

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2284

That the House recede from its amendments as printed on pages 1781-1788 of the Senate Journal and pages 2085-2092 of the House Journal and that Reengrossed Senate Bill No. 2284 be amended as follows:

Page 1, line 1, after "to" insert "create and enact a new section to chapter 15.1-21 of the North Dakota Century Code, relating to permitting private tutors on public school premises; to"

Page 1, line 1, replace "15.1-01-01" with "15.1-07-26"

Page 1, line 2, replace the first "subsection" with "subsections 2 and"

Page 1, line 4, replace "the state board of public school education members" with "school district enrollment"

Page 1, line 5, after the first comma insert "a school district's policy governing possession of a weapon,"

Page 1, line 5, after the third quotation mark insert "dangerous"

Page 1, line 5, replace "and" with a comma

Page 1, line 6, remove the comma

Page 1, line 6, after "payments" insert ", and the school construction revolving loan fund"

Page 1, line 7, after "a" insert "legislative management"

Page 1, remove lines 10 through 23

Page 2, remove lines 1 through 31

Page 3, replace lines 1 through 5 with:

"SECTION 1. AMENDMENT. Section 15.1-07-26 of the North Dakota Century Code is amended and reenacted as follows:

15.1-07-26. School district demographics and enrollment - Long-term planning processReview - Report.

1. Between January first and June thirtieth of every even-numbered year, the board of each school district ~~shall~~may invite the public to participate in a ~~planning process~~review addressing the effects that demographics ~~might~~and ~~changing enrollment will~~ have on the district in the ensuing three-year and five-year periods, and specifically addressing potential effects on:
 - a. Academic and extracurricular programsachievement, as it relates to the local strategic plan, including progress toward state academic goals adopted by the statewide prekindergarten through grade twelve education strategic vision steering committee;
 - b. Instructional and administrative, and ancillary staffing;

- c. Co-curricular or extracurricular programs;
 - d. Facility needs and utilization; and
 - ~~d.e.~~ District property tax levies.
2. At the conclusion of the planning process review, the board shall is encouraged to prepare a report, ~~publish a notice in the official newspaper of the district indicating that the report is available~~ make the report available on the district website, and make the report available upon request."

Page 3, after line 9, insert:

"SECTION 3. AMENDMENT. Subsection 2 of section 15.1-19-10 of the North Dakota Century Code is amended and reenacted as follows:

2. The policy must ~~prohibit~~:
- a. Prohibit the possession of a dangerous weapon or a firearm by a student on school property and at school functions and provide for the punishment of any student found to be in violation. ~~Punishment must include immediate suspension from school and expulsion. A~~
 - b. Require a student who possesses a firearm in violation of this section must be expelled for at least one year. ~~The school district firearms policy must authorize~~
 - c. Authorize the school district superintendent or the school principal, if the school district does not have a superintendent, to modify an expulsion for firearms possession under this section on a case-by-case basis in accordance with criteria established by the board. Before expelling a student, a school board or its designated hearing officer, within ten days of the student's suspension, shall provide the student with a hearing at which time the school board or its designated hearing officer shall take testimony and consider evidence, including the existence of mitigating circumstances. If a designated hearing officer orders that a student be expelled, the student may seek a review of the decision by the school board, based on the record of the expulsion hearing.
 - d. Include a referral mechanism to the criminal justice or juvenile delinquency system for a student who possesses a firearm in violation of this subsection."

Page 3, line 13, after "a." insert "Dangerous weapon" has the meaning provided in 18 U.S.C. 930(g)(2).

b."

Page 3, line 15, overstrike "b." and insert immediately thereafter "c."

Page 3, remove lines 18 through 31

Page 4, replace lines 1 through 3 with:

"SECTION 5. A new section to chapter 15.1-21 of the North Dakota Century Code is created and enacted as follows:

Private tutors.

A board of a school district may adopt a policy to permit private tutors to provide tutoring services on school premises."

Page 5, line 8, overstrike "0.082" and insert immediately thereafter "0.088"

Page 6, line 21, remove the overstrike over "For"

Page 6, line 21, remove the overstrike over "~~school districts that operate multiple~~"

Page 6, line 22, remove the overstrike over "~~kindergarten through grade twelve buildings at least~~"

Page 6, line 22, after "nineteen" insert "fourteen"

Page 6, line 22, remove the overstrike over "miles-{"

Page 6, line 22, after "~~30.58~~" insert "22.53"

Page 6, line 22, remove the overstrike over "kilometers]"

Page 6, line 23, remove the overstrike over "~~apart, or multiple buildings at least~~"

Page 6, line 23, after "nineteen" insert "fourteen"

Page 6, line 23, remove the overstrike over "miles-{"

Page 6, line 23, after "~~30.58~~" insert "22.53"

Page 6, line 23, remove the overstrike over "kilometers] ~~apart with no~~"

Page 6, remove the overstrike over line 24

Page 6, line 25, remove the overstrike over "~~size weighting factor for each building separately~~" and insert immediately thereafter ", with no adjustment for elementary schools"

Page 6, line 25, remove the overstrike over "~~. The superintendent of public~~"

Page 6, remove the overstrike over lines 26 through 30 and insert immediately thereafter:

"SECTION 9. AMENDMENT. Subsection 4 of section 15.1-27-03.2 of the North Dakota Century Code is amended and reenacted as follows:

4. The school district size weighting factor determined under this section and multiplied by a school district's weighted average daily membership equals the district's weighted student units. For for school districts that operate multiple kindergarten through grade twelve buildings at least fourteen miles [22.53 kilometers] apart, or multiple buildings at least fourteen miles [22.53 kilometers] apart with no replicated grades, the superintendent of public instruction shall determine the school size weighting factor for each building separately, ~~with no adjustment for elementary schools~~. The superintendent of public instruction shall multiply the school size weighting factor for each building by the school district's weighted average daily membership to determine each building's weighted student units. The superintendent of public instruction shall combine the weighted student units of all buildings in the school district to determine the school district's weighted student units."

Page 9, line 29, replace "five hundred forty-four" with "six hundred forty-six"

Page 10, line 4, replace "five hundred forty-four" with "six hundred forty-six"

Page 10, line 6, overstrike "fifteen" and insert immediately thereafter "forty-five"

Page 10, line 10, overstrike "ten" and insert immediately thereafter "eleven"

Page 10, line 11, replace "eight hundred sixty" with "seventy-two"

Page 10, line 16, overstrike "ten" and insert immediately thereafter "eleven"

Page 10, line 17, replace "eight hundred sixty" with "seventy-two"

Page 10, line 19, overstrike "thirty" and insert immediately thereafter "sixty"

Page 10, line 20, overstrike "2022-23" and insert immediately thereafter "2024-25"

Page 16, line 18, replace "five hundred forty-four" with "six hundred forty-six"

Page 16, line 24, replace "five hundred forty-four" with "six hundred forty-six"

Page 16, line 26, overstrike "fifteen" and insert immediately thereafter "forty-five"

Page 16, line 30, overstrike "ten" and insert immediately thereafter "eleven"

Page 16, line 31, replace "eight hundred sixty" with "seventy-two"

Page 17, line 5, overstrike "ten" and insert immediately thereafter "eleven"

Page 17, line 6, replace "eight hundred sixty" with "seventy-two"

Page 17, line 8, overstrike "thirty" and insert immediately thereafter "sixty"

Page 17, line 9, overstrike "2022-23" and insert immediately thereafter "2024-25"

Page 20, line 20, overstrike "ten" and insert immediately thereafter "fifteen"

Page 20, line 24, overstrike "eight" and insert immediately thereafter "twelve"

Page 20, line 26, replace "fifty" with "thirty"

Page 20, line 30, replace "forty" with "twenty-four"

Page 21, after line 3, insert:

- "e. A district with a school construction loan secured on the open bond market may apply to refinance the loan when callable with the school construction assistance revolving loan fund under this subsection.
- f. A district that qualifies for a loan under subdivision a, which was approved for a loan of up to ten million dollars for a construction project bid after January 1, 2021, and before June 30, 2024, may apply for a loan in an amount equal to the difference between fifteen million dollars and the amount of the approved loan. Districts qualifying under this subdivision may submit an application for additional funding to the superintendent of public instruction before August 1, 2023.
- g. A district that qualifies for a loan under subdivision b, which was approved for a loan of up to ten million dollars for a construction project bid after January 1, 2021, and before June 30, 2024, may

apply for a loan in an amount equal to the difference between thirty million dollars and the amount of the approved loan. Districts qualifying under this subdivision may submit an application for additional funding to the superintendent of public instruction before August 1, 2023."

Page 21, replace lines 4 through 10 with:

"SECTION 12. LEGISLATIVE MANAGEMENT STUDY - COMPOSITION OF THE STATE BOARD OF PUBLIC SCHOOL EDUCATION.

1. During the 2023-24 interim, the legislative management shall consider studying the composition of the state board of public school education. The study must include:
 - a. An analysis of the state board of public school education boundaries, including a comparison of methodologies for creating the boundaries;
 - b. An analysis of the inclusion of representatives from small, large, urban, and rural schools on the board;
 - c. An evaluation of term limits for board members, including staggering terms to ensure continuity of knowledge;
 - d. An evaluation of the benefits and consequences of requiring the composition of the board to include two school district superintendents, two members of a board of a school district, and two citizens at large;
 - e. An evaluation of the benefits and consequences of requiring a minimum or maximum number of candidates to be submitted to the governor and permitting the governor to request a new list of potential candidates once; and
 - f. An analysis of the role and practices of the county superintendent of schools.
2. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly.

SECTION 13. LEGISLATIVE MANAGEMENT STUDY - SCHOOL CHOICE MODELS.

1. During the 2023-24 interim, the legislative management shall study school choice models implemented nationally for kindergarten through grade twelve schools, including charter schools, magnet schools, private schools, voucher systems, and home schools. The study must include input from stakeholders, including public and nonpublic teachers and administrators, parents of students, representatives from the department of public instruction, a representative from the governor's office, and representatives from regional education associations. The study also must include the following, supported by quantitative data:
 - a. A review of regulations implemented by state regulatory agencies to ensure accountability for various school choice models;

- b. A comparison of nontraditional school choice models implemented by other states;
 - c. An analysis of the impact of enrollment fluctuation, including the impact on state aid;
 - d. A review of the state's student population and enrollment capacity and tuition costs of nonpublic schools; and
 - e. A review of services nonpublic schools are able to offer students with special needs.
2. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly.

SECTION 14. LEGISLATIVE MANAGEMENT STUDY - TEACHER SHORTAGE AND MILITARY FAMILY WORKFORCE. During the 2023-24 interim, the legislative management shall consider studying employer recruitment needs, applicable state regulations, and benefit options for kindergarten through grade twelve educators within the state, including potential barriers to military personnel and spouses teaching in the classroom. The study should identify immediate and long-term public policy strategies to address teacher shortages and support for military families and spouses. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly.

SECTION 15. LEGISLATIVE MANAGEMENT STUDY - VIRTUAL INSTRUCTION IN LIEU OF STORM DAYS. During the 2023-24 interim, the legislative management shall consider studying the feasibility, desirability, and impact of replacing storm days with virtual instruction days. The study must include input from the department of public instruction, public school administrators and teachers, and other stakeholders. The study also must include a review of relevant statutes, plans approved by school boards, and current practices related to storm days. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly.

SECTION 16. APPROPRIATION - UNIVERSITY OF NORTH DAKOTA - SCHOOL TRANSPORTATION STUDY - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of a school transportation study, for the biennium beginning July 1, 2023, and ending June 30, 2025. The funding provided in this section is considered a one-time funding item.

SECTION 17. APPROPRIATION - DEPARTMENT OF PUBLIC INSTRUCTION - GRANTS FOR FREE MEALS. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$6,000,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing grants to school districts to defray the expenses of providing meals, free of charge, for all students enrolled in public or nonpublic school at or below two hundred percent of the federal poverty guideline, for the biennium beginning July 1, 2023, and ending June 30, 2025. The superintendent of public instruction shall develop guidelines and reporting requirements for the grants."

Page 21, after line 23, insert:

"SECTION 19. APPROPRIATION - PUBLIC INSTRUCTION FUND - DEPARTMENT OF PUBLIC INSTRUCTION - DYSLEXIA IDENTIFICATION TRAINING. There is appropriated out of any moneys in the public instruction fund in the state treasury, not otherwise appropriated, the sum of \$279,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing training in identification of dyslexia characteristics for the biennium beginning July 1, 2023, and ending June 30, 2025. Each school that instructs students in kindergarten through third grade may apply to the department for funding to train at least one educator in the identification of dyslexia characteristics.

SECTION 20. APPROPRIATION - PUBLIC INSTRUCTION FUND - DEPARTMENT OF PUBLIC INSTRUCTION - READING LEARNING PLATFORM TRAINING. There is appropriated out of any moneys in the public instruction fund in the state treasury, not otherwise appropriated, the sum of \$558,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing training in a reading learning platform approved by the superintendent of public instruction, for the biennium beginning July 1, 2023, and ending June 30, 2025."

Page 21, line 28, replace "\$1,000,000" with "\$1,837,000"

Page 22, line 1, after "instruction" insert ", training in identification of dyslexia characteristics, and reading training for kindergarten through grade three teachers"

Page 22, line 1, remove "section 10 of"

Page 22, line 8, replace "5" with "7"

Page 22, line 8, after the period insert "Section 9 of this Act becomes effective on July 1, 2028."

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2284 - Summary of Conference Committee Action

| | Base Budget | Senate Version | Conference Committee Changes | Conference Committee Version | House Version | Comparison to House |
|----------------------------------|-------------|----------------|------------------------------|------------------------------|---------------|---------------------|
| Department of Public Instruction | | | | | | |
| Total all funds | \$0 | \$1,000,000 | \$6,837,000 | \$7,837,000 | \$7,837,000 | \$0 |
| Less estimated income | 0 | 1,000,000 | 837,000 | 1,837,000 | 1,837,000 | 0 |
| General fund | \$0 | \$0 | \$6,000,000 | \$6,000,000 | \$6,000,000 | \$0 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| University of North Dakota | | | | | | |
| Total all funds | \$0 | \$0 | \$5,000 | \$5,000 | \$0 | \$5,000 |
| Less estimated income | 0 | 0 | 0 | 0 | 0 | 0 |
| General fund | \$0 | \$0 | \$5,000 | \$5,000 | \$0 | \$5,000 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Bill total | | | | | | |
| Total all funds | \$0 | \$1,000,000 | \$6,842,000 | \$7,842,000 | \$7,837,000 | \$5,000 |
| Less estimated income | 0 | 1,000,000 | 837,000 | 1,837,000 | 1,837,000 | 0 |
| General fund | \$0 | \$0 | \$6,005,000 | \$6,005,000 | \$6,000,000 | \$5,000 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

Senate Bill No. 2284 - Department of Public Instruction - Conference Committee Action

| | Base Budget | Senate Version | Conference Committee Changes | Conference Committee Version | House Version | Comparison to House |
|--|-------------|----------------|------------------------------|------------------------------|--------------------------|---------------------|
| Science of reading Grants - program grants | | \$1,000,000 | \$6,837,000 | \$1,000,000 6,837,000 | \$1,000,000 6,837,000 | |
| Total all funds | \$0 | \$1,000,000 | \$6,837,000 | \$7,837,000 | \$7,837,000 | \$0 |
| Less estimated income | 0 | 1,000,000 | 837,000 | 1,837,000 | 1,837,000 | 0 |
| General fund | \$0 | \$0 | \$6,000,000 | \$6,000,000 | \$6,000,000 | \$0 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

Department 201 - Department of Public Instruction - Detail of Conference Committee Changes

| | Adds Funding for School Meal Grants ¹ | Adds Funding for Training Programs ² | Total Conference Committee Changes |
|--|--|---|------------------------------------|
| Science of reading Grants - program grants | \$6,000,000 | \$837,000 | \$6,837,000 |
| Total all funds | \$6,000,000 | \$837,000 | \$6,837,000 |
| Less estimated income | 0 | 837,000 | 837,000 |
| General fund | \$6,000,000 | \$0 | \$6,000,000 |
| FTE | 0.00 | 0.00 | 0.00 |

¹ Ongoing funding of \$6 million from the general fund is added for grants to school districts for school meal expenses related to free meals for all qualifying students at or below 200 percent of the federal poverty guideline, the same as the House version.

² Funding of \$837,000 of other funds, derived from 2021-23 biennium unspent general fund appropriation authority for state school aid transferred to the department's operating fund, is added for dyslexia identification training (\$279,000) and for reading learning platform training (\$558,000), the same as the House version.

This amendment also:

- Includes a transfer of \$75 million from the foundation aid stabilization fund to the school construction assistance revolving loan fund. The Senate also included a transfer of \$75 million, but the House provided a transfer of \$40 million.
- Adjusts the K-12 education funding formula.

The Conference Committee also continued \$1 million of unexpended funding provided for integrated formula payments during the 2021-23 biennium to the 2023-25 biennium and requires the funding to be deposited in the department's operating fund. The Conference Committee appropriated the funding from the department's operating fund to the Department of Public Instruction to support professional learning related to the science of reading and implement literacy instruction, the same as the Senate version.

Senate Bill No. 2284 - University of North Dakota - Conference Committee Action

| | Base Budget | Senate Version | Conference Committee Changes | Conference Committee Version | House Version | Comparison to House |
|-----------------------|-------------|----------------|------------------------------|------------------------------|---------------|---------------------|
| Transportation study | | | \$5,000 | \$5,000 | | \$5,000 |
| Total all funds | \$0 | \$0 | \$5,000 | \$5,000 | \$0 | \$5,000 |
| Less estimated income | 0 | 0 | 0 | 0 | 0 | 0 |
| General fund | \$0 | \$0 | \$5,000 | \$5,000 | \$0 | \$5,000 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

Department 230 - University of North Dakota - Detail of Conference Committee Changes

| | Adds Funding for a Transportation Study ¹ | Total Conference Committee Changes |
|-----------------------|---|---|
| Transportation study | \$5,000 | \$5,000 |
| Total all funds | \$5,000 | \$5,000 |
| Less estimated income | 0 | 0 |
| General fund | \$5,000 | \$5,000 |
| FTE | 0.00 | 0.00 |

¹ One-time funding of \$5,000 from the general fund for the University of North Dakota is added for a transportation study related to Senate Bill No. 2328. Neither the Senate nor the House included this funding.