

SUMMARIES OF BILLS AFFECTING ELEMENTARY & SECONDARY EDUCATION

[HB 1013](#)

(Bill Included)

Subject Matter:

DPI Budget (§15.1-02-02; §15.1-29-14(6))

Bill Summary:

This bill provides an appropriation for the Department of Public Instruction, School for the Deaf, Vision Services/School for the Blind and the State Library. Numerous sections of legislative Intent language is included.

[HB 1022](#)

Subject Matter:

Teachers Fund for Retirement

Bill Summary:

This bill is related to the teachers' fund for retirement employer contributions. It increases employers side of TFFR from 8.25 to 8.75 percent (.50 increase). This is for the second year of the biennium (2010-2011).

[HB 1044](#)

Subject Matter:

Transition-aged youth at risk (Ch. 50-06)

Bill Summary:

Relates to the development of a program for services to transition-aged youth at risk. The Department of Human Services will develop an interagency advisory council on transition-aged youth at risk. Services will include individual assessments, coordinated services utilizing a single plan of care, independent living skills, enhanced or extended vocational rehabilitation, in-home supports. The bill also provides for the development of a statewide independent living skills curriculum.

[HB 1078](#)

Subject Matter:

Acquisition of instructional materials in alternate formats (Ch 25-06-02; Ch 25-06-01; §25-06-01.1)

Bill Summary:

Provides funding for ND Vision Services/School for the Blind to serve as the authorized user for the National Instructional Materials Accessibility Standard (NIMAS). The NDVS/SB will facilitate access to and conversion of accessible instructional materials in alternate formats for students with print disabilities in addition to students who are blind or visually impaired. This bill, prepared in response to new federal requirements, is intended to maximize access to the general education curriculum for students with certain disabilities.

[HB 1171](#)

Subject Matter:

Home Education (§15.1-23-01,-03,-06,-17)

Bill Summary:

This bill allows parents with a GED to home educate their children without being monitored. If the parent has less than a GED monitoring will still need to take place.

[HB 1273](#)

Subject Matter:

Postsecondary Options Program (§15.1-25-01)

Bill Summary:

This bill allows any ND student enrolled in grade ten, in a public high school, to be eligible to receive dual credit upon agreement of the local school and parent.

[HB 1304](#)

Subject Matter:

Allocation of Oil and Gas Production Taxes (Ch 57-51-15)

Bill Summary:

This bill changes the allocation of Oil and Gas Gross Production tax revenues. The population based caps on the county distribution were removed and the new top tier was extended to 10% county, 90% state indefinitely. Up to \$4.6 million is earmarked for the county to distribute among counties, cities and school districts with the excess going into the county infrastructure fund. School districts can apply for county infrastructure funds for the repair or replacement of school district vehicles damaged due to travel on oil or gas development impacted roads.

[HB 1309](#)

Subject Matter:

Educational Opportunities for Military Children

Bill Summary:

This bill allows the legislative council to study the Interstate Compact on Educational Opportunity for Military Children and whether or not North Dakota should become a participating member of the compact. The study shall include the administration, enforcement, cost, impact on schools, and children of military and civilian families.

[HB 1360](#)

Subject Matter:

Regional Education Association Employees (§15.1-09.1; §15-39.1-04(11); §15-39.1-23; §65-01-02(11); Ch 65-04-04)

Bill Summary:

This bill states that any individual employed by the board of a regional education association has the same statutory rights as those accorded to an individual employed by a public school district for the same purpose.

[HB 1378](#)

Subject Matter:

Age of Admission to School (§15.1-06-01; §15.1-22-02)

Bill Summary:

This bill states that a child may not enroll in grade one unless the child reaches the age of six before August first of the year of enrollment; The child may not enroll in kindergarten unless the child reaches the age of five before August first of the year of enrollment: and The child has not reached the age of twenty-one before August first of the year of enrollment.

[HB 1399](#)

Subject Matter:

(Bill Included)

American Indian Bilingual Education Grants

Bill Summary:

This legislation provides for a state committee under the Indian Affairs Commission to develop procedures to preserve the Native American languages in North Dakota.

HB 1400

Subject Matter:

Bill Summary:

(Bill Included)

State School Funding Bill (Title 15.1)

HB 1400 is the public school district funding and policy plan incorporating the recommendations from the ND Commission on Education Improvement. The bill is designed to improve student performance by focusing on student performance strategies, professional development, curriculum, assessments and data based decision making.

HB 1435

Subject Matter:

Bill Summary:

Declaration of Independence (§15.1-21-02.2)

This bill states that as part of the high school course requirements, each student will read the Declaration of Independence and the US Constitution.

HB 1463

Subject Matter:

Bill Summary:

State Youth Council (Ch. 54-07)

This bill will create and enact 5 new sections relating to the creation of a state youth council; to provide for a report to the legislative council; and to provide an expiration date.

HB 1556

Subject Matter:

Bill Summary:

Developmental Disability Providers

This legislation directs the Department of Human Services to study the methodology and calculations for the rate setting structure used for reimbursing licensed developmental disability (ICF/MR) and home and community-based services providers for medically fragile and behaviorally challenged individuals. The study will address reimbursement adequacy, equitability and fairness among the various providers, and the level of medical and supportive services required to serve these individuals.

SB 2021

Subject Matter:

Bill Summary:

ITD Expenses (§15.1-02-18)

The state general fund will provide EduTech and ITD \$2,048,954 to pay for staff and some new hardware/software to support PowerSchool statewide. The Legislature did not fund the full cost of PowerSchool so EduTech and ITD will also bill schools \$12 per student per year to cover all the PowerSchool licensing and hosting costs. An increase from the general fund will pay for increased bandwidth for each high school district. Bandwidth will increase to 10Mbs compared to the current 1.5Mbs. All EduTech staff (including new PowerSchool staff) will become ITD employees effective July 1. The Statewide Longitudinal Data System will allow for collection and analysis of long-term data derived from multiple state agency data systems, including DPI, NDUS, Commerce, Job Service, and others. The 2009-11 budget will be \$2.4 million to begin development of the SLDS. Of those funds, \$2.2 million will have to be secured from federal stimulus monies. If those dollars are not secured, general fund dollars are available in a contingency fund for

the project. The ND Educational Technology Council budget for 2009-11 was funded from the state general fund at its current level of \$975,000 (plus salary increases). The ND Center for Distance Education will have a general fund budget of \$1.2 million

SB 2064

Subject Matter:

Bill Summary:

(§54-06-09)

Mileage Expense

The Director of the Office of Management and Budget shall adopt rules establishing mileage reimbursement for actual and necessary travel in the performance of official duty when the travel is by motor vehicle, the use of which is required by the employing entity. The Director shall amend the rules when necessary to set reimbursement at the same rate as established by the United States General Services Administration for privately owned vehicles.

SB 2174

Subject Matter:

Bill Summary:

Children with Autism Spectrum Disorder (§23-09.4-01,-02,-03,-04,-05,-06,-08)

This legislation creates an autism spectrum disorder (ASD) task force with designated membership. The purpose of the task force is to examine early intervention services, family support services that would enable an individual with autism spectrum disorder to remain in the least restrictive home-based or community setting, programs transitioning an individual with ASD from a school-based setting to adult day programs and workforce development programs, the cost of providing services, and the nature and extent of federal resources that can be directed to the provision of services for individuals with ASD. The task force is also charged with developing a state plan for autism spectrum disorder. The legislation also changes the state definition from “autism” to “autism spectrum disorder.”

SB 2199

Subject Matter:

Bill Summary:

(Bill Included)

Property Tax Levies of School Districts (§57-15-01.1(3); §57-15-14.31; Ch 57-38-30; §57-38-30.3(1); §15.1-27-20-1; Ch 57-64)

SB 2199 creates a property tax relief sustainability fund, provides for the allocation of state funds to school districts for mill levy reduction grants, and provides provisions for property tax levies of school districts, corporate income tax rates, and income taxes rates for individuals.

SB 2212

Subject Matter:

Bill Summary:

English Language Learners (§15.1-38-02)

This legislation requires the Department of Public Instruction to establish caseload criteria for English Language Learner teachers and provide a grant of \$40,000 for one Regional Education Association.

SB 2217

Subject Matter:

Bill Summary:

Compulsory School Attendance (§15.1-20-03)

This bill charges teachers and administrators with the enforcement of compulsory school attendance provisions:

- Applicable to any child offered school facilities by a school district
- The teacher will notify the administrator if a child is not in attendance
- The administrator shall initiate an investigation into the cause of the absence
- Any person failing to ensure that a child is in attendance is guilty of an infraction for a first offense and is guilty of a class B misdemeanor for a second or subsequent offense
- If the court determines that the affirmative defense is valid, the court shall dismiss the complaint against the person

In addition this bill provides the superintendent of public instruction to appoint an advisory committee on truancy.

SB 2277

Subject Matter:

Supplemental Retiree Benefits (Ch. 15-39.1)

Bill Summary:

This bill provides for a supplemental payment from the teachers' fund for retirement to any individual who retired before January 1, 2009, and is receiving monthly benefits from the fund. The payment will be made in December 2009 and may not exceed the greater of 10% of the member's annual annuity or \$750.00.

SB 2289

Subject Matter:

Corporal Punishment (§15.1-19-02)

Bill Summary:

A school board may not expand through policy the definition of corporal punishment beyond that provided in law. The board of each school district shall develop policies setting forth standards for student behavior and, procedures to be followed if the standards are not met, and guidelines detailing how all incidents are to be investigated. The board shall ensure that the policies, procedures, and guidelines applicable to all elementary, middle and high schools in the district are respectively identical.

SB 2333

Subject Matter:

Immunizations (Ch. 23-35.1)

Bill Summary:

This reorganization may affect where schools access public health services, but will streamline services as it relates to immunizations, school nursing services and related services.

SB 2353

Subject Matter:

State Employee Lodging Reimbursement (§44-08-04(2)(d))

Bill Summary:

The fourth quarter is from twelve midnight to six a.m. and the sum must be the actual lodging expense not to exceed an amount established by policy by the Director of the Office of Management and Budget.

The Director shall establish a policy to set the lodging expense at an amount not to exceed ninety percent of the rate established by the United States General Services Administration for lodging reimbursement in this state plus any additional applicable state or local taxes. A political

subdivision may reimburse an elective or appointive officer, employee, representative, or agent for actual lodging expenses.

SB 2355

Subject Matter:

Pilot Program for At Risk Students

Bill Summary:

The department of corrections and rehabilitation shall establish a pilot program in the south central judicial district for the purpose of providing short-term shelter, assessment, and intervention services for at-risk children and youth. The program must allow for the placement of at-risk children and youth in a short-term shelter program and provide professional assessment and family reunification services as an alternative to placement in foster care or group care. The department shall contract with a private nonprofit organization to provide the pilot program services. Additionally, the legislative council shall consider studying the statewide need for short-term shelter, assessment, and intervention services for at-risk children and youth across the state and the feasibility and desirability of using such services instead of foster or group care for short-term placements.

SB 2357

Subject Matter:

(Bill Included)

Bill Summary:

Discharge for Cause (§15.1-15-08)

This bill requires school boards to petition to have an administrative judge preside over a hearing if contemplating the discharge for cause of an individual employed as a teacher, principal, or as an assistant or associate superintendent. The law judge shall provide all evidence to the board of a school district and the board makes the final determination regarding the discharge.

SB 2401

Subject Matter:

Requirements for Plans, Specifications, and Bids for Public Improvements

Bill Summary:

This bill allows the legislative council to study public improvement an capital construction bid requirements, plans and specifications, and the employment of architects and engineers.

SB 2422

Subject Matter:

Purchasing and Procurement

Bill Summary:

This bill allows the legislative council to study provisions of the North Dakota Century Code governing the purchase and procurement of good and services by political subdivisions.

HCR3004

Subject Matter:

Indian Education

Bill Summary:

This resolution directs the Legislative Council to study Indian education issues.

[HCR3016](#)

Subject Matter:

Financial Literacy

Bill Summary:

This resolution urges all school districts to offer students a course in financial literacy.

[HCR3018](#)

Subject Matter:

North Dakota Close-Up Day

Bill Summary:

This resolution declared February 9, 2009 as North Dakota Close-Up Day.

[HCR3020](#)

Subject Matter:

North Dakota Council for the Studies

Bill Summary:

This resolution recognized the North Dakota Council for the Studies as the official voice of and organization for social studies teachers in this state.

[HCR3022](#)

Subject Matter:

Education Mandates

Bill Summary:

This resolution urges Congress not to enact any unfunded education mandates.

[HCR3054](#)

Subject Matter:

North Dakota Legacy Fund

Bill Summary:

This resolution relates to the establishment and use of a North Dakota legacy fund.

[HCR3061](#)

Subject Matter:

Indian Education

Bill Summary:

This resolution directs the Legislative Council to study the educational delivery to Indian students, ways to address the unique challenges of that effort, and the feasibility and desirability of utilizing contractual options for state-supported educational delivery.

[SCR4006](#)

Subject Matter:

Professional Development Opportunities

Bill Summary:

This resolution directs the Legislative Council to study professional development opportunities for teachers and the most effective and efficient methods of providing professional development opportunities.