

**FIRST ENGROSSMENT  
with Senate Amendments  
ENGROSSED HOUSE BILL NO. 1013**

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; to amend and reenact sections 15.1-02-02, 15.1-02-16, and  
4 15.1-27-16 of the North Dakota Century Code, relating to the salary of the superintendent of  
5 public instruction, credentialing, and administrative cost-sharing for cooperating districts; to  
6 provide for a transfer; to provide an exemption; to provide for a legislative management study;  
7 to provide for reports; to provide an expiration date; and to declare an emergency.

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

9 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
10 as may be necessary, are appropriated out of any moneys in the general fund in the state  
11 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
12 other income, to the department of public instruction, the state library, the school for the deaf,  
13 and North Dakota vision services - school for the blind for the purpose of defraying the  
14 expenses of those agencies, for the biennium beginning July 1, 2021, and ending June 30,  
15 2023, as follows:

## Subdivision 1.

## DEPARTMENT OF PUBLIC INSTRUCTION

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
18				
19				
20	Salaries and wages	\$18,027,035	(\$172,288)	\$17,854,747
21	Operating expenses	33,770,947	30,053,890	63,824,837
22	Integrated formula payments	2,098,202,429	39,147,571	2,137,350,000
23	Grants - special education	24,000,000	3,000,000	27,000,000
24	Grants - transportation	56,500,000	1,600,000	58,100,000

Sixty-seventh  
Legislative Assembly

1	Grants - other grants	287,062,705	300,416,379	587,479,084
2	Grants - program grants	7,680,000	(7,680,000)	0
3	Grants - passthrough grants	2,863,764	(2,863,764)	0
4	Grants - program and passthrough	0	23,887,064	23,887,064
5	PowerSchool	5,500,000	(250,000)	5,250,000
6	National board certification	<u>108,000</u>	<u>68,290</u>	<u>176,290</u>
7	Total all funds	\$2,533,714,880	\$387,207,142	\$2,920,922,022
8	Less estimated income	<u>812,553,743</u>	<u>445,291,906</u>	<u>1,257,845,649</u>
9	Total general fund	\$1,721,161,137	(\$58,084,764)	\$1,663,076,373
10	Full-time equivalent positions	89.25	(3.00)	86.25

11 Subdivision 2.

12 STATE LIBRARY

13			Adjustments or	
14		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
15	Salaries and wages	\$4,300,335	(\$160,428)	\$4,139,907
16	Operating expenses	1,621,917	200,786	1,822,703
17	Grants	<u>2,233,528</u>	<u>0</u>	<u>2,233,528</u>
18	Total all funds	\$8,155,780	\$40,358	\$8,196,138
19	Less estimated income	<u>2,374,361</u>	<u>(9,944)</u>	<u>2,364,417</u>
20	Total general fund	\$5,781,419	\$50,302	\$5,831,721
21	Full-time equivalent positions	27.75	(1.00)	26.75

22 Subdivision 3.

23 SCHOOL FOR THE DEAF

24			Adjustments or	
25		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
26	Salaries and wages	\$8,054,944	\$277,876	\$8,332,820
27	Operating expenses	1,705,586	21,500	1,727,086
28	Capital assets	158,678	697,500	856,178
29	Grants	<u>40,000</u>	<u>(40,000)</u>	<u>0</u>
30	Total all funds	\$9,959,208	\$956,876	\$10,916,084
31	Less estimated income	<u>2,430,358</u>	<u>1,079,170</u>	<u>3,509,528</u>

Sixty-seventh  
Legislative Assembly

1	Total general fund	\$7,528,850	(\$122,294)	\$7,406,556
2	Full-time equivalent positions	44.61	0.00	44.61
3	Subdivision 4.			
4	NORTH DAKOTA VISION SERVICES - SCHOOL FOR THE BLIND			
5			Adjustments or	
6		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
7	Salaries and wages	\$4,935,291	\$56,903	\$4,992,194
8	Operating expenses	795,821	29,850	825,671
9	Capital assets	<u>39,192</u>	<u>284,000</u>	<u>323,192</u>
10	Total all funds	\$5,770,304	\$370,753	\$6,141,057
11	Less estimated income	<u>1,052,315</u>	<u>326,863</u>	<u>1,379,178</u>
12	Total general fund	\$4,717,989	\$43,890	\$4,761,879
13	Full-time equivalent positions	27.90	(0.15)	27.75

14 Subdivision 5.

15 TOTAL - SECTION 1

16			Adjustments or	
17		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
18	Grand total general fund	\$1,739,189,395	(\$58,112,866)	\$1,681,076,529
19	Grand total special funds	<u>818,410,777</u>	<u>446,687,995</u>	<u>1,265,098,772</u>
20	Grand total all funds	\$2,557,600,172	\$388,575,129	\$2,946,175,301

21 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-**  
 22 **EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items  
 23 approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-  
 24 time funding items included in the appropriation in section 1 of this Act:

25	<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
26	Department of public instruction		
27	Science experiments grant	\$0	\$13,500,000
28	Federal COVID-19 relief funds	0	305,266,879
29	State automated reporting system maintenance	0	200,000
30	Rapid enrollment grants	3,000,000	0
31	State automated reporting system rewrite	1,200,000	0

Sixty-seventh  
Legislative Assembly

1	Music education grants	800,000	0
2	State school aid formula rewrite	<u>200,000</u>	<u>0</u>
3	Total department of public instruction -	\$5,200,000	\$318,966,879
4	all funds		
5	Total department of public instruction -	<u>5,000,000</u>	<u>318,766,879</u>
6	estimated income		
7	Total department of public instruction -	\$200,000	\$200,000
8	general fund		
9	School for the deaf		
10	Extraordinary repairs	\$250,000	\$0
11	Campus server upgrade	0	7,500
12	Operating expenses	0	21,500
13	Equipment	20,000	40,000
14	Boiler and resource center projects	<u>0</u>	<u>650,000</u>
15	Total school for the deaf - estimated income	\$270,000	\$719,000
16	North Dakota vision services - school for the blind		
17	South wing restroom remodel	\$120,000	\$0
18	Gymnasium floor replacement	42,000	0
19	West wing roof repair	39,000	0
20	Daily living skills area remodel	25,000	0
21	Adaptive technology equipment	20,000	0
22	Other repairs	18,500	0
23	Garage door replacement	16,000	0
24	Replace flooring	0	10,000
25	Replace south wing air conditioning	0	40,000
26	Repair sidewalk, roof, and parking lot	0	24,000
27	Replace doors and key system	0	45,000
28	Install LED lighting	0	33,000
29	South wing electrical service	<u>0</u>	<u>165,000</u>
30	Total school for the blind - estimated income	\$280,500	\$317,000
31	Grand total - all funds	\$5,750,500	\$320,002,879

1	Grand total - estimated income	<u>5,550,500</u>	<u>319,802,879</u>
2	Grand total - general fund	\$200,000	\$200,000

3 The 2021-23 biennium one-time funding amounts are not part of the entity's base budget for  
4 the 2023-25 biennium. The department of public instruction, school for the deaf, and North  
5 Dakota vision services - school for the blind shall report to the appropriations committees of the  
6 sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning  
7 July 1, 2021, and ending June 30, 2023.

8 **SECTION 3. APPROPRIATION - TUITION APPORTIONMENT.** The sum of \$433,020,000,  
9 included in the integrated formula payments line item in subdivision 1 of section 1 of this Act, is  
10 from the state tuition fund in the state treasury. Any additional amount in the state tuition fund  
11 that becomes available for distribution to public schools is appropriated to the department of  
12 public instruction for that purpose for the biennium beginning July 1, 2021, and ending June 30,  
13 2023.

14 **SECTION 4. ESTIMATED INCOME - FOUNDATION AID STABILIZATION FUND.** The  
15 estimated income line item in subdivision 1 of section 1 of this Act includes the sum of  
16 \$144,300,000 from the foundation aid stabilization fund for integrated formula payments.

17 **SECTION 5. INTEGRATED FORMULA PAYMENTS AND SPECIAL EDUCATION**  
18 **CONTRACTS EXPENDITURE AUTHORITY.** The superintendent of public instruction may  
19 expend funds included in the integrated formula payments and grants - special education  
20 contracts line items in subdivision 1 of section 1 of this Act for paying grants for educational  
21 services that were due in the 2019-21 biennium but which were not filed, claimed, or properly  
22 supported by the education provider until after June 30, 2021. To be reimbursed under this  
23 section, claims must be properly supported and filed with the superintendent of public  
24 instruction by June 30, 2022.

25 **SECTION 6. GIFTED AND TALENTED PROGRAM.**

26 The sum of \$800,000, included in the integrated formula payments line item in subdivision 1 of  
27 section 1 of this Act, must be distributed to reimburse school districts or special education units  
28 for gifted and talented programs upon the submission of an application that is approved in  
29 accordance with guidelines adopted by the superintendent of public instruction. The  
30 superintendent of public instruction shall encourage cooperative efforts for gifted and talented  
31 programs among school districts and special education units.

1       **SECTION 7. MEDICAID MATCHING FUNDING - SCHOOL APPROVAL - WITHHOLDING**  
2 **AND DISTRIBUTION.**

- 3       1. State school aid payments for special education must be reduced by the amount of  
4       matching funds required to be paid by school districts or special education units for  
5       students participating in the Medicaid program for the biennium beginning July 1,  
6       2021, and ending June 30, 2023. Special education funds equal to the amount of the  
7       matching funds required to be paid by the school district or special education unit must  
8       be paid by the superintendent of public instruction to the department of human  
9       services on behalf of the school district or unit.
- 10      2. State school aid payments for integrated formula payments must be reduced by the  
11      amount of funds required to be paid by school districts for school approval for the  
12      biennium beginning July 1, 2021, and ending June 30, 2023.

13      **SECTION 8. TRANSPORTATION GRANTS - DISTRIBUTION.**

- 14      1. During each year of the 2021-23 biennium, the superintendent of public instruction  
15      shall calculate the payment to which each school district is entitled based on the state  
16      transportation formula as it existed on June 30, 2001, except that the superintendent  
17      shall provide reimbursement at the rate of:
- 18      a. One dollar and eleven cents per mile for schoolbuses having a capacity of ten or  
19      more passengers;
- 20      b. Fifty-two cents per mile for vehicles having a capacity of nine or fewer  
21      passengers;
- 22      c. Fifty cents per mile, provided:
- 23          (1) The student being transported is a student with a disability, as defined in  
24          chapter 15.1-32;
- 25          (2) The student's individualized education program plan requires that the  
26          student attend a public or a nonpublic school located outside the student's  
27          school district of residence;
- 28          (3) The student is transported by an adult member of the student's family;
- 29          (4) The student is transported in a vehicle furnished by the student's parents;
- 30          (5) The student's transportation is paid for by the student's parents; and

- 1                   (6) The reimbursement does not exceed two round trips daily between the  
2                   student's home and school.
- 3           d. Fifty cents per mile, one way, provided:
- 4                   (1) The student being transported resides more than two miles from the public  
5                   school that the student attends;
- 6                   (2) The student is transported by an adult member of the student's family;
- 7                   (3) The student is transported in a vehicle furnished by the student's parents;
- 8                   and
- 9                   (4) The student's transportation is paid for by the student's parents.
- 10          e. Thirty cents per student for each one-way trip.
- 11          2. The superintendent of public instruction shall use the latest available student  
12             enrollment count in each school district in applying the provisions of subsection 1.
- 13          3. This section does not authorize the reimbursement of any costs incurred in providing  
14             transportation for student attendance at extracurricular activities or events.

15                   **SECTION 9. CONDITION ON APPROPRIATION FOR GRANTS - PROGRAM AND**  
16 **PASSTHROUGH LINE ITEM.** The appropriation in the grants - program and passthrough line  
17 item in subdivision 1 of section 1 of this Act is conditioned on the superintendent of public  
18 instruction not using federal funds to defray the expenses of the following programs for which  
19 state funding is provided in this line item for the biennium beginning July 1, 2021, and ending  
20 June 30, 2023:

- 21           1. Adult education matching grants;
- 22           2. School food services matching grants;
- 23           3. Program grant pool; and
- 24           4. Mentoring program.

25                   **SECTION 10. REGIONAL EDUCATION ASSOCIATIONS - GRANTS - DISTRIBUTION.**  
26 The integrated formula payments line item in subdivision 1 of section 1 of this Act includes  
27 \$500,000 from the general fund for the purpose of providing annual grants to regional education  
28 associations for the biennium beginning July 1, 2021, and ending June 30, 2023. An annual  
29 grant of \$35,714 is provided to each regional education association that exists as of July 1,  
30 2021. Regional education associations that merge during the 2021-23 biennium are entitled to  
31 the annual grants that would have been paid to each of the member associations.

1       **SECTION 11. POSTSECONDARY TRANSITIONAL GRANT PROGRAM FUNDING.** The  
2 integrated formula payments line item in subdivision 1 of section 1 of this Act includes funding  
3 for postsecondary transitional grants. The superintendent of public instruction shall provide  
4 integrated formula payments to postsecondary transitional programs for eligible students  
5 enrolled in a postsecondary transitional program within the state at the rate provided under  
6 section 15.1-27-04.1. For purposes of this section, "eligible student" means a student with a  
7 documented intellectual or developmental disability who is at least eighteen years of age but  
8 has not reached the age of twenty-two, who has graduated from a public high school in the  
9 state or obtained an equivalent degree, and who enrolls in a postsecondary transitional  
10 program. By June thirtieth of each year, postsecondary transitional programs shall submit to the  
11 superintendent of public instruction for the reimbursement of eligible students enrolled in the  
12 program. Grant payments under this section may not exceed the per student rate under section  
13 15.1-27-04.1. The superintendent of public instruction shall review and approve postsecondary  
14 transitional programs and develop a system for the distribution of payments necessary to  
15 implement this section.

16       **SECTION 12. USE OF NEW MONEY - NON-ADMINISTRATIVE PERSONNEL**  
17 **COMPENSATION INCREASES - REPORT TO LEGISLATIVE MANAGEMENT.**

- 18       1. During the 2021-23 biennium, the board of each school district shall use an amount  
19       equal to at least seventy percent of all new money received by the district for  
20       integrated formula payments to increase the compensation paid to non-administrative  
21       personnel.
- 22       2. For purposes of this section, the superintendent of public instruction shall provide  
23       guidance to school districts regarding the calculation of the amount of new money  
24       available during the 2021-23 biennium.

25       **SECTION 13. KINDERGARTEN THROUGH GRADE TWELVE EDUCATION**  
26 **COORDINATION COUNCIL FUNDING - RESTRICTION.** Funding totaling \$260,000 from the  
27 general fund, appropriated in subdivision 1 of section 1 of this Act, is provided for defraying the  
28 expenses of the kindergarten through grade twelve education coordination council, for the  
29 biennium beginning July 1, 2021, and ending June 30, 2023. These funds may not be used for  
30 any other purpose.

1       **SECTION 14. EXEMPTION - GENERAL EDUCATIONAL DEVELOPMENT FEES AND**  
2 **DISPLACED HOMEMAKER DEPOSITS.** Notwithstanding section 54-44.1-15, the department  
3 of public instruction may deposit indirect cost recoveries in its operating account. In addition,  
4 any moneys collected by the department of public instruction for general educational  
5 development fees and displaced homemakers deposits must be deposited in the public  
6 instruction fund in the state treasury. Any funds deposited in the public instruction fund may only  
7 be spent subject to appropriation by the legislative assembly.

8       **SECTION 15. EXEMPTION - TRANSFER - PUBLIC INSTRUCTION FUND.**  
9 Notwithstanding section 54-44.1-11, if, after the superintendent of public instruction complies  
10 with all statutory payment obligations imposed for the 2019-21 biennium, any moneys remain in  
11 the integrated formula payments line item in subdivision 1 of section 1 of chapter 38 of the 2019  
12 Session Laws, the lesser of \$23,887,064 or the remaining amount must be continued into the  
13 2021-23 biennium and the office of management and budget shall transfer this amount into the  
14 public instruction fund for the purpose of providing program and passthrough grants as  
15 appropriated in subdivision 1 of section 1 of this Act.

16       **SECTION 16. EXEMPTION - DYSLEXIA SCREENING PILOT PROGRAM.**  
17 Notwithstanding section 54-44.1-11, if, after the superintendent of public instruction complies  
18 with all statutory payment obligations imposed for the 2019-21 biennium, any moneys remain in  
19 the integrated formula payments line item in subdivision 1 of section 1 of chapter 38 of the 2019  
20 Session Laws, up to \$250,000 must be continued into the 2021-23 biennium for the purpose of  
21 defraying the expenses of the dyslexia screening pilot program.

22       **SECTION 17. EXEMPTION - STATE AUTOMATED REPORTING SYSTEM REWRITE.** Up  
23 to \$600,000 of the unexpended amount remaining from the one-time appropriation from the  
24 foundation aid stabilization fund for the state automated reporting system rewrite, as authorized  
25 in subdivision 1 of section 1 of chapter 38 of the 2019 Session Laws, is not subject to the  
26 provisions of section 54-44.1-11 at the end of the 2019-21 biennium, and may be continued into  
27 the 2021-23 biennium for the purpose of continuing the state automated reporting system  
28 rewrite.

29       **SECTION 18. STATE AID TO PUBLIC LIBRARIES.** The grants line item in subdivision 2 of  
30 section 1 of this Act includes \$1,737,582 for aid to public libraries, of which no more than  
31 one-half may be expended during the fiscal year ending June 30, 2022.

1       **SECTION 19. EXEMPTION - SCHOOL FOR THE DEAF - HIGHER EDUCATION**

2       **INTERPRETER GRANT PROGRAM DISTRIBUTION.** The \$40,000 appropriated for the  
3 purpose of providing grants to assist institutions under the control of the state board of higher  
4 education with the cost of interpreters and real-time captioning for students who are deaf or  
5 hard of hearing in subdivision 3 of section 1 of chapter 38 of the 2019 Session Laws and any  
6 funding continued for this purpose from prior bienniums is not subject to section 54-44.1-11. Any  
7 funds remaining must be distributed pursuant to the provisions of this section:

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

23       **SECTION 20. AMENDMENT.** Section 15.1-02-02 of the North Dakota Century Code is  
24 amended and reenacted as follows:

25       **15.1-02-02. Salary.**

26       The annual salary of the superintendent of public instruction is one hundred  
27 ~~twenty-two~~twenty-seven thousand ~~eight~~seven hundred ~~ten~~sixty-eight dollars through June 30,  
28 ~~2020~~2022, and one hundred ~~twenty-five~~thirty thousand ~~eight~~three hundred ~~eighty~~twenty-three  
29 dollars thereafter.

30       **SECTION 21. AMENDMENT.** Section 15.1-02-16 of the North Dakota Century Code is  
31 amended and reenacted as follows:

1           **15.1-02-16. Superintendent of public instruction - Issuance of credentials to teachers**  
2 **and administrators.**

3           The superintendent of public instruction may adopt rules governing the issuance of:

- 4           1.    Credentials for teachers of driver's education;
- 5           2.    Credentials for teachers of early childhood special education;
- 6           3.    Credentials for elementary school principals;
- 7           4.    Credentials for teachers of students who are emotionally disturbed;
- 8           5.    Credentials for teachers of students who are gifted and talented;
- 9           6.    Credentials for secondary school principals;
- 10          7.    Credentials for library media;
- 11          8.    Credentials for teachers of title I;
- 12          9.    Credentials for teachers of students who have intellectual disabilities;
- 13          10.   Credentials for teachers of students who are physically disabled;
- 14          11.   Credentials for coordinators of programs for students with limited English proficiency;
- 15          12.   Credentials for school counselors;
- 16          13.   Credentials for special education directors;
- 17          14.   Credentials for special education strategists;
- 18          15.   Credentials for teachers of students who have specific learning disabilities;
- 19          16.   Credentials for superintendents;
- 20          17.   Credentials for teachers of students who have vision impairments;
- 21          18.   Credentials for teachers of students who are deaf or hard of hearing;
- 22          19.   Credentials for teachers of computer and cyber science; ~~and~~
- 23          20.   Certificate of completion for paraprofessionals; and
- 24          21.   Certificate of completion for school health technicians.

25           **SECTION 22. AMENDMENT.** Section 15.1-27-16 of the North Dakota Century Code is  
26 amended and reenacted as follows:

27           **15.1-27-16. Per student payments - Administrative cost-sharing - Cooperating**  
28 **districts and special education units.**

- 29           1.    If any school district receiving payments under this chapter cooperates with another  
30           school district for the joint provision of educational services under a plan approved by  
31           the superintendent of public instruction, the superintendent of public instruction shall,

1           notwithstanding the provisions of section 15.1-27-03.2, create and assign a separate  
2           weighting factor that allows the cooperating districts to receive, for a period of four  
3           years, a payment rate equivalent to that which each district would have received had  
4           the cooperative plan not taken effect. The superintendent of public instruction shall  
5           compute the separate weighting factor to four decimal places and that weighting factor  
6           is effective for the duration of the cooperative plan.

7           2. A school district that is cooperating with another school district under a cooperative  
8           plan approved by the superintendent of public instruction, and which has taxable  
9           property located in the same city as the other school district under the cooperative  
10          plan, may not be required as part of the cooperative plan to:

11          a. Provide unduplicated grade level services; or

12          b. Share administrative personnel.

13          3. If any school district receiving payments under this chapter or any special education  
14          unit cooperates with another school district or special education unit to jointly employ  
15          both a superintendent and a business manager or to jointly employ both a special  
16          education unit director and a business manager, the superintendent of public  
17          instruction shall provide partial reimbursement of the combined salaries of the  
18          superintendent and the business manager or partial reimbursement of the combined  
19          salaries of the special education unit director and the business manager as follows:

20          a. If the combined salaries exceed three hundred thousand dollars, the amount of  
21          the reimbursement must be calculated based upon three hundred thousand  
22          dollars. Each cooperating school district or special education unit shall receive a  
23          prorated share of the reimbursement percentages listed below based on the  
24          percentage of full-time equivalency that the superintendent and business  
25          manager or the special education unit director and business manager are  
26          employed by each district or special education unit. The percentage of  
27          reimbursement for the combined salaries of the jointly hired superintendent and  
28          business manager or of the jointly hired special education unit director and  
29          business manager must be as follows:

30          (1) If two schools or special education units are cooperating, ten percent of the  
31          combined salaries;

- 1                   (2) If three schools or special education units are cooperating, fifteen percent of  
2                   the combined salaries;
- 3                   (3) If four schools or special education units are cooperating, twenty percent of  
4                   the combined salaries; and
- 5                   (4) If five or more schools or special education units are cooperating,  
6                   twenty-five percent of the combined salaries.
- 7                   b. To be eligible for reimbursement under this subsection, the cooperating school  
8                   districts or special education units must:
- 9                   (1) Have been approved by the superintendent of public instruction and have  
10                   implemented their administrative cost-sharing program after June 30, 2022;  
11                   and
- 12                   (2) Submit the salaries of the superintendent and business manager or the  
13                   salaries of the special education unit director and business manager to the  
14                   superintendent of public instruction by June first of each year.

15                   **SECTION 23. LEGISLATIVE MANAGEMENT STUDY - SCHOOL CONSTRUCTION**

16 **FUNDING.** During the 2021-22 interim, the legislative management shall consider studying the  
17 feasibility and desirability of using up to 1 percent of common schools trust fund assets annually  
18 for school construction grants. The legislative management shall report its findings and  
19 recommendations, together with any legislation necessary to implement the recommendations,  
20 to the sixty-eighth legislative assembly.

21                   **SECTION 24. LEARNING LOSS, ACCELERATED LEARNING RECOVERY, AND**  
22 **ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF FUND - REPORT TO**  
23 **LEGISLATIVE MANAGEMENT.** School districts receiving funds from the elementary and

24 secondary school emergency relief fund shall provide two narrative summary reports to the  
25 superintendent of public instruction, including information regarding learning losses of students  
26 identified within the district, including subgroup gaps; school district plans to accelerate learning  
27 recovery for all students, including closing subgroup gaps; uses of elementary and secondary  
28 school emergency relief funds, including the percentage of those funds expended in categories  
29 determined by the superintendent of public instruction; and the impact elementary and  
30 secondary school emergency relief fund expenditures had on accelerating the learning recovery  
31 for the districts' students. The first school district report must be submitted to the superintendent

1 of public instruction by December 1, 2021. An aggregated report must be presented by the  
2 superintendent of public instruction to the legislative management by June 1, 2022. The second  
3 school district report must be submitted to the superintendent of public instruction by  
4 December 1, 2022. An aggregated report must be presented by the superintendent of public  
5 instruction to the sixty-eighth legislative assembly.

6 **SECTION 25. EXPIRATION DATE.** Section 22 of this Act is effective through June 30,  
7 2024, and after that date is ineffective.

8 **SECTION 26. EMERGENCY.** Federal funding provided through the American Rescue Plan  
9 Act of 2021, totaling \$305,266,879 appropriated in subdivision 1 of section 1 of this Act is  
10 declared to be an emergency measure.