

Sixty-eighth  
Legislative Assembly  
of North Dakota

**ENGROSSED SENATE BILL NO. 2380**

Introduced by

Senator Davison

1 A BILL for an Act to amend and reenact section 15.1-27-16 of the North Dakota Century Code,  
2 relating to administrative cost-sharing for cooperating districts and special education units.

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

4 **SECTION 1. AMENDMENT.** Section 15.1-27-16 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **15.1-27-16. Per student payments - Administrative cost-sharing - Cooperating**  
7 **districts and special education units. (~~Effective through June 30, 2024~~)**

- 8 1. If any school district receiving payments under this chapter cooperates with another  
9 school district for the joint provision of educational services under a plan approved by  
10 the superintendent of public instruction, the superintendent of public instruction shall,  
11 notwithstanding the provisions of section 15.1-27-03.2, create and assign a separate  
12 weighting factor that allows the cooperating districts to receive, for a period of four  
13 years, a payment rate equivalent to that which each district would have received had  
14 the cooperative plan not taken effect. The superintendent of public instruction shall  
15 compute the separate weighting factor to four decimal places and that weighting factor  
16 is effective for the duration of the cooperative plan.
- 17 2. A school district that is cooperating with another school district under a cooperative  
18 plan approved by the superintendent of public instruction, and which has taxable  
19 property located in the same city as the other school district under the cooperative  
20 plan, may not be required as part of the cooperative plan to:
- 21 a. Provide unduplicated grade level services; or  
22 b. Share administrative personnel.
- 23 3. If any school district receiving payments under this chapter or any special education  
24 unit cooperates with another school district or special education unit to jointly employ

1           ~~or contract with both~~ a superintendent ~~and~~ or a school district business manager, or  
2           ~~both,~~ or to jointly employ ~~or contract with both~~ a special education unit director ~~and~~ or a  
3           special education unit business manager, ~~or both,~~ the superintendent of public  
4           instruction shall provide partial reimbursement of the ~~combined salaries~~ salary of the  
5           superintendent ~~and~~ or the school district business manager, or both, or partial  
6           reimbursement of the ~~combined salaries~~ salary of the special education unit director  
7           ~~and~~ or the special education unit business manager, or both, as follows:

8           a.   If the ~~combined salaries exceed three~~ salary exceeds two hundred thousand  
9           dollars, the amount of the reimbursement must be calculated based upon  
10          ~~three~~ two hundred thousand dollars. Each cooperating school district or special  
11          education unit shall receive a prorated share of the reimbursement percentages  
12          listed below based on the percentage of full-time equivalency that the  
13          superintendent ~~and~~ or school district business manager, or both, or the special  
14          education unit director ~~and~~ or special education unit business manager, or both,  
15          are employed or contracted by each district or special education unit. The  
16          percentage of reimbursement for the ~~combined salaries~~ salary of the jointly hired  
17          superintendent ~~and~~ or school district business manager, or both, or of the jointly  
18          hired special education unit director ~~and~~ or special education unit business  
19          manager, or both, must be as follows:

- 20          (1)   If two schools or special education units are cooperating, ten percent of the  
21               ~~combined salaries~~ salary;
- 22          (2)   If three schools or special education units are cooperating, fifteen percent of  
23               the ~~combined salaries~~ salary;
- 24          (3)   If four schools or special education units are cooperating, twenty percent of  
25               the ~~combined salaries~~ salary; and
- 26          (4)   If five or more schools or special education units are cooperating,  
27               twenty-five percent of the ~~combined salaries~~ salary.

28          b.   To be eligible for reimbursement under this subsection, the cooperating school  
29          districts or special education units must:

- 1                   (1) Have been approved by the superintendent of public instruction and have  
2                   implemented their administrative cost-sharing program after June 30, 2022;  
3                   and  
4                   (2) Submit the ~~salaries~~salary of the superintendent ~~and/or school district~~  
5                   business manager, or both, or the ~~salaries~~salary of the special education  
6                   unit director ~~and/or special education unit~~ business manager, or both, to the  
7                   superintendent of public instruction by June first of each year.

8                   **~~Per student payments – Cooperating districts. (Effective after June 30, 2024)~~**

- 9                   ~~1. If any school district receiving payments under this chapter cooperates with another~~  
10                   ~~school district for the joint provision of educational services under a plan approved by~~  
11                   ~~the superintendent of public instruction, the superintendent of public instruction shall,~~  
12                   ~~notwithstanding the provisions of section 15.1-27-03.2, create and assign a separate~~  
13                   ~~weighting factor that allows the cooperating districts to receive, for a period of four~~  
14                   ~~years, a payment rate equivalent to that which each district would have received had~~  
15                   ~~the cooperative plan not taken effect. The superintendent of public instruction shall~~  
16                   ~~compute the separate weighting factor to four decimal places and that weighting factor~~  
17                   ~~is effective for the duration of the cooperative plan.~~  
18                   ~~2. A school district that is cooperating with another school district under a cooperative~~  
19                   ~~plan approved by the superintendent of public instruction, and which has taxable~~  
20                   ~~property located in the same city as the other school district under the cooperative~~  
21                   ~~plan, may not be required as part of the cooperative plan to:~~  
22                   ~~a. Provide unduplicated grade level services; or~~  
23                   ~~b. Share administrative personnel.~~