Sixty-seventh Legislative Assembly of North Dakota

SENATE BILL NO. 2269

Introduced by

Senator Poolman

Representative Martinson

1	A BILL for an Act to create and enact a new section to chapter 15.1-27 of the North Dakota							
2	Century Code, relating to school district payments to postsecondary transitional programs for							
3	students on individualized education programs; and to amend and reenact section 15.1-27-03.1							
4	of the North Dakota Century Code, relating to the addition of students on individualized							
5	education programs enrolled in postsecondary transitional programs to the weighted average							
6	daily membership calculation.							
7	BE IT EN	AC ⁻	TED E	BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:				
8	SECTION 1. AMENDMENT. Section 15.1-27-03.1 of the North Dakota Century Code is							
9	amended and reenacted as follows:							
10	15.1-27-03.1. Weighted average daily membership - Determination. (Effective through							
11	June 30, 2021)							
12	1.	For	each	school district, the superintendent of public instruction shall multiply by:				
13		a.	1.00	the number of full-time equivalent students enrolled in an extended				
14			edu	cational program in accordance with section 15.1-32-17;				
15		b.	0.60	the number of full-time equivalent students enrolled in a summer education				
16			prog	gram, including a migrant summer education program;				
17		C.	0.40	the number of full-time equivalent students who:				
18			(1)	On a test of English language proficiency approved by the superintendent of				
19				public instruction are determined to be least proficient and placed in the first				
20				of six categories of proficiency; and				
21			(2)	Are enrolled in a program of instruction for English language learners;				
22		d.	0.28	the number of full-time equivalent students who:				
23			(1)	On a test of English language proficiency approved by the superintendent of				
24				public instruction are determined to be more proficient than students placed				

1		in the first of six categories of proficiency and therefore placed in the second
2		of six categories of proficiency; and
3		(2) Are enrolled in a program of instruction for English language learners;
4	e.	0.25 the number of full-time equivalent students under the age of twenty-one
5		enrolled in grades nine through twelve in an alternative high school;
6	f.	0.20 the number of full-time equivalent students enrolled in a home-based
7		education program and monitored by the school district under chapter 15.1-23;
8	g.	0.17 the number of full-time equivalent students enrolled in an early childhood
9		special education program;
10	h.	0.15 the number of full-time equivalent students in grades six through eight
11		enrolled in an alternative education program for at least an average of fifteen
12		hours per week;
13	i.	0.10 the number of students enrolled in average daily membership, if the district
14		has fewer than one hundred students enrolled in average daily membership and
15		the district consists of an area greater than two hundred seventy-five square
16		miles [19424.9 hectares], provided that any school district consisting of an area
17		greater than six hundred square miles [155399 hectares] and enrolling fewer than
18		fifty students in average daily membership must be deemed to have an
19		enrollment equal to fifty students in average daily membership;
20	j.	0.082 the number of students enrolled in average daily membership, in order to
21		support the provision of special education services;
22	k.	0.07 the number of full-time equivalent students who:
23		(1) On a test of English language proficiency approved by the superintendent of
24		public instruction are determined to be more proficient than students placed
25		in the second of six categories of proficiency and therefore placed in the
26		third of six categories of proficiency;
27		(2) Are enrolled in a program of instruction for English language learners; and
28		(3) Have not been in the third of six categories of proficiency for more than
29		three years;
30	I.	0.025 the number of students representing that percentage of the total number of
31		students in average daily membership which is equivalent to the three-year

1			aver	age percentage of students in grades three through eight who are eligible for		
2			free	or reduced lunches under the Richard B. Russell National School Lunch Act		
3			[42 \	J.S.C. 1751 et seq.];		
4		m.	0.00	2 the number of students enrolled in average daily membership in a school		
5			distr	ict that is a participating member of a regional education association meeting		
6			the r	requirements of chapter 15.1-09.1; and		
7		n.	0.50	the number of students by which the district's September tenth enrollment		
8			repo	ort exceeds the number of students in the prior year's average daily		
9			men	nbership.		
10	2.	The	supe	rintendent of public instruction shall determine each school district's weighted		
11		ave	rage o	daily membership by adding the products derived under subsection 1 to the		
12		dist	rict's a	average daily membership.		
13	Wei	eighted average daily membership - Determination. (Effective after June 30, 2021)				
14	1.	For	each	school district, the superintendent of public instruction shall multiply by:		
15		a.	1.00	the number of full-time equivalent students enrolled in an extended		
16			educ	cational program in accordance with section 15.1-32-17;		
17		b.	0.60	the number of full-time equivalent students enrolled in a summer education		
18			prog	ram, including a migrant summer education program;		
19		C.	0.40	the number of full-time equivalent students who:		
20			(1)	On a test of English language proficiency approved by the superintendent of		
21				public instruction are determined to be least proficient and placed in the first		
22				of six categories of proficiency; and		
23			(2)	Are enrolled in a program of instruction for English language learners;		
24		d.	0.28	the number of full-time equivalent students who:		
25			(1)	On a test of English language proficiency approved by the superintendent of		
26				public instruction are determined to be more proficient than students placed		
27				in the first of six categories of proficiency and therefore placed in the second		
28				of six categories of proficiency; and		
29			(2)	Are enrolled in a program of instruction for English language learners;		
30		e.	0.25	the number of full-time equivalent students under the age of twenty-one		
31			enro	olled in grades nine through twelve in an alternative high school;		

1 0.20 the number of full-time equivalent students enrolled in a home-based 2 education program and monitored by the school district under chapter 15.1-23; 3 g. 0.17 the number of full-time equivalent students enrolled in an early childhood 4 special education program; 5 0.15 the number of full-time equivalent students in grades six through eight h. 6 enrolled in an alternative education program for at least an average of fifteen 7 hours per week; 8 0.10 the number of students enrolled in average daily membership, if the district 9 has fewer than one hundred students enrolled in average daily membership and 10 the district consists of an area greater than two hundred seventy-five square 11 miles [19424.9 hectares], provided that any school district consisting of an area 12 greater than six hundred square miles [155399 hectares] and enrolling fewer than 13 fifty students in average daily membership must be deemed to have an 14 enrollment equal to fifty students in average daily membership: 15 j. 0.082 the number of students enrolled in average daily membership, in order to 16 support the provision of special education services; 17 k. 0.07 the number of full-time equivalent students who: 18 On a test of English language proficiency approved by the superintendent of 19 public instruction are determined to be more proficient than students placed 20 in the second of six categories of proficiency and therefore placed in the 21 third of six categories of proficiency; 22 Are enrolled in a program of instruction for English language learners; and (2) 23 Have not been in the third of six categories of proficiency for more than (3) 24 three years; 25 0.025 the number of students representing that percentage of the total number of 26 students in average daily membership which is equivalent to the three-year 27 average percentage of students in grades three through eight who are eligible for 28 free or reduced lunches under the Richard B. Russell National School Lunch Act 29 [42 U.S.C. 1751 et seq.];

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1 0.002 the number of students enrolled in average daily membership in a school 2 district that is a participating member of a regional education association meeting 3 the requirements of chapter 15.1-09.1; 4 0.60 the number of students by which the district's September tenth enrollment n. 5 report exceeds the number of students in the prior year's average daily 6 membership increasing the factor annually by 0.10, not to exceed 1.00; and 7 For districts paid based on September tenth enrollment in the prior year, 0.50 the Ο. 8 number of students determined by deducting the number of students in the prior 9 year's September tenth enrollment from the prior year's average daily 10 membership, increasing the factor annually by 0.10, not to exceed 1.00. If the 11 prior year's September tenth enrollment exceeds the prior year's average daily 12 membership, then a deduction of 0.50 the number of excess students, increasing 13 the factor annually by 0.10, not to exceed 1.00. 14 1.00 the number of students ages eighteen to twenty-one with a documented <u>p.</u> 15 intellectual or developmental disability, on an individualized education program, 16 enrolled in a postsecondary transitional program in a district outside the student's 17 district of residence. The superintendent of public instruction shall determine each school district's weighted 18 2. 19 average daily membership by adding the products derived under subsection 1 to the 20 district's average daily membership. 21 SECTION 2. A new section to chapter 15.1-27 of the North Dakota Century Code is created 22 and enacted as follows: 23 Transitional program payments - Students - Individualized education program. 24 Any school district of residence receiving payments under this chapter shall provide 25 payments to postsecondary transitional programs for eligible students enrolled in a 26 postsecondary transitional program within the state. For purposes of this section, "eligible 27 student" means a student between the ages of eighteen and twenty-one with a documented 28 intellectual or developmental disability, who is on an individualized education program, and who 29 enrolls in a postsecondary transitional program in a district outside the student's district of

residence. Payments made by a school district of residence to a postsecondary transitional

program under this section may not exceed the per student rate under section 15.1-27-04.1.