

Sixty-eighth  
Legislative Assembly  
of North Dakota

## REENGROSSED SENATE BILL NO. 2284

Introduced by

Senators Schaible, Elkin

Representatives Heinert, Nathe

A BILL for an Act to create and enact a new section to chapter 15.1-06 and a new section to chapter 15.1-21 of the North Dakota Century Code, relating to school purchases of gifts or gratuities and permitting private tutors on public school premises; to amend and reenact section- 15.1-01-01 sections 15.1-01-03, 15.1-07-25.4, and 15.1-07-26, subsection 8 of section 15.1-15-02, subsections 2 and 6 of section 15.1-19-10, section 15.1-27-03.1, subsection 4 of section 15.1-27-03.2, section 15.1-27-04.1, and subsection 5 of section 15.1-36-08 of the North Dakota Century Code, relating to ~~the state board of public school education members~~ a policy to revert a reorganized school district back to separate districts, virtual learning, school district enrollment, the definition of "probationary teacher", a school district's policy governing possession of a weapon, the definition of "dangerous weapon", modification of weighting factors ~~and~~, transition maximums, and an increase in per student payments, and the school construction revolving loan fund; to provide for a legislative management study; to provide a legislative management report; to provide for a teacher shortage and military families task force; to provide an appropriation; to provide for an exemption; to provide for a transfer; and to provide an effective date.

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

~~SECTION 1. AMENDMENT. Section 15.1-01-01 of the North Dakota Century Code is amended and reenacted as follows:~~

~~15.1-01-01. State board of public school education – Composition.~~

~~1. The state board of public school education consists of the superintendent of public instruction and:~~

~~a. An individual representing Barnes, Cass, Grand Forks, Griggs, Nelson, Steele, and Traill Counties legislative districts ten, eleven, thirteen, sixteen, twenty one, forty one, forty four, and forty six;~~

- 1 ~~b. An individual representing Benson, Bottineau, Cavalier, McHenry, Pembina,~~  
2 ~~Pierce, Ramsey, Renville, Rolette, Towner, and Walsh Counties legislative districts~~  
3 ~~nine, fifteen, seventeen, eighteen, nineteen, twenty, forty two, and forty three;~~
- 4 ~~c. An individual representing Dickey, Emmons, LaMoure, Logan, McIntosh,~~  
5 ~~Ransom, Richland, and Sargent Counties legislative districts twelve, twenty two,~~  
6 ~~twenty four, twenty five, twenty seven, twenty eight, twenty nine, and forty five;~~
- 7 ~~d. An individual representing Burleigh, Eddy, Foster, Kidder, McLean, Sheridan,~~  
8 ~~Stutsman, and Wells Counties legislative districts seven, eight, thirty, thirty one,~~  
9 ~~thirty two, thirty four, thirty five, and forty seven;~~
- 10 ~~e. An individual representing Burke, Divide, McKenzie, Mountrail, Ward, and~~  
11 ~~Williams Counties legislative districts three, four, five, six, fourteen, thirty three,~~  
12 ~~thirty eight, and forty; and~~
- 13 ~~f. An individual representing Adams, Billings, Bowman, Dunn, Golden Valley, Grant,~~  
14 ~~Hottinger, Mercer, Morton, Oliver, Sioux, Slope, and Stark Counties legislative~~  
15 ~~districts one, two, twenty three, twenty six, thirty six, thirty seven, and thirty nine.~~
- 16 ~~2. All board members other than the superintendent of public instruction must be~~  
17 ~~qualified electors and must reside in one of the counties districts they represent.~~
- 18 ~~3. The governor shall appoint new board members from a list of three names submitted~~  
19 ~~by a committee consisting of the president of North Dakota united or the president's~~  
20 ~~designee, the president of the North Dakota council of educational leaders or the~~  
21 ~~president's designee, and the president of the North Dakota school boards association~~  
22 ~~or the president's designee. Two of the state board members must be members of the~~  
23 ~~North Dakota school boards association. Two of the state board members must be~~  
24 ~~employed by a North Dakota school district and be active members of the North~~  
25 ~~Dakota association of school administrators.~~
- 26 ~~4. Appointees serve for six-year terms, staggered so that the terms of two members~~  
27 ~~expire on June thirtieth of each even-numbered year.~~
- 28 ~~5. If a vacancy occurs, the governor shall appoint an individual to serve for the duration~~  
29 ~~of the unexpired term.~~
- 30 ~~6. Each member of the board is entitled to receive, from the biennial appropriation for the~~  
31 ~~superintendent of public instruction, compensation in the amount of sixty-two dollars~~



~~and fifty cents per day and reimbursement for expenses, as provided by law for state officers, if the member is attending board meetings or performing duties directed by 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 15.1-01-03 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-01-03. State board of public school education - Powers and duties.**

1. The state board of public school education shall:
  - a. Assist county committees in carrying out their duties.
  - b. Provide county committees with clerical assistance, plans of procedure, standards, data, maps, forms, and other materials, information, and services.
  - c. Appoint members to the county committee, if the county superintendent does not fulfill this duty, as provided for in section 15.1-10-01.
  - d. Provide oversight for regional education associations as required by chapter 15.1-09.1.
  - e. Establish and certify a North Dakota learning continuum to allow a district-approved, mastery framework policy to award units required under sections 15.1-21-01 and 15.1-21-02 and to waive unit instructional time requirements under section 15.1-21-03, upon the recommendation of the kindergarten through grade twelve education coordination council.
  - f. Develop a policy and procedures for a school district formed by the reorganization process under chapter 15.1-12 to revert to individual school districts. For a reorganized school district to be eligible for the reversion process, the reorganized school district must have been formed by school districts located



1 in two or more communities, including a rural community, and may not have been  
2 formed by school districts that were located in the same city. The board shall  
3 develop the policy and procedures on or before January 1, 2024.

- 4 2. The state board of public school education may adopt rules in accordance with  
5 chapter 28-32.

6 **SECTION 2.** A new section to chapter 15.1-06 of the North Dakota Century Code is created  
7 and enacted as follows:

8 **Purchase of gifts or gratuities - Gift fund.**

- 9 1. A public school or school district may create a gift fund. The gift fund may not include  
10 state funds.  
11 2. A public school or school district may use funds from the gift fund to purchase an item  
12 as a gift or gratuity for an individual, including a school district employee, an individual  
13 who speaks or performs at a school function, or a guest on the school premises.  
14 3. For purposes of this section, "gift" includes:  
15 a. A beverage, food item, or refreshment;  
16 b. For parent-teacher conferences, beverages, food items, or refreshments, costing  
17 no more than twenty-five dollars per teacher;  
18 c. A catered meal costing no more than fifty dollars per meal;  
19 d. Pens, notepads, or other promotional materials;  
20 e. An item of cultural significance, including a quilt, basket, beadwork, sage, or  
21 quillwork;  
22 f. An award or incentive, as approved by the superintendent of public instruction or  
23 the superintendent's designee; and  
24 g. Any other item of de minimis value.

25 **SECTION 3. AMENDMENT.** Section 15.1-07-25.4 of the North Dakota Century Code is  
26 amended and reenacted as follows:

27 **15.1-07-25.4. Virtual learning - School district policy - Report to legislative**  
28 **management and legislative assembly.**

29 The board of a school district or governing board of a nonpublic school that operates a  
30 physical school plant may adopt a policy to allow students to engage in virtual instruction and in  
31 the case of a school district, qualify for average daily membership in the district. The



1 superintendent of public instruction shall adopt rules governing policies under this section. A  
2 policy adopted by a school district under this section must comply with the rules adopted by the  
3 superintendent of public instruction. The superintendent of public instruction shall provide  
4 ~~biennial reports~~an annual report to the legislative management ~~regarding~~in even-numbered  
5 years and the legislative assembly in odd-numbered years comparing the academic  
6 performance ~~metries~~ of students participating in virtual instruction with students not participating  
7 in virtual instruction under this section using state assessment data. If the superintendent of  
8 public instruction does not have access to academic performance reports of a school district's  
9 virtual instruction subgroup because of low group size, information must be reported in the  
10 aggregate.

11 **SECTION 4. AMENDMENT.** Section 15.1-07-26 of the North Dakota Century Code is  
12 amended and reenacted as follows:

13 **15.1-07-26. School district ~~demographics~~enrollment - ~~Long-term planning~~**  
14 **~~process~~Review - Report.**

- 15 1. Between January first and June thirtieth of every even-numbered year, the board of  
16 each school district shall invite the public to participate in a ~~planning process~~review  
17 addressing the effects ~~that demographics might~~decreasing or increasing enrollment  
18 will have on the district in the ensuing three-year and five-year periods, and  
19 specifically addressing potential effects on:

- 20 a. Academic ~~and extracurricular programs~~achievement, as it relates to the local  
21 strategic plan, including progress toward state academic goals adopted by the  
22 statewide prekindergarten through grade twelve education strategic vision  
23 steering committee;  
24 b. Instructional ~~and~~ administrative, and ancillary staffing;  
25 c. Co-curricular or extracurricular programs;  
26 d. Facility needs and utilization; and  
27 ~~d.e.~~ District property tax levies.

- 28 2. At the conclusion of the ~~planning process~~review, the board shall prepare a report,  
29 ~~publish a notice in the official newspaper of the district indicating that the report is~~  
30 ~~available~~make the report available on the district website, and make the report  
31 available upon request.



1       **SECTION 5. AMENDMENT.** Subsection 8 of section 15.1-15-02 of the North Dakota  
2 Century Code is amended and reenacted as follows:

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

5       **SECTION 6. AMENDMENT.** Subsection 2 of section 15.1-19-10 of the North Dakota  
6 Century Code is amended and reenacted as follows:

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

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

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

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

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

26       **SECTION 7. AMENDMENT.** Subsection 6 of section 15.1-19-10 of the North Dakota  
27 Century Code is amended and reenacted as follows:

28       6. For purposes of this section:

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

30       b. "Firearm" has the meaning provided in Public Law No. 90-351 [82 Stat. 197;  
31 18 U.S.C. 921].



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

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

**SECTION 8.** 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.

**SECTION 9. AMENDMENT.** Section 15.1-27-03.1 of the North Dakota Century Code is amended and reenacted as follows:

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

1. For each school district, the superintendent of public instruction shall multiply by:
  - a. 1.00 the number of full-time equivalent students enrolled in an extended 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. ~~0.082~~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, adjusted for students that will generate average daily
- 19 membership, exceeds the number of students in the prior year's average daily
- 20 membership ~~increasing the factor annually by 0.10, not to exceed 1.00~~; and
- 21 o. For districts paid based on September tenth enrollment in the prior year, ~~0.500.70~~
- 22 the number of students determined by deducting the number of students in the
- 23 prior year's September tenth enrollment, adjusted for students that will generate
- 24 average daily membership, from the prior year's average daily membership,
- 25 increasing the factor annually by 0.10, not to exceed 1.00. If the prior year's
- 26 September tenth enrollment exceeds the prior year's average daily membership,
- 27 then a deduction of 0.50 the number of excess students, increasing the factor
- 28 annually by 0.10, not to exceed 1.00.
- 29 2. The superintendent of public instruction shall determine each school district's weighted
- 30 average daily membership by adding the products derived under subsection 1 to the
- 31 district's average daily membership.



**SECTION 10. AMENDMENT.** Subdivision o of subsection 1 of section 15.1-27-03.1 of the North Dakota Century Code is amended and reenacted as follows:

- o. For districts paid based on September tenth enrollment in the prior year, ~~0.70~~1.00 the number of students determined by deducting the number of students in the prior year's September tenth enrollment, adjusted for students that will generate average daily membership, from the prior year's average daily membership, ~~increasing the factor annually by 0.10, not to exceed 1.00~~. If the prior year's September tenth enrollment exceeds the prior year's average daily membership, then a deduction of ~~0.50~~1.00 the number of excess students, ~~increasing the factor annually by 0.10, not to exceed 1.00~~.

**SECTION 11. 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 the 2022-23 school year, for school districts that operate multiple kindergarten through grade twelve buildings at least nineteen~~fourteen miles ~~[30.58~~22.53 kilometers] apart, or multiple buildings at least ~~nineteen~~fourteen miles ~~[30.58~~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.

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



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

1. To determine the amount of state aid payable to each district, the superintendent of public instruction shall establish each district's baseline funding. A district's baseline funding consists of:
  - a. All state aid received by the district in accordance with chapter 15.1-27 during the 2018-19 school year;
  - b. An amount equal to the property tax deducted by the superintendent of public instruction to determine the 2018-19 state aid payment;
  - c. An amount equal to seventy-five percent of the revenue received by the school district during the 2017-18 school year for the following revenue types:
    - (1) Revenue reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08;
    - (2) Mineral revenue received by the school district through direct allocation from the state treasurer and not reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08;
    - (3) Tuition reported under code 1300 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08, with the exception of revenue received specifically for the operation of an educational program provided at a residential treatment facility, tuition received for the provision of an adult farm management program, and beginning in the 2021-22 school year, seventeen percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid, and an additional seventeen percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid each school year thereafter, until the



- 1                   2024-25 school year when sixty-eight percent of tuition received under an  
2                   agreement to educate students from a school district on an air force base  
3                   with funding received through federal impact aid must be excluded from the  
4                   tuition calculation under this paragraph;
- 5                   (4) Revenue from payments in lieu of taxes on the distribution and transmission  
6                   of electric power;
- 7                   (5) Revenue from payments in lieu of taxes on electricity generated from  
8                   sources other than coal; and
- 9                   (6) Revenue from the leasing of land acquired by the United States for which  
10                  compensation is allocated to the state under 33 U.S.C. 701(c)(3);
- 11               d. An amount equal to the total revenue received by the school district during the  
12               2017-18 school year for the following revenue types:
- 13               (1) Mobile home tax revenue;
- 14               (2) Telecommunications tax revenue; and
- 15               (3) Revenue from payments in lieu of taxes and state reimbursement of the  
16               homestead credit and disabled veterans credit; and
- 17               e. Beginning with the 2020-21 school year, the superintendent shall reduce the  
18               baseline funding for any school district that becomes an elementary district  
19               pursuant to section 15.1-07-27 after the 2012-13 school year. The reduction must  
20               be proportional to the number of weighted student units in the grades that are  
21               offered through another school district relative to the total number of weighted  
22               student units the school district offered in the year before the school district  
23               became an elementary district. The reduced baseline funding applies to the  
24               calculation of state aid for the first school year in which the school district  
25               becomes an elementary district and for each year thereafter. For districts that  
26               become an elementary district prior to the 2020-21 school year, the  
27               superintendent shall use the reduced baseline funding to calculate state aid for  
28               the 2020-21 school year and for each year thereafter.
- 29               2. a. The superintendent shall divide the district's baseline funding determined in  
30               subsection 1 by the district's 2017-18 weighted student units to determine the  
31               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~~ninety-five 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~~ ninety-five 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 percent and  
5           then the difference added to the amount determined in paragraph 1.
- 6       b. For the ~~2022-23~~ 2024-25 school year and each school year thereafter, the  
7       superintendent shall calculate state aid as the greater of:
- 8           (1) The district's weighted student units multiplied by ten thousand ~~two hundred~~  
9           ~~thirty-seven~~ eight hundred sixty-nine hundred thirteen dollars;
- 10          (2) One hundred two percent of the district's baseline funding per weighted  
11          student unit, as established in subsection 2, multiplied by the district's  
12          weighted student units, not to exceed the district's 2017-18 baseline  
13          weighted student units, plus any weighted student units in excess of the  
14          2017-18 baseline weighted student units multiplied by ten thousand  
15          ~~two hundred thirty-seven~~ eight hundred sixty-nine hundred thirteen dollars; or
- 16          (3) The district's baseline funding as established in subsection 1 less the  
17          amount in paragraph 1, with the difference reduced by thirty percent for the  
18          2022-23 school year and the reduction percentage increasing by fifteen  
19          percent each school year thereafter until the difference is reduced to zero,  
20          and then the difference added to the amount determined in paragraph 1.
- 21       e. ~~The superintendent also shall adjust state aid determined in this subsection to~~  
22       ~~ensure the amount does not exceed the transition maximum as follows:~~
- 23           (1) ~~For the 2021-22 school year, the transition maximum rate is one hundred~~  
24           ~~ten percent of the district's baseline funding per weighted student unit, as~~  
25           ~~established in subsection 2, multiplied by the district's weighted student~~  
26           ~~units from the previous school year.~~
- 27           (2) ~~For the 2022-23 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, multiplied by the district's weighted student~~  
30           ~~units from the previous school year.~~

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



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

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

8           a.   Subtract an amount equal to sixty mills multiplied by the taxable valuation of the  
9           school district, except the amount in dollars subtracted for purposes of this  
10          subdivision may not exceed the previous year's amount in dollars subtracted for  
11          purposes of this subdivision by more than twelve percent, adjusted pursuant to  
12          section 15.1-27-04.3; and

13          b.   Subtract an amount equal to seventy-five percent of all revenue types listed in  
14          subdivisions c and d of subsection 1. Before determining the deduction for  
15          seventy-five percent of all revenue types, the superintendent of public instruction  
16          shall adjust revenues as follows:

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

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

30                  (b)   The superintendent of public instruction also shall reduce the total  
31                  tuition reported by admitting school districts meeting the requirements

1 of subdivision e of subsection 2 of section 15.1-29-12 by the amount  
2 of tuition revenue received for the education of students residing in an  
3 adjacent school district.

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

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

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

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

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

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

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

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

27 1. To determine the amount of state aid payable to each district, the superintendent of  
28 public instruction shall establish each district's baseline funding. A district's baseline  
29 funding consists of:

30 a. All state aid received by the district in accordance with chapter 15.1-27 during the  
31 2018-19 school year;



- 1           b. An amount equal to the property tax deducted by the superintendent of public
- 2           instruction to determine the 2018-19 state aid payment;
- 3           c. An amount equal to seventy-five percent of the revenue received by the school
- 4           district during the 2017-18 school year for the following revenue types:
- 5           (1) Revenue reported under code 2000 of the North Dakota school district
- 6           financial accounting and reporting manual, as developed by the
- 7           superintendent of public instruction in accordance with section 15.1-02-08;
- 8           (2) Mineral revenue received by the school district through direct allocation from
- 9           the state treasurer and not reported under code 2000 of the North Dakota
- 10          school district financial accounting and reporting manual, as developed by
- 11          the superintendent of public instruction in accordance with section
- 12          15.1-02-08;
- 13          (3) Tuition reported under code 1300 of the North Dakota school district
- 14          financial accounting and reporting manual, as developed by the
- 15          superintendent of public instruction in accordance with section 15.1-02-08,
- 16          with the exception of revenue received specifically for the operation of an
- 17          educational program provided at a residential treatment facility, tuition
- 18          received for the provision of an adult farm management program, and
- 19          beginning in the 2025-26 school year, eighty-five percent of tuition received
- 20          under an agreement to educate students from a school district on an
- 21          air force base with funding received through federal impact aid, until the
- 22          2026-27 school year, and each school year thereafter, when all tuition
- 23          received under an agreement to educate students from a school district on
- 24          an air force base with funding received through federal impact aid must be
- 25          excluded from the tuition calculation under this paragraph;
- 26          (4) Revenue from payments in lieu of taxes on the distribution and transmission
- 27          of electric power;
- 28          (5) Revenue from payments in lieu of taxes on electricity generated from
- 29          sources other than coal; and
- 30          (6) Revenue from the leasing of land acquired by the United States for which
- 31          compensation is allocated to the state under 33 U.S.C. 701(c)(3); and

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

- (1) Mobile home tax revenue;
- (2) Telecommunications tax revenue; and
- (3) Revenue from payments in lieu of taxes and state reimbursement of the homestead credit and disabled veterans credit.

e. Beginning with the 2020-21 school year, the superintendent shall reduce the baseline funding for any school district that becomes an elementary district pursuant to section 15.1-07-27 after the 2012-13 school year. The reduction must be proportional to the number of weighted student units in the grades that are offered through another school district relative to the total number of weighted student units the school district offered in the year before the school district became an elementary district. The reduced baseline funding applies to the calculation of state aid for the first school year in which the school district becomes an elementary district and for each year thereafter. For districts that become an elementary district prior to the 2020-21 school year, the superintendent shall use the reduced baseline funding to calculate state aid for the 2020-21 school year and for each year thereafter.

2. a. The superintendent shall divide the district's baseline funding determined in subsection 1 by the district's 2017-18 weighted student units to determine the district's baseline funding per weighted student unit.

b. For any school district that becomes an elementary district pursuant to section 15.1-07-27 after the 2017-18 school year, the superintendent shall adjust the district's baseline funding per weighted student unit used to calculate state aid. The superintendent shall divide the district's baseline funding determined in subsection 1 by the district's weighted student units after the school district becomes an elementary district to determine the district's adjusted baseline funding per weighted student unit. The superintendent shall use the district's adjusted baseline funding per weighted student unit in the calculation of state aid for the first school year in which the school district becomes an elementary district and for each year thereafter.



- 1           c. Beginning with the 2021-22 school year and for each school year thereafter, the  
2           superintendent shall reduce the district's baseline funding per weighted student  
3           unit. Each year the superintendent shall calculate the amount by which the  
4           district's baseline funding per weighted student unit exceeds the payment per  
5           weighted student unit provided in subsection 3. The superintendent shall reduce  
6           the district's baseline funding per weighted student unit by fifteen percent of the  
7           amount by which the district's baseline funding per weighted student unit exceeds  
8           the payment per weighted student unit for the 2021-22 school year. For each  
9           year thereafter, the reduction percentage is increased by an additional fifteen  
10          percent. However, the district's baseline funding per weighted student unit, after  
11          the reduction, may not be less than the payment per weighted student unit  
12          provided in subsection 3.
- 13          3. a. For the ~~2021-22~~2023-24 school year, the superintendent shall calculate state aid  
14          as the greater of:
- 15               (1) The district's weighted student units multiplied by ten thousand ~~one hundred~~  
16               ~~thirty-six~~ thirty-five hundred forty-four ~~ninety-five~~ ninety-five 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 thousand  
22               ~~one hundred thirty-six~~ thirty-five hundred forty-four ~~ninety-five~~ ninety-five 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 fifteen percent and  
25               then the difference added to the amount determined in paragraph 1.
- 26          b. For the ~~2022-23~~2024-25 school year and each school year thereafter, the  
27          superintendent shall calculate state aid as the greater of:
- 28               (1) The district's weighted student units multiplied by ten thousand ~~two hundred~~  
29               ~~thirty-seven~~ eight hundred sixty-nine ~~hundred thirteen~~ hundred thirteen dollars;
- 30               (2) One hundred two percent of the district's baseline funding per weighted  
31               student unit, as established in subsection 2, multiplied by the district's

1 weighted student units, not to exceed the district's 2017-18 baseline  
2 weighted student units, plus any weighted student units in excess of the  
3 2017-18 baseline weighted student units multiplied by ten thousand  
4 ~~two hundred thirty-seven~~ eight hundred sixty-nine hundred thirteen dollars; or

- 5 (3) The district's baseline funding as established in subsection 1 less the  
6 amount in paragraph 1, with the difference reduced by thirty percent for the  
7 2022-23 school year and the reduction percentage increasing by fifteen  
8 percent each school year thereafter until the difference is reduced to zero,  
9 and then the difference added to the amount determined in paragraph 1.

10 e. ~~The superintendent also shall adjust state aid determined in this subsection to~~  
11 ~~ensure the amount does not exceed the transition maximum as follows:~~

- 12 (1) ~~For the 2021-22 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, multiplied by the district's weighted student~~  
15 ~~units from the previous school year.~~

- 16 (2) ~~For the 2022-23 school year, the transition maximum rate is one hundred~~  
17 ~~ten percent of the district's baseline funding per weighted student unit, as~~  
18 ~~established in subsection 2, multiplied by the district's weighted student~~  
19 ~~units from the previous school year.~~

- 20 (3) ~~For the 2023-24 school year, the transition maximum rate is one hundred~~  
21 ~~ten percent of the district's baseline funding per weighted student unit, as~~  
22 ~~established in subsection 2, plus twenty percent of the difference between~~  
23 ~~the rate under paragraph 1 of subdivision b of this subsection and~~  
24 ~~one hundred ten percent of the district's baseline funding per weighted~~  
25 ~~student unit. The transition maximum is determined by multiplying the~~  
26 ~~transition maximum rate, which may not exceed the rate under paragraph 1~~  
27 ~~of subdivision b of this subsection, by the district's weighted student units~~  
28 ~~from the previous school year.~~

- 29 (4) ~~For the 2024-25 school year, the transition maximum rate is one hundred~~  
30 ~~ten percent of the district's baseline funding per weighted student unit, as~~  
31 ~~established in subsection 2, plus forty percent of the difference between the~~



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

7                   (5) For the 2025-26 school year, the transition maximum rate is one hundred  
8                   ten percent of the district's baseline funding per weighted student unit, as  
9                   established in subsection 2, plus sixty percent of the difference between the  
10                  rate under paragraph 1 of subdivision b of this subsection and one hundred  
11                  ten percent of the district's baseline funding per weighted student unit. The  
12                  transition maximum is determined by multiplying the transition maximum  
13                  rate, which may not exceed the rate under paragraph 1 of subdivision b of  
14                  this subsection, by the district's weighted student units from the previous  
15                  school year.

16               (6) For the 2026-27 school year, the transition maximum rate is one hundred  
17               ten percent of the district's baseline funding per weighted student unit, as  
18               established in subsection 2, plus eighty percent of the difference between  
19               the rate under paragraph 1 of subdivision b of this subsection and  
20               one hundred ten percent of the district's baseline funding per weighted  
21               student unit. The transition maximum is determined by multiplying the  
22               transition maximum rate, which may not exceed the rate under paragraph 1  
23               of subdivision b of this subsection, by the district's weighted student units  
24               from the previous school year.

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

27               a. Subtract an amount equal to sixty mills multiplied by the taxable valuation of the  
28               school district; and

29               b. Subtract an amount equal to seventy-five percent of all revenue types listed in  
30               subdivisions c and d of subsection 1. Before determining the deduction for

1           seventy-five percent of all revenue types, the superintendent of public instruction  
2           shall adjust revenues as follows:

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

4                   (a) In addition to deducting tuition revenue received specifically for the  
5                   operation of an educational program provided at a residential  
6                   treatment facility, tuition revenue received for the provision of an adult  
7                   farm management program, and tuition received under an agreement  
8                   to educate students from a school district on an air force base with  
9                   funding received through federal impact aid as directed each school  
10                  year in paragraph 3 of subdivision c of subsection 1, the  
11                  superintendent of public instruction also shall reduce the total tuition  
12                  reported by the school district by the amount of tuition revenue  
13                  received for the education of students not residing in the state and for  
14                  which the state has not entered a cross-border education contract;  
15                  and

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

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

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

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



- 1       7. For purposes of the calculation in subsection 4, each county auditor, in collaboration  
2       with the school districts, shall report the following to the superintendent of public  
3       instruction on an annual basis:
- 4       a. The amount of revenue received by each school district in the county during the  
5       previous school year for each type of revenue identified in subdivisions c and d of  
6       subsection 1;
- 7       b. The total number of mills levied in the previous calendar year by each school  
8       district for all purposes; and
- 9       c. The number of mills levied in the previous calendar year by each school district  
10      for sinking and interest fund purposes.

11       **SECTION 13. AMENDMENT.** Subsection 5 of section 15.1-36-08 of the North Dakota  
12      Century Code is amended and reenacted as follows:

- 13      5. If the superintendent of public instruction approves the loan, the Bank of North Dakota  
14      shall issue a loan from the school construction assistance revolving loan fund. For a  
15      loan made under this section:
- 16      a. ~~The~~ if the school construction project totals less than seventy-five million dollars,  
17      the maximum loan amount for which a school district may qualify is  
18      ~~ten~~fifteen million dollars. However, if a school district's unobligated general fund  
19      balance on the preceding June thirtieth exceeds the limitation under section  
20      15.1-27-35.3, the loan amount under this section may not exceed eighty percent  
21      of the project's cost up to a maximum loan amount of ~~eight~~twelve million dollars;
- 22      b. If the school construction project totals seventy-five million dollars or more, the  
23      maximum loan amount for which a school district may qualify is ~~fifty~~twenty-five  
24      million dollars. However, if a school district's unobligated general fund balance on  
25      the preceding June thirtieth exceeds the limitation under section 15.1-27-35.3,  
26      the loan amount under this section may not exceed eighty percent of the project's  
27      cost up to a maximum loan amount of ~~forty~~twenty million dollars;
- 28      c. The term of the loan is twenty years, unless the board of the school district  
29      requests a shorter term in the written loan application; and
- 30      e.d. The interest rate of the loan may not exceed two percent per year.

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

4 f. A district that qualifies for a loan under subdivision a, which was approved for a  
5 loan of up to ten million dollars for a construction project bid after January 1,  
6 2021, and before June 30, 2024, may apply for a loan in an amount equal to the  
7 difference between fifteen million dollars and the amount of the approved loan.

8 g. A district that qualifies for a loan under subdivision b, which was approved for a  
9 loan of up to ten million dollars for a construction project bid after January 1,  
10 2021, and before June 30, 2024, may apply for a loan in an amount equal to the  
11 difference between twenty-five million dollars and the amount of the approved  
12 loan.

13 ~~SECTION 12. LEGISLATIVE MANAGEMENT STUDY - SCHOOL TRANSPORTATION~~  
14 ~~SERVICES FUNDING. During the 2023-25 interim, the legislative management shall study~~  
15 ~~school transportation services funding. The study must include a review of the formula for~~  
16 ~~funding school transportation services and an assessment of whether a factor-based model~~  
17 ~~would fund school transportation more appropriately. The legislative management shall report~~  
18 ~~its findings and recommendations, together with any legislation required to implement the~~  
19 ~~recommendations, to the sixty-ninth legislative assembly.~~

20 **SECTION 14. LEGISLATIVE MANAGEMENT STUDY - COMPOSITION OF THE STATE**  
21 **BOARD OF PUBLIC SCHOOL EDUCATION.**

- 22 1. During the 2023-24 interim, the legislative management shall consider studying the  
23 composition of the state board of public school education. The study must include:
- 24 a. An analysis of the state board of public school education boundaries, including a  
25 comparison of methodologies for creating the boundaries;
  - 26 b. An analysis of the inclusion of representatives from small, large, urban, and rural  
27 schools on the board;
  - 28 c. An evaluation of term limits for board members, including staggering terms to  
29 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 15. 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 and methods for accountability by state regulatory agencies for various school choice models;
  - b. A comparison of nontraditional school choice models implemented by rural 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, enrollment capacity and tuition costs of nonpublic schools, and the capacity of nonpublic schools to provide services to students with special needs; and
  - e. A comparison of achievement data between public schools and nontraditional schools in other states.



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 16. TEACHER SHORTAGE AND MILITARY FAMILIES TASK FORCE - REPORT TO LEGISLATIVE MANAGEMENT.** During the 2023-24 interim, the superintendent of public instruction shall establish a teacher shortage and military families task force to examine 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 task force shall identify immediate and long-term public policy strategies to address teacher shortages and support for military families and spouses. The task force shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly.

**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 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.

**SECTION 18. APPROPRIATION - PUBLIC INSTRUCTION FUND - DEPARTMENT OF PUBLIC INSTRUCTION - SCIENCE OF READING - REPORT.** There is appropriated out of any moneys in the public instruction fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of supporting professional learning related to the science of reading and implementing systematic direct literacy instruction, for the biennium beginning July 1, 2023, and ending June 30, 2025. The superintendent of public instruction shall collaborate with the regional education associations to ensure continuity of access to science of reading training opportunities and develop support processes to deepen science of reading implementation. The superintendent of public instruction shall provide quarterly reports to the legislative management on the implementation and effectiveness of this appropriation on improving



educational outcomes, including the number of teachers trained, an anticipated timeline of results trends, and any results trends available.

**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 to one educator in every school that instructs students in kindergarten through third grade for one year, for the biennium beginning July 1, 2023, and ending June 30, 2025.

**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 to one educator in every school that instructs students in kindergarten through third grade for two years, for the biennium beginning July 1, 2023, and ending June 30, 2025.

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

**SECTION 22. TRANSFER - FOUNDATION AID STABILIZATION FUND TO SCHOOL CONSTRUCTION ASSISTANCE REVOLVING LOAN FUND.** The office of management and budget shall transfer the sum of ~~\$75,000,000~~ \$40,000,000 from the foundation aid stabilization

- 1 fund to the school construction assistance revolving loan fund during the biennium beginning  
2 July 1, 2023, and ending June 30, 2025.
- 3 | **SECTION 23. EFFECTIVE DATE.** Section ~~5~~10 of this Act becomes effective on July 1,  
4 2024.



