

**FIRST ENGROSSMENT
with Conference Committee 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,
4 15.1-06-19, and 15.1-27-16 of the North Dakota Century Code, relating to the salary of the
5 superintendent of public instruction, credentialing, school counselors, and administrative cost-
6 sharing for cooperating districts; to provide for a transfer; to provide an exemption; to provide for
7 a legislative management study; to provide for reports; to provide an expiration date; and to
8 declare an emergency.

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

10 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
11 as may be necessary, are appropriated out of any moneys in the general fund in the state
12 treasury, not otherwise appropriated, and from special funds derived from federal funds and
13 other income, to the department of public instruction, the state library, the school for the deaf,
14 and North Dakota vision services - school for the blind for the purpose of defraying the
15 expenses of those agencies, for the biennium beginning July 1, 2021, and ending June 30,
16 2023, as follows:

Subdivision 1.

DEPARTMENT OF PUBLIC INSTRUCTION

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
21 Salaries and wages	\$18,027,035	(\$172,288)	\$17,854,747
22 Operating expenses	33,770,947	(472,798)	33,298,149
23 Integrated formula payments	2,098,202,429	33,622,571	2,131,825,000
24 Grants - special education	24,000,000	3,000,000	27,000,000

Sixty-seventh
Legislative Assembly

1	Grants - transportation	56,500,000	1,600,000	58,100,000
2	Grants - other grants	287,062,705	25,926,188	312,988,893
3	Grants - program grants	7,680,000	(7,680,000)	0
4	Grants - passthrough grants	2,863,764	(2,863,764)	0
5	Grants - program and passthrough	0	23,887,064	23,887,064
6	PowerSchool	5,500,000	(250,000)	5,250,000
7	National board certification	<u>108,000</u>	<u>68,290</u>	<u>176,290</u>
8	Total all funds	\$2,533,714,880	\$76,665,263	\$2,610,380,143
9	Less estimated income	<u>812,553,743</u>	<u>139,429,527</u>	<u>951,983,270</u>
10	Total general fund	\$1,721,161,137	(\$62,764,264)	\$1,658,396,873
11	Full-time equivalent positions	89.25	(3.00)	86.25

12 Subdivision 2.

13 STATE LIBRARY

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

23 Subdivision 3.

24 SCHOOL FOR THE DEAF

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

Sixty-seventh
Legislative Assembly

1	Less estimated income	<u>2,430,358</u>	<u>1,079,170</u>	<u>3,509,528</u>
2	Total general fund	\$7,528,850	(\$122,294)	\$7,406,556
3	Full-time equivalent positions	44.61	0.00	44.61
4	Subdivision 4.			
5	NORTH DAKOTA VISION SERVICES - SCHOOL FOR THE BLIND			
6			Adjustments or	
7		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
8	Salaries and wages	\$4,935,291	\$56,903	\$4,992,194
9	Operating expenses	795,821	29,850	825,671
10	Capital assets	<u>39,192</u>	<u>381,500</u>	<u>420,692</u>
11	Total all funds	\$5,770,304	\$468,253	\$6,238,557
12	Less estimated income	<u>1,052,315</u>	<u>424,363</u>	<u>1,476,678</u>
13	Total general fund	\$4,717,989	\$43,890	\$4,761,879
14	Full-time equivalent positions	27.90	(0.15)	27.75

15 Subdivision 5.

16 TOTAL - SECTION 1

17			Adjustments or	
18		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
19	Grand total general fund	\$1,739,189,395	(\$62,792,366)	\$1,676,397,029
20	Grand total special funds	<u>818,410,777</u>	<u>140,923,116</u>	<u>959,333,893</u>
21	Grand total all funds	\$2,557,600,172	\$78,130,750	\$2,635,730,922

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

26	<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
27	Department of public instruction		
28	Science experiments grant	\$0	\$13,500,000
29	Regional education association grants	0	250,000
30	State automated reporting system maintenance	0	200,000
31	Rapid enrollment grants	3,000,000	0

Sixty-seventh
Legislative Assembly

1	State automated reporting system rewrite	1,200,000	0
2	Music education grants	800,000	0
3	State school aid formula rewrite	<u>200,000</u>	<u>0</u>
4	Total department of public instruction -	\$5,200,000	\$13,950,000
5	all funds		
6	Total department of public instruction -	<u>5,000,000</u>	<u>13,750,000</u>
7	estimated income		
8	Total department of public instruction -	\$200,000	\$200,000
9	general fund		
10	School for the deaf		
11	Extraordinary repairs	\$250,000	\$0
12	Campus server upgrade	0	7,500
13	Operating expenses	0	21,500
14	Equipment	20,000	40,000
15	Boiler and resource center projects	<u>0</u>	<u>650,000</u>
16	Total school for the deaf - estimated income	\$270,000	\$719,000
17	North Dakota vision services - school for the blind		
18	South wing restroom remodel	\$120,000	\$0
19	Gymnasium floor replacement	42,000	0
20	West wing roof repair	39,000	0
21	Daily living skills area remodel	25,000	0
22	Adaptive technology equipment	20,000	0
23	Other repairs	18,500	0
24	Garage door replacement	16,000	0
25	Vision screening devices	0	11,500
26	Replace flooring	0	10,000
27	Replace south wing air conditioning	0	40,000
28	Repair sidewalk, roof, and parking lot	0	24,000
29	Replace doors and key system	0	45,000
30	Heating, ventilation, and air conditioning upgrades	0	86,000
31	Install LED lighting	0	33,000

Sixty-seventh
Legislative Assembly

1	South wing electrical service	<u>0</u>	<u>165,000</u>
2	Total school for the blind - estimated income	\$280,500	\$414,500
3	Grand total - all funds	\$5,750,500	\$15,083,500
4	Grand total - estimated income	<u>5,550,500</u>	<u>14,883,500</u>
5	Grand total - general fund	\$200,000	\$200,000

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

11 **SECTION 3. APPROPRIATION - TUITION APPORTIONMENT.** The sum of \$433,020,000,
12 included in the integrated formula payments line item in subdivision 1 of section 1 of this Act, is
13 from the state tuition fund in the state treasury. Any additional amount in the state tuition fund
14 that becomes available for distribution to public schools is appropriated to the department of
15 public instruction for that purpose for the biennium beginning July 1, 2021, and ending June 30,
16 2023.

17 **SECTION 4. ESTIMATED INCOME - FOUNDATION AID STABILIZATION FUND.** The
18 estimated income line item in subdivision 1 of section 1 of this Act includes the sum of
19 \$143,454,500 from the foundation aid stabilization fund for integrated formula payments.

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

28 **SECTION 6. GIFTED AND TALENTED PROGRAM.** The sum of \$800,000, included in the
29 integrated formula payments line item in subdivision 1 of section 1 of this Act, must be
30 distributed to reimburse school districts or special education units for gifted and talented
31 programs upon the submission of an application that is approved in accordance with guidelines

1 adopted by the superintendent of public instruction. The superintendent of public instruction
2 shall encourage cooperative efforts for gifted and talented programs among school districts and
3 special education units.

4 **SECTION 7. MEDICAID MATCHING FUNDING - SCHOOL APPROVAL - WITHHOLDING**
5 **AND DISTRIBUTION.**

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

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

- 17 1. During each year of the 2021-23 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 eleven cents per mile for schoolbuses having a capacity of ten or
22 more passengers;
- 23 b. Fifty-two cents per mile for vehicles having a capacity of nine or fewer
24 passengers;
- 25 c. Fifty 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 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 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. This section does not authorize the reimbursement of any costs incurred in providing
- 16 transportation for student attendance at extracurricular activities or events.

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

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

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

1 2021. Regional education associations that merge during the 2021-23 biennium are entitled to
2 the annual grants that would have been paid to each of the member associations.

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

18 **SECTION 12. USE OF NEW MONEY - NONADMINISTRATIVE PERSONNEL**
19 **COMPENSATION INCREASES - REPORT TO LEGISLATIVE MANAGEMENT.**

20 1. During the 2021-23 biennium, the board of each school district shall use an amount
21 equal to at least seventy percent of all new money received by the district, resulting
22 from increases in the base integrated formula payment rate, to increase the
23 compensation paid to non-administrative personnel.

24 2. For purposes of this section, the superintendent of public instruction shall provide
25 guidance to school districts regarding the calculation of the amount of new money
26 resulting from increases in the base integrated formula payment rate during the
27 2021-23 biennium.

28 **SECTION 13. EXEMPTION - GENERAL EDUCATIONAL DEVELOPMENT FEES AND**
29 **DISPLACED HOMEMAKER DEPOSITS.** Notwithstanding section 54-44.1-15, the department
30 of public instruction may deposit indirect cost recoveries in its operating account. In addition,
31 any moneys collected by the department of public instruction for general educational

1 development fees and displaced homemakers deposits must be deposited in the public
2 instruction fund in the state treasury. Any funds deposited in the public instruction fund may only
3 be spent subject to appropriation by the legislative assembly.

4 **SECTION 14. EXEMPTION - TRANSFER - PUBLIC INSTRUCTION FUND.**

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

12 **SECTION 15. EXEMPTION - DYSLEXIA SCREENING PILOT PROGRAM.**

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

18 **SECTION 16. EXEMPTION - STATE AUTOMATED REPORTING SYSTEM REWRITE.** Up
19 to \$600,000 of the unexpended amount remaining from the one-time appropriation from the
20 foundation aid stabilization fund for the state automated reporting system rewrite, as authorized
21 in subdivision 1 of section 1 of chapter 38 of the 2019 Session Laws, is not subject to the
22 provisions of section 54-44.1-11 at the end of the 2019-21 biennium, and may be continued into
23 the 2021-23 biennium for the purpose of continuing the state automated reporting system
24 rewrite.

25 **SECTION 17. STATE AID TO PUBLIC LIBRARIES.** The grants line item in subdivision 2 of
26 section 1 of this Act includes \$1,737,582 for aid to public libraries, of which no more than
27 one-half may be expended during the fiscal year ending June 30, 2022.

28 **SECTION 18. EXEMPTION - SCHOOL FOR THE DEAF - HIGHER EDUCATION**

29 **INTERPRETER GRANT PROGRAM DISTRIBUTION.** The \$40,000 appropriated for the
30 purpose of providing grants to assist institutions under the control of the state board of higher
31 education with the cost of interpreters and real-time captioning for students who are deaf or

1 hard of hearing in subdivision 3 of section 1 of chapter 38 of the 2019 Session Laws and any
2 funding continued for this purpose from prior bienniums is not subject to section 54-44.1-11. Any
3 funds remaining must be distributed pursuant to the provisions of this section:

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

19 **SECTION 19. AMENDMENT.** Section 15.1-02-02 of the North Dakota Century Code is
20 amended and reenacted as follows:

21 **15.1-02-02. Salary.**

22 The annual salary of the superintendent of public instruction is one hundred
23 ~~twenty-two~~twenty-seven thousand ~~eight~~seven hundred ~~ten~~sixty-eight dollars through June 30,
24 ~~2020~~2022, and one hundred ~~twenty-five~~thirty thousand ~~eight~~three hundred ~~eighty~~twenty-three
25 dollars thereafter.

26 **SECTION 20. AMENDMENT.** Section 15.1-02-16 of the North Dakota Century Code is
27 amended and reenacted as follows:

28 **15.1-02-16. Superintendent of public instruction - Issuance of credentials to teachers**
29 **and administrators.**

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

- 31 1. Credentials for teachers of driver's education;

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

21 **SECTION 21. AMENDMENT.** Section 15.1-06-19 of the North Dakota Century Code is
22 amended and reenacted as follows:

23 **15.1-06-19. Counselor positions - Requirement.**

- 24 1. Beginning with the 2010-11 school year, each school district must have available one
25 full-time equivalent school counselor for every three hundred students in grades seven
26 through twelve.
- 27 2. Beginning with the 2022-23 school year, each school district must have available one
28 full-time equivalent school counselor for every three hundred students in grades
29 kindergarten through six.
- 30 ~~2-3.~~ Up to one-third of the full-time equivalency requirement established in subsection 1
31 may be met by career advisors.

1 ~~3.4.~~ For purposes of this section, a "career advisor" means an individual who holds a
2 certificate in career development facilitation issued by the department of career and
3 technical education under section 15-20.1-24 or an individual who is provisionally
4 approved by the department of career and technical education under section
5 15-20.1-25 to serve as a career advisor.

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

8 **15.1-27-16. Per student payments - Administrative cost-sharing - Cooperating**
9 **districts and special education units.**

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

1 a. If the combined salaries exceed three hundred thousand dollars, the amount of
2 the reimbursement must be calculated based upon three hundred thousand
3 dollars. Each cooperating school district or special education unit shall receive a
4 prorated share of the reimbursement percentages listed below based on the
5 percentage of full-time equivalency that the superintendent and business
6 manager or the special education unit director and business manager are
7 employed by each district or special education unit. The percentage of
8 reimbursement for the combined salaries of the jointly hired superintendent and
9 business manager or of the jointly hired special education unit director and
10 business manager must be as follows:

- 11 (1) If two schools or special education units are cooperating, ten percent of the
12 combined salaries;
13 (2) If three schools or special education units are cooperating, fifteen percent of
14 the combined salaries;
15 (3) If four schools or special education units are cooperating, twenty percent of
16 the combined salaries; and
17 (4) If five or more schools or special education units are cooperating,
18 twenty-five percent of the combined salaries.

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

- 21 (1) Have been approved by the superintendent of public instruction and have
22 implemented their administrative cost-sharing program after June 30, 2022;
23 and
24 (2) Submit the salaries of the superintendent and business manager or the
25 salaries of the special education unit director and business manager to the
26 superintendent of public instruction by June first of each year.

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

28 **FUNDING.** During the 2021-22 interim, the legislative management shall consider studying the
29 feasibility and desirability of using up to 1 percent of common schools trust fund assets annually
30 for school construction grants. The legislative management shall report its findings and

1 recommendations, together with any legislation necessary to implement the recommendations,
2 to the sixty-eighth legislative assembly.

3 **SECTION 24. LEARNING LOSS, ACCELERATED LEARNING RECOVERY, AND**
4 **ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF FUND - REPORT TO**

5 **LEGISLATIVE MANAGEMENT.** School districts receiving funds from the elementary and
6 secondary school emergency relief fund shall provide two narrative summary reports to the
7 superintendent of public instruction, including information regarding learning losses of students
8 identified within the district, including subgroup gaps; school district plans to accelerate learning
9 recovery for all students, including closing subgroup gaps; uses of elementary and secondary
10 school emergency relief funds, including the percentage of those funds expended in categories
11 determined by the superintendent of public instruction; and the impact elementary and
12 secondary school emergency relief fund expenditures had on accelerating the learning recovery
13 for the districts' students. The first school district report must be submitted to the superintendent
14 of public instruction by December 1, 2021. An aggregated report must be presented by the
15 superintendent of public instruction to the legislative management by June 1, 2022. The second
16 school district report must be submitted to the superintendent of public instruction by
17 December 1, 2022. An aggregated report must be presented by the superintendent of public
18 instruction to the sixty-eighth legislative assembly.

19 **SECTION 25. EXPIRATION DATE.** Section 22 of this Act is effective through June 30,
20 2024, and after that date is ineffective.

21 **SECTION 26. EMERGENCY.** The \$12,000,000 appropriated from the federal coronavirus
22 relief fund, of which \$6,565,432 is in the operating expenses line item and \$5,434,568 is in the
23 grants line item in section 1 and identified in sections 2 and 8 of Senate Bill No. 2018, as
24 approved by the sixty-seventh legislative assembly, and the \$100,000 appropriated from the
25 general fund for a motion picture production and recruitment grant in the grants line item in
26 section 1 and identified in section 2 of Senate Bill No. 2018, as approved by the sixty-seventh
27 legislative assembly, are declared to be an emergency measure.

28 **SECTION 27. EMERGENCY.** Senate Bill No. 2317, as approved by the sixty-seventh
29 legislative assembly, is declared to be an emergency measure.