

**ADMINISTRATIVE RULES COMMITTEE**  
**North Dakota Department of Public Instruction**  
**March 12, 2026**  
**Jim Upgren, Assistant Director**  
**Office of School Approval and Opportunity**  
**701-328-2244**

Mr. Chairman, Members of the Committee, for the record, my name is Jim Upgren, Assistant Director in the Office of School Approval and Opportunity with the North Dakota Department of Public Instruction. I appear today to provide information on proposed amendments to several chapters of Title 67 of the North Dakota Administrative Code. Specifically, we are looking to amend Article 67-10, related to School Construction Loan Application and Loan Approval; 67-12, related to Standards for Schoolbuses; 67-13, related to School District Cooperative Agreements; and Article 67-23, related to Special Education. In addition, we propose the creation of 67-34, related to Math Curriculum; 67-35, related to Assessment of School Buildings; and 67-36, related to Public Charter Schools. I will go through the proposed amendments for each of those articles.

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Our first proposal is to amend Article 67-10, related to School Construction Loan Application and Loan Approval, which can be found on page 207 of your packet.

67-10-03, School Construction Loan Application and Loan Approval- School Construction Assistance Revolving Loan Fund, describes the eligibility requirements and application procedure for school districts applying for a loan from that fund. Section 4 of that chapter describes the maximum loan amounts for loans from the School Construction Assistance Revolving Loan Fund. The purpose of our rules proposal is to update the maximum loan amounts to align with changes made to NDCC 15.1-36-08 by HB 1369 of the 69<sup>th</sup> Legislative Assembly.

HB 1369 lowered the maximum amount for a loan from the School Construction Assistance Revolving Loan Fund from \$15 million to \$10 million for projects totaling less than \$75 million dollars, and from \$30 million to \$20 million for projects of \$75 million or more. For school district's whose unobligated general fund balance was above the limitation in NDCC 15.1-27-35.3, the loan limits were lowered from \$12 million to \$8 million for projects totaling less than \$75 million, and were lowered from \$24 million to \$16 million for projects totaling \$75 million or more. The purpose of our proposed updates to 67-10-03 is simply to align NDAC with the new changes in maximum loan amounts currently in NDCC.

I'll continue by talking about the additional materials that are attached and other information about our proposal:

1. The proposed rules have been submitted, and I can provide extra copies for anyone that would like one.
2. Amendments to 67-10-03 are being made to align with changes made by HB 1369 of the 69<sup>th</sup> Legislative Assembly. Bill sponsors of HB 1369 were notified of the proposed rule changes and of the public comment hearing by email.
3. These rule changes are not required in order to align with any federal statute or regulation.
4. Official public notice of the proposed changes to the rules was placed in each official county newspaper and a public comment hearing was held regarding the proposed changes on December 2. Official notice was also placed on the state public meeting notice section on the Secretary of State website and was also submitted to Legislative Council. Official notice was also posted on the bulletin boards on all three floors of the NDDPI office. In addition, public notice was sent to educational stakeholder groups.

5. Nobody provided public comment at the December 2 hearing, and we received no public comment during the 10-day public comment period following the hearing.
6. The cost of publication for the official notice was \$3,821.35.
7. A regulatory analysis was not required, as this proposal will not have an impact on the regulated community of over \$50,000.
8. A small entity regulatory analysis and economic impact statement has been submitted. I have extra copies for anyone that would like one. None of the proposed changes to 67-10 should result in any adverse impact on small school districts or government entities. There should also be no fiscal impact to small school districts or government entities.
9. A fiscal note was prepared and has been submitted. There is not expected to be any additional costs to school districts or local governments as a result of any of the changes proposed in Article 67-10.
10. A constitutional takings assessment was not required under NDCC 28-32-09.
11. These rules are not proposed as emergency rules.

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Our next proposal amends 67-12-01 regarding Standards for Schoolbuses, and can be found on page 208 of your packet.

67-12-01-03 states that the school bus body and chassis standards adopted by the National Conference on School Transportation are adopted by reference. The conference generally meets every five years, but they missed their scheduled meeting in 2020 due to the COVID-19 Pandemic. The conference most recently met in 2025 to update their standards, and our revision to the rules

simply updates the date from the sixteenth national conference in 2015 to the seventeenth national conference in 2025.

I'll continue by talking about the additional materials that are attached and other information about our proposal:

1. The proposed rules have been submitted, and I can provide extra copies for anyone that would like one.
2. Amendments to 67-12-01 are not necessary to align with changes made by the most recent legislative assembly.
3. These rule changes are not required in order to align with any federal statute or regulation, but they do align language regarding the most current dates of publication for the National Conference on School Transportation.
4. Official public notice of the proposed changes to the rules was placed in each official county newspaper and a public comment hearing was held regarding the proposed changes on December 2. Official notice was also placed on the state public meeting notice section on the Secretary of State website and was also submitted to Legislative Council. Official notice was also posted on the bulletin boards on all three floors of the NDDPI office. In addition, public notice was sent to educational stakeholder groups.
5. Three individuals provided public comment at the December 2 hearing, and one of those people submitted written comment as well. The public comment asked that we go above and beyond the National Conference on School Transportation standards, and they asked that we add illuminated stop-arms, illuminated signage, and 360-degree backup cameras as a requirement for all school buses. We responded to these individuals by saying that, while we recognize the additional layer of safety that those items would provide, we did

not feel it was appropriate to mandate these and that the local school districts do a good job of considering the cost and value tradeoffs when making major purchases. Therefore, we did not make any revisions to these proposed rules based on public comment.

6. The cost of publication for the official notice was \$3,821.35.
7. A regulatory analysis was not required, as this proposal will not have an impact on the regulated community of over \$50,000.
8. A small entity regulatory analysis and economic impact statement has been submitted. I have extra copies for anyone that would like one. None of the proposed changes to 67-12 should result in any adverse impact on small school districts or government entities. There should also be no fiscal impact to small school districts or government entities.
9. A fiscal note was prepared and has been submitted. There is not expected to be any additional costs to school districts or local governments as a result of any of the changes proposed in Article 67-12.
10. A constitutional takings assessment was not required under NDCC 28-32-09.
11. These rules are not proposed as emergency rules.

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Our next proposal amends 67-13-01 regarding School District Cooperative Agreements, and can be found on page 209 of your packet.

HB 1013 of the 69<sup>th</sup> Legislative Assembly removed language related to cost-sharing agreements from NDCC 15.1-27-16. The purpose of our proposed rules revisions is to repeal section 7 of 67-13-01 to remove language related to cost sharing agreements to accurately align with NDCC 15.1-27-16.

I'll continue by talking about the additional materials that are attached and other information about our proposal:

1. The proposed rules have been submitted, and I can provide extra copies for anyone that would like one.
2. Amendments to 67-13-01 are being made to align with changes made by HB 1013 of the 69<sup>th</sup> Legislative Assembly. Bill sponsors of HB 1013 were notified of the proposed rule changes and of the public comment hearing by email.
3. These rule changes are not required in order to align with any federal statute or regulation.
4. Official public notice of the proposed changes to the rules was placed in each official county newspaper and a public comment hearing was held regarding the proposed changes on December 2. Official notice was also placed on the state public meeting notice section on the Secretary of State website and was also submitted to Legislative Council. Official notice was also posted on the bulletin boards on all three floors of the NDDPI office. In addition, public notice was sent to educational stakeholder groups.
5. Nobody provided public comment at the December 2 hearing, and we received no public comment during the 10-day public comment period following the hearing.
6. The cost of publication for the official notice was \$3,821.35.
7. A regulatory analysis was not required, as this proposal will not have an impact on the regulated community of over \$50,000.
8. A small entity regulatory analysis and economic impact statement has been submitted. I have extra copies for anyone that would like one. None of the proposed changes to 67-13

should result in any adverse impact on small school districts or government entities.

There should also be no fiscal impact to small school districts or government entities.

9. A fiscal note was prepared and has been submitted. There is not expected to be any additional costs to school districts or local governments as a result of any of the changes proposed in Article 67-13.
10. A constitutional takings assessment was not required under NDCC 28-32-09.
11. These rules are not proposed as emergency rules.

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Our next proposal amends 67-23-01 regarding Comprehensive General Plan Requirements for Special Education Programs, and can be found starting on page 210 of your packet.

The purpose of our proposed amendments to 67-23-01 adds the phrase “public charter school” to the definitions of “local education agency” and “organization”. The reason for doing this is to ensure that public charter schools are required to provide special education services in the same manner that is required by public schools.

We do have a new chapter of rules (67-36-01) that we propose to create that is specific to Public Charter Schools, and that will be covered later in my presentation.

I’ll continue by talking about the additional materials that are attached and other information about our proposal:

1. The proposed rules have been submitted, and I can provide extra copies for anyone that would like one.

2. Amendments to 67-23-01 are not specifically necessary to align with changes made by the most recent legislative assembly. However, because of the relationship between these rules and public charter schools, we did notify the bill sponsors of SB 2241 of the proposed changes to this chapter of rules, as well as information on the public comment hearing.
3. These rule changes are required in order to align with the federal Individuals with Disabilities Education Act (IDEA) to ensure that public charter schools provide special education services in the same manner that is required by public schools.
4. Official public notice of the proposed changes to the rules was placed in each official county newspaper and a public comment hearing was held regarding the proposed changes on December 2. Official notice was also placed on the state public meeting notice section on the Secretary of State website and was also submitted to Legislative Council. Official notice was also posted on the bulletin boards on all three floors of the NDDPI office. In addition, public notice was sent to educational stakeholder groups.
5. Nobody provided public comment at the December 2 hearing. We received one written comment in support of our proposed rules as written. Therefore, no revisions were made to the proposed rules based on public comment.
6. The cost of publication for the official notice was \$3,821.35.
7. A regulatory analysis was not required, as this proposal will not have an impact on the regulated community of over \$50,000.
8. A small entity regulatory analysis and economic impact statement has been submitted. I have extra copies for anyone that would like one. None of the proposed changes to 67-23

should result in any adverse impact on small school districts or government entities.

There should also be no fiscal impact to small school districts or government entities.

9. A fiscal note was prepared and has been submitted. There is not expected to be any additional costs to school districts or local governments as a result of any of the changes proposed in Article 67-23.
10. A constitutional takings assessment was not required under NDCC 28-32-09.
11. These rules are not proposed as emergency rules.

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Our next proposal creates 67-34-01 regarding Math Curriculum, and can be found starting on page 212 of your packet.

SB 2213 of the 69<sup>th</sup> Legislative Assembly created NDCC 15.1-21-12.2 and 15.1-21-12.3, related to math curriculum and math professional development. The new law requires school districts and nonpublic schools to ensure that their math curriculum is based on evidence and research, and to provide continuing professional development regarding best practices in math instruction. Schools are also required to implement formative assessments, adjust teaching practices accordingly, and provide targeted interventions for students that need additional support. The new requirements currently focus on grades four through eight, and expand to include grades kindergarten through three starting in the fall of 2027.

The purpose of the proposed creation of 67-34-01 is to implement the requirements of the new law regarding math curriculum, instruction, and professional development. Section 1 defines several key elements of the program. Section 2 describes the professional development requirements for all teachers and principals of mathematics in grades kindergarten through eight, which also applies to

newly hired principals and teachers. In addition, the Education Standards and Practices Board (ESPB) is working with the teacher preparation colleges in North Dakota to ensure that new graduates are fully trained in the new procedures. Section 3 establishes the requirements for mathematics intervention programs in North Dakota. Programs must be evidence-based, aligned to the 2023 North Dakota Mathematics Content Standards, include progress monitoring, support all learners, and provide educator training. All programs require local school board approval, and the Department of Public Instruction will maintain a publicly available list of suggested programs, in which vendors may apply and meet compliance criteria to be included on the list. Vendors may also be removed from the list if they are not compliant with the requirements or if data is found to be of little or no quality. Section 4 describes the implementation dates, with the requirements beginning immediately for students in grades four through eight, and beginning July 1, 2027 for students in grades kindergarten through three. In addition to what has already been described, schools will need to do the following for students in grades kindergarten through three: Use a screening process for early identification of math efficiencies and dyscalculia, inform parents of the screening process and screening results, provide resources and guidance to parents to support learning at home, and for students having characteristics of math deficiencies or dyscalculia, develop an educational plan with accommodations. The proposed rules conclude with Section 5 covering reporting requirements, in which each school would report data annually to NDDPI.

I'll continue by talking about the additional materials that are attached and other information about our proposal:

1. The proposed rules have been submitted, and I can provide extra copies for anyone that would like one.

2. The creation of 67-34-01 is necessary to implement changes made by SB 2213 of the 69<sup>th</sup> Legislative Assembly. Bill sponsors of SB 2213 were notified of the proposed rule changes and of the public comment hearing by email.
3. These rule changes are not required in order to align with any federal statute or regulation.
4. Official public notice of the proposed changes to the rules was placed in each official county newspaper and a public comment hearing was held regarding the proposed changes on December 2. Official notice was also placed on the state public meeting notice section on the Secretary of State website and was also submitted to Legislative Council. Official notice was also posted on the bulletin boards on all three floors of the NDDPI office. In addition, public notice was sent to educational stakeholder groups.
5. Nobody provided public comment at the December 2 hearing. We received a total of ten written comments on these proposed rules.
  - a. One written comment was in support of the rules as is, so we made no changes to the proposed rules based on that comment.
  - b. NDDPI submitted its own public comment as we noticed some technical corrections that needed to be made after we had initially submitted the rules, so we made the appropriate revisions based on our own public comment. This included clarifying NDCC references and adding the phrase “of this section” to a few parts of the rules for clarity.
  - c. We received another public comment asking that we include a definition for the four strands of mathematic proficiency, add additional information around the math intervention program, and include a personalized “math at home” plan. We

responded to this individual to state that adding these items to the rules would exceed our statutory authority, and therefore, no revisions were made to the proposed rules based on that public comment.

- d. The remaining seven public comments came from educators asking for more clarity on several items.
  - i. One question asked for clarity around which teachers are required to complete the professional development requirements, and to address that, we added a definition for “teacher of mathematics” in 67-34-01-01 to specify that this is specific to a teacher whose primary duty is teaching mathematics.
  - ii. We also had questions regarding whether or not these requirements applied to high school math teachers, to which we responded by saying that high school math teachers are not required to participate because the NDCC applies to only grades kindergarten through eight.
  - iii. We were also asked to further clarify the meaning of “evidence-based programming, so we added a definition for that in 67-34-01-01.
  - iv. Another concern expressed was whether the training would be ongoing, as that would be more effective than just a one-time training. To address this, we added the word “ongoing” to subsection 1 of 67-34-01-02 to ensure that it is not just a one-time training. We also changed the word “complete” to “begin” in subsection 3 of 67-34-01-02 to further signify that training is not over in just one year.

- v. A final concern was that of local control when choosing the appropriate intervention program to use. To address this, we clarified in 67-34-01-03 that the local school board will adopt and approve the intervention program, and also made changes to reflect that NDDPI will maintain a “suggested list”, but that local school districts would have the final decision to select the intervention program that works best for them.
- 6. The cost of publication for the official notice was \$3,821.35.
- 7. A regulatory analysis was not required, as this proposal will not have an impact on the regulated community of over \$50,000.
- 8. A small entity regulatory analysis and economic impact statement has been submitted. I have extra copies for anyone that would like one. The proposed creation of 67-34-01 should not result in any adverse impact on small school districts or government entities. There should also be no fiscal impact to small school districts or government entities.
- 9. A fiscal note was prepared and has been submitted. There is not expected to be any additional costs to school districts or local governments as a result of any of the creation of Article 67-34.
- 10. A constitutional takings assessment was not required under NDCC 28-32-09.
- 11. These rules are not proposed as emergency rules.

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Our next proposal creates 67-35-01 regarding Assessment of School Buildings, and can be found on page 217 of your packet.

HB 1476 of the 69<sup>th</sup> Legislative Assembly created NDCC 15.1-02-25, related to assessment of school buildings. HB 1476 gives NDDPI authority to collect regularly conducted assessments by school districts, document the inventory of school buildings, develop and maintain a system for tracking the assessment of school buildings, and contract for professional services to conduct school building assessments.

HB 1476 also called for NDDPI to write rules to implement this section. In writing the rules, we outlined the items that the NDCC gives NDDPI authority for regarding the assessment of school buildings.

I'll continue by talking about the additional materials that are attached and other information about our proposal:

1. The proposed rules have been submitted, and I can provide extra copies for anyone that would like one.
2. The creation of 67-35-01 is necessary to implement changes made by HB 1476 of the 69<sup>th</sup> Legislative Assembly. Bill sponsors of HB 1476 were notified of the proposed rule changes and of the public comment hearing by email.
3. These rule changes are not required in order to align with any federal statute or regulation.
4. Official public notice of the proposed changes to the rules was placed in each official county newspaper and a public comment hearing was held regarding the proposed changes on December 2. Official notice was also placed on the state public meeting notice section on the Secretary of State website and was also submitted to Legislative Council. Official notice was also posted on the bulletin boards on all three floors of the NDDPI office. In addition, public notice was sent to educational stakeholder groups.

5. Nobody provided public comment at the December 2 hearing. We received one written comment asking for two revisions. The first suggested revision was to change “may” to “shall” in all areas related to the assessments. We responded by stating that we cannot do so, as the NDCC that supports these rules specifies that it is a “may”, and using the word “shall” would exceed our statutory authority. The second suggested revision was to remove the word “handicap” where it talks about accessibility features, so we did make that revision as requested.
6. The cost of publication for the official notice was \$3,821.35.
7. A regulatory analysis was not required, as this proposal will not have an impact on the regulated community of over \$50,000.
8. A small entity regulatory analysis and economic impact statement has been submitted. I have extra copies for anyone that would like one. The proposed creation of 67-35-01 should not result in any adverse impact on small school districts or government entities. There should also be no fiscal impact to small school districts or government entities.
9. A fiscal note was prepared and has been submitted. There is not expected to be any additional costs to school districts or local governments as a result of any of the creation of Article 67-35.
10. A constitutional takings assessment was not required under NDCC 28-32-09.
11. These rules are not proposed as emergency rules.

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Our final proposal creates 67-36-01 regarding Public Charter Schools, and can be found starting on page 218 of your packet.

SB 2241 of the 69<sup>th</sup> Legislative Assembly created NDCC 15.1-40, related to public charter schools. The purpose of the proposed creation of 67-36-01 is to implement the new law regarding charter schools and to describe the application and approval requirements.

Section 1 contains definitions for the chapter. In the originally proposed rules, “public charter school” was defined as a public school operating to achieve specific educational objectives according to the charter performance agreement as authorized and overseen by the superintendent of public instruction, as defined in NDCC 15.1-40-01(4). We added two more sentences to this definition after public comment to further clarify that charter schools are public schools and must follow the same regulations and procedures required of public schools. We also added a definition for “state performance standards” after public comment to clarify that this refers to the state content standards as defined in NDCC 15.1-02-04.

Section 2 simply states that the purpose of the proposed rules is to provide a framework for the establishment and operation of public charter schools in North Dakota.

Section 3 describes the application deadlines and format and the review and approval process for a prospective charter school to be approved to operate. NDDPI will publish annual application deadlines, templates, and submission procedures each year on our website. The application window must be at least ninety days long, and the application materials must be made available a minimum of thirty days prior to the opening of that application window. NDDPI will first conduct a completeness and quality review using a rubric approved by the Superintendent of Public Instruction, and following that initial review, NDDPI will hold a public interview with the applicant team. NDDPI will submit written notice of approval, conditional approval, or denial upon the conclusion of the application review process.

Section 4 describes the monitoring, reporting, and corrective action procedures. NDDPI is required to conduct ongoing monitoring of public charter schools, and each public charter school is required to submit the same academic, fiscal, and other reports that are required of public schools. Public charter schools are held to the same academic, fiscal, and accountability standards that are required of public schools, along with other statutorily required expectations specific to charter schools. If noncompliance or performance concerns are identified, NDDPI will issue a written notice outlining corrective actions that must be taken along with required evidence of remediation that must be submitted. Corrections must occur as soon as possible, but no later than one year after the written notice. Failure to comply with the corrective actions within the established time period may result in the revocation or nonrenewal of the charter agreement. Determination of sufficient progress towards performance expectations under the charter performance agreement shall be determined by the Superintendent of Public Instruction.

Section 5 describes the fiscal management and audit reporting requirements. NDCC 15.1-40-20 states that public charter schools must adhere to generally accepted accounting principles, and that they engage in an independent financial audit by a CPA or public accountant once every six months. The audit report must be submitted to NDDPI within thirty days of receiving the final report from the CPA or public accountant.

Section 6 describes the enrollment and lottery procedures. NDCC 15.1-40-05, subsection 2, subdivision b states that a lottery must take place in a public setting if capacity is insufficient to accommodate all students that have submitted a timely application for enrollment in the public charter school. Section 6 of the proposed rules states that public charter schools must develop, publish, and implement a written policy to describe the procedures for enrollment and lottery procedures, as well as waiting list management.

Section 7 describes closure and dissolution procedures. If a public charter school intends to close, it must submit a written closure plan to NDDPI within ten days of the decision. The closure plan must include a timeline for the transfer of student records to their resident school districts, as well as notification to families. The closure plan must also address asset disposition, in which outstanding payroll obligations must be met first, followed by other creditors of the public charter school. NDDPI must verify completion of the closure plan before final dissolution.

Section 8 describes state aid funding for public charter schools. NDCC 15.1-40-21 states that a public charter school shall receive state aid equivalent to the per pupil state average amount distributed to public school districts in the state foundation aid funding formula. Section 8 of our proposed rules describes the process by which charter schools receive that funding. The statewide average funding per student will be calculated using the prior school year's foundation aid student units and state funding. Public charter schools will generate weighted student units in the same manner used to do so for public school districts, except for any weighting factor that uses square miles. In addition, public charter schools can have their state funding withheld for failure to submit required reports, failure to meet school approval requirements, failure to comply with state law, or failure to comply with the charter performance agreement.

I'll continue by talking about the additional materials that are attached and other information about our proposal:

1. The proposed rules have been submitted, and I can provide extra copies for anyone that would like one.
2. The creation of 67-36-01 is necessary to implement changes made by SB 2241 of the 69<sup>th</sup> Legislative Assembly. Bill sponsors of SB 2241 were notified of the proposed rule changes and of the public comment hearing by email.

3. These rule changes are not required in order to align with any federal statute or regulation.
4. Official public notice of the proposed changes to the rules was placed in each official county newspaper and a public comment hearing was held regarding the proposed changes on December 2. Official notice was also placed on the state public meeting notice section on the Secretary of State website and was also submitted to Legislative Council. Official notice was also posted on the bulletin boards on all three floors of the NDDPI office. In addition, public notice was sent to educational stakeholder groups.
5. Two individuals provided public comment at the December 2 hearing, with one of them also submitting written comment. Eleven additional people submitted written comment on these proposed rules. Many of the comments were not relevant to the proposed rules, with many of them saying they were for or against charter schools, or that they were for or against items that are already addressed in NDCC. However, we did also receive some comments relevant to the rules, with several of those comments seeking to ensure that charter schools were held to the same standards and levels of accountability required of public schools. Therefore, we did make several adjustments to the proposed rules based on these comments.
  - a. We added two more sentences to the definition of “public charter school” in Section 1 to further clarify that charter schools are public schools and must follow the same regulations and procedures required of public schools.
  - b. We added a definition for “state performance standards” in Section 1 to clarify that this refers to the state content standards as defined in NDCC 15.1-02-04.

- c. We added additional language to Section 3, subsection 1, subdivision a, to clarify that the application window must be a minimum of ninety days and that application materials must be available for prospective charter schools at least thirty days prior to the opening of the submission window. This was in response to a comment specifically asking that the application window be open from May 31-October 1. While we did not want to limit ourselves to any specific date, we did decide to add the ninety day minimum for the application window to the rules.
  - d. In subsection 2 of 67-36-01-04, we added language to clarify that public charter schools are held to the same academic, fiscal, and accountability standards that are required of public schools.
  - e. In subsection 3 of 67-36-01-04, we added language to clarify that corrective actions must be addressed no later than one year after the written notice.
  - f. We added subsection 5 to 67-36-01-04, stating that the determination of progress towards performance expectations would be determined by the Superintendent of Public Instruction. This was in response to a comment that we received asking who determines whether sufficient progress had been made.
- 6. The cost of publication for the official notice was \$3,821.35.
  - 7. A regulatory analysis was not required, as this proposal will not have an impact on the regulated community of over \$50,000.
  - 8. A small entity regulatory analysis and economic impact statement has been submitted. I have extra copies for anyone that would like one. The proposed creation of 67-36-01 should not result in any adverse impact on small school districts or government entities. There should also be no fiscal impact to small school districts or government entities.

9. A fiscal note was prepared and has been submitted. There is not expected to be any additional costs to school districts or local governments as a result of any of the creation of Article 67-36.
10. A constitutional takings assessment was not required under NDCC 28-32-09.
11. These rules are not proposed as emergency rules.

This concludes my prepared testimony on our rules proposals. Thank you for your time, and I can stand for any questions that you may have.