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1 ~~school district size weighting factor determined under subsection 2 by ninety-two-~~  
2 ~~percent.~~

3 4. The school district size weighting factor determined under this section and multiplied  
4 by a school district's weighted average daily membership equals the district's weighted  
5 student units. For school districts that operate multiple kindergarten through grade  
6 twelve buildings at least twenty miles [32.19 kilometers] apart, or multiple buildings at  
7 least twenty miles [32.19 kilometers] apart with no replicated grades, the  
8 superintendent of public instruction shall determine the school size weighting factor for  
9 each building separately. The superintendent of public instruction shall multiply the  
10 school size weighting factor for each building by the school district's weighted average  
11 daily membership to determine each building's weighted student units. The  
12 superintendent of public instruction shall combine the weighted student units of all  
13 buildings in the school district to determine the school district's weighted student units.

14 4.5. Notwithstanding the provisions of this section, the school district size weighting factor  
15 assigned to a district may not be less than the factor arrived at when the highest  
16 number of students possible in average daily membership is multiplied by the school  
17 district size weighting factor for the subdivision immediately preceding the district's  
18 actual subdivision and then divided by the district's average daily membership.

19 **SECTION 12. AMENDMENT.** Section 15.1-27-04.1 of the North Dakota Century Code is  
20 amended and reenacted as follows:

21 **15.1-27-04.1. Baseline funding - Establishment - Determination of state aid. (Effective**  
22 **through June 30, 2025)**

- 23 1. To determine the amount of state aid payable to each district, the superintendent of  
24 public instruction shall establish each district's baseline funding. A district's baseline  
25 funding consists of:
- 26 a. All state aid received by the district in accordance with chapter 15.1-27 during the  
27 2018-19 school year;
  - 28 b. An amount equal to the property tax deducted by the superintendent of public  
29 instruction to determine the 2018-19 state aid payment;
  - 30 c. An amount equal to seventy-five percent of the revenue received by the school  
31 district during the 2017-18 school year for the following revenue types:

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Sixty-seventh  
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- b. Phonics;
  - c. Fluency;
  - d. Vocabulary;
  - e. Comprehension;
  - f. How to assess student reading ability; and
  - g. How to identify and correct reading difficulties.
2. A prekindergarten, kindergarten, elementary, and special education initial teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.
  3. A prekindergarten through grade twelve and a secondary education initial teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.
  4. A teacher licensure candidate satisfies the requirements of this section if the candidate demonstrates the candidate has received training in competencies related to reading instruction from an accredited or approved program, or demonstrates mastery of the topics provided under subsection 1. The board may issue a provisional license for up to two years to a teacher licensure candidate who does not meet the requirements of this section.

**SECTION 9. AMENDMENT.** Section 15.1-20-01 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-20-01. Compulsory attendance.**

1. Any person having responsibility for a child between the ages of seven and sixteen years shall ensure ~~that the child is in attendance at~~ attends a public school for the duration of each school year.
2. If a person enrolls a child of age six in a public school, the person shall ensure ~~that the child is in attendance at~~ attends the public school for the duration of each school year. The person may withdraw a child of age six from the public school. However, once the child is withdrawn, the person may not re-enroll the child until the following school year. This subsection does not apply if the reason for the withdrawal is the child's relocation to another school district.

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- 1 a. A review of school districts that have multiple buildings in the district and districts  
2 that have built a new building without using traditional bonding methods as a  
3 result of a multidistrict reorganization;
  - 4 b. An analysis of high-cost students, including students who are high cost due to  
5 special education needs, medical reasons, agency placements, or any other  
6 reasons that increase the cost to educate the students beyond the state  
7 threshold;
  - 8 c. An ongoing review of the impacts of school districts that are off of the funding  
9 formula as they transition onto the formula;
  - 10 d. An analysis of human resource allocation and the duties and needs in elementary  
11 and secondary school buildings with a targeted focus on student academic  
12 health, behavioral health, and social and emotional health; and
  - 13 e. A review of student performance data relevant to students participating in virtual  
14 learning.
- 15 2. The legislative management shall report its findings and recommendations, together  
16 with any legislation required to implement the recommendations to the sixty-eighth  
17 legislative assembly.

18 **SECTION 16. EFFECTIVE DATE.** Section 8 of this Act becomes effective on July 1, 2022.

19 **SECTION 17. EMERGENCY.** Section 13 of this Act is declared to be an emergency

20 measure.

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Sixty-seventh  
Legislative Assembly

1 parties with seamless access to state entities that deliver education services and  
2 programs.

3 h. Develop and utilize subcommittees as needed.

4 i. Seek advice and input from interested parties not appointed to the council as  
5 needed.

6 8. The council shall meet at least four times per calendar year.

7 9. The council shall prepare and present an annual report of council activities to the state  
8 board of public school education and to the legislative management.

9 **SECTION 2. AMENDMENT.** Subsection 4 of section 15.1-06-04 of the North Dakota  
10 Century Code is amended and reenacted as follows:

11 4. For purposes of this section, a full day of instruction at a physical school plant consists  
12 of:

13 a. At least five and one-half hours for kindergarten and elementary students, during  
14 which time the students are required to be in attendance for the purpose of  
15 receiving curricular instruction; and

16 b. At least six hours for high school students, during which time the students are  
17 required to be in attendance for the purpose of receiving curricular instruction.

18 **SECTION 3.** A new subsection to section 15.1-06-04 of the North Dakota Century Code is  
19 created and enacted as follows:

20 If a school district intends to provide virtual instruction, the instruction must comply  
21 with the requirements under subsection 4. The attendance of students participating in  
22 virtual instruction must be verified by monitoring the student's progress on academic  
23 pacing guides developed by the school district to ensure students are in attendance  
24 and receiving sufficient curricular instruction, as defined in rules adopted by the  
25 superintendent of public instruction.

26 **SECTION 4.** A new subsection to section 15.1-06-04 of the North Dakota Century Code is  
27 created and enacted as follows:

28 A school district may not schedule student instructional time during the third Thursday  
29 or third Friday in October of each school year, both of which are reserved for an  
30 elective professional development conference and to aid in the completion of

1 statewide professional development requirements for teachers, administrators, and  
2 other school personnel in the state.

3 **SECTION 5. AMENDMENT.** Subdivision e of subsection 1 of section 15.1-06-06 of the  
4 North Dakota Century Code is amended and reenacted as follows:

5 e. The physical school plant has been inspected by the state fire marshal or the  
6 state fire marshal's designee in accordance with section 15.1-06-09 and:

- 7 (1) Has no unremedied deficiency; or  
8 (2) Has deficiencies that have been addressed in a plan of correction which  
9 was submitted to and approved by the state fire marshal or the state fire  
10 marshal's designee;

11 **SECTION 6. AMENDMENT.** Section 15.1-06-13 of the North Dakota Century Code is  
12 amended and reenacted as follows:

13 **15.1-06-13. Schools - Compliance with health, safety, and sanitation requirements.**

14 The superintendent of each school district shall ensure that the ~~schools~~ physical school  
15 plants in the district comply with all health, safety, and sanitation requirements.

16 **SECTION 7.** A new section to chapter 15.1-07 of the North Dakota Century Code is created  
17 and enacted as follows:

18 School districts - Policy - Virtual learning - Report to legislative management.

19 The board of a school district or governing board of a nonpublic school that operates a  
20 physical school plant may adopt a policy to allow students to engage in virtual instruction and in  
21 the case of a school district, qualify for average daily membership in the district. The  
22 superintendent of public instruction shall adopt rules governing policies under this section. A  
23 policy adopted by a school district under this section must comply with the rules adopted by the  
24 superintendent of public instruction. The superintendent of public instruction shall provide  
25 biennial reports to the legislative management regarding the academic performance metrics of  
26 students participating in virtual instruction under this section.

27 **SECTION 8. AMENDMENT.** Subsection 2 of section 15.1-09.1-02.1 of the North Dakota  
28 Century Code is amended and reenacted as follows:

- 29 2. Subsection 1 does not preclude a regional education association from offering  
30 additional services ~~to its member districts.~~