

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2013

That the House recede from its amendments as printed on pages 1789-1811 of the Senate Journal and pages 2058-2079 of the House Journal and that Engrossed Senate Bill No. 2013 be amended as follows:

Page 1, line 3, after "15.1-02-02" insert ", 15.1-27-04.1, 15.1-32-01, 15.1-32-14, 15.1-32-18,"

Page 1, line 4, after "instruction" insert ", baseline funding, high-cost students,"

Page 1, line 5, remove "and"

Page 1, line 6, after "exemption" insert "; to provide an effective date; and to declare an emergency"

Page 1, remove lines 19 through 24

Page 2, replace lines 1 through 9 with:

"Salaries and wages	\$17,854,747	\$965,839	\$18,820,586
Operating expenses	33,098,149	(304,829)	32,793,320
Integrated formula payments	2,131,825,000	164,849,851	2,296,674,851
Grants - special education	27,000,000	(3,000,000)	24,000,000
Grants - transportation	58,100,000	0	58,100,000
Grants - other grants	312,738,893	70,000,000	382,738,893
Grants - program grants	0	13,550,000	13,550,000
Grants - passthrough grants	0	8,569,000	8,569,000
Grants - program and passthrough	10,387,064	(10,387,064)	0
PowerSchool	5,250,000	525,000	5,775,000
National board certification	<u>176,290</u>	<u>0</u>	<u>176,290</u>
Total all funds	\$2,596,430,143	\$244,767,797	\$2,841,197,940
Less estimated income	<u>938,233,270</u>	<u>187,349,226</u>	<u>1,125,582,496</u>
Total general fund	\$1,658,196,873	\$57,418,571	\$1,715,615,444
Full-time equivalent positions	86.25	0.00	86.25
Subdivision 2.			

CENTER FOR DISTANCE EDUCATION

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Center for distance education	\$0	\$11,347,980	\$11,347,980
Total all funds	\$0	\$11,347,980	\$11,347,980
Less estimated income	<u>0</u>	<u>4,550,000</u>	<u>4,550,000</u>
Total general fund	\$0	\$6,797,980	\$6,797,980
Full-time equivalent positions	0.00	30.80	30.80"

Page 2, line 10, replace "2" with "3"

Page 2, replace lines 14 through 19 with:

"Salaries and wages	\$4,139,907	\$295,408	\$4,435,315
Operating expenses	1,822,703	752,595	2,575,298
Grants	<u>2,233,528</u>	<u>50,000</u>	<u>2,283,528</u>

Total all funds	\$8,196,138	\$1,098,003	\$9,294,141
Less estimated income	<u>2,364,417</u>	<u>107,626</u>	<u>2,472,043</u>
Total general fund	\$5,831,721	\$990,377	\$6,822,098"

Page 2, line 21, replace "3" with "4"

Page 2, replace lines 25 through 30 with:

"Salaries and wages	\$8,332,820	\$604,780	\$8,937,600
Operating expenses	1,705,586	120,171	1,825,757
Capital assets	<u>158,678</u>	<u>843,500</u>	<u>1,002,178</u>
Total all funds	\$10,197,084	\$1,568,451	\$11,765,535
Less estimated income	<u>2,790,528</u>	<u>875,163</u>	<u>3,665,691</u>
Total general fund	\$7,406,556	\$693,288	\$8,099,844"

Page 3, line 1, replace "4" with "5"

Page 3, replace lines 5 through 10 with:

"Salaries and wages	\$4,992,194	\$354,219	\$5,346,413
Operating expenses	792,671	103,015	895,686
Capital assets	<u>39,192</u>	<u>439,000</u>	<u>478,192</u>
Total all funds	\$5,824,057	\$896,234	\$6,720,291
Less estimated income	<u>1,062,178</u>	<u>598,533</u>	<u>1,660,711</u>
Total general fund	\$4,761,879	\$297,701	\$5,059,580"

Page 3, line 12, replace "5" with "6"

Page 3, replace lines 16 through 18 with:

"Grand total general fund	\$1,676,197,029	\$66,197,917	\$1,742,394,946
Grand total special funds	<u>944,450,393</u>	<u>193,480,548</u>	<u>1,137,930,941</u>
Grand total all funds	\$2,620,647,422	\$259,678,465	\$2,880,325,887"

Page 3, remove lines 24 through 31

Page 4, replace lines 1 through 14 with:

"Department of public instruction			
Science experiments grants		\$13,500,000	\$5,500,000
Regional education association grants		250,000	70,000
State automated reporting system maintenance		200,000	0
Children's science center		5,900,000	0
State automated reporting system and statewide longitudinal data system upgrades		10,100,000	0
Elementary and secondary school emergency education relief		305,266,879	0
Emergency education relief homeless children and youth program		1,999,661	0
Assistance to nonpublic schools		4,151,371	0
Individuals with Disabilities Education Act grant		8,632,569	0
School board training grants		0	1,500,000
Statewide reading tool		0	1,600,000
Statewide teacher retention program		<u>0</u>	<u>2,300,000</u>
Total department of public instruction - all funds		\$350,000,480	\$10,970,000
Total department of public instruction -		<u>349,800,480</u>	<u>10,900,000</u>

estimated income		
Total department of public instruction - general fund"	\$200,000	\$70,000

Page 5, replace lines 18 through 20 with:

"Grand total - all funds	\$353,300,706	\$12,731,671
Grand total - estimated income	<u>353,100,706</u>	<u>12,238,586</u>
Grand total - general fund	\$200,000	\$493,085"

Page 6, line 3, replace "\$143,454,500" with "\$157,000,000"

Page 6, after line 3, insert:

**"SECTION 5. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The estimated income line item in subdivision 1 of section 1 of this Act includes the sum of \$19,493,086 from the strategic investment and improvements fund for integrated formula payments and certain passthrough grants."

Page 6, after line 30, insert:

**"SECTION 9. REGIONAL EDUCATION ASSOCIATION MERGER GRANTS - ONE-TIME FUNDING - DISTRIBUTION.** The grants - program grants line item included in subdivision 1 of section 1 of this Act includes \$70,000 from the general fund for the purpose of providing a one-time \$35,000 grant to each regional education association that merges with another regional education association to form a single entity with a single governing board during the biennium beginning July 1, 2023, and ending June 30, 2025."

Page 7, remove lines 8 through 20

Page 7, line 26, after "compensation" insert "and benefits"

Page 8, line 12, replace "\$16,009,764" with "\$16,549,000"

Page 8, after line 26, insert:

**"SECTION 15. EXEMPTION - UNEXPENDED STATE AUTOMATED REPORTING SYSTEM AND STATEWIDE LONGITUDINAL DATA SYSTEM UPGRADE APPROPRIATION - TRANSFER.** The sum of \$10,000,000 of special funds from the public instruction fund in the state treasury, derived from reimbursements withheld from school districts' integrated formula payments for the purpose of information technology project upgrades to the state automated reporting system and the statewide longitudinal data system, appropriated to the department of public instruction in section 17 of chapter 549 of the 2021 Special Session Laws, is not subject to the provisions of section 54-44.1-11 and any unexpended funds from this one-time appropriation may be continued and are available for information technology project upgrades to the state automated reporting system and the statewide longitudinal data system during the biennium beginning July 1, 2023, and ending June 30, 2025. The department of public instruction shall transfer any funds continued in excess of \$5,000,000 to the information technology department for statewide longitudinal data system upgrades."

Page 8, line 27, replace "2" with "3"

Page 9, line 3, replace "thirty-five thousand five hundred thirty-six" with "thirty-eight thousand one hundred forty-two"

Page 9, line 4, remove "forty thousand"

Page 9, line 5, replace "nine hundred fifty-seven" with "forty-three thousand six hundred sixty-eight"

Page 9, after line 5, insert:

**"SECTION 18. AMENDMENT.** Section 15.1-27-04.1 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-27-04.1. Baseline funding - Establishment - Determination of state aid. (Effective through June 30, 2025)**

1. To determine the amount of state aid payable to each district, the superintendent of public instruction shall establish each district's baseline funding. A district's baseline funding consists of:
  - a. All state aid received by the district in accordance with chapter 15.1-27 during the 2018-19 school year;
  - b. An amount equal to the property tax deducted by the superintendent of public instruction to determine the 2018-19 state aid payment;
  - c. An amount equal to seventy-five percent of the revenue received by the school district during the 2017-18 school year for the following revenue types:
    - (1) Revenue reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08;
    - (2) Mineral revenue received by the school district through direct allocation from the state treasurer and not reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08;
    - (3) Tuition reported under code 1300 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08, with the exception of revenue received specifically for the operation of an educational program provided at a residential treatment facility, tuition received for the provision of an adult farm management program, and beginning in the 2021-22 school year, seventeen percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid, and an additional seventeen percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid each school year thereafter, until the 2024-25 school year when sixty-eight percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid

must be excluded from the tuition calculation under this paragraph;

- (4) Revenue from payments in lieu of taxes on the distribution and transmission of electric power;
  - (5) Revenue from payments in lieu of taxes on electricity generated from sources other than coal; and
  - (6) Revenue from the leasing of land acquired by the United States for which compensation is allocated to the state under 33 U.S.C. 701(c)(3);
- d. An amount equal to the total revenue received by the school district during the 2017-18 school year for the following revenue types:
- (1) Mobile home tax revenue;
  - (2) Telecommunications tax revenue; and
  - (3) Revenue from payments in lieu of taxes and state reimbursement of the homestead credit and disabled veterans credit; and
- e. Beginning with the 2020-21 school year, the superintendent shall reduce the baseline funding for any school district that becomes an elementary district pursuant to section 15.1-07-27 after the 2012-13 school year. The reduction must be proportional to the number of weighted student units in the grades that are offered through another school district relative to the total number of weighted student units the school district offered in the year before the school district became an elementary district. The reduced baseline funding applies to the calculation of state aid for the first school year in which the school district becomes an elementary district and for each year thereafter. For districts that become an elementary district prior to the 2020-21 school year, the superintendent shall use the reduced baseline funding to calculate state aid for the 2020-21 school year and for each year thereafter.
2. a. The superintendent shall divide the district's baseline funding determined in subsection 1 by the district's 2017-18 weighted student units to determine the district's baseline funding per weighted student unit.
- b. For any school district that becomes an elementary district pursuant to section 15.1-07-27 after the 2017-18 school year, the superintendent shall adjust the district's baseline funding per weighted student unit used to calculate state aid. The superintendent shall divide the district's baseline funding determined in subsection 1 by the district's weighted student units after the school district becomes an elementary district to determine the district's adjusted baseline funding per weighted student unit. The superintendent shall use the district's adjusted baseline funding per weighted student unit in the calculation of state aid for the first school year in which the school district becomes an elementary district and for each year thereafter.

- c. Beginning with the 2021-22 school year and for each school year thereafter, the superintendent shall reduce the district's baseline funding per weighted student unit. Each year the superintendent shall calculate the amount by which the district's baseline funding per weighted student unit exceeds the payment per weighted student unit provided in subsection 3. The superintendent shall reduce the district's baseline funding per weighted student unit by fifteen percent of the amount by which the district's baseline funding per weighted student unit exceeds the payment per weighted student unit for the 2021-22 school year. For each year thereafter, the reduction percentage is increased by an additional fifteen percent. However, the district's baseline funding per weighted student unit, after the reduction, may not be less than the payment per weighted student unit provided in subsection 3.
3. a. For the 2021-22 school year, the superintendent shall calculate state aid as the greater of:
    - (1) The district's weighted student units multiplied by ten thousand one hundred thirty-six dollars;
    - (2) One hundred two percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units, not to exceed the district's 2017-18 baseline weighted student units, plus any weighted student units in excess of the 2017-18 baseline weighted student units multiplied by ten thousand one hundred thirty-six dollars; or
    - (3) The district's baseline funding as established in subsection 1 less the amount in paragraph 1, with the difference reduced by fifteen percent and then the difference added to the amount determined in paragraph 1.
  - b. For the 2022-23 school year and each school year thereafter, the superintendent shall calculate state aid as the greater of:
    - (1) The district's weighted student units multiplied by ten thousand two hundred thirty-seven dollars;
    - (2) One hundred two percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units, not to exceed the district's 2017-18 baseline weighted student units, plus any weighted student units in excess of the 2017-18 baseline weighted student units multiplied by ten thousand two hundred thirty-seven dollars; or
    - (3) The district's baseline funding as established in subsection 1 less the amount in paragraph 1, with the difference reduced by thirty percent for the 2022-23 school year and the reduction percentage increasing by fifteen percent each school year thereafter until the difference is reduced to zero, and then the difference added to the amount determined in paragraph 1.

- c. The superintendent also shall adjust state aid determined in this subsection to ensure the amount does not exceed the transition maximum as follows:
- (1) For the 2021-22 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units from the previous school year.
  - (2) For the 2022-23 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units from the previous school year.
  - (3) For the 2023-24 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus twenty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.
  - (4) For the 2024-25 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus forty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.
  - (5) For the 2025-26 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus sixty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.
  - (6) For the 2026-27 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus eighty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred

ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.

4. After determining the product in accordance with subsection 3, the superintendent of public instruction shall:
  - a. Subtract an amount equal to sixty mills multiplied by the taxable valuation of the school district, except the amount in dollars subtracted for purposes of this subdivision may not exceed the previous year's amount in dollars subtracted for purposes of this subdivision by more than twelve percent, adjusted pursuant to section 15.1-27-04.3; and
  - b. Subtract an amount equal to seventy-five percent of all revenue types listed in subdivisions c and d of subsection 1. Before determining the deduction for seventy-five percent of all revenue types, the superintendent of public instruction shall adjust revenues as follows:
    - (1) Tuition revenue shall be adjusted as follows:
      - (a) In addition to deducting tuition revenue received specifically for the operation of an educational program provided at a residential treatment facility, tuition revenue received for the provision of an adult farm management program, tuition received for the education of high-cost and special education students, and tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid as directed each school year in paragraph 3 of subdivision c of subsection 1, the superintendent of public instruction also shall reduce the total tuition reported by the school district by the amount of tuition revenue received for the education of students not residing in the state and for which the state has not entered a cross-border education contract; and
      - (b) The superintendent of public instruction also shall reduce the total tuition reported by admitting school districts meeting the requirements of subdivision e of subsection 2 of section 15.1-29-12 by the amount of tuition revenue received for the education of students residing in an adjacent school district.
    - (2) After adjusting tuition revenue as provided in paragraph 1, the superintendent shall reduce all remaining revenues from all revenue types by the percentage of mills levied in 2020 by the school district for sinking and interest relative to the total mills levied in 2020 by the school district for all purposes.
5. The amount remaining after the computation required under subsection 4 is the amount of state aid to which a school district is entitled, subject to any other statutory requirements or limitations.



6. On or before June thirtieth of each year, the school board shall certify to the superintendent of public instruction the final average daily membership for the current school year.
7. For purposes of the calculation in subsection 4, each county auditor, in collaboration with the school districts, shall report the following to the superintendent of public instruction on an annual basis:
  - a. The amount of revenue received by each school district in the county during the previous school year for each type of revenue identified in subdivisions c and d of subsection 1;
  - b. The total number of mills levied in the previous calendar year by each school district for all purposes; and
  - c. The number of mills levied in the previous calendar year by each school district for sinking and interest fund purposes.

**Baseline funding - Establishment - Determination of state aid. (Effective after June 30, 2025)**

1. To determine the amount of state aid payable to each district, the superintendent of public instruction shall establish each district's baseline funding. A district's baseline funding consists of:
  - a. All state aid received by the district in accordance with chapter 15.1-27 during the 2018-19 school year;
  - b. An amount equal to the property tax deducted by the superintendent of public instruction to determine the 2018-19 state aid payment;
  - c. An amount equal to seventy-five percent of the revenue received by the school district during the 2017-18 school year for the following revenue types:
    - (1) Revenue reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08;
    - (2) Mineral revenue received by the school district through direct allocation from the state treasurer and not reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08;
    - (3) Tuition reported under code 1300 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08, with the exception of revenue received specifically for the operation of an educational program provided at a residential treatment facility, tuition received for the provision of an adult farm management program, and beginning in the 2025-26 school year, eighty-five percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid, until the 2026-27 school year, and each school year

thereafter, when all tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid must be excluded from the tuition calculation under this paragraph;

- (4) Revenue from payments in lieu of taxes on the distribution and transmission of electric power;
  - (5) Revenue from payments in lieu of taxes on electricity generated from sources other than coal; and
  - (6) Revenue from the leasing of land acquired by the United States for which compensation is allocated to the state under 33 U.S.C. 701(c)(3); and
- d. An amount equal to the total revenue received by the school district during the 2017-18 school year for the following revenue types:
- (1) Mobile home tax revenue;
  - (2) Telecommunications tax revenue; and
  - (3) Revenue from payments in lieu of taxes and state reimbursement of the homestead credit and disabled veterans credit.
- e. Beginning with the 2020-21 school year, the superintendent shall reduce the baseline funding for any school district that becomes an elementary district pursuant to section 15.1-07-27 after the 2012-13 school year. The reduction must be proportional to the number of weighted student units in the grades that are offered through another school district relative to the total number of weighted student units the school district offered in the year before the school district became an elementary district. The reduced baseline funding applies to the calculation of state aid for the first school year in which the school district becomes an elementary district and for each year thereafter. For districts that become an elementary district prior to the 2020-21 school year, the superintendent shall use the reduced baseline funding to calculate state aid for the 2020-21 school year and for each year thereafter.
2. a. The superintendent shall divide the district's baseline funding determined in subsection 1 by the district's 2017-18 weighted student units to determine the district's baseline funding per weighted student unit.
- b. For any school district that becomes an elementary district pursuant to section 15.1-07-27 after the 2017-18 school year, the superintendent shall adjust the district's baseline funding per weighted student unit used to calculate state aid. The superintendent shall divide the district's baseline funding determined in subsection 1 by the district's weighted student units after the school district becomes an elementary district to determine the district's adjusted baseline funding per weighted student unit. The superintendent shall use the district's adjusted baseline funding per weighted student unit in the calculation of state aid for the first school year in which the school district becomes an elementary district and for each year thereafter.

- c. Beginning with the 2021-22 school year and for each school year thereafter, the superintendent shall reduce the district's baseline funding per weighted student unit. Each year the superintendent shall calculate the amount by which the district's baseline funding per weighted student unit exceeds the payment per weighted student unit provided in subsection 3. The superintendent shall reduce the district's baseline funding per weighted student unit by fifteen percent of the amount by which the district's baseline funding per weighted student unit exceeds the payment per weighted student unit for the 2021-22 school year. For each year thereafter, the reduction percentage is increased by an additional fifteen percent. However, the district's baseline funding per weighted student unit, after the reduction, may not be less than the payment per weighted student unit provided in subsection 3.
3. a. For the 2021-22 school year, the superintendent shall calculate state aid as the greater of:
    - (1) The district's weighted student units multiplied by ten thousand one hundred thirty-six dollars;
    - (2) One hundred two percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units, not to exceed the district's 2017-18 baseline weighted student units, plus any weighted student units in excess of the 2017-18 baseline weighted student units multiplied by ten thousand one hundred thirty-six dollars; or
    - (3) The district's baseline funding as established in subsection 1 less the amount in paragraph 1, with the difference reduced by fifteen percent and then the difference added to the amount determined in paragraph 1.
  - b. For the 2022-23 school year and each school year thereafter, the superintendent shall calculate state aid as the greater of:
    - (1) The district's weighted student units multiplied by ten thousand two hundred thirty-seven dollars;
    - (2) One hundred two percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units, not to exceed the district's 2017-18 baseline weighted student units, plus any weighted student units in excess of the 2017-18 baseline weighted student units multiplied by ten thousand two hundred thirty-seven dollars; or
    - (3) The district's baseline funding as established in subsection 1 less the amount in paragraph 1, with the difference reduced by thirty percent for the 2022-23 school year and the reduction percentage increasing by fifteen percent each school year thereafter until the difference is reduced to zero, and then the difference added to the amount determined in paragraph 1.

- c. The superintendent also shall adjust state aid determined in this subsection to ensure the amount does not exceed the transition maximum as follows:
- (1) For the 2021-22 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units from the previous school year.
  - (2) For the 2022-23 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units from the previous school year.
  - (3) For the 2023-24 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus twenty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.
  - (4) For the 2024-25 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus forty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.
  - (5) For the 2025-26 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus sixty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.
  - (6) For the 2026-27 school year, the transition maximum rate is one hundred ten percent of the district's baseline funding per weighted student unit, as established in subsection 2, plus eighty percent of the difference between the rate under paragraph 1 of subdivision b of this subsection and one hundred

ten percent of the district's baseline funding per weighted student unit. The transition maximum is determined by multiplying the transition maximum rate, which may not exceed the rate under paragraph 1 of subdivision b of this subsection, by the district's weighted student units from the previous school year.

4. After determining the product in accordance with subsection 3, the superintendent of public instruction shall:
  - a. Subtract an amount equal to sixty mills multiplied by the taxable valuation of the school district; and
  - b. Subtract an amount equal to seventy-five percent of all revenue types listed in subdivisions c and d of subsection 1. Before determining the deduction for seventy-five percent of all revenue types, the superintendent of public instruction shall adjust revenues as follows:
    - (1) Tuition revenue shall be adjusted as follows:
      - (a) In addition to deducting tuition revenue received specifically for the operation of an educational program provided at a residential treatment facility, tuition revenue received for the provision of an adult farm management program, tuition received for the education of high-cost and special education students, and tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid as directed each school year in paragraph 3 of subdivision c of subsection 1, the superintendent of public instruction also shall reduce the total tuition reported by the school district by the amount of tuition revenue received for the education of students not residing in the state and for which the state has not entered a cross-border education contract; and
      - (b) The superintendent of public instruction also shall reduce the total tuition reported by admitting school districts meeting the requirements of subdivision e of subsection 2 of section 15.1-29-12 by the amount of tuition revenue received for the education of students residing in an adjacent school district.
    - (2) After adjusting tuition revenue as provided in paragraph 1, the superintendent shall reduce all remaining revenues from all revenue types by the percentage of mills levied in 2020 by the school district for sinking and interest relative to the total mills levied in 2020 by the school district for all purposes.
5. The amount remaining after the computation required under subsection 4 is the amount of state aid to which a school district is entitled, subject to any other statutory requirements or limitations.
6. On or before June thirtieth of each year, the school board shall certify to the superintendent of public instruction the final average daily membership for the current school year.

7. For purposes of the calculation in subsection 4, each county auditor, in collaboration with the school districts, shall report the following to the superintendent of public instruction on an annual basis:
  - a. The amount of revenue received by each school district in the county during the previous school year for each type of revenue identified in subdivisions c and d of subsection 1;
  - b. The total number of mills levied in the previous calendar year by each school district for all purposes; and
  - c. The number of mills levied in the previous calendar year by each school district for sinking and interest fund purposes.

**SECTION 19. AMENDMENT.** Section 15.1-32-01 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-32-01. Definitions.**

As used in this chapter:

1. "Major life activities" include learning, walking, talking, breathing, and caring for oneself.
2. "Related services" means transportation and developmental and corrective or supportive services required to assist a student with disabilities to benefit from special education.
- ~~2-3.~~ "Special education" means instruction designed to meet the needs of a student with disabilities, transportation, and corrective and supporting services required to assist a student with disabilities in taking advantage of, or responding to, educational programs and opportunities.
- ~~3-4.~~ "Student who is gifted" means an individual who is identified by qualified professionals as being capable of high performance and who needs educational programs and services beyond those normally provided in a regular education program.
- ~~4-5.~~ a. "Student with a disability" means an individual who is at least three years of age but who has not reached the age of twenty-one before August first of the year in which the individual turns twenty-one and who requires special education and related services because of:
  - (1) An intellectual disability;
  - (2) A hearing impairment, including deafness;
  - (3) Deaf-blindness;
  - (4) A speech or language impairment;
  - (5) A visual impairment, including blindness;
  - (6) An emotional disturbance;
  - (7) An orthopedic impairment;
  - (8) Autism;

- (9) A traumatic brain injury;
  - (10) Other health impairment; or
  - (11) A specific learning disability.
- b. "Student with a disability" includes a student age eighteen through twenty-one who is incarcerated in an adult correctional facility and who, in the last educational placement prior to incarceration, was identified as being a student with a disability and did not have an individualized education program or was identified as being a student with a disability and had an individualized education program.

6. "Student with a significant medical condition" means a student with a physical or mental impairment, whether permanent or temporary, which substantially limits one or more major life activities and who is not entitled to special education and related services.

**SECTION 20. AMENDMENT.** Section 15.1-32-14 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-32-14. Special education students – Contracts for placementHigh-cost students.**

1. If in the opinion of an individualized education program team or a services plan team a student with a disability or a student with a significant medical condition is unable to attend a public school in ~~the special education unit to which~~ the student's school district of residence belongs, the student's school district of residence shall ~~contract~~release the student at the time deemed necessary to begin attendance with another public school that:
  - a. ~~Does not belong to the same special education unit;~~
  - b. Is located in this state;
  - ~~e.~~b. Is willing to admit the student; and
  - ~~d.~~c. Is able to provide appropriate services to the student.
2. ~~The superintendent of public instruction shall approve in advance the terms of the contract and the services to be provided by the admitting school.~~
3. The contract must provide that the student's school district of residence is liable for the cost of educating the student.
- 4.~~3.~~ Upon being notified by the district in which the student receives services that the student's school district of residence has not paid for services that were provided to the student, the superintendent of public instruction, after verification, shall withhold all state aid payments to which the student's school district of residence is entitled, until the required payments have been made.

**SECTION 21. AMENDMENT.** Section 15.1-32-18 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-32-18. Cost - Liability of school district for special education and other high-cost services.**

1. Each year the superintendent of public instruction shall identify the approximately one percent of ~~special education~~ students with a disability and students with a significant medical condition statewide who are not eligible for cost reimbursement under section 15.1-29-14 and who require the greatest school district expenditures ~~in order~~ to provide them with education and services, including special education and related services. This percentage represents the number of students that would qualify for excess cost reimbursement beyond the multiplier that is established in subsection 3.
2. The excess costs of providing ~~special education and related~~ services to these students are the responsibility of the state and the superintendent of public instruction shall reimburse the school districts for any excess costs incurred in the provision of ~~special education and related~~the services to the identified students.
3. "Excess costs" are those that exceed four times the state average cost of education per student and which are incurred by the ~~special education~~ students identified in subsection 1.
4. All costs of providing ~~special education and related~~ services to those students identified in subsection 1, other than excess costs reimbursed by the state, are the responsibility of the student's school district of residence.
5. In addition to any other reimbursements provided under this section, if a school district expends more than two percent of its annual budget for the provision of ~~special education and related~~ services to one student with a disability or significant medical condition, the district shall notify the superintendent of public instruction. Upon verification, the superintendent shall reimburse the district for the difference between:
  - a. Two percent of the district's annual budget; and
  - b. The lesser of:
    - (1) The amount actually expended by the district for the provision of special education and related services to that student; or
    - (2) The amount representing four times the state average cost of education per student."

Page 10, after line 3, insert:

**"SECTION 23. EFFECTIVE DATE.** Senate Bill No. 2269, as approved by the sixty-eighth legislative assembly, becomes effective July 1, 2023. Sections 3, 4, and 7 of Senate Bill No. 2050, as approved by the sixty-eighth legislative assembly, become effective May 15, 2023.

**SECTION 24. EMERGENCY.** Sections 3, 4, and 7 of Senate Bill No. 2050 and Senate Bill No. 2269, as approved by the sixty-eighth legislative assembly, are declared to be an emergency measure."

Renumber accordingly



**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2013 - Summary of Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Department of Public Instruction						
Total all funds	\$2,596,430,143	\$2,991,058,326	(\$149,860,386)	\$2,841,197,940	\$3,029,248,074	(\$188,050,134)
Less estimated income	<u>938,233,270</u>	<u>1,092,638,081</u>	<u>32,944,415</u>	<u>1,125,582,496</u>	<u>1,118,669,746</u>	<u>6,912,750</u>
General fund	\$1,658,196,873	\$1,898,420,245	(\$182,804,801)	\$1,715,615,444	\$1,910,578,328	(\$194,962,884)
FTE	86.25	86.25	0.00	86.25	86.25	0.00
Center for Distance Education						
Total all funds	\$0	\$0	\$11,347,980	\$11,347,980	\$11,183,325	\$164,655
Less estimated income	<u>0</u>	<u>0</u>	<u>4,550,000</u>	<u>4,550,000</u>	<u>4,550,000</u>	<u>0</u>
General fund	\$0	\$0	\$6,797,980	\$6,797,980	\$6,633,325	\$164,655
FTE	0.00	0.00	30.80	30.80	30.80	0.00
State Library						
Total all funds	\$8,196,138	\$9,007,514	\$286,627	\$9,294,141	\$9,294,141	\$0
Less estimated income	<u>2,364,417</u>	<u>2,143,007</u>	<u>329,036</u>	<u>2,472,043</u>	<u>2,472,043</u>	<u>0</u>
General fund	\$5,831,721	\$6,864,507	(\$42,409)	\$6,822,098	\$6,822,098	\$0
FTE	26.75	26.75	0.00	26.75	26.75	0.00
School for the Deaf						
Total all funds	\$10,197,084	\$12,016,187	(\$250,652)	\$11,765,535	\$11,765,535	\$0
Less estimated income	<u>2,790,528</u>	<u>3,678,221</u>	<u>(12,530)</u>	<u>3,665,691</u>	<u>3,665,691</u>	<u>0</u>
General fund	\$7,406,556	\$8,337,966	(\$238,122)	\$8,099,844	\$8,099,844	\$0
FTE	44.61	45.36	0.00	45.36	45.36	0.00
Vision Services - School for the Blind						
Total all funds	\$5,824,057	\$6,811,738	(\$91,447)	\$6,720,291	\$6,720,291	\$0
Less estimated income	<u>1,062,178</u>	<u>1,664,423</u>	<u>(3,712)</u>	<u>1,660,711</u>	<u>1,660,711</u>	<u>0</u>
General fund	\$4,761,879	\$5,147,315	(\$87,735)	\$5,059,580	\$5,059,580	\$0
FTE	27.75	27.75	0.00	27.75	27.75	0.00
Bill total						
Total all funds	\$2,620,647,422	\$3,018,893,765	(\$138,567,878)	\$2,880,325,887	\$3,068,211,366	(\$187,885,479)
Less estimated income	<u>944,450,393</u>	<u>1,100,123,732</u>	<u>37,807,209</u>	<u>1,137,930,941</u>	<u>1,131,018,191</u>	<u>6,912,750</u>
General fund	\$1,676,197,029	\$1,918,770,033	(\$176,375,087)	\$1,742,394,946	\$1,937,193,175	(\$194,798,229)
FTE	185.36	186.11	30.80	216.91	216.91	0.00

**Senate Bill No. 2013 - Department of Public Instruction - Conference Committee Action**

	<b>Base Budget</b>	<b>Senate Version</b>	<b>Conference Committee Changes</b>	<b>Conference Committee Version</b>	<b>House Version</b>	<b>Comparison to House</b>
Salaries and wages	\$17,854,747	\$19,313,859	(\$493,273)	\$18,820,586	\$18,557,316	\$263,270
Operating expenses	33,098,149	33,293,320	(500,000)	32,793,320	32,793,320	
Integrated formula payments	2,131,825,000	2,448,651,200	(151,976,349)	2,296,674,851	2,471,568,255	(174,893,404)
Grants - Special education contracts	27,000,000	27,000,000	(3,000,000)	24,000,000	27,000,000	(3,000,000)
Grants - Transportation	58,100,000	58,100,000		58,100,000	58,100,000	
Grants - Other grants	312,738,893	382,738,893		382,738,893	382,738,893	
Grants - Program and passthrough	10,387,064					
Grants - Program grants		13,780,000	(230,000)	13,550,000	15,550,000	(2,000,000)
Grants - Passthrough grants		2,229,764	6,339,236	8,569,000	16,989,000	(8,420,000)
PowerSchool	5,250,000	5,775,000		5,775,000	5,775,000	
National board certification	176,290	176,290		176,290	176,290	
<b>Total all funds</b>	<b>\$2,596,430,143</b>	<b>\$2,991,058,326</b>	<b>(\$149,860,386)</b>	<b>\$2,841,197,940</b>	<b>\$3,029,248,074</b>	<b>(\$188,050,134)</b>
Less estimated income	938,233,270	1,092,638,081	32,944,415	1,125,582,496	1,118,669,746	6,912,750
General fund	\$1,658,196,873	\$1,898,420,245	(\$182,804,801)	\$1,715,615,444	\$1,910,578,328	(\$194,962,884)
FTE	86.25	86.25	0.00	86.25	86.25	0.00

**Department 201 - Department of Public Instruction - Detail of Conference Committee Changes**

	<b>Adds Funding for Salary and Benefit Increases<sup>1</sup></b>	<b>Removes Salary Funding for Funding Pool<sup>2</sup></b>	<b>Decreases Funding for Information Technology<sup>3</sup></b>	<b>Adjusts Funding for Integrated Formula Payments<sup>4</sup></b>	<b>Adjusts the Funding Source of Integrated Formula Payments<sup>5</sup></b>	<b>Decreases Funding for Special Education Contract Grants<sup>6</sup></b>
Salaries and wages	\$296,542	(\$789,815)				
Operating expenses			(\$500,000)			
Integrated formula payments				(\$151,976,349)		
Grants - Special education contracts						(\$3,000,000)
Grants - Transportation						
Grants - Other grants						
Grants - Program and passthrough						
Grants - Program grants						
Grants - Passthrough grants						
PowerSchool						
National board certification						
<b>Total all funds</b>	<b>\$296,542</b>	<b>(\$789,815)</b>	<b>(\$500,000)</b>	<b>(\$151,976,349)</b>	<b>\$0</b>	<b>(\$3,000,000)</b>
Less estimated income	185,588	(493,995)	(325,000)	0	27,538,586	0
General fund	\$110,954	(\$295,820)	(\$175,000)	(\$151,976,349)	(\$27,538,586)	(\$3,000,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	<b>Increases Funding for Adult Education<sup>7</sup></b>	<b>Removes Funding for Free Breakfast Program<sup>8</sup></b>	<b>Increases Funding for Teacher Mentoring<sup>9</sup></b>	<b>Adds Funding for Passthrough Grants<sup>10</sup></b>	<b>Decreases One-Time Funding for School Board Training<sup>11</sup></b>	<b>Removes One-Time Funding for Cybersecurity Training<sup>12</sup></b>
Salaries and wages						
Operating expenses						
Integrated formula payments						
Grants - Special education contracts						
Grants - Transportation						
Grants - Other grants						
Grants - Program and passthrough						
Grants - Program grants	\$500,000	(\$200,000)			(\$500,000)	(\$1,000,000)
Grants - Passthrough grants			\$374,236	\$465,000		
PowerSchool						
National board certification						
<b>Total all funds</b>	<b>\$500,000</b>	<b>(\$200,000)</b>	<b>\$374,236</b>	<b>\$465,000</b>	<b>(\$500,000)</b>	<b>(\$1,000,000)</b>
Less estimated income	500,000	(200,000)	374,236	465,000	(500,000)	(1,000,000)
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	<b>Removes One-Time Funding for a Grow-Your-Own Teacher Program<sup>13</sup></b>	<b>Adds One-Time Funding for Regional Education Association Merger Incentive Grants<sup>14</sup></b>	<b>Adds One-Time Funding for a Statewide Reading Tool<sup>15</sup></b>	<b>Adds One-Time Funding for a Teacher Retention Program<sup>16</sup></b>	<b>Adds One-Time Funding for Passthrough Grants<sup>17</sup></b>	<b>Total Conference Committee Changes</b>
Salaries and wages						(\$493,273)
Operating expenses						(500,000)
Integrated formula payments						(151,976,349)
Grants - Special education contracts						(3,000,000)
Grants - Transportation						
Grants - Other grants						
Grants - Program and passthrough						
Grants - Program grants	(\$3,000,000)	\$70,000	\$1,600,000	\$2,300,000		(230,000)
Grants - Passthrough grants					\$5,500,000	6,339,236
PowerSchool						
National board certification						
<b>Total all funds</b>	<b>(\$3,000,000)</b>	<b>\$70,000</b>	<b>\$1,600,000</b>	<b>\$2,300,000</b>	<b>\$5,500,000</b>	<b>(\$149,860,386)</b>
Less estimated income	(3,000,000)	0	1,600,000	2,300,000	5,500,000	32,944,415
General fund	\$0	\$70,000	\$0	\$0	\$0	(\$182,804,801)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates for the Department of Public Instruction, the same as the House, as follows:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Salary increase	\$114,670	\$191,386	\$306,056
Health insurance adjustment	(3,716)	(5,798)	(9,514)
Total	\$110,954	\$185,588	\$296,542

The Senate provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

<sup>2</sup> Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below, the same as the House version. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
New FTE positions	(\$0)	(\$0)	(\$0)
Vacant FTE positions	<u>(295,820)</u>	<u>(493,995)</u>	<u>(789,815)</u>
Total	(\$295,820)	(\$493,995)	(\$789,815)

<sup>3</sup> Funding for information technology charges based on total agency appropriation is decreased. Charges assessed by the Information Technology Department based on agency funding must not include funding provided to the Department of Public Instruction for integrated formula payments, transportation grants, and special education contract grants. The House decreased funding for information technology charges by \$500,000 from the general fund. The Senate did not include this reduction.

<sup>4</sup> Funding for integrated formula payments is adjusted as follows:

	<u>General Fund</u>
Adjusts savings related to cost to continue integrated formula payments for a total of \$46,367,895 in savings, the same as the House version.	(\$11,038,751)
<b>Senate Bill No. 2066:</b>	
Removes funding included by the Senate and the House for property tax relief provided through the state school aid formula. Property tax relief is included in House Bill No. 1158 and is not delivered through the state school aid formula.	(203,100,000)
<b>Senate Bill No. 2284:</b>	
Adjusts the funding to increase the integrated payment rate by 4 percent each year of the biennium. The Senate provided 3 percent increases each year of the biennium and the House increased the integrated payment rate by 3.5 percent in the 1 <sup>st</sup> year and 3 percent in the 2 <sup>nd</sup> year of the biennium.	41,382,430
Adjusts the funding to remove transition maximum payment adjustments, the same as the Senate and House versions.	12,020
Adjusts the funding to implement on-time funding based on fall enrollment, the same as the Senate and House versions.	(5,334)
Adds the funding to increase the special education weighting factor from .082 to .088, the same as the House version.	15,660,200
Adjusts the funding to increase the school size weighting factor for school districts operating two plants at least 14 miles apart, the same as the Senate and House versions.	93,086
<b>Senate Bill No. 2013:</b>	
Adds the funding to exempt tuition for high-cost students from deduction in the state aid formula, the same as the House version.	<u>5,020,000</u>
Increase (Decrease) in integrated formula payments	(\$151,976,349)

<sup>5</sup> The funding source for integrated formula payments is adjusted to increase funding from the foundation aid stabilization fund by \$13,545,500 to provide a total of \$157,000,000, the same as the House version.

In addition, the Conference Committee provided \$13,993,086 from the strategic investment and improvements fund for increases in state school aid related to school districts size weighting factors (\$8,973,086) and an exemption in the formula for tuition for high-cost students (\$5,020,000). The Senate and the House did not include funding from the strategic investment and improvements fund for integrated formula payments.

<sup>6</sup> Funding for special education contract grants is reduced to provide a total of \$24 million from the general fund. The Senate and House did not reduce funding for special education contract grants.

<sup>7</sup> Funding from special funds derived from carryover funds deposited in the department's operating fund is increased for adult education matching grants to provide a total of \$5.5 million, the same as the House version.

<sup>8</sup> Funding from special funds derived from carryover funds deposited in the department's operating fund for a free breakfast program is removed because qualifying students are included in funding for meals in Senate Bill No. 2284, the same as the House version.

<sup>9</sup> Funding from special funds derived from carryover funds deposited in the department's operating fund is increased for the teacher mentoring passthrough grant to provide a total of \$2,500,000. The Senate provided \$2,125,764 from special funds resulting from carryover and the House provided \$4,000,000 from carryover.

<sup>10</sup> Funding from special funds derived from carryover funds deposited in the department's operating fund is added for passthrough grants added by the House as follows:

- \$40,000 for national writing projects; and
- \$425,000 for rural art outreach.

The Senate did not include funding for these passthrough grants. The Conference Committee did not include \$20,000 provided by the House for TeenPact.

<sup>11</sup> One-time funding from special funds derived from carryover funds deposited in the department's operating fund for program grants related to school board training is reduced to provide a total of \$1.5 million, the same as the House version.

<sup>12</sup> One-time funding from special funds derived from carryover funds deposited in the department's operating fund for program grants related to cybersecurity training is removed, the same as the House version.

<sup>13</sup> One-time funding from special funds derived from carryover funds deposited in the department's operating fund for the grow-your-own teacher/paraprofessional-to-teacher program is removed, the same as the House version. Funding for the program was approved in Senate Bill No. 2032.

<sup>14</sup> One-time funding is added for regional education association merger incentive grants, the same as the House version.

<sup>15</sup> One-time funding is added from special funds derived from carryover funds deposited in the department's operating fund to make available the Amira reading tool for all students in grades 1 through 3 and for certain students in grades 4 through 12, the same as the House version.

<sup>16</sup> One-time funding is added from special funds derived from carryover funds deposited in the department's operating fund to make a teacher retention program available statewide. The House included \$4.3 million for the teacher retention program. The Senate did not include funding for this program.

<sup>17</sup> One-time funding is added from the strategic investment and improvements fund for passthrough grants to the Grand Forks Science Center (\$5,000,000) and the Fargo Science Center (\$500,000).

The Conference Committee did not include \$3.5 million from the general fund for North Dakota's Gateway to Science or \$2.5 million from the strategic investment and improvements fund for Sleepy Hollow Children's Theatre and Art Park included by the House. The House provided \$5.9 million from the strategic investment and improvements fund for the Grand Forks Science Center.

The Senate did not include funding for these passthrough grants.

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In addition this amendment:

- Amends the section related to funding from the foundation aid stabilization fund to provide a total of \$157 million, the same as the House version;
- Adds a section identifying \$19,493,086 of funding from the strategic investment and improvements fund. The House had identified \$8,900,000;
- Adds a section related to the distribution of regional education association merger incentive grants, the same as the House version;
- Removes the section related to the application, distribution, and reporting for passthrough grants, the same as the House version;
- Amends the section related to new money to provide additional funding is for compensation and benefits. The House provided additional funding made available to school districts by reducing the local property tax contribution to the state school aid formula is not considered new money;
- Amends the section related to general fund carryover to be deposited in the department's operating fund to provide a total of \$16,549,000;
- Adds a section to allow carryover for the state automated reporting system and statewide longitudinal data system upgrades and provides the amount continued over \$5 million will be transferred to the Information Technology Department, the same as the House;
- Amends the section related to the salary of the Superintendent of Public Instruction to provide salary increases of 6 percent in the 1<sup>st</sup> year of the biennium and 4 percent in the 2<sup>nd</sup> year of the biennium, the same as the House;
- Adds a section to amend the state school aid funding formula to exempt tuition received for the education of high-cost and special education students from deduction in the formula, the same as the House;
- Adds three sections to provide for various definitions relating to high-cost students, services to high-cost students, and school district liability related to special education and other high-cost services, the same as the House;
- Adds a section to provide effective dates for Sections 3, 4, and 7 of Senate Bill No. 2050 relating to libraries and for Senate Bill No. 2269 relating to the Center for Distance Education, the same as the House; and
- Adds a section to provide Sections 3, 4, and 7 of Senate Bill No. 2050 relating to libraries and Senate Bill No. 2269 relating to the Center for Distance Education are an emergency measure, the same as the House.

The Conference Committee did not include a section of legislative intent, added by the House, to provide it is the intent of the 68<sup>th</sup> Legislative Assembly that the 69<sup>th</sup> Legislative Assembly consider amendments to the state school aid integrated funding formula only in the appropriation bill for the Department of Public Instruction.

**Senate Bill No. 2013 - Center for Distance Education - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Center for Distance Education			\$11,347,980	\$11,347,980	\$11,183,325	\$164,655
Total all funds	\$0	\$0	\$11,347,980	\$11,347,980	\$11,183,325	\$164,655
Less estimated income	0	0	4,550,000	4,550,000	4,550,000	0
General fund	\$0	\$0	\$6,797,980	\$6,797,980	\$6,633,325	\$164,655
FTE	0.00	0.00	30.80	30.80	30.80	0.00

**Department 204 - Center for Distance Education - Detail of Conference Committee Changes**

	Adds Funding to Transfer the Center for Distance Education <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Removes Salary Funding for Funding Pool <sup>3</sup>	Adds 1 FTE Elementary Teacher Position <sup>4</sup>	Adds 1 FTE Information Technology Position <sup>5</sup>	Increases Funding for Center for Distance Education <sup>6</sup>
Center for Distance Education	\$9,474,354	\$538,281	(\$485,655)	\$165,000	\$156,000	\$1,500,000
Total all funds	\$9,474,354	\$538,281	(\$485,655)	\$165,000	\$156,000	\$1,500,000
Less estimated income	3,050,000	0	0	0	0	1,500,000
General fund	\$6,424,354	\$538,281	(\$485,655)	\$165,000	\$156,000	\$0
FTE	28.80	0.00	0.00	1.00	1.00	0.00

	Total Conference Committee Changes
Center for Distance Education	\$11,347,980
Total all funds	\$11,347,980
Less estimated income	4,550,000
General fund	\$6,797,980
FTE	30.80

<sup>1</sup> Funding is added to transfer the base budget for the Center for Distance Education to the control of the Department of Public Instruction, including 28.80 FTE positions and the cost to continue 2021-23 salary increases, pursuant to Senate Bill No. 2269, the same as the House version.

<sup>2</sup> Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates for the Center for Distance Education, the same as the House, as follows:

	General Fund	Other Funds	Total
Salary increase	\$378,835	\$0	\$378,835
Health insurance increase	159,446	0	159,446
Total	\$538,281	\$0	\$538,281

The Senate provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

<sup>3</sup> Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below, the same as the House version. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
New FTE positions	(\$321,000)	\$0	(\$321,000)
Vacant FTE positions	(164,655)	0	(164,655)
Total	(\$485,655)	\$0	(\$485,655)

<sup>4</sup> One FTE elementary teacher position and related funding for salaries and wages is added for the Center for Distance Education, the same as the House version.

<sup>5</sup> One FTE information technology position and related funding for salaries and wages is added for the Center for Distance Education, the same as the House version.

<sup>6</sup> Funding from special funds derived from tuition is added for Center for Distance Education teacher salaries and wages and operating expenses, the same as the House version.

This amendment also adds two sections to provide an effective date for Senate Bill No. 2269, related to the transfer of the Center for Distance Education, and to provide Senate Bill No. 2269 is an emergency measure, the same as the House.

### Senate Bill No. 2013 - State Library - Conference Committee Action

	<b>Base Budget</b>	<b>Senate Version</b>	<b>Conference Committee Changes</b>	<b>Conference Committee Version</b>	<b>House Version</b>	<b>Comparison to House</b>
Salaries and wages	\$4,139,907	\$4,485,513	(\$50,198)	\$4,435,315	\$4,435,315	
Operating expenses	1,822,703	2,238,473	336,825	2,575,298	2,575,298	
Grants	2,233,528	2,283,528		2,283,528	2,283,528	
Total all funds	\$8,196,138	\$9,007,514	\$286,627	\$9,294,141	\$9,294,141	\$0
Less estimated income	2,364,417	2,143,007	329,036	2,472,043	2,472,043	0
General fund	\$5,831,721	\$6,864,507	(\$42,409)	\$6,822,098	\$6,822,098	\$0
FTE	26.75	26.75	0.00	26.75	26.75	0.00

### Department 250 - State Library - Detail of Conference Committee Changes

	<b>Adds Funding for Salary and Benefit Increases<sup>1</sup></b>	<b>Removes Salary Funding for Funding Pool<sup>2</sup></b>	<b>Adds Funding for Increased Federal Funds<sup>3</sup></b>	<b>Total Conference Committee Changes</b>
Salaries and wages	\$61,354	(\$111,552)		(\$50,198)
Operating expenses			\$336,825	336,825
Grants				
Total all funds	\$61,354	(\$111,552)	\$336,825	\$286,627
Less estimated income	9,908	(17,697)	336,825	329,036
General fund	\$51,446	(\$93,855)	\$0	(\$42,409)
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates, the same as the House, as follows:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Salary increase	\$54,286	\$10,263	\$64,549
Health insurance adjustment	(2,840)	(355)	(3,195)
Total	\$51,446	\$9,908	\$61,354

The Senate provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

<sup>2</sup> Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below, the same as the House version. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
New FTE positions	\$0	\$0	\$0
Vacant FTE positions	(93,855)	(17,697)	(111,552)
Total	(\$93,855)	(\$17,697)	(\$111,552)

<sup>3</sup> Funding for operating expenses is added for anticipated increases in federal funds, the same as the House version.

This amendment also adds a section to provide an effective date for Sections 3, 4, and 7 of Senate Bill No. 2050, related to the calculation of library state aid and local funding, and to declare an emergency measure, the same as the House version.

### Senate Bill No. 2013 - School for the Deaf - Conference Committee Action

	<b>Base Budget</b>	<b>Senate Version</b>	<b>Conference Committee Changes</b>	<b>Conference Committee Version</b>	<b>House Version</b>	<b>Comparison to House</b>
Salaries and wages	\$8,332,820	\$9,188,252	(\$250,652)	\$8,937,600	\$8,937,600	
Operating expenses	1,705,586	1,825,757		1,825,757	1,825,757	
Capital assets	158,678	1,002,178		1,002,178	1,002,178	
Total all funds	\$10,197,084	\$12,016,187	(\$250,652)	\$11,765,535	\$11,765,535	\$0
Less estimated income	2,790,528	3,678,221	(12,530)	3,665,691	3,665,691	0
General fund	\$7,406,556	\$8,337,966	(\$238,122)	\$8,099,844	\$8,099,844	\$0
FTE	44.61	45.36	0.00	45.36	45.36	0.00

### Department 252 - School for the Deaf - Detail of Conference Committee Changes

	<b>Adds Funding for Salary and Benefit Increases<sup>1</sup></b>	<b>Removes Salary Funding for Funding Pool<sup>2</sup></b>	<b>Total Conference Committee Changes</b>
Salaries and wages	\$78,185	(\$328,837)	(\$250,652)
Operating expenses			
Capital assets			
Total all funds	\$78,185	(\$328,837)	(\$250,652)
Less estimated income	2,329	(14,859)	(12,530)
General fund	\$75,856	(\$313,978)	(\$238,122)
FTE	0.00	0.00	0.00

<sup>1</sup> Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates, the same as the House, as follows:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Salary increase	\$81,505	\$2,478	\$83,983
Health insurance adjustment	(5,649)	(149)	(5,798)
Total	\$75,856	\$2,329	\$78,185

The Senate provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

<sup>2</sup> Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below, the same as the House version. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
New FTE positions	(\$115,294)	\$0	(\$115,294)
Vacant FTE positions	(198,684)	(14,859)	(213,543)
Total	(\$313,978)	(\$14,859)	(\$328,837)



**Senate Bill No. 2013 - Vision Services - School for the Blind - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$4,992,194	\$5,437,860	(\$91,447)	\$5,346,413	\$5,346,413	
Operating expenses	792,671	895,686		895,686	895,686	
Capital assets	39,192	478,192		478,192	478,192	
Total all funds	\$5,824,057	\$6,811,738	(\$91,447)	\$6,720,291	\$6,720,291	\$0
Less estimated income	1,062,178	1,664,423	(3,712)	1,660,711	1,660,711	0
General fund	\$4,761,879	\$5,147,315	(\$87,735)	\$5,059,580	\$5,059,580	\$0
FTE	27.75	27.75	0.00	27.75	27.75	0.00

**Department 253 - Vision Services - School for the Blind - Detail of Conference Committee Changes**

	Adds Funding for Salary and Benefit Increases <sup>1</sup>	Removes Salary Funding for Funding Pool <sup>2</sup>	Total Conference Committee Changes
Salaries and wages	\$40,640	(\$132,087)	(\$91,447)
Operating expenses			
Capital assets			
Total all funds	\$40,640	(\$132,087)	(\$91,447)
Less estimated income	4,053	(7,765)	(3,712)
General fund	\$36,587	(\$124,322)	(\$87,735)
FTE	0.00	0.00	0.00

<sup>1</sup> Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates, the same as the House, as follows:

	General Fund	Other Funds	Total
Salary increase	\$39,664	\$4,408	\$44,072
Health insurance adjustment	(3,077)	(355)	(3,432)
Total	\$36,587	\$4,053	\$40,640

The Senate provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

<sup>2</sup> Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below, the same as the House version. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
New FTE positions	\$0	\$0	\$0
Vacant FTE positions	(124,322)	(7,765)	(132,087)
Total	(\$124,322)	(\$7,765)	(\$132,087)