

**FIRST ENGROSSMENT
with Conference Committee Amendments
ENGROSSED HOUSE BILL NO. 1429**

Introduced by

Representatives Schreiber-Beck, D. Johnson, Pyle, Sanford

1 A BILL for an Act to create and enact a new section to chapter 15.1-02 of the North Dakota
2 Century Code, relating to a teacher shortage loan forgiveness program administered by the
3 superintendent of public instruction; to amend and reenact section 15.1-02-04 of the North
4 Dakota Century Code, relating to the duties of the superintendent of public instruction; to repeal
5 section 15-10-38 of the North Dakota Century Code, relating to a teacher shortage loan
6 forgiveness program administered by the state board of higher education; to provide for a
7 transfer; to provide an exemption; to provide an effective date; and to provide an expiration
8 date.

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

10 **SECTION 1. AMENDMENT.** Section 15.1-02-04 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 **15.1-02-04. Superintendent of public instruction - Duties.**

13 The superintendent of public instruction:

- 14 1. Shall supervise the provision of elementary and secondary education to the students
15 of this state.
- 16 2. Shall supervise the establishment and maintenance of schools and provide advice and
17 counsel regarding the welfare of the schools.
- 18 3. Shall supervise the development of course content standards.
- 19 4. Shall supervise the assessment of students.
- 20 5. Shall serve as an ex officio member of the board of university and school lands.
- 21 6. Shall keep a complete record of all official acts and appeals.
- 22 7. As appropriate, shall determine the outcome of appeals regarding education matters.
- 23 8. Shall direct school district annexation, reorganization, and dissolution and employ and
24 compensate personnel necessary to enable the state board of public school education

1 to carry out its powers and duties regarding school district annexation, reorganization,
2 and dissolution.

3 9. Shall administer a student loan forgiveness program for individuals teaching at grade
4 levels, in content areas, and in geographical locations identified as having a teacher
5 shortage or critical need.

6 **SECTION 2. AMENDMENT.** Section 15.1-02-04 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **15.1-02-04. Superintendent of public instruction - Duties.**

9 The superintendent of public instruction:

- 10 1. Shall supervise the provision of elementary and secondary education to the students
11 of this state.
- 12 2. Shall supervise the establishment and maintenance of schools and provide advice and
13 counsel regarding the welfare of the schools.
- 14 3. Shall supervise the development of course content standards.
- 15 4. Shall supervise the assessment of students.
- 16 5. Shall serve as an ex officio member of the board of university and school lands.
- 17 6. Shall keep a complete record of all official acts and appeals.
- 18 7. As appropriate, shall determine the outcome of appeals regarding education matters.
- 19 8. Shall direct school district annexation, reorganization, and dissolution and employ and
20 compensate personnel necessary to enable the state board of public school education
21 to carry out its powers and duties regarding school district annexation, reorganization,
22 and dissolution.
- 23 ~~9. Shall administer a student loan forgiveness program for individuals teaching at grade-~~
24 ~~levels, in content areas, and in geographical locations identified as having a teacher-~~
25 ~~shortage or critical need.~~

26 **SECTION 3.** A new section to chapter 15.1-02 of the North Dakota Century Code is created
27 and enacted as follows:

28 **Loans - Teacher shortages - Loan forgiveness.**

- 29 1. The superintendent of public instruction shall administer a student loan forgiveness
30 program for individuals teaching at grade levels, in content areas, and in geographical
31 locations identified as having a teacher shortage or critical need. The superintendent

- 1 may approve loan forgiveness for no more than two teachers per year in a school
2 district. The superintendent shall adopt rules to implement the program.
- 3 2. The superintendent annually shall identify grade levels, content areas, and
4 geographical locations in which a teacher shortage or critical need exists.
- 5 3. To be eligible for loan forgiveness under this section, an individual:
- 6 a. Must have graduated from an accredited teacher preparation program and
7 signed a contract to teach at a grade level or in a content area and in a
8 geographical location identified by the superintendent of public instruction as
9 having an existing teacher shortage or critical need; and
- 10 b. Must have an existing student loan.
- 11 4. For purposes of this section, the definitions of rural school district and remote town
12 school district have the same meaning as the definitions under the national center for
13 education statistics locale codes.
- 14 5. If an individual is receiving loan forgiveness under any other provision, the individual
15 may not receive loan forgiveness under this section during the same application year.
- 16 6. Subject to appropriation, an eligible individual may receive loan forgiveness under the
17 program as follows:
- 18 a. If the individual accepts one of up to five positions of critical need in a nonrural
19 school district or nonremote town school district, the individual may receive up to
20 three thousand dollars per year for a maximum of four consecutive years.
- 21 b. If the individual accepts a position in a rural school district or remote town school
22 district with an enrollment of fewer than one thousand students, the individual
23 may receive up to four thousand five hundred dollars per year for a maximum of
24 four consecutive years.
- 25 c. If the individual accepts one of up to five positions of critical need in a rural
26 school district or remote town school district with an enrollment of fewer than one
27 thousand students, the individual may receive up to six thousand five hundred
28 dollars per year for a maximum of four consecutive years.
- 29 7. The superintendent shall consider all applications under this section based on the
30 number of unfilled school vacancies, prioritized by critical need and geographic
31 location.

1 8. Upon notification the individual has completed a full year of teaching in a school
2 district, state-supported school, or nonpublic school in this state at a grade level or in a
3 content area and in a geographical location identified by the superintendent as one in
4 which a teacher shortage or critical need exists, the superintendent shall distribute
5 funds directly to the lending institution of the individual to repay outstanding loan
6 principal balances on behalf of eligible applicants. The superintendent shall terminate
7 loan forgiveness payments to eligible individuals if the loan principal balance of the
8 eligible individual is paid in full.

9 9. The superintendent of public instruction shall administer the program only for eligible
10 individuals receiving teacher loan forgiveness benefits for the 2018-19 school year.
11 The superintendent of public instruction shall provide benefits under this program to
12 eligible individuals until the individual has received the maximum benefit under this
13 section or has become ineligible to receive benefits under the program.

14 **SECTION 4. REPEAL.** Section 15-10-38 of the North Dakota Century Code is repealed.

15 **SECTION 5. TRANSFER.** The commissioner of higher education shall transfer the funding
16 continued into the 2019-21 biennium to the superintendent of public instruction to defray the
17 expenses of the teacher loan forgiveness program.

18 **SECTION 6. EXEMPTION - TEACHER LOAN FORGIVENESS PROGRAM FUNDING.**

19 Pursuant to provisions of section 54-44.1-11 the unexpended amount remaining from the
20 appropriation for the teacher loan forgiveness program, as authorized in section 1 of chapter 28
21 of the 2017 Session Laws, at the end of the 2017-19 biennium, may be continued into the
22 2019-21 biennium for the purpose of providing teacher loan forgiveness.

23 **SECTION 7. EFFECTIVE DATE.** Section 2 of this Act becomes effective July 1, 2023.

24 **SECTION 8. EXPIRATION DATE.** Section 3 of this Act is effective through June 30, 2022,
25 and after that date is ineffective.