

Sixty-sixth  
Legislative Assembly  
of North Dakota

ENGROSSED HOUSE BILL NO. 1429

Introduced by

Representatives Schreiber-Beck, D. Johnson, Pyle, Sanford

1 A BILL ~~for an Act to amend and reenact section 15-10-38 of the North Dakota Century Code,~~  
2 ~~relating to the administrative authority for the teacher shortage loan forgiveness program; and to~~  
3 ~~provide an exemption.~~ for an Act to create and enact a new section to chapter 15.1-02 of the  
4 North Dakota Century Code, relating to a teacher shortage loan forgiveness program  
5 administered by the superintendent of public instruction; to amend and reenact section  
6 15.1-02-04 of the North Dakota Century Code, relating to the duties of the superintendent of  
7 public instruction; to repeal section 15-10-38 of the North Dakota Century Code, relating to a  
8 teacher shortage loan forgiveness program administered by the state board of higher education;  
9 to provide for a transfer; to provide an exemption; to provide an effective date; and to provide an  
10 expiration date.

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

12 ~~— SECTION 1. AMENDMENT. Section 15-10-38 of the North Dakota Century Code is-~~  
13 ~~amended and reenacted as follows:~~

14 ~~— 15-10-38. Loans -- Teacher shortages -- Loan forgiveness.~~

15 ~~— 1. — The state board of higher educationsuperintendent of public instruction shall~~  
16 ~~administer a student loan forgiveness program for individuals teaching at grade levels,~~  
17 ~~in content areas, and in geographical locations identified as having a teacher shortage~~  
18 ~~or critical need. The boardsuperintendent may approve loan forgiveness for no more~~  
19 ~~than two teachers per year in a school district. The boardsuperintendent shall adopt~~  
20 ~~rules to implement the program.~~

21 ~~— 2. — The superintendent of public instruction annually shall identify grade levels, content~~  
22 ~~areas, and geographical locations in which a teacher shortage or critical need exists.~~

23 ~~— 3. — To be eligible for loan forgiveness under this section, an individual:~~

- 1 ~~\_\_\_\_\_ a. Must have graduated from an accredited teacher preparation program and~~  
2 ~~signed a contract to teach at a grade level or in a content area and in a~~  
3 ~~geographical location identified by the superintendent of public instruction as~~  
4 ~~having an existing teacher shortage or critical need; and~~  
5 ~~\_\_\_\_\_ b. Must have an existing student loan.~~  
6 ~~\_\_\_\_\_ 4. For purposes of this section, the definitions of rural school district and remote town~~  
7 ~~school district have the same meaning as the definitions under the national center for~~  
8 ~~education statistics locale codes.~~  
9 ~~\_\_\_\_\_ 5. If an individual is receiving loan forgiveness under any other provision, the individual~~  
10 ~~may not receive loan forgiveness under this section during the same application year.~~  
11 ~~\_\_\_\_\_ 6. An~~Subject to appropriation, an eligible individual may receive loan forgiveness under  
12 ~~the program as follows:~~  
13 ~~\_\_\_\_\_ a. If the individual accepts one of up to five positions of critical need in a nonrural~~  
14 ~~school district or nonremote town school district, the individual may receive up to~~  
15 ~~three thousand dollars per year for a maximum of four consecutive years.~~  
16 ~~\_\_\_\_\_ b. If the individual accepts a position in a rural school district or remote town school~~  
17 ~~district with an enrollment of fewer than one thousand students, the individual~~  
18 ~~may receive up to four thousand five hundred dollars per year for a maximum of~~  
19 ~~four consecutive years.~~  
20 ~~\_\_\_\_\_ c. If the individual accepts one of up to five positions of critical need in a rural~~  
21 ~~school district or remote town school district with an enrollment of fewer than one~~  
22 ~~thousand students, the individual may receive up to six thousand five hundred~~  
23 ~~dollars per year for a maximum of four consecutive years.~~  
24 ~~\_\_\_\_\_ 7. The superintendent of public instruction shall consider all applications under this~~  
25 ~~section based on the number of unfilled school vacancies, prioritized by critical need~~  
26 ~~and geographic location.~~  
27 ~~\_\_\_\_\_ 8. Upon notification the individual has completed a full year of teaching in a school~~  
28 ~~district, state-supported school, or nonpublic school in this state at a grade level or in a~~  
29 ~~content area and in a geographical location identified by the superintendent of public~~  
30 ~~instruction as one in which a teacher shortage or critical need exists, the~~  
31 ~~boardsuperintendent shall distribute funds directly to the lending institution of the~~

1 individual to repay outstanding loan principal balances on behalf of eligible applicants.

2 The board superintendent shall terminate loan forgiveness payments to eligible

3 individuals when the loan principal balance of the eligible individual is paid in full.

4 ~~SECTION 2. EXEMPTION -- TEACHER LOAN FORGIVENESS PROGRAM FUNDING.~~ The  
5 unexpended amount remaining from the appropriation for the teacher loan forgiveness program,  
6 as authorized in section 1 of chapter 28 of the 2017 Session Laws, is not subject to the  
7 provisions of section 54-44.1-11 at the end of the 2017-19 biennium, and may be continued into  
8 the 2019-21 biennium for the purpose of providing teacher loan forgiveness.

9 **SECTION 1. AMENDMENT.** Section 15.1-02-04 of the North Dakota Century Code is  
10 amended and reenacted as follows:

11 **15.1-02-04. Superintendent of public instruction - Duties.**

12 The superintendent of public instruction:

- 13 1. Shall supervise the provision of elementary and secondary education to the students  
14 of this state.
- 15 2. Shall supervise the establishment and maintenance of schools and provide advice and  
16 counsel regarding the welfare of the schools.
- 17 3. Shall supervise the development of course content standards.
- 18 4. Shall supervise the assessment of students.
- 19 5. Shall serve as an ex officio member of the board of university and school lands.
- 20 6. Shall keep a complete record of all official acts and appeals.
- 21 7. As appropriate, shall determine the outcome of appeals regarding education matters.
- 22 8. Shall direct school district annexation, reorganization, and dissolution and employ and  
23 compensate personnel necessary to enable the state board of public school education  
24 to carry out its powers and duties regarding school district annexation, reorganization,  
25 and dissolution.
- 26 9. Shall administer a student loan forgiveness program for individuals teaching at grade  
27 levels, in content areas, and in geographical locations identified as having a teacher  
28 shortage or critical need.

29 **SECTION 2. AMENDMENT.** Section 15.1-02-04 of the North Dakota Century Code is  
30 amended and reenacted as follows:

31 **15.1-02-04. Superintendent of public instruction - Duties.**

- 1 The superintendent of public instruction:
- 2 1. Shall supervise the provision of elementary and secondary education to the students  
3 of this state.
- 4 2. Shall supervise the establishment and maintenance of schools and provide advice and  
5 counsel regarding the welfare of the schools.
- 6 3. Shall supervise the development of course content standards.
- 7 4. Shall supervise the assessment of students.
- 8 5. Shall serve as an ex officio member of the board of university and school lands.
- 9 6. Shall keep a complete record of all official acts and appeals.
- 10 7. As appropriate, shall determine the outcome of appeals regarding education matters.
- 11 8. Shall direct school district annexation, reorganization, and dissolution and employ and  
12 compensate personnel necessary to enable the state board of public school education  
13 to carry out its powers and duties regarding school district annexation, reorganization,  
14 and dissolution.

15 ~~9. Shall administer a student loan forgiveness program for individuals teaching at grade-~~  
16 ~~levels, in content areas, and in geographical locations identified as having a teacher-~~  
17 ~~shortage or critical need.~~

18 **SECTION 3.** A new section to chapter 15.1-02 of the North Dakota Century Code is created  
19 and enacted as follows:

20 **Loans - Teacher shortages - Loan forgiveness.**

- 21 1. The superintendent of public instruction shall administer a student loan forgiveness  
22 program for individuals teaching at grade levels, in content areas, and in geographical  
23 locations identified as having a teacher shortage or critical need. The superintendent  
24 may approve loan forgiveness for no more than two teachers per year in a school  
25 district. The superintendent shall adopt rules to implement the program.
- 26 2. The superintendent annually shall identify grade levels, content areas, and  
27 geographical locations in which a teacher shortage or critical need exists.
- 28 3. To be eligible for loan forgiveness under this section, an individual:
- 29 a. Must have graduated from an accredited teacher preparation program and  
30 signed a contract to teach at a grade level or in a content area and in a

1 geographical location identified by the superintendent of public instruction as  
2 having an existing teacher shortage or critical need; and

3 b. Must have an existing student loan.

4 4. For purposes of this section, the definitions of rural school district and remote town  
5 school district have the same meaning as the definitions under the national center for  
6 education statistics locale codes.

7 5. If an individual is receiving loan forgiveness under any other provision, the individual  
8 may not receive loan forgiveness under this section during the same application year.

9 6. Subject to appropriation, an eligible individual may receive loan forgiveness under the  
10 program as follows:

11 a. If the individual accepts one of up to five positions of critical need in a nonrural  
12 school district or nonremote town school district, the individual may receive up to  
13 three thousand dollars per year for a maximum of four consecutive years.

14 b. If the individual accepts a position in a rural school district or remote town school  
15 district with an enrollment of fewer than one thousand students, the individual  
16 may receive up to four thousand five hundred dollars per year for a maximum of  
17 four consecutive years.

18 c. If the individual accepts one of up to five positions of critical need in a rural  
19 school district or remote town school district with an enrollment of fewer than one  
20 thousand students, the individual may receive up to six thousand five hundred  
21 dollars per year for a maximum of four consecutive years.

22 7. The superintendent shall consider all applications under this section based on the  
23 number of unfilled school vacancies, prioritized by critical need and geographic  
24 location.

25 8. Upon notification the individual has completed a full year of teaching in a school  
26 district, state-supported school, or nonpublic school in this state at a grade level or in a  
27 content area and in a geographical location identified by the superintendent as one in  
28 which a teacher shortage or critical need exists, the superintendent shall distribute  
29 funds directly to the lending institution of the individual to repay outstanding loan  
30 principal balances on behalf of eligible applicants. The superintendent shall terminate

1           loan forgiveness payments to eligible individuals if the loan principal balance of the  
2           eligible individual is paid in full.

3           9. The superintendent of public instruction shall administer the program only for eligible  
4           individuals receiving teacher loan forgiveness benefits for the 2018-19 school year.  
5           The superintendent of public instruction shall provide benefits under this program to  
6           eligible individuals until the individual has received the maximum benefit under this  
7           section or has become ineligible to receive benefits under the program.

8           **SECTION 4. REPEAL.** Section 15-10-38 of the North Dakota Century Code is repealed.

9           **SECTION 5. TRANSFER.** The commissioner of higher education shall transfer the funding  
10 continued into the 2019-21 biennium to the superintendent of public instruction to defray the  
11 expenses of the teacher loan forgiveness program.

12           **SECTION 6. EXEMPTION - TEACHER LOAN FORGIVENESS PROGRAM FUNDING.**

13 Pursuant to provisions of section 54-44.1-11 the unexpended amount remaining from the  
14 appropriation for the teacher loan forgiveness program, as authorized in section 1 of chapter 28  
15 of the 2017 Session Laws, at the end of the 2017-19 biennium, may be continued into the  
16 2019-21 biennium for the purpose of providing teacher loan forgiveness.

17           **SECTION 7. EFFECTIVE DATE.** Section 2 of this Act becomes effective July 1, 2023.

18           **SECTION 8. EXPIRATION DATE.** Section 3 of this Act is effective through June 30, 2022,  
19 and after that date is ineffective.