

Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2380

Introduced by

Senator Davison

1 A BILL for an Act to amend and reenact section 15.1-27-16 of the North Dakota Century Code,
2 relating to administrative cost-sharing for cooperating districts and special education units; and
3 to provide an appropriation.

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

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

7 **15.1-27-16. Per student payments - Administrative cost-sharing - Cooperating**
8 **districts and special education units. (Effective through June 30, 2024~~2026~~)**

9 1. If any school district receiving payments under this chapter cooperates with another
10 school district for the joint provision of educational services under a plan approved by
11 the superintendent of public instruction, the superintendent of public instruction shall,
12 notwithstanding the provisions of section 15.1-27-03.2, create and assign a separate
13 weighting factor that allows the cooperating districts to receive, for a period of four
14 years, a payment rate equivalent to that which each district would have received had
15 the cooperative plan not taken effect. The superintendent of public instruction shall
16 compute the separate weighting factor to four decimal places and that weighting factor
17 is effective for the duration of the cooperative plan.

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

- 22 a. Provide unduplicated grade level services; or
- 23 b. Share administrative personnel.

1 3. If any school district in the state receiving payments under this chapter or any special
2 education unit in the state cooperates with another school district or special education
3 unit to jointly employ or contract with both a superintendent ~~and~~ or a school district
4 business manager, or both, or to jointly employ or contract with both a special
5 education unit director ~~and~~ or a special education unit business manager, or both, the
6 superintendent of public instruction shall provide partial reimbursement of the
7 ~~combined salariessalary~~ of the superintendent ~~and~~ or the school district business
8 manager, or both, or partial reimbursement of the ~~combined salariessalary~~ of the
9 special education unit director ~~and~~ or the special education unit business manager, or
10 ~~both~~, as follows:

11 a. If the ~~combined salaries exceed three~~ salary exceeds two hundred thousand
12 dollars, the amount of the reimbursement must be calculated based upon
13 ~~threetwo~~ hundred thousand dollars. Each cooperating school district or special
14 education unit shall receive a prorated share of the reimbursement percentages
15 listed below each year for four years. The prorated reimbursement is based on
16 the percentage of full-time equivalency that the superintendent ~~and~~ or school
17 district business manager, or both, or the special education unit director ~~and~~ or
18 special education unit business manager, or both, are employed or contracted by
19 each district or special education unit. The percentage of reimbursement for the
20 ~~combined salariessalary~~ of the jointly hired superintendent ~~and~~ or school district
21 business manager, or both, or of the jointly hired special education unit director
22 ~~and~~ or special education unit business manager, or both, must be as follows:

- 23 (1) If two schools or special education units are cooperating, ten percent of the
24 ~~combined salariessalary~~;
- 25 (2) If three schools or special education units are cooperating, fifteen percent of
26 the ~~combined salariessalary~~;
- 27 (3) If four schools or special education units are cooperating, twenty percent of
28 the ~~combined salariessalary~~; and
- 29 (4) If five or more schools or special education units are cooperating,
30 twenty-five percent of the ~~combined salariessalary~~.

- 1 b. To be eligible for reimbursement under this subsection, the cooperating school
2 districts or special education units must:
- 3 (1) Have been approved by the superintendent of public instruction and have
4 implemented their administrative cost-sharing program after June 30, 2022;
5 and
6 (2) Submit the ~~salariessalary~~ of the superintendent ~~and~~ school district
7 business manager, or both, or the ~~salariessalary~~ of the special education
8 unit director ~~and~~ special education unit business manager, or both, to the
9 superintendent of public instruction by June first of each year.

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

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

26 **SECTION 2. APPROPRIATION - DEPARTMENT OF PUBLIC INSTRUCTION -**
27 **COOPERATING SCHOOL DISTRICT AND SPECIAL EDUCATION UNIT ADMINISTRATIVE**
28 **COST-SHARING REIMBURSEMENT PROGRAM.** There is appropriated out of any moneys in
29 the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000, or so
30 much of the sum as may be necessary, to the department of public instruction for the purpose of
31 providing administrative cost-sharing reimbursements to eligible cooperating school districts

1 and special education units in the state, for the biennium beginning July 1, 2023, and ending
2 June 30, 2025.