,668

Sixty-third
Legislative Assembly

1	<u>Total general fund</u>	<u>\$6,614,972</u>	<u>\$1,299,260</u>	<u>\$7,914,232</u>
2	Full-time equivalent positions	43.94	0.67	44.61
3	Subdivision 4.			
4	NORTH DAKOTA VISION SERVICES - SCHOOL FOR THE BLIND			
5			Adjustments or	
6		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
7	Salaries and wages	\$3,815,825	\$375,245	\$4,191,070
8	Accrued leave payments	0	87,463	87,463
9	Operating expenses	707,006	13,800	720,806
10	Capital assets	39,500	522,900	562,400
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
15	<u>Salaries and wages</u>	<u>\$3,815,825</u>	<u>\$780,860</u>	<u>\$4,596,685</u>
16	<u>Accrued leave payments</u>	<u>0</u>	<u>0</u>	<u>0</u>
17	<u>Operating expenses</u>	<u>707,006</u>	<u>13,800</u>	<u>720,806</u>
18	<u>Capital assets</u>	<u>39,500</u>	<u>3,284,900</u>	<u>3,324,400</u>
19	<u>Total all funds</u>	<u>\$4,562,331</u>	<u>\$4,079,560</u>	<u>\$8,641,891</u>
20	<u>Less estimated income</u>	<u>835,091</u>	<u>24,264</u>	<u>859,355</u>
21	<u>Total general fund</u>	<u>\$3,727,240</u>	<u>\$4,055,296</u>	<u>\$7,782,536</u>
22	<u>Full-time equivalent positions</u>	<u>29.50</u>	<u>0.50</u>	<u>30.00</u>
23	Subdivision 5.			
24	BILL TOTAL			
25			Adjustments or	
26		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
27	Grand total general fund	\$1,259,202,838	\$390,212,380	\$1,649,415,218
28	Grand total special funds	438,648,685	4,799,955	443,448,640
29	Grand total all funds	\$1,697,851,523	\$395,012,335	\$2,092,863,858
30	<u>Grand total general fund</u>	<u>\$1,259,202,838</u>	<u>\$526,954,265</u>	<u>\$1,786,157,103</u>

1	<u>Grand total special funds</u>	<u>438,648,685</u>	<u>4,431,334</u>	<u>443,080,019</u>
2	<u>Grand total all funds</u>	<u>\$1,697,851,523</u>	<u>\$531,385,599</u>	<u>\$2,229,237,122</u>

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

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

7	<u>One-Time Funding Description</u>	<u>2011-13</u>	<u>2013-15</u>
8	Department of public instruction		
9	IT application rewrite and maintenance	\$384,000	\$0
10	Education standards and practices board database	200,000	0
11	<u>Funding pool for initiatives</u>	<u>0</u>	<u>2,750,000</u>
12	<u>Information technology staffing analysis</u>	<u>0</u>	<u>100,000</u>
13	<u>Early childhood care and education study</u>	<u>0</u>	<u>200,000</u>
14	<u>Governing North Dakota textbook</u>	<u>0</u>	<u>20,000</u>
15	Education jobs fund	<u>21,517,716</u>	<u>0</u>
16	Total department of public instruction - all funds	\$22,101,716	\$0
17	Total department of public instruction - estimated income	21,717,716	0
18	Total department of public instruction - general fund	\$384,000	\$0
19	<u>Total department of public instruction - all funds</u>	<u>\$22,101,716</u>	<u>\$3,070,000</u>
20	<u>Total department of public instruction - estimated income</u>	<u>21,717,716</u>	<u>0</u>
21	<u>Total department of public instruction - general fund</u>	<u>\$384,000</u>	<u>\$3,070,000</u>
22	School for the deaf		
23	Extraordinary repairs	<u>\$998,530</u>	<u>\$1,002,259</u>
24	Total school for the deaf - all funds	\$998,530	\$1,002,259
25	Total school for the deaf - estimated income	<u>894,730</u>	<u>1,002,259</u>
26	Total school for the deaf - general fund	\$103,800	\$0
27	North Dakota vision services - school for the blind		
28	Equipment	\$25,500	\$20,200
29	Elevator installation	0	241,500
30	Window replacements	0	189,000
31	Extraordinary repairs	0	90,129

Sixty-third
Legislative Assembly

1	<u>Remodel of west wing</u>	<u>0</u>	<u>2,762,000</u>
2	Facility master plan	20,000	0
3	Instructional equipment	<u>24,500</u>	<u>0</u>
4	Total school for the blind - all funds	\$70,000	\$540,829
5	Total school for the blind - estimated income	0	110,329
6	Total school for the blind - general fund	\$70,000	\$430,500
7	Grand total - all funds	\$23,170,246	\$1,543,088
8	Grand total - estimated income	22,612,446	1,112,588
9	Grand total - general fund	\$557,800	\$430,500
10	<u>Total school for the blind - all funds</u>	<u>\$70,000</u>	<u>\$3,302,829</u>
11	<u>Total school for the blind - estimated income</u>	<u>0</u>	<u>110,329</u>
12	<u>Total school for the blind - general fund</u>	<u>\$70,000</u>	<u>\$3,192,500</u>
13	<u>Grand total - all funds</u>	<u>\$23,170,246</u>	<u>\$7,375,088</u>
14	<u>Grand total - estimated income</u>	<u>22,612,446</u>	<u>1,112,588</u>
15	<u>Grand total - general fund</u>	<u>\$557,800</u>	<u>\$6,262,500</u>

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

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

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

1 **SECTION 5. TRANSFER - PROPERTY TAX RELIEF SUSTAINABILITY FUND TO THE**
2 **GENERAL FUND.** The office of management and budget shall transfer the sum of
3 \$341,790,000 from the property tax relief sustainability fund to the general fund, for the
4 biennium beginning July 1, 2013, and ending June 30, 2015.

5 ~~—SECTION 6. INFORMATION TECHNOLOGY FULL-TIME EQUIVALENT POSITION~~
6 ~~TRANSFER -- BUDGET SECTION APPROVAL -- LINE ITEM TRANSFER -- EMERGENCY~~
7 ~~COMMISSION APPROVAL.~~ The superintendent of public instruction shall transfer six full-time
8 equivalent information technology positions to the information technology department by
9 September 30, 2014. If the superintendent of public instruction and the chief information officer
10 of the information technology department choose not to transfer these positions by
11 September 30, 2014, the superintendent of public instruction may request budget section
12 approval for an extension of the transfer deadline. After the positions are transferred, the
13 department of public instruction may seek emergency commission approval to transfer funding
14 from the salaries and wages line item to the operating expenses line item to pay for information
15 technology services provided by the information technology department.

16 ~~—SECTION 7. APPROPRIATION -- INFORMATION TECHNOLOGY DEPARTMENT.~~ There is
17 appropriated from special funds derived from other income, the sum of \$880,953, or so much of
18 the sum as may be necessary, to the information technology department for the purpose of
19 defraying the expenses of six full-time equivalent information technology positions transferred
20 from the department of public instruction, for the biennium beginning July 1, 2013, and ending
21 June 30, 2015. The information technology department is authorized six full-time equivalent
22 positions.

23 **SECTION 6. INTEGRATED FORMULA PAYMENTS AND SPECIAL EDUCATION**
24 **CONTRACTS EXPENDITURE AUTHORITY.** The superintendent of public instruction may
25 expend funds included in the integrated formula payments and grants - special education
26 contracts line items in subdivision 1 of section 1 of this Act in payment of grants for educational
27 services that were due in the 2011-13 biennium but which were not filed, claimed, or properly
28 supported by the education provider until after June 30, 2013.

29 **SECTION 7. GIFTED AND TALENTED PROGRAM - MEDICAID MATCHING FUNDING -**
30 **DISTRIBUTION.**

- 1 1. The sum of \$800,000, included in the integrated formula payments line item in
2 subdivision 1 of section 1 of this Act, must be distributed to reimburse school districts
3 or special education units for gifted and talented programs upon the submission of an
4 application that is approved in accordance with guidelines adopted by the
5 superintendent of public instruction. The superintendent of public instruction shall
6 encourage cooperative efforts for gifted and talented programs among school districts
7 and special education units.
- 8 2. State school aid payments for special education must be reduced by the amount of
9 matching funds required to be paid by school districts or special education units for
10 students participating in the medicaid program. Special education funds equal to the
11 amount of the matching funds required to be paid by the school district or special
12 education unit must be paid by the superintendent of public instruction to the
13 department of human services on behalf of the school district or unit.

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

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

28 **SECTION 9. TRANSPORTATION GRANTS - DISTRIBUTION.**

- 29 1. During each year of the 2013-15 biennium, the superintendent of public instruction
30 shall calculate the payment to which each school district is entitled based on the state

1 transportation formula as it existed on June 30, 2001, except that the superintendent
2 shall provide reimbursement at the rate of:

3 a. One dollar and ~~threethirteen~~ cents per mile for schoolbuses having a capacity of
4 ten or more passengers;

5 b. ~~Forty-six~~~~Fifty-two~~ cents per mile for vehicles having a capacity of nine or fewer
6 passengers;

7 c. ~~Forty-six~~~~Fifty~~ cents per mile, provided:

8 (1) The student being transported is a student with a disability, as defined in
9 chapter 15.1-32;

10 (2) The student's individualized education program plan requires that the
11 student attend a public or a nonpublic school located outside the student's
12 school district of residence;

13 (3) The student is transported by an adult member of the student's family;

14 (4) The student is transported in a vehicle furnished by the student's parents;

15 (5) The student's transportation is paid for by the student's parents; and

16 (6) The reimbursement does not exceed two round trips daily between the
17 student's home and school;

18 d. ~~Forty-six~~~~Fifty~~ cents per mile, one way, provided:

19 (1) The student being transported resides more than two miles from the public
20 school that the student attends;

21 (2) The student is transported by an adult member of the student's family;

22 (3) The student is transported in a vehicle furnished by the student's parents;
23 and

24 (4) The student's transportation is paid for by the student's parents; and

25 e. ~~Twenty-six~~~~Thirty~~ cents per student for each one-way trip.

26 2. The superintendent of public instruction shall use the latest available student
27 enrollment count in each school district in applying the provisions of subsection 1.

28 3. If any moneys provided for transportation payments in the grants - transportation line
29 item in subdivision 1 of section 1 of this Act, remain after application of the formula
30 provided for in this section, the superintendent of public instruction shall prorate the

1 remaining amounts according to the percentage of the total transportation formula
2 amount to which each school district is entitled.

3 4. This section does not authorize the reimbursement of any costs incurred in providing
4 transportation for student attendance at extracurricular activities or events.

5 **SECTION 10. CONTINUING EDUCATION GRANTS - FUNDING - DISTRIBUTION.** The
6 sum of \$150,000, or so much of the sum as may be necessary, included in the grants - other
7 grants line item in subdivision 1 of section 1 of this Act is provided for continuing education
8 grants, for the biennium beginning July 1, 2013, and ending June 30, 2015.

9 1. The superintendent of public instruction shall award grants in amounts up to \$1,200 to
10 eligible recipients in chronological order, based on the date of an individual's
11 application. An eligible recipient must:

- 12 a. (1) Be licensed to teach by the education standards and practices board;
13 (2) Have taught in this state during each of the last three school years; and
14 (3) Be enrolled at an institution of higher education in this state in either a
15 master of education program in educational leadership or a program leading
16 to a specialist diploma in educational leadership;
17 b. Be pursuing the requirements for a certificate in career development facilitation;
18 or
19 c. Be pursuing a school counselor credential.

20 2. If any of the amount appropriated for this purpose remains after the superintendent of
21 public instruction has awarded grants to all eligible recipients, the superintendent shall
22 distribute that amount as an additional per student payment on a prorated basis,
23 according to the latest available average daily membership of each school district.

24 **SECTION 11. SUPERINTENDENT - SCHOOL FOR THE DEAF - AUTHORIZATION -**
25 **CONTINGENT FUNDING.** The salaries and wages line item in subdivision 3 of section 1 of this
26 Act includes \$142,242 from the general fund to provide funding for a full-time superintendent at
27 the school for the deaf. The school for the deaf may use the funding to fill a full-time
28 superintendent position as directed by the superintendent of public instruction. This funding is
29 contingent on the superintendent of public instruction certifying to the director of the office of
30 management and budget that the position has been filled by a full-time superintendent. The

1 office of management and budget shall prorate the amount of funding available to the school for
2 the deaf based on the retirement date of the current superintendent of the school for the deaf.

3 **SECTION 12. SUPERINTENDENT - SCHOOL FOR THE BLIND - AUTHORIZATION -**
4 **CONTINGENT FUNDING.** The salaries and wages line item in subdivision 4 of section 1 of this
5 Act includes \$144,670 from the general fund to provide funding for a full-time superintendent at
6 the school for the blind. In addition, a .5 full-time equivalent position is added, which is
7 contingent on a determination made by the superintendent of public instruction that the position
8 should be filled by a full-time superintendent. The school for the blind may use the funding to fill
9 a full-time superintendent position as directed by the superintendent of public instruction. This
10 funding is contingent on the superintendent of public instruction certifying to the director of the
11 office of management and budget that the position has been filled by a full-time superintendent.
12 The office of management and budget shall prorate the amount of funding available to the
13 school for the blind based on the retirement date of the current superintendent of the school for
14 the blind.

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

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

23 **SECTION 15. INFORMATION TECHNOLOGY STAFFING ANALYSIS.** Subdivision 1 of
24 section 1 of this Act includes \$100,000 from the general fund for the superintendent of public
25 instruction to contract with the information technology department and a private consultant to
26 conduct an information technology staffing analysis for the biennium beginning July 1, 2013,
27 and ending June 30, 2015. The analysis must include a review of the department of public
28 instruction information technology staffing duties, responsibilities, and staffing levels and must
29 consider the feasibility and desirability of transferring additional information technology positions
30 to the information technology department and must provide recommendations regarding the
31 appropriate level of information technology staff for the department of public instruction.

1 **SECTION 16. OTHER GRANTS - REPORTING.** The superintendent of public instruction
2 shall develop a format for reporting on the cost per participant and the outcomes of other grants
3 and report to the sixty-fourth legislative assembly regarding participation, cost, and outcomes of
4 these grants.

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

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

12 **SECTION 17. LEGISLATIVE INTENT - REIMBURSEMENT OF TITLE FUNDING DUE TO**
13 **FEDERAL SEQUESTRATION.** If, as a result of the federal sequestration order for fiscal year
14 2013, issued pursuant to section 251A of the Balanced Budget and Emergency Deficit Control
15 Act, as amended [2 U.S.C. 901A], school districts experience a reduction in funds provided
16 under title I, part A of the Elementary and Secondary Education Act of 1965, as amended
17 [20 U.S.C. 6301, et seq.], it is the intent of the legislative assembly that the superintendent of
18 public instruction introduce legislation to the sixty-fourth legislative assembly seeking state
19 funding for school districts to offset these federal funding reductions.

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

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

28 **SECTION 20. SCHOOL FOR THE DEAF - HIGHER EDUCATION INTERPRETER GRANT**
29 **PROGRAM.** The grants line item contained in subdivision 3 of section 1 of this Act is for the
30 purpose of providing grants to assist institutions under the control of the state board of higher
31 education with the cost of interpreters and real-time captioning for students who are deaf or

1 hard of hearing, for the biennium beginning July 1, 2013, and ending June 30, 2015. Moneys
2 appropriated for this program are not subject to section 54-44.1-11. Funds shall be distributed
3 pursuant to the provisions of this section:

- 4 1. The school for the deaf shall develop a formula to determine the grant amount for
5 which an institution is eligible. The formula must be based on a uniform hourly
6 reimbursement.
- 7 2. To obtain a grant under this section, an institution shall submit to the school for the
8 deaf, at the time and in the manner directed by the school, invoices showing the
9 amount expended for interpreters and real-time captioning for students who are deaf
10 or hard of hearing.
- 11 3. The school for the deaf may not distribute more than fifty percent of the amount
12 appropriated during the first year of the biennium.
- 13 4. If any grant moneys remain undistributed at the end of the biennium, the school for the
14 deaf shall provide additional prorated grants to institutions that incurred, during the
15 biennium, hourly expenses in excess of the formula reimbursement level.
- 16 5. At the request of an institution under the control of the state board of higher education,
17 the school for the deaf shall consult with the institution and provide advice regarding
18 the provision of services most appropriate to meet a student's needs.

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

21 **15.1-02-02. Salary.**

22 The annual salary of the superintendent of public instruction is one hundred ~~two~~nineteen
23 thousand ~~eight~~one hundred ~~sixty-eight~~thirty-threeninety-two dollars through June 30, ~~2012~~2014,
24 and one hundred ~~five~~twelvefourteen thousand ~~nine~~foursix hundred ~~fifty-four~~seven dollars
25 thereafter.

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

28 **15.1-18.1-02. National board certification program - Recertification - Board duties.**

- 29 1. The board shall:
 - 30 a. Inform teachers of the national board certification program and the scholarships
31 and services the national board provides to teachers seeking certification.

- 1 b. Collect and review in the order received scholarship applications from individuals
2 who are licensed to teach by the board or approved to teach by the board.
- 3 c. (1) Approve no more than seventeen applications per year under this
4 subsection;
- 5 (2) During each year of the biennium, reserve three of the available
6 scholarships under this subsection until October first for individuals teaching
7 at low-performing schools. At that time, the three slots, if not filled, become
8 available to all other applicants;
- 9 (3) Require the recipient for a scholarship under this subsection to serve during
10 the school year as a full-time classroom teacher in a public or nonpublic
11 school in this state; and
- 12 (4) If available, require the recipient for a scholarship under this subsection to
13 participate in mentoring programs developed and implemented in the
14 employing school or school district.
- 15 d. Ensure that all scholarship recipients under this subsection receive adequate
16 information regarding the level of commitment required to acquire certification.
- 17 2. The board shall collect and review in the order received scholarship applications for
18 national board recertification from individuals who are licensed to teach by the board
19 or approved to teach by the board and:
- 20 a. Approve no more than three scholarship applications per year under this
21 subsection;
- 22 b. Require each recipient for a scholarship under this subsection to serve during the
23 school year as a full-time classroom teacher in a public or nonpublic school in
24 this state; and
- 25 c. If available, require each recipient for a scholarship under this subsection to
26 participate in mentoring programs developed and implemented in the employing
27 school or school district.
- 28 3. If any individual who receives a scholarship under this section does not complete the
29 certification process within the time allotted by the board, the individual must
30 reimburse the state an amount equal to one-half of the amount awarded to the
31 individual as a scholarship.

1 4. ~~The board shall pay to any individual who received national board certification before~~
2 ~~July 1, 2007, one thousand dollars for each year the individual has maintained and~~
3 ~~continues to maintain national board certification, provided the individual continues to~~
4 ~~be employed by a school district in this state. An individual may not receive more than~~
5 ~~four thousand dollars under this subsection.~~

6 5. a. At the conclusion of each school year after an individual receives national board
7 certification, the board shall pay to an individual an additional one thousand five
8 hundred dollars for the life of the national board certificate if:

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

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

13 b. ~~The payment provided for in this subsection is available beginning with the~~
14 ~~2007-08 school year.~~

15 6-5. A contract negotiated under chapter 15.1-16 may not preclude or limit the ability of a
16 school district or any other entity, public or private, from providing any remuneration to
17 a teacher who has obtained national board certification. Any remuneration received by
18 a teacher as a consequence of having obtained national board certification is in
19 addition to any other compensation otherwise payable as a result of any contract
20 negotiated under chapter 15.1-16.

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

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