

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of
2 public instruction, the state library, the school for the deaf, and the North Dakota vision
3 services - school for the blind.

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

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
6 as may be necessary, are appropriated out of any moneys in the general fund in the state
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and
8 other income, to the department of public instruction, the school for the deaf, North Dakota
9 vision services - school for the blind, and the state library for the purpose of defraying the
10 expenses of those agencies, for the biennium beginning July 1, 2017, and ending June 30,
11 2019, as follows:

12 Subdivision 1.

13 DEPARTMENT OF PUBLIC INSTRUCTION

| | | Adjustments or | |
|----|------------------------------|---------------------|-------------------------|
| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 14 | | | |
| 15 | | | |
| 16 | Salaries and wages | \$18,280,006 | \$0 \$18,280,006 |
| 17 | Operating expenses | 30,517,072 | 0 30,517,072 |
| 18 | Integrated formula payments | 1,916,640,000 | 0 1,916,640,000 |
| 19 | Grants - special education | 17,300,000 | 0 17,300,000 |
| 20 | Grants - transportation | 57,000,000 | 0 57,000,000 |
| 21 | Grants - other grants | 267,807,227 | 0 267,807,227 |
| 22 | PowerSchool | 6,000,000 | 0 6,000,000 |
| 23 | Transportation efficiency | 30,000 | 0 30,000 |
| 24 | National board certification | <u>120,000</u> | <u>0</u> <u>120,000</u> |

Sixty-fifth
Legislative Assembly

| | | | | |
|----|--------------------------------|---|---------------------|----------------------|
| 1 | Total all funds | \$2,313,694,305 | \$0 | \$2,313,694,305 |
| 2 | Less estimated income | <u>624,685,766</u> | <u>0</u> | <u>624,685,766</u> |
| 3 | Total general fund | \$1,689,008,539 | \$0 | \$1,689,008,539 |
| 4 | Full-time equivalent positions | 99.75 | 0.00 | 99.75 |
| 5 | Subdivision 2. | | | |
| 6 | | STATE LIBRARY | | |
| 7 | | | Adjustments or | |
| 8 | | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 9 | Salaries and wages | \$4,019,839 | \$0 | \$4,019,839 |
| 10 | Operating expenses | 1,713,393 | 0 | 1,713,393 |
| 11 | Grants | <u>2,785,500</u> | <u>0</u> | <u>2,785,500</u> |
| 12 | Total all funds | \$8,518,732 | \$0 | \$8,518,732 |
| 13 | Less estimated income | <u>2,438,751</u> | <u>0</u> | <u>2,438,751</u> |
| 14 | Total general fund | \$6,079,981 | \$0 | \$6,079,981 |
| 15 | Full-time equivalent positions | 29.75 | 0.00 | 29.75 |
| 16 | Subdivision 3. | | | |
| 17 | | SCHOOL FOR THE DEAF | | |
| 18 | | | Adjustments or | |
| 19 | | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 20 | Salaries and wages | \$7,291,854 | \$0 | \$7,291,854 |
| 21 | Operating expenses | 1,925,163 | 0 | 1,925,163 |
| 22 | Capital assets | 227,174 | 0 | 227,174 |
| 23 | Grants | <u>186,900</u> | <u>0</u> | <u>186,900</u> |
| 24 | Total all funds | \$9,631,091 | \$0 | \$9,631,091 |
| 25 | Less estimated income | <u>1,089,210</u> | <u>0</u> | <u>1,089,210</u> |
| 26 | Total general fund | \$8,541,881 | \$0 | \$8,541,881 |
| 27 | Full-time equivalent positions | 45.61 | 0.00 | 45.61 |
| 28 | Subdivision 4. | | | |
| 29 | | NORTH DAKOTA VISION SERVICES - SCHOOL FOR THE BLIND | | |
| 30 | | | Adjustments or | |
| 31 | | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |

Sixty-fifth
Legislative Assembly

| | | | | |
|---|--------------------------------|----------------|----------|----------------|
| 1 | Salaries and wages | \$4,554,349 | \$0 | \$4,554,349 |
| 2 | Operating expenses | 739,169 | 0 | 739,169 |
| 3 | Capital assets | <u>24,454</u> | <u>0</u> | <u>24,454</u> |
| 4 | Total all funds | \$5,317,972 | \$0 | \$5,317,972 |
| 5 | Less estimated income | <u>569,325</u> | <u>0</u> | <u>569,325</u> |
| 6 | Total general fund | \$4,748,647 | \$0 | \$4,748,647 |
| 7 | Full-time equivalent positions | 30.00 | 0.00 | 30.00 |

8 Subdivision 5.

9 BILL TOTAL

| | | | | |
|----|---------------------------|--------------------|---------------------|----------------------|
| 10 | | | Adjustments or | |
| 11 | | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 12 | Grand total general fund | \$1,708,379,048 | \$0 | \$1,708,379,048 |
| 13 | Grand total special funds | <u>628,783,052</u> | <u>0</u> | <u>628,783,052</u> |
| 14 | Grand total all funds | \$2,337,162,100 | \$0 | \$2,337,162,100 |

15 **SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding
16 items approved by the sixty-fourth legislative assembly as adjusted for the 2015-17 biennium:

| 17 | <u>One-Time Funding Description</u> | <u>2015-17</u> | <u>2017-19</u> |
|----|---|-------------------|----------------|
| 18 | Department of public instruction | | |
| 19 | Cardiopulmonary resuscitation training grants | \$165,500 | \$0 |
| 20 | Free or reduced meals information technology | 30,000 | 0 |
| 21 | Rapid enrollment grants | <u>12,504,530</u> | <u>0</u> |
| 22 | Total department of public instruction - general fund | \$12,700,030 | \$0 |
| 23 | State library | | |
| 24 | Library repair grants | <u>\$250,000</u> | <u>\$0</u> |
| 25 | Total state library - general fund | \$250,000 | \$0 |
| 26 | School for the deaf | | |
| 27 | Extraordinary repairs | <u>\$600,000</u> | <u>\$0</u> |
| 28 | Total school for the deaf - estimated income | \$600,000 | \$0 |
| 29 | North Dakota vision services - school for the blind | | |
| 30 | Equipment | \$21,000 | \$0 |
| 31 | Special assessments payoff | 19,000 | 0 |

| | | | |
|---|---|----------------|----------|
| 1 | Server and access points | <u>16,000</u> | <u>0</u> |
| 2 | Total school for the blind - estimated income | \$56,000 | \$0 |
| 3 | Grand total - all funds | \$13,606,030 | \$0 |
| 4 | Grand total - estimated income | <u>656,000</u> | <u>0</u> |
| 5 | Grand total - general fund | \$12,950,030 | \$0 |

6 **SECTION 3. APPROPRIATION - TUITION APPORTIONMENT.** The sum of \$219,134,000,
7 included in the integrated formula payments line item in subdivision 1 of section 1 of this Act, is
8 from the state tuition fund in the state treasury. Any additional amount in the state tuition fund
9 that becomes available for distribution to public schools is appropriated to the department of
10 public instruction for that purpose for the biennium beginning July 1, 2017, and ending June 30,
11 2019.

12 **SECTION 4. INTEGRATED FORMULA PAYMENTS AND SPECIAL EDUCATION**
13 **CONTRACTS EXPENDITURE AUTHORITY.** The superintendent of public instruction may
14 expend funds included in the integrated formula payments and grants - special education
15 contracts line items in subdivision 1 of section 1 of this Act in payment of grants for educational
16 services that were due in the 2015-17 biennium but which were not filed, claimed, or properly
17 supported by the education provider until after June 30, 2017.

18 **SECTION 5. GIFTED AND TALENTED PROGRAM - MEDICAID MATCHING FUNDING -**
19 **DISTRIBUTION.**

- 20 1. The sum of \$800,000, included in the integrated formula payments line item in
21 subdivision 1 of section 1 of this Act, must be distributed to reimburse school districts
22 or special education units for gifted and talented programs upon the submission of an
23 application that is approved in accordance with guidelines adopted by the
24 superintendent of public instruction. The superintendent of public instruction shall
25 encourage cooperative efforts for gifted and talented programs among school districts
26 and special education units.
- 27 2. State school aid payments for special education must be reduced by the amount of
28 matching funds required to be paid by school districts or special education units for
29 students participating in the medicaid program. Special education funds equal to the
30 amount of the matching funds required to be paid by the school district or special

1 education unit must be paid by the superintendent of public instruction to the
2 department of human services on behalf of the school district or unit.

3 **SECTION 6. REGIONAL EDUCATION ASSOCIATIONS - GRANTS.** During the 2017-19
4 biennium, the superintendent of public instruction shall expend up to \$800,000 from the
5 integrated formula payments line item in subdivision 1 of section 1 of this Act for the purpose of
6 providing an annual grant to each eligible regional education association in order to assist each
7 association with the cost of compensating a coordinator.

- 8 1. To receive a grant under this section, each regional education association must:
- 9 a. Enter a contract with an individual to serve as a coordinator, on a full-time or a
10 part-time basis, for a duration of at least twelve months; and
- 11 b. Provide from other revenue sources at least thirty percent of the total
12 compensation payable to the coordinator.
- 13 2. The maximum grant payable to a regional education association under this section
14 during each year of the biennium is the lesser of \$50,000 or seventy percent of the
15 total compensation payable to the coordinator.

16 **SECTION 7. TRANSPORTATION GRANTS - DISTRIBUTION.**

- 17 1. During each year of the 2017-19 biennium, the superintendent of public instruction
18 shall calculate the payment to which each school district is entitled based on the state
19 transportation formula as it existed on June 30, 2001, except that the superintendent
20 shall provide reimbursement at the rate of:
- 21 a. One dollar and eighteen cents per mile for school buses having a capacity of ten
22 or more passengers;
- 23 b. Fifty-five cents per mile for vehicles having a capacity of nine or fewer
24 passengers;
- 25 c. Fifty-four cents per mile, provided;
- 26 (1) The student being transported is a student with a disability, as defined in
27 chapter 15.1-32;
- 28 (2) The student's individualized education program plan requires that the
29 student attend a public or a nonpublic school located outside the student's
30 school district of residence;
- 31 (3) The student is transported by an adult member of the student's family;

- 1 (4) The student is transported in a vehicle furnished by the student's parents;
2 (5) The student's transportation is paid for by the student's parents; and
3 (6) The reimbursement does not exceed two round trips daily between the
4 student's home and school.

5 d. Fifty-four cents per mile, one way, provided:

6 (1) The student being transported resides more than two miles from the public
7 school that the student attends;

8 (2) The student is transported by an adult member of the student's family;

9 (3) The student is transported in a vehicle furnished by the student's parents;
10 and

11 (4) The student's transportation is paid for by the student's parents.

12 e. Thirty-two cents per student for each one-way trip.

13 2. The superintendent of public instruction shall use the latest available student
14 enrollment count in each school district in applying the provisions of subsection 1.

15 3. If any moneys provided for transportation payments in the grants - transportation line
16 item in subdivision 1 of section 1 of this Act, remain after application of the formula
17 provided for in this section, the superintendent of public instruction shall prorate the
18 remaining amounts according to the percentage of the total transportation formula
19 amount to which each school district is entitled.

20 4. This section does not authorize the reimbursement of any costs incurred in providing
21 transportation for student attendance at extracurricular activities or events.

22 **SECTION 8. CONTINUING EDUCATION GRANTS - FUNDING - DISTRIBUTION.** The

23 sum of \$150,000, or so much of the sum as may be necessary, included in the grants - other
24 grants line item in subdivision 1 of section 1 of this Act is provided for continuing education
25 grants, for the biennium beginning July 1, 2017, and ending June 30, 2019.

26 1. The superintendent of public instruction shall award grants in amounts up to \$1,200 to
27 eligible recipients in chronological order, based on the date of an individual's
28 application. An eligible recipient must:

29 a. (1) Be licensed to teach by the education standards and practices board;

30 (2) Have taught in this state during each of the last three school years; and

- 1 (3) Be enrolled at an institution of higher education in this state in either a
2 master of education program in educational leadership or a program leading
3 to a specialist diploma in educational leadership;
4 b. Be pursuing the requirements for a certificate in career development facilitation;
5 or
6 c. Be pursuing a school counselor credential.
- 7 2. If any of the amount appropriated for this purpose remains after the superintendent of
8 public instruction has awarded grants to all eligible recipients, the superintendent shall
9 distribute that amount as an additional per student payment on a prorated basis,
10 according to the latest available average daily membership of each school district.

11 **SECTION 9. INDIRECT COST ALLOCATION.** Notwithstanding section 54-44.1-15, the
12 department of public instruction may deposit indirect cost recoveries in its operating account.

13 **SECTION 10. STATE AID TO PUBLIC LIBRARIES.** The line item entitled grants in
14 subdivision 2 of section 1 of this Act includes \$2,033,000 for aid to public libraries, of which no
15 more than one-half is to be expended during the fiscal year ending June 30, 2018.

16 **SECTION 11. FEES DEPOSITED IN NORTH DAKOTA VISION SERVICES - SCHOOL**
17 **FOR THE BLIND OPERATING FUND.** Any moneys included in the estimated income line item
18 in subdivision 4 of section 1 of this Act, collected for subscription fees or braille fees, must be
19 deposited in the North Dakota vision services - school for the blind operating fund in the state
20 treasury and may be spent subject to appropriation by the legislative assembly.

21 **SECTION 12. SCHOOL FOR THE DEAF - HIGHER EDUCATION INTERPRETER GRANT**
22 **PROGRAM.** The grants line item contained in subdivision 3 of section 1 of this Act is for the
23 purpose of providing grants to assist institutions under the control of the state board of higher
24 education with the cost of interpreters and real-time captioning for students who are deaf or
25 hard of hearing, for the biennium beginning July 1, 2017, and ending June 30, 2019. Moneys
26 appropriated for this program are not subject to section 54-44.1-11. Funds must be distributed
27 pursuant to the provisions of this section:

- 28 1. The school for the deaf shall develop a formula to determine the grant amount for
29 which an institution is eligible. The formula must be based on an uniform hourly
30 reimbursement.

- 1 2. To obtain a grant under this section, an institution shall submit to the school for the
2 deaf, at the time and in the manner directed by the school, invoices showing the
3 amount expended for interpreters and real-time captioning for students who are deaf
4 or hard of hearing.
- 5 3. The school for the deaf may not distribute more than fifty percent of the amount
6 appropriated during the first year of the biennium.
- 7 4. If any grant moneys remain undistributed at the end of the biennium, the school for the
8 deaf shall provide additional prorated grants to institutions that incurred, during the
9 biennium, hourly expenses in excess of the formula reimbursement level.
- 10 5. At the request of an institution under the control of the state board of higher education,
11 the school for the deaf shall consult with the institution and provide advice regarding
12 the provision of services most appropriate to meet a student's needs.

13 **SECTION 13. OTHER GRANTS - REPORTING.** The superintendent of public instruction
14 shall continue reporting on the cost per participant and the outcomes of other grants and report
15 to the sixty-sixth legislative assembly regarding participation, cost, and outcomes of these
16 grants.