

Sixty-eighth
Legislative Assembly
of North Dakota

REENGROSSED SENATE BILL NO. 2284

Introduced by

Senators Schaible, Elkin

Representatives Heinert, Nathe

1 A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North Dakota
 2 Century Code, relating to permitting private tutors on public school premises; to amend and
 3 reenact section ~~15.1-01-01~~15.1-07-26, subsection 8 of section 15.1-15-02,
 4 ~~subsection~~subsections 2 and 6 of section 15.1-19-10, section 15.1-27-03.1, subsection 4 of
 5 section 15.1-27-03.2, section 15.1-27-04.1, and subsection 5 of section 15.1-36-08 of the North
 6 Dakota Century Code, relating to ~~the state board of public school education members~~school
 7 district enrollment, the definition of "probationary teacher", a school district's policy governing
 8 possession of a weapon, the definition of "dangerous weapon", modification of weighting factors
 9 ~~and~~, transition maximums; and an increase in per student payments, and the school
 10 construction revolving loan fund; to provide for a legislative management study; to provide a
 11 legislative management report; to provide an appropriation; to provide for an exemption; to
 12 provide for a transfer; and to provide an effective date.

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

14 ~~— SECTION 1. AMENDMENT. Section 15.1-01-01 of the North Dakota Century Code is~~
 15 ~~amended and reenacted as follows:~~
 16 ~~— 15.1-01-01. State board of public school education -- Composition.~~
 17 ~~— 1. The state board of public school education consists of the superintendent of public~~
 18 ~~instruction and:~~
 19 ~~— a. An individual representing Barnes, Cass, Grand Forks, Griggs, Nelson, Steele,~~
 20 ~~and Traill Counties~~legislative districts ten, eleven, thirteen, sixteen, twenty-one,
 21 forty-one, forty-four, and forty-six;
 22 ~~— b. An individual representing Benson, Bottineau, Cavalier, McHenry, Pembina,~~
 23 ~~Pierce, Ramsey, Renville, Rolette, Towner, and Walsh Counties~~legislative districts
 24 nine, fifteen, seventeen, eighteen, nineteen, twenty, forty-two, and forty-three;

- 1 ~~— c. — An individual representing Dickey, Emmons, LaMoure, Logan, McIntosh,~~
2 ~~Ransom, Richland, and Sargent Counties legislative districts twelve, twenty-two,~~
3 ~~twenty-four, twenty-five, twenty-seven, twenty-eight, twenty-nine, and forty-five;~~
- 4 ~~— d. — An individual representing Burleigh, Eddy, Foster, Kidder, McLean, Sheridan,~~
5 ~~Stutsman, and Wells Counties legislative districts seven, eight, thirty, thirty-one,~~
6 ~~thirty-two, thirty-four, thirty-five, and forty-seven;~~
- 7 ~~— e. — An individual representing Burke, Divide, McKenzie, Mountrail, Ward, and~~
8 ~~Williams Counties legislative districts three, four, five, six, fourteen, thirty-three,~~
9 ~~thirty-eight, and forty; and~~
- 10 ~~— f. — An individual representing Adams, Billings, Bowman, Dunn, Golden Valley, Grant,~~
11 ~~Hettinger, Mercer, Morton, Oliver, Sioux, Slope, and Stark Counties legislative~~
12 ~~districts one, two, twenty-three, twenty-six, thirty-six, thirty-seven, and thirty-nine.~~
- 13 ~~— 2. — All board members other than the superintendent of public instruction must be~~
14 ~~qualified electors and must reside in one of the counties districts they represent.~~
- 15 ~~— 3. — The governor shall appoint new board members from a list of three names submitted~~
16 ~~by a committee consisting of the president of North Dakota united or the president's~~
17 ~~designee, the president of the North Dakota council of educational leaders or the~~
18 ~~president's designee, and the president of the North Dakota school boards association~~
19 ~~or the president's designee. Two of the state board members must be members of the~~
20 ~~North Dakota school boards association. Two of the state board members must be~~
21 ~~employed by a North Dakota school district and be active members of the North~~
22 ~~Dakota association of school administrators.~~
- 23 ~~— 4. — Appointees serve for six-year terms, staggered so that the terms of two members~~
24 ~~expire on June thirtieth of each even-numbered year.~~
- 25 ~~— 5. — If a vacancy occurs, the governor shall appoint an individual to serve for the duration~~
26 ~~of the unexpired term.~~
- 27 ~~— 6. — Each member of the board is entitled to receive, from the biennial appropriation for the~~
28 ~~superintendent of public instruction, compensation in the amount of sixty-two dollars~~
29 ~~and fifty cents per day and reimbursement for expenses, as provided by law for state~~
30 ~~officers, if the member is attending board meetings or performing duties directed by~~
31 ~~the board. The compensation provided for in this section may not be paid to any~~

~~member who receives a salary or other compensation as an employee or official of this state if the individual is serving on the board by virtue of the individual's state office or state employment.~~

~~7. The superintendent of public instruction shall serve as the executive director and secretary of the board. The superintendent shall call meetings as necessary, carry out the policies of the board, and employ personnel necessary to perform the board's duties.~~

~~8. The board shall annually elect one member to serve as the chairman.~~

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 process~~ Review - 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 programs~~achievement, 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.

SECTION 2. AMENDMENT. Subsection 8 of section 15.1-15-02 of the North Dakota Century Code is amended and reenacted as follows:

1 8. For purposes of this section, "probationary teacher" means an individual teaching for
2 less than two years in the school district.

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

5 2. The policy must ~~prohibit~~:

6 a. Prohibit the possession of a dangerous weapon or a firearm by a student on
7 school property and at school functions and provide for the punishment of any
8 student found to be in violation. ~~Punishment must include immediate suspension~~
9 ~~from school and expulsion. A~~

10 b. Require a student who possesses a firearm in violation of this section ~~must~~ to be
11 expelled for at least one year. ~~The school district firearms policy must authorize~~

12 c. Authorize the school district superintendent or the school principal, if the school
13 district does not have a superintendent, to modify an expulsion for firearms
14 possession under this section on a case-by-case basis in accordance with criteria
15 established by the board. Before expelling a student, a school board or its
16 designated hearing officer, within ten days of the student's suspension, shall
17 provide the student with a hearing at which time the school board or its
18 designated hearing officer shall take testimony and consider evidence, including
19 the existence of mitigating circumstances. If a designated hearing officer orders
20 that a student be expelled, the student may seek a review of the decision by the
21 school board, based on the record of the expulsion hearing.

22 d. Include a referral mechanism to the criminal justice or juvenile delinquency
23 system for a student who possesses a firearm in violation of this subsection.

24 **SECTION 4. AMENDMENT.** Subsection 6 of section 15.1-19-10 of the North Dakota
25 Century Code is amended and reenacted as follows:

26 6. For purposes of this section:

27 a. "Dangerous weapon" has the meaning provided in 18 U.S.C. 930(g)(2).

28 b. "Firearm" has the meaning provided in Public Law No. 90-351 [82 Stat. 197;
29 18 U.S.C. 921].

1 ~~b-c.~~ "School property" includes all land within the perimeter of the school site and all
2 school buildings, structures, facilities, and school vehicles, whether owned or
3 leased by a school district, and the site of any school-sponsored event or activity.

4 ~~c. "Weapon" includes any switchblade or gravity knife, machete, scimitar, stiletto,
5 sword, dagger, or knife with a blade of five inches [12.7 centimeters] or more; any
6 throwing star, nunchaku, or other martial arts weapon; any billy, blackjack, sap,
7 bludgeon, cudgel, metal knuckles, or sand club; any slungshot; any bow and
8 arrow, crossbow, or spear; any weapon that will expel, or is readily capable of
9 expelling, a projectile by the action of a spring, compressed air, or compressed
10 gas, including any such weapon, loaded or unloaded, commonly referred to as a
11 BB gun, air rifle, or CO2 gun; and any projector of a bomb or any object
12 containing or capable of producing and emitting any noxious liquid, gas, or
13 substance. The term does not include a spray or aerosol containing CS, also
14 known as ortho-chlorobenzamalonitrile; CN, also known as alpha-
15 chloroacetophenone; or other irritating agent intended for use in the defense of
16 an individual, nor does the term include a device that uses voltage for the
17 defense of an individual, unless the device uses a projectile and voltage or the
18 device uses a projectile and may be used to apply multiple applications of voltage
19 during a single incident, then the term includes the device for an individual who is
20 prohibited from possessing a firearm under this title.~~

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

23 **Private tutors.**

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

26 **SECTION 6. AMENDMENT.** Section 15.1-27-03.1 of the North Dakota Century Code is
27 amended and reenacted as follows:

28 **15.1-27-03.1. Weighted average daily membership - Determination.**

- 29 1. For each school district, the superintendent of public instruction shall multiply by:
30 a. 1.00 the number of full-time equivalent students enrolled in an extended
31 educational program in accordance with section 15.1-32-17;

- 1 b. 0.60 the number of full-time equivalent students enrolled in a summer education
2 program, including a migrant summer education program;
- 3 c. 0.40 the number of full-time equivalent students who:
4 (1) On a test of English language proficiency approved by the superintendent of
5 public instruction are determined to be least proficient and placed in the first
6 of six categories of proficiency; and
7 (2) Are enrolled in a program of instruction for English language learners;
- 8 d. 0.28 the number of full-time equivalent students who:
9 (1) On a test of English language proficiency approved by the superintendent of
10 public instruction are determined to be more proficient than students placed
11 in the first of six categories of proficiency and therefore placed in the second
12 of six categories of proficiency; and
13 (2) Are enrolled in a program of instruction for English language learners;
- 14 e. 0.25 the number of full-time equivalent students under the age of twenty-one
15 enrolled in grades nine through twelve in an alternative high school;
- 16 f. 0.20 the number of full-time equivalent students enrolled in a home-based
17 education program and monitored by the school district under chapter 15.1-23;
- 18 g. 0.17 the number of full-time equivalent students enrolled in an early childhood
19 special education program;
- 20 h. 0.15 the number of full-time equivalent students in grades six through eight
21 enrolled in an alternative education program for at least an average of fifteen
22 hours per week;
- 23 i. 0.10 the number of students enrolled in average daily membership, if the district
24 has fewer than one hundred students enrolled in average daily membership and
25 the district consists of an area greater than two hundred seventy-five square
26 miles [19424.9 hectares], provided that any school district consisting of an area
27 greater than six hundred square miles [155399 hectares] and enrolling fewer than
28 fifty students in average daily membership must be deemed to have an
29 enrollment equal to fifty students in average daily membership;
- 30 j. ~~0.08~~0.088 the number of students enrolled in average daily membership, in
31 order to support the provision of special education services;

- 1 k. 0.07 the number of full-time equivalent students who:
- 2 (1) On a test of English language proficiency approved by the superintendent of
- 3 public instruction are determined to be more proficient than students placed
- 4 in the second of six categories of proficiency and therefore placed in the
- 5 third of six categories of proficiency;
- 6 (2) Are enrolled in a program of instruction for English language learners; and
- 7 (3) Have not been in the third of six categories of proficiency for more than
- 8 three years;
- 9 l. 0.025 the number of students representing that percentage of the total number of
- 10 students in average daily membership which is equivalent to the three-year
- 11 average percentage of students in grades three through eight who are eligible for
- 12 free or reduced lunches under the Richard B. Russell National School Lunch Act
- 13 [42 U.S.C. 1751 et seq.];
- 14 m. 0.002 the number of students enrolled in average daily membership in a school
- 15 district that is a participating member of a regional education association meeting
- 16 the requirements of chapter 15.1-09.1;
- 17 n. ~~0.601.0~~ the number of students by which the district's September tenth
- 18 enrollment report exceeds the number of students in the prior year's average
- 19 daily membership ~~increasing the factor annually by 0.10, not to exceed 1.00~~; and
- 20 o. For districts paid based on September tenth enrollment in the prior year, ~~0.500.70~~
- 21 the number of students determined by deducting the number of students in the
- 22 prior year's September tenth enrollment from the prior year's average daily
- 23 membership, increasing the factor annually by 0.10, not to exceed 1.00. If the
- 24 prior year's September tenth enrollment exceeds the prior year's average daily
- 25 membership, then a deduction of 0.50 the number of excess students, increasing
- 26 the factor annually by 0.10, not to exceed 1.00.
- 27 2. The superintendent of public instruction shall determine each school district's weighted
- 28 average daily membership by adding the products derived under subsection 1 to the
- 29 district's average daily membership.

30 **SECTION 7. AMENDMENT.** Subdivision o of subsection 1 of section 15.1-27-03.1 of the

31 North Dakota Century Code is amended and reenacted as follows:

- 1 o. For districts paid based on September tenth enrollment in the prior year, ~~0.70~~1.00
2 the number of students determined by deducting the number of students in the
3 prior year's September tenth enrollment from the prior year's average daily
4 membership, ~~increasing the factor annually by 0.10, not to exceed 1.00~~. If the
5 prior year's September tenth enrollment exceeds the prior year's average daily
6 membership, then a deduction of ~~0.50~~1.00 the number of excess students,
7 ~~increasing the factor annually by 0.10, not to exceed 1.00~~.

8 **SECTION 8. AMENDMENT.** Subsection 4 of section 15.1-27-03.2 of the North Dakota
9 Century Code is amended and reenacted as follows:

- 10 4. The school district size weighting factor determined under this section and multiplied
11 by a school district's weighted average daily membership equals the district's weighted
12 student units. ~~For the 2022-23 school year, for school districts that operate multiple~~
13 ~~kindergarten through grade twelve buildings at least nineteen~~fourteen miles
14 ~~[30.58~~22.53 kilometers] apart, or multiple buildings at least ~~nineteen~~fourteen miles
15 ~~[30.58~~22.53 kilometers] apart with no replicated grades, the superintendent of public
16 instruction shall determine the school size weighting factor for each building
17 separately, ~~with no adjustment for elementary schools~~. The superintendent of public
18 instruction shall multiply the school size weighting factor for each building by the
19 school district's weighted average daily membership to determine each building's
20 weighted student units. The superintendent of public instruction shall combine the
21 weighted student units of all buildings in the school district to determine the school
22 district's weighted student units.

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

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

1 superintendent of public instruction shall multiply the school size weighting factor for
2 each building by the school district's weighted average daily membership to determine
3 each building's weighted student units. The superintendent of public instruction shall
4 combine the weighted student units of all buildings in the school district to determine
5 the school district's weighted student units.

6 **SECTION 10. AMENDMENT.** Section 15.1-27-04.1 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **15.1-27-04.1. Baseline funding - Establishment - Determination of state aid. (Effective**
9 **through June 30, 2025)**

- 10 1. To determine the amount of state aid payable to each district, the superintendent of
11 public instruction shall establish each district's baseline funding. A district's baseline
12 funding consists of:
- 13 a. All state aid received by the district in accordance with chapter 15.1-27 during the
14 2018-19 school year;
 - 15 b. An amount equal to the property tax deducted by the superintendent of public
16 instruction to determine the 2018-19 state aid payment;
 - 17 c. An amount equal to seventy-five percent of the revenue received by the school
18 district during the 2017-18 school year for the following revenue types:
 - 19 (1) Revenue reported under code 2000 of the North Dakota school district
20 financial accounting and reporting manual, as developed by the
21 superintendent of public instruction in accordance with section 15.1-02-08;
 - 22 (2) Mineral revenue received by the school district through direct allocation from
23 the state treasurer and not reported under code 2000 of the North Dakota
24 school district financial accounting and reporting manual, as developed by
25 the superintendent of public instruction in accordance with section
26 15.1-02-08;
 - 27 (3) Tuition reported under code 1300 of the North Dakota school district
28 financial accounting and reporting manual, as developed by the
29 superintendent of public instruction in accordance with section 15.1-02-08,
30 with the exception of revenue received specifically for the operation of an
31 educational program provided at a residential treatment facility, tuition

1 received for the provision of an adult farm management program, and
2 beginning in the 2021-22 school year, seventeen percent of tuition received
3 under an agreement to educate students from a school district on an
4 air force base with funding received through federal impact aid, and an
5 additional seventeen percent of tuition received under an agreement to
6 educate students from a school district on an air force base with funding
7 received through federal impact aid each school year thereafter, until the
8 2024-25 school year when sixty-eight percent of tuition received under an
9 agreement to educate students from a school district on an air force base
10 with funding received through federal impact aid must be excluded from the
11 tuition calculation under this paragraph;

12 (4) Revenue from payments in lieu of taxes on the distribution and transmission
13 of electric power;

14 (5) Revenue from payments in lieu of taxes on electricity generated from
15 sources other than coal; and

16 (6) Revenue from the leasing of land acquired by the United States for which
17 compensation is allocated to the state under 33 U.S.C. 701(c)(3);

18 d. An amount equal to the total revenue received by the school district during the
19 2017-18 school year for the following revenue types:

20 (1) Mobile home tax revenue;

21 (2) Telecommunications tax revenue; and

22 (3) Revenue from payments in lieu of taxes and state reimbursement of the
23 homestead credit and disabled veterans credit; and

24 e. Beginning with the 2020-21 school year, the superintendent shall reduce the
25 baseline funding for any school district that becomes an elementary district
26 pursuant to section 15.1-07-27 after the 2012-13 school year. The reduction must
27 be proportional to the number of weighted student units in the grades that are
28 offered through another school district relative to the total number of weighted
29 student units the school district offered in the year before the school district
30 became an elementary district. The reduced baseline funding applies to the
31 calculation of state aid for the first school year in which the school district

1 becomes an elementary district and for each year thereafter. For districts that
2 become an elementary district prior to the 2020-21 school year, the
3 superintendent shall use the reduced baseline funding to calculate state aid for
4 the 2020-21 school year and for each year thereafter.

- 5 2. a. The superintendent shall divide the district's baseline funding determined in
6 subsection 1 by the district's 2017-18 weighted student units to determine the
7 district's baseline funding per weighted student unit.
- 8 b. For any school district that becomes an elementary district pursuant to section
9 15.1-07-27 after the 2017-18 school year, the superintendent shall adjust the
10 district's baseline funding per weighted student unit used to calculate state aid.
11 The superintendent shall divide the district's baseline funding determined in
12 subsection 1 by the district's weighted student units after the school district
13 becomes an elementary district to determine the district's adjusted baseline
14 funding per weighted student unit. The superintendent shall use the district's
15 adjusted baseline funding per weighted student unit in the calculation of state aid
16 for the first school year in which the school district becomes an elementary
17 district and for each year thereafter.
- 18 c. Beginning with the 2021-22 school year and for each school year thereafter, the
19 superintendent shall reduce the district's baseline funding per weighted student
20 unit. Each year the superintendent shall calculate the amount by which the
21 district's baseline funding per weighted student unit exceeds the payment per
22 weighted student unit provided in subsection 3. The superintendent shall reduce
23 the district's baseline funding per weighted student unit by fifteen percent of the
24 amount by which the district's baseline funding per weighted student unit exceeds
25 the payment per weighted student unit for the 2021-22 school year. For each
26 year thereafter, the reduction percentage is increased by an additional fifteen
27 percent. However, the district's baseline funding per weighted student unit, after
28 the reduction, may not be less than the payment per weighted student unit
29 provided in subsection 3.
- 30 3. a. For the ~~2021-22~~2023-24 school year, the superintendent shall calculate state aid
31 as the greater of:

- 1 (1) The district's weighted student units multiplied by ten thousand ~~one hundred-~~
2 ~~thirty-six~~five hundred forty-foursix hundred forty-six dollars;
- 3 (2) One hundred two percent of the district's baseline funding per weighted
4 student unit, as established in subsection 2, multiplied by the district's
5 weighted student units, not to exceed the district's 2017-18 baseline
6 weighted student units, plus any weighted student units in excess of the
7 2017-18 baseline weighted student units multiplied by ten thousand
8 ~~one hundred thirty-six~~five hundred forty-foursix hundred forty-six dollars; or
- 9 (3) The district's baseline funding as established in subsection 1 less the
10 amount in paragraph 1, with the difference reduced by ~~fifteen~~forty-five
11 percent and then the difference added to the amount determined in
12 paragraph 1.
- 13 b. For the ~~2022-23~~2024-25 school year and each school year thereafter, the
14 superintendent shall calculate state aid as the greater of:
- 15 (1) The district's weighted student units multiplied by ~~ten~~eleven thousand ~~two-~~
16 ~~hundred thirty-seven~~eight hundred sixtyseventy-two dollars;
- 17 (2) One hundred two percent of the district's baseline funding per weighted
18 student unit, as established in subsection 2, multiplied by the district's
19 weighted student units, not to exceed the district's 2017-18 baseline
20 weighted student units, plus any weighted student units in excess of the
21 2017-18 baseline weighted student units multiplied by ~~ten~~eleven thousand
22 ~~two hundred thirty-seven~~eight hundred sixtyseventy-two dollars; or
- 23 (3) The district's baseline funding as established in subsection 1 less the
24 amount in paragraph 1, with the difference reduced by ~~thirty~~sixty percent for
25 the ~~2022-23~~2024-25 school year and the reduction percentage increasing
26 by fifteen percent each school year thereafter until the difference is reduced
27 to zero, and then the difference added to the amount determined in
28 paragraph 1.
- 29 e. ~~The superintendent also shall adjust state aid determined in this subsection to~~
30 ~~ensure the amount does not exceed the transition maximum as follows:~~

- 1 (1) For the 2021-22 school year, the transition maximum rate is one hundred
2 ten percent of the district's baseline funding per weighted student unit, as
3 established in subsection 2, multiplied by the district's weighted student
4 units from the previous school year.
- 5 (2) For the 2022-23 school year, the transition maximum rate is one hundred
6 ten percent of the district's baseline funding per weighted student unit, as
7 established in subsection 2, multiplied by the district's weighted student
8 units from the previous school year.
- 9 (3) For the 2023-24 school year, the transition maximum rate is one hundred
10 ten percent of the district's baseline funding per weighted student unit, as
11 established in subsection 2, plus twenty percent of the difference between
12 the rate under paragraph 1 of subdivision b of this subsection and
13 one hundred ten percent of the district's baseline funding per weighted
14 student unit. The transition maximum is determined by multiplying the
15 transition maximum rate, which may not exceed the rate under paragraph 1
16 of subdivision b of this subsection, by the district's weighted student units
17 from the previous school year.
- 18 (4) For the 2024-25 school year, the transition maximum rate is one hundred
19 ten percent of the district's baseline funding per weighted student unit, as
20 established in subsection 2, plus forty percent of the difference between the
21 rate under paragraph 1 of subdivision b of this subsection and one hundred
22 ten percent of the district's baseline funding per weighted student unit. The
23 transition maximum is determined by multiplying the transition maximum
24 rate, which may not exceed the rate under paragraph 1 of subdivision b of
25 this subsection, by the district's weighted student units from the previous
26 school year.
- 27 (5) For the 2025-26 school year, the transition maximum rate is one hundred
28 ten percent of the district's baseline funding per weighted student unit, as
29 established in subsection 2, plus sixty percent of the difference between the
30 rate under paragraph 1 of subdivision b of this subsection and one hundred
31 ten percent of the district's baseline funding per weighted student unit. The

1 transition maximum is determined by multiplying the transition maximum-
2 rate, which may not exceed the rate under paragraph 1 of subdivision b of
3 this subsection, by the district's weighted student units from the previous-
4 school year.

5 (6) For the 2026-27 school year, the transition maximum rate is one hundred-
6 ten percent of the district's baseline funding per weighted student unit, as
7 established in subsection 2, plus eighty percent of the difference between
8 the rate under paragraph 1 of subdivision b of this subsection and
9 one hundred ten percent of the district's baseline funding per weighted
10 student unit. The transition maximum is determined by multiplying the
11 transition maximum rate, which may not exceed the rate under paragraph 1-
12 of subdivision b of this subsection, by the district's weighted student units-
13 from the previous school year.

14 4. After determining the product in accordance with subsection 3, the superintendent of
15 public instruction shall:

- 16 a. Subtract an amount equal to sixty mills multiplied by the taxable valuation of the
17 school district, except the amount in dollars subtracted for purposes of this
18 subdivision may not exceed the previous year's amount in dollars subtracted for
19 purposes of this subdivision by more than twelve percent, adjusted pursuant to
20 section 15.1-27-04.3; and
21 b. Subtract an amount equal to seventy-five percent of all revenue types listed in
22 subdivisions c and d of subsection 1. Before determining the deduction for
23 seventy-five percent of all revenue types, the superintendent of public instruction
24 shall adjust revenues as follows:

25 (1) Tuition revenue shall be adjusted as follows:

- 26 (a) In addition to deducting tuition revenue received specifically for the
27 operation of an educational program provided at a residential
28 treatment facility, tuition revenue received for the provision of an adult
29 farm management program, and tuition received under an agreement
30 to educate students from a school district on an air force base with
31 funding received through federal impact aid as directed each school

1 year in paragraph 3 of subdivision c of subsection 1, the
2 superintendent of public instruction also shall reduce the total tuition
3 reported by the school district by the amount of tuition revenue
4 received for the education of students not residing in the state and for
5 which the state has not entered a cross-border education contract;
6 and

7 (b) The superintendent of public instruction also shall reduce the total
8 tuition reported by admitting school districts meeting the requirements
9 of subdivision e of subsection 2 of section 15.1-29-12 by the amount
10 of tuition revenue received for the education of students residing in an
11 adjacent school district.

12 (2) After adjusting tuition revenue as provided in paragraph 1, the
13 superintendent shall reduce all remaining revenues from all revenue types
14 by the percentage of mills levied in ~~2020~~2022 by the school district for
15 sinking and interest relative to the total mills levied in ~~2020~~2022 by the
16 school district for all purposes.

- 17 5. The amount remaining after the computation required under subsection 4 is the
18 amount of state aid to which a school district is entitled, subject to any other statutory
19 requirements or limitations.
- 20 6. On or before June thirtieth of each year, the school board shall certify to the
21 superintendent of public instruction the final average daily membership for the current
22 school year.
- 23 7. For purposes of the calculation in subsection 4, each county auditor, in collaboration
24 with the school districts, shall report the following to the superintendent of public
25 instruction on an annual basis:
- 26 a. The amount of revenue received by each school district in the county during the
27 previous school year for each type of revenue identified in subdivisions c and d of
28 subsection 1;
- 29 b. The total number of mills levied in the previous calendar year by each school
30 district for all purposes; and

- 1 c. The number of mills levied in the previous calendar year by each school district
2 for sinking and interest fund purposes.

3 **Baseline funding - Establishment - Determination of state aid. (Effective after**
4 **June 30, 2025)**

- 5 1. To determine the amount of state aid payable to each district, the superintendent of
6 public instruction shall establish each district's baseline funding. A district's baseline
7 funding consists of:

- 8 a. All state aid received by the district in accordance with chapter 15.1-27 during the
9 2018-19 school year;

- 10 b. An amount equal to the property tax deducted by the superintendent of public
11 instruction to determine the 2018-19 state aid payment;

- 12 c. An amount equal to seventy-five percent of the revenue received by the school
13 district during the 2017-18 school year for the following revenue types:

- 14 (1) Revenue reported under code 2000 of the North Dakota school district
15 financial accounting and reporting manual, as developed by the
16 superintendent of public instruction in accordance with section 15.1-02-08;

- 17 (2) Mineral revenue received by the school district through direct allocation from
18 the state treasurer and not reported under code 2000 of the North Dakota
19 school district financial accounting and reporting manual, as developed by
20 the superintendent of public instruction in accordance with section
21 15.1-02-08;

- 22 (3) Tuition reported under code 1300 of the North Dakota school district
23 financial accounting and reporting manual, as developed by the
24 superintendent of public instruction in accordance with section 15.1-02-08,
25 with the exception of revenue received specifically for the operation of an
26 educational program provided at a residential treatment facility, tuition
27 received for the provision of an adult farm management program, and
28 beginning in the 2025-26 school year, eighty-five percent of tuition received
29 under an agreement to educate students from a school district on an
30 air force base with funding received through federal impact aid, until the
31 2026-27 school year, and each school year thereafter, when all tuition

- 1 received under an agreement to educate students from a school district on
2 an air force base with funding received through federal impact aid must be
3 excluded from the tuition calculation under this paragraph;
- 4 (4) Revenue from payments in lieu of taxes on the distribution and transmission
5 of electric power;
- 6 (5) Revenue from payments in lieu of taxes on electricity generated from
7 sources other than coal; and
- 8 (6) Revenue from the leasing of land acquired by the United States for which
9 compensation is allocated to the state under 33 U.S.C. 701(c)(3); and
- 10 d. An amount equal to the total revenue received by the school district during the
11 2017-18 school year for the following revenue types:
- 12 (1) Mobile home tax revenue;
- 13 (2) Telecommunications tax revenue; and
- 14 (3) Revenue from payments in lieu of taxes and state reimbursement of the
15 homestead credit and disabled veterans credit.
- 16 e. Beginning with the 2020-21 school year, the superintendent shall reduce the
17 baseline funding for any school district that becomes an elementary district
18 pursuant to section 15.1-07-27 after the 2012-13 school year. The reduction must
19 be proportional to the number of weighted student units in the grades that are
20 offered through another school district relative to the total number of weighted
21 student units the school district offered in the year before the school district
22 became an elementary district. The reduced baseline funding applies to the
23 calculation of state aid for the first school year in which the school district
24 becomes an elementary district and for each year thereafter. For districts that
25 become an elementary district prior to the 2020-21 school year, the
26 superintendent shall use the reduced baseline funding to calculate state aid for
27 the 2020-21 school year and for each year thereafter.
- 28 2. a. The superintendent shall divide the district's baseline funding determined in
29 subsection 1 by the district's 2017-18 weighted student units to determine the
30 district's baseline funding per weighted student unit.

- 1 b. For any school district that becomes an elementary district pursuant to section
2 15.1-07-27 after the 2017-18 school year, the superintendent shall adjust the
3 district's baseline funding per weighted student unit used to calculate state aid.
4 The superintendent shall divide the district's baseline funding determined in
5 subsection 1 by the district's weighted student units after the school district
6 becomes an elementary district to determine the district's adjusted baseline
7 funding per weighted student unit. The superintendent shall use the district's
8 adjusted baseline funding per weighted student unit in the calculation of state aid
9 for the first school year in which the school district becomes an elementary
10 district and for each year thereafter.
- 11 c. Beginning with the 2021-22 school year and for each school year thereafter, the
12 superintendent shall reduce the district's baseline funding per weighted student
13 unit. Each year the superintendent shall calculate the amount by which the
14 district's baseline funding per weighted student unit exceeds the payment per
15 weighted student unit provided in subsection 3. The superintendent shall reduce
16 the district's baseline funding per weighted student unit by fifteen percent of the
17 amount by which the district's baseline funding per weighted student unit exceeds
18 the payment per weighted student unit for the 2021-22 school year. For each
19 year thereafter, the reduction percentage is increased by an additional fifteen
20 percent. However, the district's baseline funding per weighted student unit, after
21 the reduction, may not be less than the payment per weighted student unit
22 provided in subsection 3.
- 23 3. a. For the ~~2021-22~~2023-24 school year, the superintendent shall calculate state aid
24 as the greater of:
- 25 (1) The district's weighted student units multiplied by ten thousand ~~one hundred~~
26 ~~thirty-six~~five hundred forty-four~~six hundred forty-six~~ dollars;
27 (2) One hundred two percent of the district's baseline funding per weighted
28 student unit, as established in subsection 2, multiplied by the district's
29 weighted student units, not to exceed the district's 2017-18 baseline
30 weighted student units, plus any weighted student units in excess of the

- 1 2017-18 baseline weighted student units multiplied by ten thousand
2 ~~one hundred thirty-six~~five hundred forty-four~~six hundred forty-six~~ dollars; or
- 3 (3) The district's baseline funding as established in subsection 1 less the
4 amount in paragraph 1, with the difference reduced by ~~fifteen~~forty-five
5 percent and then the difference added to the amount determined in
6 paragraph 1.
- 7 b. For the ~~2022-23~~2024-25 school year and each school year thereafter, the
8 superintendent shall calculate state aid as the greater of:
- 9 (1) The district's weighted student units multiplied by ~~ten~~eleven thousand ~~two~~
10 ~~hundred thirty-seven~~eight hundred sixty~~seventy-two~~ dollars;
- 11 (2) One hundred two percent of the district's baseline funding per weighted
12 student unit, as established in subsection 2, multiplied by the district's
13 weighted student units, not to exceed the district's 2017-18 baseline
14 weighted student units, plus any weighted student units in excess of the
15 2017-18 baseline weighted student units multiplied by ~~ten~~eleven thousand
16 ~~two hundred thirty-seven~~eight hundred sixty~~seventy-two~~ dollars; or
- 17 (3) The district's baseline funding as established in subsection 1 less the
18 amount in paragraph 1, with the difference reduced by ~~thirty~~sixty percent for
19 the ~~2022-23~~2024-25 school year and the reduction percentage increasing
20 by fifteen percent each school year thereafter until the difference is reduced
21 to zero, and then the difference added to the amount determined in
22 paragraph 1.
- 23 e. ~~The superintendent also shall adjust state aid determined in this subsection to~~
24 ~~ensure the amount does not exceed the transition maximum as follows:~~
- 25 (1) ~~For the 2021-22 school year, the transition maximum rate is one hundred~~
26 ~~ten percent of the district's baseline funding per weighted student unit, as~~
27 ~~established in subsection 2, multiplied by the district's weighted student~~
28 ~~units from the previous school year.~~
- 29 (2) ~~For the 2022-23 school year, the transition maximum rate is one hundred~~
30 ~~ten percent of the district's baseline funding per weighted student unit, as~~

- 1 established in subsection 2, multiplied by the district's weighted student
2 units from the previous school year.
- 3 (3) For the 2023-24 school year, the transition maximum rate is one hundred
4 ten percent of the district's baseline funding per weighted student unit, as
5 established in subsection 2, plus twenty percent of the difference between
6 the rate under paragraph 1 of subdivision b of this subsection and
7 one hundred ten percent of the district's baseline funding per weighted
8 student unit. The transition maximum is determined by multiplying the
9 transition maximum rate, which may not exceed the rate under paragraph 1
10 of subdivision b of this subsection, by the district's weighted student units
11 from the previous school year.
- 12 (4) For the 2024-25 school year, the transition maximum rate is one hundred
13 ten percent of the district's baseline funding per weighted student unit, as
14 established in subsection 2, plus forty percent of the difference between the
15 rate under paragraph 1 of subdivision b of this subsection and one hundred
16 ten percent of the district's baseline funding per weighted student unit. The
17 transition maximum is determined by multiplying the transition maximum
18 rate, which may not exceed the rate under paragraph 1 of subdivision b of
19 this subsection, by the district's weighted student units from the previous
20 school year.
- 21 (5) For the 2025-26 school year, the transition maximum rate is one hundred
22 ten percent of the district's baseline funding per weighted student unit, as
23 established in subsection 2, plus sixty percent of the difference between the
24 rate under paragraph 1 of subdivision b of this subsection and one hundred
25 ten percent of the district's baseline funding per weighted student unit. The
26 transition maximum is determined by multiplying the transition maximum
27 rate, which may not exceed the rate under paragraph 1 of subdivision b of
28 this subsection, by the district's weighted student units from the previous
29 school year.
- 30 (6) For the 2026-27 school year, the transition maximum rate is one hundred
31 ten percent of the district's baseline funding per weighted student unit, as

1 established in subsection 2, plus eighty percent of the difference between
2 the rate under paragraph 1 of subdivision b of this subsection and
3 one hundred ten percent of the district's baseline funding per weighted
4 student unit. The transition maximum is determined by multiplying the
5 transition maximum rate, which may not exceed the rate under paragraph 1
6 of subdivision b of this subsection, by the district's weighted student units
7 from the previous school year.

8 4. After determining the product in accordance with subsection 3, the superintendent of
9 public instruction shall:

- 10 a. Subtract an amount equal to sixty mills multiplied by the taxable valuation of the
11 school district; and
12 b. Subtract an amount equal to seventy-five percent of all revenue types listed in
13 subdivisions c and d of subsection 1. Before determining the deduction for
14 seventy-five percent of all revenue types, the superintendent of public instruction
15 shall adjust revenues as follows:

16 (1) Tuition revenue shall be adjusted as follows:

- 17 (a) In addition to deducting tuition revenue received specifically for the
18 operation of an educational program provided at a residential
19 treatment facility, tuition revenue received for the provision of an adult
20 farm management program, and tuition received under an agreement
21 to educate students from a school district on an air force base with
22 funding received through federal impact aid as directed each school
23 year in paragraph 3 of subdivision c of subsection 1, the
24 superintendent of public instruction also shall reduce the total tuition
25 reported by the school district by the amount of tuition revenue
26 received for the education of students not residing in the state and for
27 which the state has not entered a cross-border education contract;
28 and

- 29 (b) The superintendent of public instruction also shall reduce the total
30 tuition reported by admitting school districts meeting the requirements
31 of subdivision e of subsection 2 of section 15.1-29-12 by the amount

1 of tuition revenue received for the education of students residing in an
2 adjacent school district.

3 (2) After adjusting tuition revenue as provided in paragraph 1, the
4 superintendent shall reduce all remaining revenues from all revenue types
5 by the percentage of mills levied in ~~2020~~2022 by the school district for
6 sinking and interest relative to the total mills levied in ~~2020~~2022 by the
7 school district for all purposes.

8 5. The amount remaining after the computation required under subsection 4 is the
9 amount of state aid to which a school district is entitled, subject to any other statutory
10 requirements or limitations.

11 6. On or before June thirtieth of each year, the school board shall certify to the
12 superintendent of public instruction the final average daily membership for the current
13 school year.

14 7. For purposes of the calculation in subsection 4, each county auditor, in collaboration
15 with the school districts, shall report the following to the superintendent of public
16 instruction on an annual basis:

17 a. The amount of revenue received by each school district in the county during the
18 previous school year for each type of revenue identified in subdivisions c and d of
19 subsection 1;

20 b. The total number of mills levied in the previous calendar year by each school
21 district for all purposes; and

22 c. The number of mills levied in the previous calendar year by each school district
23 for sinking and interest fund purposes.

24 **SECTION 11. AMENDMENT.** Subsection 5 of section 15.1-36-08 of the North Dakota
25 Century Code is amended and reenacted as follows:

26 5. If the superintendent of public instruction approves the loan, the Bank of North Dakota
27 shall issue a loan from the school construction assistance revolving loan fund. For a
28 loan made under this section:

29 ~~The~~If the school construction project totals less than seventy-five million dollars,
30 the maximum loan amount for which a school district may qualify is
31 ~~ten~~fifteen million dollars. However, if a school district's unobligated general fund

1 balance on the preceding June thirtieth exceeds the limitation under section
2 15.1-27-35.3, the loan amount under this section may not exceed eighty percent
3 of the project's cost up to a maximum loan amount of ~~eight~~twelve million dollars;

4 b. If the school construction project totals seventy-five million dollars or more, the
5 maximum loan amount for which a school district may qualify is ~~fifty~~thirty million
6 dollars. However, if a school district's unobligated general fund balance on the
7 preceding June thirtieth exceeds the limitation under section 15.1-27-35.3, the
8 loan amount under this section may not exceed eighty percent of the project's
9 cost up to a maximum loan amount of ~~forty~~twenty-four million dollars;

10 c. The term of the loan is twenty years, unless the board of the school district
11 requests a shorter term in the written loan application; and

12 e-d. The interest rate of the loan may not exceed two percent per year.

13 e. A district with a school construction loan secured on the open bond market may
14 apply to refinance the loan when callable with the school construction assistance
15 revolving loan fund under this subsection.

16 f. A district that qualifies for a loan under subdivision a, which was approved for a
17 loan of up to ten million dollars for a construction project bid after January 1,
18 2021, and before June 30, 2024, may apply for a loan in an amount equal to the
19 difference between fifteen million dollars and the amount of the approved loan.
20 Districts qualifying under this subdivision may submit an application for additional
21 funding to the superintendent of public instruction before August 1, 2023.

22 g. A district that qualifies for a loan under subdivision b, which was approved for a
23 loan of up to ten million dollars for a construction project bid after January 1,
24 2021, and before June 30, 2024, may apply for a loan in an amount equal to the
25 difference between thirty million dollars and the amount of the approved loan.
26 Districts qualifying under this subdivision may submit an application for additional
27 funding to the superintendent of public instruction before August 1, 2023.

28 ~~SECTION 12. LEGISLATIVE MANAGEMENT STUDY--SCHOOL TRANSPORTATION~~
29 ~~SERVICES FUNDING. During the 2023-25 interim, the legislative management shall study~~
30 ~~school transportation services funding. The study must include a review of the formula for~~
31 ~~funding school transportation services and an assessment of whether a factor-based model~~

~~would fund school transportation more appropriately. 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 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

1 representatives from regional education associations. The study also must include the
2 following, supported by quantitative data:

- 3 a. A review of regulations implemented by state regulatory agencies to ensure
4 accountability for various school choice models;
- 5 b. A comparison of nontraditional school choice models implemented by other
6 states;
- 7 c. An analysis of the impact of enrollment fluctuation, including the impact on state
8 aid;
- 9 d. A review of the state's student population and enrollment capacity and tuition
10 costs of nonpublic schools; and
- 11 e. A review of services nonpublic schools are able to offer students with special
12 needs.

- 13 2. The legislative management shall report its findings and recommendations, together
14 with any legislation required to implement the recommendations, to the sixty-ninth
15 legislative assembly.

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

25 **SECTION 15. LEGISLATIVE MANAGEMENT STUDY - VIRTUAL INSTRUCTION IN LIEU**
26 **OF STORM DAYS.** During the 2023-24 interim, the legislative management shall consider
27 studying the feasibility, desirability, and impact of replacing storm days with virtual instruction
28 days. The study must include input from the department of public instruction, public school
29 administrators and teachers, and other stakeholders. The study also must include a review of
30 relevant statutes, plans approved by school boards, and current practices related to storm days.

1 The legislative management shall report its findings and recommendations, together with any
2 legislation required to implement the recommendations, to the sixty-ninth legislative assembly.

3 **SECTION 16. APPROPRIATION - UNIVERSITY OF NORTH DAKOTA - SCHOOL**

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

9 **SECTION 17. APPROPRIATION - DEPARTMENT OF PUBLIC INSTRUCTION - GRANTS**

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

17 **SECTION 18. APPROPRIATION - PUBLIC INSTRUCTION FUND - DEPARTMENT OF**

18 **PUBLIC INSTRUCTION - SCIENCE OF READING - REPORT.** There is appropriated out of any
19 moneys in the public instruction fund in the state treasury, not otherwise appropriated, the sum
20 of \$1,000,000, or so much of the sum as may be necessary, to the department of public
21 instruction for the purpose of supporting professional learning related to the science of reading
22 and implementing systematic direct literacy instruction, for the biennium beginning July 1, 2023,
23 and ending June 30, 2025. The superintendent of public instruction shall collaborate with the
24 regional education associations to ensure continuity of access to science of reading training
25 opportunities and develop support processes to deepen science of reading implementation. The
26 superintendent of public instruction shall provide quarterly reports to the legislative
27 management on the implementation and effectiveness of this appropriation on improving
28 educational outcomes, including the number of teachers trained, an anticipated timeline of
29 results trends, and any results trends available.

30 **SECTION 19. APPROPRIATION - PUBLIC INSTRUCTION FUND - DEPARTMENT OF**

31 **PUBLIC INSTRUCTION - DYSLEXIA IDENTIFICATION TRAINING.** There is appropriated out

1 of any moneys in the public instruction fund in the state treasury, not otherwise appropriated,
2 the sum of \$279,000, or so much of the sum as may be necessary, to the department of public
3 instruction for the purpose of providing training in identification of dyslexia characteristics for the
4 biennium beginning July 1, 2023, and ending June 30, 2025. Each school that instructs
5 students in kindergarten through third grade may apply to the department for funding to train at
6 least one educator in the identification of dyslexia characteristics.

7 **SECTION 20. APPROPRIATION - PUBLIC INSTRUCTION FUND - DEPARTMENT OF**
8 **PUBLIC INSTRUCTION - READING LEARNING PLATFORM TRAINING.** There is
9 appropriated out of any moneys in the public instruction fund in the state treasury, not otherwise
10 appropriated, the sum of \$558,000, or so much of the sum as may be necessary, to the
11 department of public instruction for the purpose of providing training in a reading learning
12 platform approved by the superintendent of public instruction, for the biennium beginning July 1,
13 2023, and ending June 30, 2025.

14 **SECTION 21. EXEMPTION - TRANSFER - PUBLIC INSTRUCTION FUND.**
15 Notwithstanding section 54-44.1-11, if, after the superintendent of public instruction complies
16 with all statutory payment obligations imposed for the 2021-23 biennium, any moneys remain in
17 the integrated formula payments line item in subdivision 1 of section 1 of chapter 13 of the 2021
18 Session Laws, the lesser of ~~\$1,000,000~~\$1,837,000 or the remaining amount must be continued
19 into the 2023-25 biennium and the office of management and budget shall transfer this amount
20 into the public instruction fund for the purpose of funding professional learning related to the
21 science of reading and implementing systematic direct literacy instruction, training in
22 identification of dyslexia characteristics, and reading training for kindergarten through grade
23 three teachers as appropriated in ~~section 10 of~~ this Act.

24 **SECTION 22. TRANSFER - FOUNDATION AID STABILIZATION FUND TO SCHOOL**
25 **CONSTRUCTION ASSISTANCE REVOLVING LOAN FUND.** The office of management and
26 budget shall transfer the sum of \$75,000,000 from the foundation aid stabilization fund to the
27 school construction assistance revolving loan fund during the biennium beginning July 1, 2023,
28 and ending June 30, 2025.

29 **SECTION 23. EFFECTIVE DATE.** Section ~~57~~ of this Act becomes effective on July 1, 2024.
30 Section 9 of this Act becomes effective on July 1, 2028.