

**Sixty-eighth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2023**

SENATE BILL NO. 2380  
(Senator Davison)

AN ACT to amend and reenact section 15.1-27-16 of the North Dakota Century Code, relating to administrative cost-sharing for cooperating districts and special education units; and to provide an appropriation.

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

**SECTION 1. AMENDMENT.** Section 15.1-27-16 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-27-16. Per student payments - Administrative cost-sharing - Cooperating districts and special education units. (Effective through June 30, 20242026)**

1. If any school district receiving payments under this chapter cooperates with another school district for the joint provision of educational services under a plan approved by the superintendent of public instruction, the superintendent of public instruction shall, notwithstanding the provisions of section 15.1-27-03.2, create and assign a separate weighting factor that allows the cooperating districts to receive, for a period of four years, a payment rate equivalent to that which each district would have received had the cooperative plan not taken effect. The superintendent of public instruction shall compute the separate weighting factor to four decimal places and that weighting factor is effective for the duration of the cooperative plan.
2. A school district that is cooperating with another school district under a cooperative plan approved by the superintendent of public instruction, and which has taxable property located in the same city as the other school district under the cooperative plan, may not be required as part of the cooperative plan to:
  - a. Provide unduplicated grade level services; or
  - b. Share administrative personnel.
3. If any school district in the state receiving payments under this chapter or any special education unit in the state cooperates with another school district or special education unit to jointly employ or contract with ~~both~~ a superintendent and/or a school district business manager, or both, or to jointly employ or contract with ~~both~~ a special education unit director and/or a special education unit business manager, or both, the superintendent of public instruction shall provide partial reimbursement of the ~~combined salaries~~ salary of the superintendent and/or the school district business manager, or both, or partial reimbursement of the ~~combined salaries~~ salary of the special education unit director and/or the special education unit business manager, or both, as follows:
  - a. If the ~~combined salaries exceed three~~ salary exceeds two hundred thousand dollars, the amount of the reimbursement must be calculated based upon ~~three~~ two hundred thousand dollars. Each cooperating school district or special education unit shall receive a prorated share of the reimbursement percentages listed below each year for four years. The prorated reimbursement is based on the percentage of full-time equivalency that the superintendent and/or school district business manager, or both, or the special education unit director and/or special education unit business manager, or both, are employed or contracted by each district or special education unit. The percentage of reimbursement for the combined salaries salary of the jointly hired superintendent and/or school district

business manager, or both, or of the jointly hired special education unit director and/or special education unit business manager, or both, must be as follows:

- (1) If two schools or special education units are cooperating, ten percent of the ~~combined salariessalary~~;
  - (2) If three schools or special education units are cooperating, fifteen percent of the ~~combined salariessalary~~;
  - (3) If four schools or special education units are cooperating, twenty percent of the ~~combined salariessalary~~; and
  - (4) If five or more schools or special education units are cooperating, twenty-five percent of the ~~combined salariessalary~~.
- b. To be eligible for reimbursement under this subsection, the cooperating school districts or special education units must:
- (1) Have been approved by the superintendent of public instruction and have implemented their administrative cost-sharing program after June 30, 2022; and
  - (2) Submit the ~~salariessalary~~ of the superintendent and/or school district business manager, or both, or the ~~salariessalary~~ of the special education unit director and/or special education unit business manager, or both, to the superintendent of public instruction by June first of each year.

**Per student payments - Cooperating districts. (Effective after June 30, ~~2024~~2026)**

1. If any school district receiving payments under this chapter cooperates with another school district for the joint provision of educational services under a plan approved by the superintendent of public instruction, the superintendent of public instruction shall, notwithstanding the provisions of section 15.1-27-03.2, create and assign a separate weighting factor that allows the cooperating districts to receive, for a period of four years, a payment rate equivalent to that which each district would have received had the cooperative plan not taken effect. The superintendent of public instruction shall compute the separate weighting factor to four decimal places and that weighting factor is effective for the duration of the cooperative plan.
2. A school district that is cooperating with another school district under a cooperative plan approved by the superintendent of public instruction, and which has taxable property located in the same city as the other school district under the cooperative plan, may not be required as part of the cooperative plan to:
  - a. Provide unduplicated grade level services; or
  - b. Share administrative personnel.

**SECTION 2. APPROPRIATION - DEPARTMENT OF PUBLIC INSTRUCTION - COOPERATING SCHOOL DISTRICT AND SPECIAL EDUCATION UNIT ADMINISTRATIVE COST-SHARING REIMBURSEMENT PROGRAM.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$125,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing administrative cost-sharing reimbursements to eligible cooperating school districts and special education units in the state, for the biennium beginning July 1, 2023, and ending June 30, 2025.

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President of the Senate

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Speaker of the House

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Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2380.

Senate Vote:    Yeas 45            Nays 0            Absent 2

House Vote:    Yeas 90            Nays 0            Absent 4

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Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2023.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2023,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

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Secretary of State